

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
October 7, 2019
6:30 P.M.

1. CALL TO ORDER

2. ROLL CALL

INVOCATION Pastor Bryant Evans, Eastern Shore Church of Christ

PLEDGE OF ALLEGIANCE

PUBLIC HEARING: Discussion on the closing of the Recycling Drop-off Center

- 3. APPROVE MINUTES:** Special Called Council Meeting – August 26, 2019
Council Meeting - September 16, 2019
Special Called Council Meeting – September 30, 2019

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Conaway

Review the minutes from the September 16, 2019 meeting.

Treasurer's Report for August 2019:

Unrestricted Fund Balance - \$12,917,800

Total Cash Balance - \$22,072,201

Sales Tax for July 2019 - \$1,626,625

Lodging Tax for July 2019 - \$155,871

B. BUILDINGS & PROPERTY COMMITTEE – Goodlin

Review the September 2019 Building Reports.

C. PUBLIC SAFETY COMMITTEE – Scott

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Phillips

E. PUBLIC WORKS COMMITTEE – Coleman

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones

B. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway

C. INDUSTRIAL DEVELOPMENT BOARD - Rudicell

D. LIBRARY BOARD –Phillips

E. PLANNING COMMISSION – Scott

Review the minutes from the August 2019 meeting.

F. RECREATION BOARD – LeJeune

City Council Agenda – October 7, 2019

G. UTILITY BOARD – LeJeune

Review the minutes from the August 2019 meeting.

6. MAYOR’S REPORT

7. CITY ATTORNEY REPORT

8. DEPARTMENT HEAD REPORTS

9. CITY CLERK’S REPORT

MOTION to approve the Buckaroo Foundation Stampede 5k/Fun Run on May 30, 2020 from 7:30am – 1:00pm.

MOTION to approve the publication and set a public hearing on November 18, 2019 for the Damaris Anderson proposed zoning amendment located northwest of Main Street and Van Avenue.

MOTION to approve the issuance of the 011 - Lounge Retail Liquor - Class II (Package) to Sai Blessings LLC dba Legacy Spirits located at 9475 US Highway 90, Space 110, Daphne, AL.

MOTION to approve the issuance of the 020 – Restaurant Retail Liquor to Mobile IWC LLC dba Island Wing Company located at 29740 A Urgent Care Drive, Daphne, AL.

10. PUBLIC PARTICIPATION

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2019-59 – Bid Award: Village Point Park Boardwalk - ADECA

B. 2ND READ ORDINANCES:

2019-44 – Amendments to the Olde Towne District Map

C. 1ST READ ORDINANCES:

2019-45 – Appropriation – ADECA Grant Match for the Recreational Trails Program to Construct a Walking Trail at Village Point Reserve

12. COUNCIL COMMENTS

13. ADJOURN

**August 26, 2019
CITY COUNCIL MEETING
SPECIAL CALLED MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Pat Rudicell called the meeting to order at 6:00 p.m.

2. ROLL CALL:

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

Council Members Absent: Doug Goodlin

Also Present: Jay Ross, City Attorney; Scott Hetrick, City Attorney; Mayor Dane Haygood; and Jessica Linne, Assistant City Clerk.

City Attorney asked the City Council to enter into an Executive Session concerning employee personnel matters. He said the Council could come out of Executive Session to vote. He said the Executive Session should take around 2 hours.

MOTION by Councilman Scott to enter into Executive Session for approximately 2 hours and come back into Council Chambers to vote and adjourn. Seconded by Councilwoman Phillips.

MOTION CARRIED UNANIMOUSLY.

Assistant 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

4. It was decided that the Council would meet again on September 30, 2019 at 5:00pm to continue the hearing.

3. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:42 P.M.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, City Clerk

Pat Rudicell, Council President

**September 16, 2019
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Pat Rudicell called the meeting to order at 6:30 p.m.

2. ROLL CALL:

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

COUNCIL MEMBERS ABSENT: Tommie Conaway

Also Present: Candace Antinarella, City Clerk; Jay Ross, City Attorney; Kelli Reid, Finance Department; Adrienne Jones, Planning Director; Troy Strunk, Executive Director of City Development; Tonya Young, Library Director; Jeremy Sasser, Public Works Director; Betsy Schneider, Operations Director; James White, Fire Department; Scott Taylor, Police Department; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Lamar Green, Fire Chaplain for Daphne Fire Department.

PUBLIC HEARING: Adrienne Jones presented on the proposed amendments to the Ordinance 2011-54, Land Use and Development Ordinance, Article XIV, Section 20(a), the Olde Towne Daphne District.

Public participation opened at 6:38pm.

Starke Irvine, 304 Bayhill Drive, apologized for inviting individuals to the public hearing this evening. He said he had shared that the topic was different. He said he thought it was on mixed use.

Public participation closed at 6:39pm.

Councilman Rudicell asked when the mixed use ordinance would be presented. Mrs. Jones said there would be a public hearing in Planning Commission in October. Mayor Haygood asked the history of the Olde Town Daphne District. Starke Irvine shared about the Overlay District.

3. APPROVE MINUTES:

The minutes of the September 3, 2019 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilwoman Conaway was absent.

B. BUILDINGS & PROPERTY COMMITTEE

Councilman Coleman said the next meeting is October 14th at 5:30pm. He said the August 2019 Building Report is in the packet.

C. PUBLIC SAFETY COMMITTEE

Councilman Scott said the next meeting is October 14th at 4:30pm. He mentioned that the minutes from the August 12th meeting were in the packet.

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CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
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D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilwoman Phillips said the next meeting is October 7th at 4:30pm. She said they are continuing to work on a speed calming ordinance.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the minutes from the August 5th meeting were in the packet. He said the next meeting will be October 7th at 5:30pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Adrienne Jones said the next meeting is the first Thursday in October at 6:00pm. She said there is one application for review.

B. Downtown Redevelopment Authority

City Clerk said the next meeting is in the Jubilee Conference room on the upcoming Thursday, September 19th at 5:30pm.

C. Industrial Development Board

Councilman Rudicell said the committee met recently and there were multiple topics discussed including their payback to the City.

D. Library Board

Councilwoman Phillips said the next meeting is October 10th at 4:00pm.

E. Planning Commission

Councilman Scott said the next meeting is September 26th at 5:00pm. He said at the meeting they will review the master plan for the Mobile Infirmary Office Complex.

F. Recreation Board

Councilman LeJeune said the Board met last Wednesday. He thanked Councilman Coleman and Mayor Haygood for attending. He mentioned the lacrosse team attended and shared they were in need of more field space. He said the next meeting is October 9th at 6:30pm.

MOTION by Councilman Scott to appoint Gerardo Flores to the Recreation Board contingent upon him being a resident of the City of Daphne. Seconded by Councilman Goodlin. MOTION CARRIED UNANIMOUSLY.
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City Clerk researched Mr. Flores' address and it was found he does not reside within the City limits.

G. Utility Board

Councilman LeJeune said the minutes from the July 2019 meeting were in the packet. The next meeting is September 25th at 6:00pm.

6. MAYOR'S REPORT:

Mayor Haygood said with the upcoming FY20 budget review, they had a recent work session and one of the topics was a roof at recreation. He mentioned at the last IDB meeting, the Board discussed their paying back the City for the money that was given. The Board was trying to decide what project the money would go to support. The Eastern Shore MPO has a meeting on September 25th. He said there are many projects concerning Daphne that will be discussed such as traffic calming devices and road improvements.

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CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
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7. CITY ATTORNEY REPORT:

No report.

8. DEPARTMENT HEAD COMMENTS:

No report from the Fire Department or the Police Department.

City Clerk reported on the two upcoming events at the Civic Center.

Jeremy Sasser, Public Works, said there is a race on the upcoming Saturday, September 21st as well as the Daphne Homecoming Parade on Thursday, September 26th. He reminded citizens to be aware of road closures for these two events.

9. CITY CLERK'S REPORT:

**MOTION by Councilman LeJeune to approve the issuance of the 050 – Retail Beer (Off Premises Only) and 070 – Retail Table Wine (Off Premises Only) to Bo Georges Convenience Store LLC dba Bo Georges located at 1101 Johnson Road, Suite A, Daphne, AL. Seconded by Councilman Coleman. Mayor Haygood said he believes this to be the old Daphmont Variety Store.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to hold a special called meeting on Monday, September 23, 2019 at 5:00pm to discuss the FY20 budget. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

10. PUBLIC PARTICIPATION:

Public Participation opened at 6:59pm.

Monica Peterson, 433 Village Drive, Daphne, asked the Council to make streets safer. She suggested dropping the speed limit on Main Street, building up curbs, etc. She mentioned that Van Avenue is dangerous to turn on.

Pat Oberholster, said she is one of the original founders of the Village Point Foundation. She said the Foundation wants to be able to communicate with citizens better and asks the City for their help with this. She said they are soliciting new members and asks the City to include the Foundation in any outreach efforts. She said next Sunday, September 22nd at 3pm, there will be a tour of Village Point for anyone interested.

John Lake, thanked everyone for their work in installing the sidewalks on Windsor. He said he appreciated the paving as well.

Public Participation closed at 7:06pm.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

ORDINANCES:

2nd READ:

2019-40 – Appropriation – Police Vehicle Replacement - \$23,638

**September 16, 2019
CITY COUNCIL MEETING
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2019-41 – Additional Appropriation - Daphne Sports Complex – Excess Engineering Fees -\$9,672

2019-42 – Appropriation – TAP Grant – CR13 Sidewalk Project - \$50,000

MOTION by Councilman Scott to waive the reading of Ordinance 2019-40, 2019-41 and 2019-42.

Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2019-40. Seconded by Councilman Coleman.
Councilman Scott asked if this was the vehicle that was involved in the recent accident. Mayor Haygood said it was.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2019-41. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2019-42. Seconded by Councilwoman Phillips.

MOTION CARRIED UNANIMOUSLY.

1st READ:

12. COUNCIL COMMENTS:

Councilman Scott said the Mayor mentioned they are working on a study to help with speed calming. He referenced the suggestions from Architects SouthWest.

Councilman Coleman said this past week he was with his family at the Daphne Sports Complex. He commended how great it is and that the energy at the facility is great.

Mayor Haygood mentioned Architects SouthWest did a traffic study on speed and safety. The company gave a few suggestions such as bollards.

Councilman Rudicell mentioned they had asked for a list of suggested improvements to be made concerning speed calming devices recently and would like to receive them.

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:16 P.M.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, City Clerk

Pat Rudicell, Council President

September 30, 2019
CITY COUNCIL MEETING
SPECIAL CALLED MEETING
1705 MAIN STREET
DAPHNE, AL
5:00 P.M.

1. **CALL TO ORDER:**

There being a quorum present Council President Pat Rudicell called the meeting to order at 5:05 p.m. This meeting is a continuation of the August 26, 2019 Special Called Council Meeting in regard to personnel matter.

2. **ROLL CALL:**

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

Council Members Absent: Ron Scott

Also Present: Jay Ross, City Attorney; Scott Hetrick, City Attorney; Mayor Dane Haygood; and Candace Antinarella, City Clerk.

City Attorney asked the City Council to enter into an Executive Session concerning employee personnel matters. He said the Council could come out of Executive Session to vote. He said the Executive Session should take around 2 hours.

**MOTION by Councilman Coleman to enter into Executive Session for approximately 2 hours and come back into Council Chambers to vote and adjourn. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

City Clerk called roll.

Councilwoman Conaway	aye
Councilman Coleman	aye
Councilman Goodlin	aye
Councilman Scott	absent
Councilman LeJeune	aye
Councilwoman Phillips	aye
Council President Rudicell	aye

**MOTION by Councilwoman Phillips to uphold the termination of Matthew Kilcrease. Seconded by Councilman LeJeune.
MOTION CARRIED.**

City Clerk called roll.

Councilwoman Phillips	aye
Councilman LeJeune	aye
Councilman Scott	absent
Councilman Goodlin	abstain
Councilman Coleman	aye
Councilman Rudicell	aye
Councilwoman Conaway	abstain

September 30, 2019
CITY COUNCIL MEETING
SPECIAL CALLED MEETING
1705 MAIN STREET
DAPHNE, AL
5:00 P.M.

3. ADJOURN:

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

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, City Clerk

Pat Rudicell, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
SEPTEMBER 16, 2019
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

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

Present were:

Councilman Mr. Pat Rudicell
Councilman Mr. Joel Coleman
Councilman Mr. Doug Goodlin

Councilman Mr. Robin LeJeune

Councilman Mr. Ron Scott

Also Present: Mayor Dane Haygood, Finance Director Mrs. Kelli Reid, Senior Accountant Mrs. Suzânn Henson, Human Resource Director Vickie Hinman, Public Works Director Mr. Jeremy Sasser, Operations Director Mrs. Betsy Schneider, Library Director, Tonja Young, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Troy Strunk, City Attorney Mr. Jay Ross, and Engineer- Mr. Andy Bobe, Dewberry.

Not Present were Mrs. Tommie Conaway and Mrs. Angie Phillips

II. PUBLIC PARTICIPATION

A. Ms. Selena Vaughn – Annual repair of Daphne’s Boardwalks

Ms. Selena Vaughn discussed the City consider budgeting annually for boardwalk repairs. Discussion continued that the life of the boardwalk is approximately seven to ten years. Mr. Sasser noted that boards are replaced as needed but a budget would be good for large sections of boardwalk repairs. Mrs. Reid discussed the Village Point Park Boardwalk bid that just opened and noted that the bid submittals were still being reviewed. Mrs. Reid noted that if the low bidder’s bid was awarded the City would need to appropriate approximately \$30,000 for the base bid and \$170,000 if the option to repair the pier was awarded. Discussion continued on evaluating the condition of the City’s boardwalks.

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were approved.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Vickie Hinman reviewed the Human Resource Report:

- Posted positions – 2
- Reviewing/Testing/Interviewing/Background check - 7
- Promotion/Internal Transfer - 0
- New Hires – 3
- Open positions – 3

Discussion continued on the Civic Center Events and Marketing position and the Facilities Director position. Mrs. Hinman stated the Facilities Director position was just advertised. Mr. Scott asked if the Civic Center Events and Marketing position still included Recreation/Parks. Mrs. Hinman stated it does. Mrs. Hinman noted that there were two applicants for the IT Director position. Mrs. Reid discussed new positions included in the FY2020 Budget proposal.

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

- HR training for employees re: Harassment and Drug/Alcohol September 23rd and 24th
- Planning Fall employee picnic – tentative date November 14th
- Supervisor Training in October
- Finalizing open enrollment/benefits for employees
- Finalizing revisions of personnel policies in Employee Personnel Handbook

B. Overtime Report Recap Report

The overtime report was included in the Finance Committee packet for review.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – August, 2019

Mrs. Reid reviewed the following reports and information:

- Code enforcement issued 15 warnings resulting in businesses becoming compliant and \$2,888.33 in revenue.
- New Businesses with a physical location in Daphne - 10 .
- Simplified Sellers Use Tax collections - \$42,442.50 and YTD collections - \$ 344,041.84.

BUSINESS LICENSE ACTIVITY REPORT	
BUSINESS LICENSE COUNT through 07/31/2019	
NEW Licenses	39
RENEWAL Licenses (2019)	19
Total Issued THIS MONTH	58
Total Issued THIS MONTH - PREVIOUS YEAR	75
Net Gain/-Loss Current VS Previous Yr MONTH	-17
Total Issued YTD 2019	4,580
Total Issued YTD - PREVIOUS YEAR	4,345
Net Gain/-Loss Current VS Previous Yr YTD	235

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	\$41,564.84	\$2,614.81	(\$38,950.03)	(\$2,200,915.25)
January	\$1,420,279.64	\$1,409,468.98	(\$10,810.66)	(\$791,446.27)
February	\$569,031.88	\$698,411.44	\$129,379.56	(\$93,034.83)
March	\$183,259.10	\$169,548.90	(\$13,710.20)	\$76,514.07
April	\$29,229.51	\$48,761.33	\$19,531.82	\$125,275.40
May	\$15,686.44	\$28,001.93	\$12,315.49	\$153,277.33
June	\$16,524.34	\$15,746.69	(\$777.65)	\$169,024.02
July	\$14,904.40	\$22,076.77	\$7,172.37	\$191,100.79
August	\$10,524.31	\$9,802.05	(\$722.26)	\$200,902.84
September				\$200,902.84
Year to Date	\$2,314,829.89	\$2,415,902.84	\$101,072.95	\$265,902.84
* Amounts include penalty and interest.				

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: July, 2019

Mrs. Henson reviewed the Sales & Use Tax Reports and Graphs: \$1,626,625 was collected for July, 2019 which was up \$198,302 from July 2018's collections :

- YTD Variance over Budget - \$563,490

B. Lodging Tax Collections, July, 2019

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for July, 2019 were \$155,871 which is down (\$5,813) from July 2018's collections .

- YTD Variance over Budget: \$64,892

C. Lodging Tax Fund : Statement of Rev over Exp, August, 2019

Mrs. Henson reviewed the Lodging Tax Statement of Revenues over Expenditure report for **August, 2019**.

- Unreserved balance for Bayfront related purchases - \$1,541,332
- Recreation related purchases - \$ 769,210

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: August, 2019

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT As of August 31, 2019					
Account Type/Title	8/31/2019	7/31/2019	Increase (Decrease) from last Month	8/31/2018	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	\$ 6,806,174	\$ 6,406,682	\$ 399,492	\$ 7,421,721	\$ (615,547)
CERTIFICATE OF DEPOSIT	500,000	500,000	-	502,134	\$ (2,134)
INVESTMENT FUND	5,598,167	5,618,925	(20,758)	5,325,910	\$ 272,257
CREDIT CARD ACCOUNT	13,459	17,563	(4,104)	7,894	\$ 5,565
Total Unrestricted Cash Balance	12,917,800	12,543,171	374,629	13,257,659	(339,860)
SPECIAL REVENUE FUNDS					
AGENCY FUNDS					
	3,335,980	3,301,065	34,915	3,865,703	(529,723)
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	3,079,894	3,545,312	(465,419)	2,953,151	126,743
2016 CAPITAL IMPROVEMENTS	-	-	-	845,793	(845,793)
2017 CONSTRUCTION	-	-	-	7,155,836	(7,155,836)
2019 CAPITAL IMPROVEMENTS	919,378	920,837	(1,459)	-	919,378
	3,999,271	4,466,149	(466,878)	10,954,780	(6,955,509)
DEBT SERVICE FUNDS					
DEBT SERVICE	1,819,151	1,550,835	268,316	1,644,264	174,887
Total Restricted Cash Balance	9,154,401	9,318,049	(163,647)	16,464,747	(7,310,345)
Total City Cash Balance	\$ 22,072,201	\$ 21,861,220	\$ 210,982	\$ 29,722,406	\$ (7,650,205)
	Encumbrance Total as of		8/31/2019	\$ 496,979.01	

Mrs. Reid noted that the major reason that the Total City Cash Balance was down from last year was due to the 2016 & 2017 Capital Improvements funds being fully expended for the Sports Park projects.

The Treasurer's Report as of AUGUST, 2019 Total Unrestricted Cash Balance - \$12,917,800 and Total City Cash Balance - \$22,072,201 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance is - \$496,979.01 as of **August, 2019**.

Mrs. Reid reviewed the Encumbrance Report and noted that several line items will come off the list soon including EnerGov software, NRCS Emergency Watershed, and Joe Louis Patrick Park. Mrs. Reid noted that the auditors will be onsite November 12th for the City's annual audit. Mrs. Reid discussed other year end processes.

3. Outstanding Appropriations

Mrs. Reid reviewed the Report. Discussion was made on evaluating Corte Road to see if adding bicycle lanes are feasible. Mr. Rudicell inquired of outstanding money for Nicholson Center. Mrs. Reid stated that the remaining money will be expended for replacement of the gymnasium air conditioner.

4. Financial Overview: Debt Summaries & Monthly Financial Statements, July, 2019

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), **August, 2019**
 - o Jubilee Square: Debt payments are currently fully paid through June 2018 thus 14 months in arrears. Arrearage includes \$497,851 in principal and \$146,997 in interest. The City is expected to end the fiscal year only 9 months in arrearage.

Monthly Financial Statements –July 2019 Financial Highlights

General Fund:

	<u>FY 2019</u>	<u>FY 2018</u>	<u>Change</u>
• YTD Budgetary Net Income:	\$48,501	\$3,089,979	\$(3,041,478)
• Total sales tax collected year to date is approximately \$872,500 over prior year and \$563,500 over budgeted income			
• Investment and interest earnings are approximately \$348,000 over prior year to date collections			
• Ad Valorem Tax collections are approximately \$360,000 over prior year			
• Unassigned Fund Balance: \$13,249,261			
• Outstanding Encumbrances: \$518,873			

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of July 31, 2019: \$35,885,906
- Outstanding Note Payable Balance as of July 31, 2019: \$779,102
- Outstanding Capital Lease Balance as of July 31, 2019:
 - o General Fund: \$1,117,035
 - o Enterprise Funds: \$336,395

Capital Project Funds (Capital Reserve, 2016 Construction, 2017, and 2019 Construction):

- YTD Park Improvements Expenditures: \$9,798,627
- YTD Corte Road Paving Expenditures: \$612,998
- The 2016 Construction was closed in February with all of the bond refunding proceeds being expended on Lott Park and the 2017 Construction Fund was closed in May with all of the bond refunding proceeds being expended on the Daphne Sports Complex
- The 2019 Construction Fund was opened in May with approximately \$918,000 of savings from the 2012 Warrant refunding with the proceeds to be used for the construction of fire station #5

Special Revenue Funds (11 separate funds):

Lodging Tax Fund –

- o Bayfront Unreserved Fund Balance: \$1,504,253.84
- o Recreation Unreserved Fund Balance: \$733,762.62
- o Total lodging tax collected year to date is approximately \$43,500 over prior year and \$65,000 over budgeted income.

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

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

	<u>FY 2019</u>	<u>FY 2018</u>	<u>Change</u>
Solid Waste Fund	\$ 258,826	\$ 263,667	\$ < 4,841>
Civic Center Fund	\$ 62,278	\$ 200,472	\$ <138,194>
Bayfront Park Fund	\$ 107,361	\$ 134,188	\$ <26,827>

- Year to date revenue recognized by the Civic Center for a single vendor on a long term lease is \$172,000

5. Unfunded Future Projects Expenditure Summary

Mrs. Reid reviewed the Unfunded Future Projects Expenditure Summary. No appropriations have been made.

- Total Project Estimated Cost: \$8,900,000 - Total City Cost needing to be appropriated - \$6,592,000.
- Annual Yearly Expenditures: \$1,650,000 - Total City Cost needing to be appropriated - \$ 1,650,000

Discussion was made on future projects including Fire Station #5 that will go out to bid soon. Mr. Scott discussed setting up an OPEB Trust fund to address other post-employment benefit liabilities. Discussion continued on funding the trust fund.

6. Summary of Budgetary Amendments

Mrs. Reid reviewed the General Fund budgetary amendments made to the FY2019 Budget.

- Total Appropriations Year to Date – \$3,097,360
- Adjusted Expenses over Revenue – (\$3,035,960)

B. Bills Paid Reports – August, 2019

The Bills Paid Report were previously presented electronically.

X. NEW BUSINESS

A. Discuss AT&T new proposal for Tower Lease

Mrs. Henson reviewed the AT&T Tower lease proposal offering different terms than the current tower lease contract AT&T has with the City. There were multiple options proposed by AT&T. Discussions continued on proposal. City attorney, Jay Ross stated that he would do some research on the current lease terms and recommended additional comparative information and his research be brought back before the committee.

XI. OLD BUSINESS

A. FY2020 Budget - Special called Council Meeting

Ron discussed having a Special called Council Meeting to consider adopting the budget.

MOTION BY Mr. Scott to recommend to have a Special Called Council Meeting on September 23, 2019 at 5:00 p.m.. Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

XII. ADJOURN

The meeting adjourned at 5:57p.m.



PERMIT ISSUANCE SUMMARY (09/01/2019 TO 09/30/2019) FOR CITY OF DAPHNE

Permit Type	Permit Work Class*	Permits Issued	Square Feet	Valuation	Fees Paid
Building Permit (Commercial)	Addition	1	0	\$0.00	\$4,402.00
	Alteration or Remodel	2	0	\$0.00	\$2,413.50
	Cell Tower	1	0	\$0.00	\$240.00
	Misc.	1	0	\$0.00	\$560.00
	New Construction (Commercial)	2	0	\$0.00	\$2,370.00
	Re-Roof	1	0	\$0.00	\$189.00
	Well Non-Residential/Commercial	3	0	\$0.00	\$150.00
BUILDING PERMIT (COMMERCIAL) TOTAL:		11	0	\$0.00	\$10,324.50
Building Permit (Residential)	Accessory Structure	2	0	\$0.00	\$176.37
	Addition	3	0	\$0.00	\$2,245.00
	Alteration or Remodel	5	0	\$0.00	\$1,035.50
	Misc.	7	0	\$0.00	\$622.61
	New Construction (Residential)	21	0	\$0.00	\$34,283.40
	Pool	2	0	\$0.00	\$676.25
	Repair	2	0	\$0.00	\$250.00
	Re-Roof	44	0	\$0.00	\$4,673.36
	Sunroom	1	0	\$0.00	\$150.00
	Termite Repair	7	0	\$0.00	\$982.04
BUILDING PERMIT (RESIDENTIAL) TOTAL:		94	0	\$0.00	\$45,094.53
Electrical Permit (Commercial)	Misc.	3	0	\$0.00	\$258.05
ELECTRICAL PERMIT (COMMERCIAL) TOTAL:		3	0	\$0.00	\$258.05
Electrical Permit (Residential)	Misc.	18	0	\$0.00	\$720.68
	New Construction (Residential)	44	0	\$0.00	\$4,840.00
	Pool Bonding	1	0	\$0.00	\$35.00
	Service Change	1	0	\$0.00	\$31.50
ELECTRICAL PERMIT (RESIDENTIAL) TOTAL:		64	0	\$0.00	\$5,627.18
HVAC Permit (Commercial)	Change Out HVAC	3	0	\$0.00	\$487.74
	New Construction (Commercial)	2	0	\$0.00	\$657.35
HVAC PERMIT (COMMERCIAL) TOTAL:		5	0	\$0.00	\$1,145.09
HVAC Permit (Residential)	HVAC Changeout	6	0	\$0.00	\$278.97
	New Construction (Residential)	29	0	\$0.00	\$4,118.38
HVAC PERMIT (RESIDENTIAL) TOTAL:		35	0	\$0.00	\$4,397.35
Land Disturbance New Residential Land Disturbance		9	0	\$0.00	\$900.00
LAND DISTURBANCE NEW RESIDENTIAL HOME TOTAL:		9	0	\$0.00	\$900.00
Land Disturbance Permit	Land Disturbance	26	0	\$0.00	\$2,600.00
LAND DISTURBANCE PERMIT TOTAL:		26	0	\$0.00	\$2,600.00
Legacy Permit	Legacy Permit	6	0	\$0.00	\$467.49
LEGACY PERMIT TOTAL:		6	0	\$0.00	\$467.49

** Double-click the Permit Work Class Name while in the browser to see Permit details for that Work Class.*

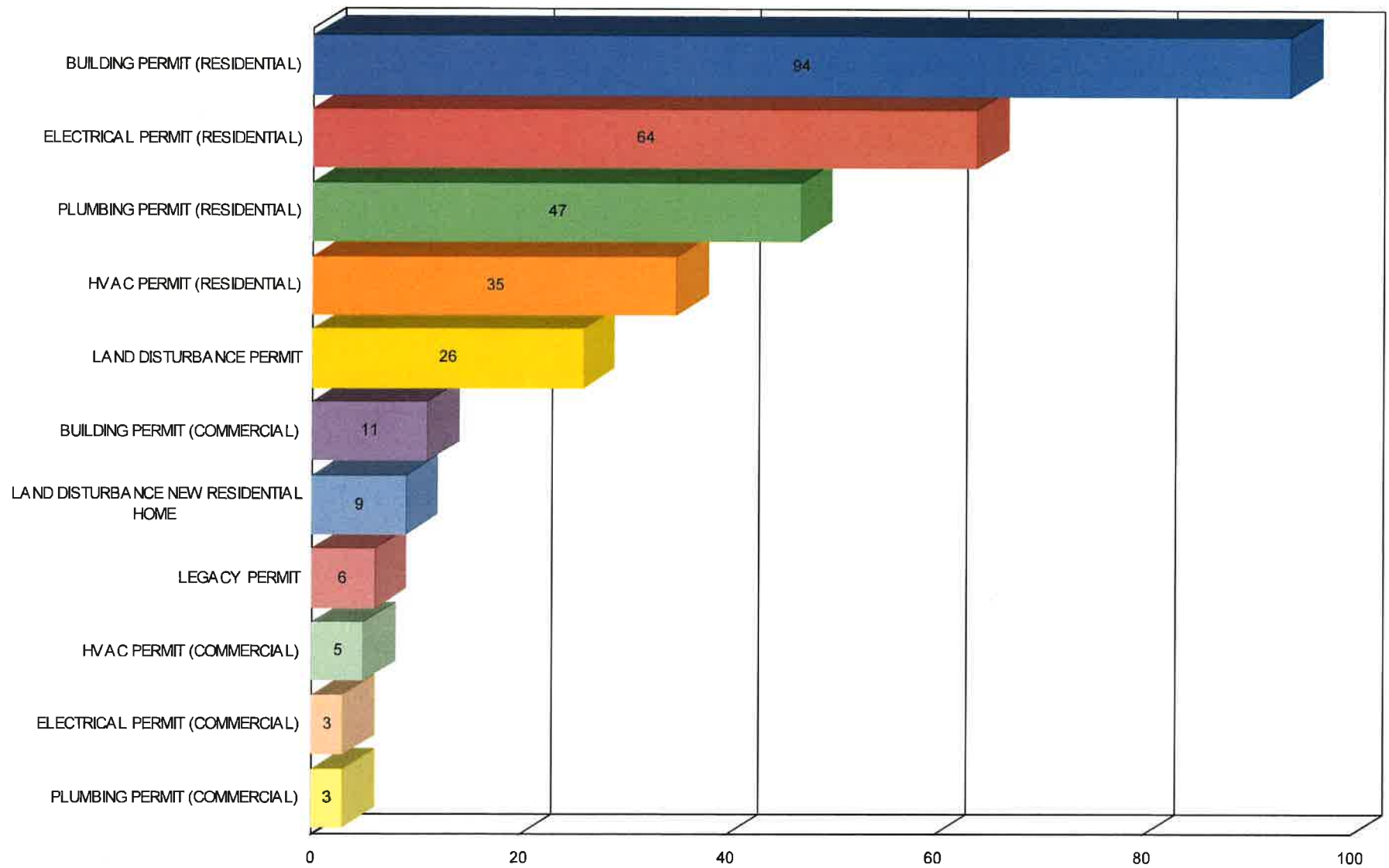
PERMIT ISSUANCE SUMMARY (09/01/2019 TO 09/30/2019)

Permit Type	Permit Work Class*	Permits Issued	Square Feet	Valuation	Fees Paid
Plumbing Permit (Commercial)	Misc.	2	0	\$0.00	\$52.91
	New Construction (Commercial)	1	0	\$0.00	\$409.61
PLUMBING PERMIT (COMMERCIAL) TOTAL:		3	0	\$0.00	\$462.52
Plumbing Permit (Residential)	Misc.	6	0	\$0.00	\$217.47
	New Construction (Residential)	41	0	\$0.00	\$4,549.31
PLUMBING PERMIT (RESIDENTIAL) TOTAL:		47	0	\$0.00	\$4,766.78
GRAND TOTAL:		303	0	\$0.00	\$76,043.49

* Double-click the Permit Work Class Name while in the browser to see Permit details for that Work Class.



PERMITS ISSUED BY TYPE (09/01/2019 TO 09/30/2019) FOR CITY OF DAPHNE



Certificate Of Occupancy Report

Printed On : 9/30/2019

Permit Number	CO Issued	Owner Name	Address	Sub Division	Status
19-600	9/3/2019	TRULAND HOMES	9448 VOLTERRA AVE	BLACKSTONE LAKES	
18-660	9/3/2019	D R HORTON	8225 IRWIN LOOP	WINGED FOOT	I
19-371	9/4/2019	D R HORTON	8395 MACKIE LANE	WINGED FOOT	A
18-92	9/4/2019	D R HORTON	26148 GILMORE WAY	WINGED FOOT	A
19-195	9/5/2019	SCOTT FONDREN	27390 MAIN STREET	JACKSON OAKS	I
19-491	9/16/2019	TRULAND HOMES	27562 FRENCH SETTLEMENT	French Settlement	I
19-273	9/17/2019	TRACTOR SUPPLY	851 US HWY 98		
19-1474	9/19/2019	D R HORTON	10325 SECRETARIAT BLVD	Jubilee Farms	I
19-115	9/19/2019	KEITH SCORZA	9477 MARCHAND AVE	Sehoy	
19-116	9/19/2019	KEITH SCORZA	9461 MARCHAND AVE	Sehoy	
19-330	9/20/2019	TRULAND HOMES	7795 ELDERBERRY DRIVE	Timber Creek	I
18-1686	9/20/2019	RENAISSANCE ACADEMY	29669 RENAISSANCE BLVD	RENAISSANCE ACADEMY	
19-599	9/25/2019	TRULAND HOMES	9454 VOLTERRA AVE	BLACKSTONE LAKES	
19-604	9/30/2019	D R HORTON	9396 SWAN POINT RD	BLACKSTONE LAKES	
19-544	9/30/2019	D R HORTON	26143 GILMORE WAY	WINGED FOOT	
19-546	9/30/2019	D R HORTON	8149 IRWIN LOOP	WINGED FOOT	
19-585	9/30/2019	D R HORTON	24758 SLATER MILL RD	BLACKSTONE LAKES	
19-812	9/30/2019	D R HORTON	9577 VOLTERRA AVE	BLACKSTONE LAKES	
19-752	9/30/2019	D R HORTON	24812 SLATER MILL ROAD	BLACKSTONE LAKES	
19-829	9/30/2019	D R HORTON	8198 IRWIN LOOP	WINGED FOOT	
19-158	9/30/2019	D R HORTON	10202 DUNLEITH LOOP	Old Field	

The City of Daphne
Planning Commission Minutes
Regular Meeting of August 22, 2019
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

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

Call of Roll:

Members Present:

Andrew Prescott, Secretary
Marybeth Bergin, Chairman
Phillip Hodgson, Vice Chairman (excused @ 6:10 p.m.)
Ron Scott
Hudson Sandefur
Chief White

Staff Present:

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

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 July 25, 2019. There being none, minutes are approved as submitted.*

The next order of business is preliminary/final plat review for Archer Commercial Park.

An introductory presentation was given by Jon Archer, representative of Zeigler Corporation, requesting preliminary/final plat review of a two-lot subdivision consisting of approximately nine acres southwest of County Road 54 West and County Road 64 and in the extraterritorial planning jurisdiction.

Chairman opened the floor to public participation. No one came forth. She closed public participation.

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

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Sandefur *to approve Archer Commercial Park preliminary/final subdivision. There was no discussion on the motion. The Motion carried unanimously.*

The next order of business is preliminary/final plat review for Victor Nicholson Estates Subdivision.

The City of Daphne
Planning Commission Minutes
Regular Meeting of August 22, 2019
Council Chamber, City Hall - 5:00 P.M.

An introductory presentation was given by Victor Nicholson, owner, requesting preliminary/final plat review of a three-lot subdivision consisting of approximately four-point nine-one acres southeast of Beverly Drive and Crandall Street for the purpose of conveyance of Lot 2 and asked about the requirement for improvement of Lett Avenue.

Chairman commented about the discussion at the site preview meeting regarding the necessity of improvement of the right-of-way prior to recording or prior to development.

Ms. Jones provided draft motions to the Public Work Director for review and advisement.

Mr. Sasser advised that he is agreeable to the motion to grant approval of the subdivision conditioned upon the addition of notes to the plat to address the timing of road improvements. He stated this would satisfy Public Works concerns regarding improvements in the right-of-way, would allow Mr. Nicholson to move forward with the development and sale of Lot 2, and would address remaining improvements to Lot 3.

Chairman asked about fire department concerns.

Chief White advised approval would require installation of a fire department access road and fire hydrant. He noted that the right-of-way shown as Beverly Drive is Crandall Street.

Ms. Jones responded that the correct street name will be on the final document, in addition to the notes that you deem appropriate.

Chairman opened the floor to public participation. No one came forth. She closed public participation.

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

A Motion was made by Mr. Scott and Seconded by Mr. Sandefur to approve Victor Nicholson Estates preliminary/final subdivision, conditioned upon adding the following notes to the plat prior to recording in Probate Records: 1. The City of Daphne shall not be responsible for installing improvements associated with the division of adjacent properties along Lett Ave right-of-way; 2. The City of Daphne shall not issue an address, land disturbance permit, demolition permit or building permit for the lots within this subdivision until such time as the Public Works Department submits to Community Development Department a letter indicating that the right-of-way improvements of Lett Avenue and fire hydrant have both been satisfactorily completed; 3. The lots within this subdivision shall not be further subdivided until such time as Lett Avenue right-of-way improvements have been fully installed to meet the provisions of Article 11, Minimum Standards and Required Improvements for Subdivisions and Commercial Site Developments.

During discussion, Mr. Prescott asked for clarification of the motions.

The City of Daphne
Planning Commission Minutes
Regular Meeting of August 22, 2019
Council Chamber, City Hall - 5:00 P.M.

Chairman explained the difference in the motions.

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

The next order of business is an administrative presentation of a proposed amendment to the Olde Towne Daphne District Map and rezoning request for Francis and Patricia Jones.

An introductory presentation was given by Robert Cummings, representative of Goodwyn, Mills & Cawood, of a request for a modification to the boundary of the Olde Towne Daphne District to include the parcel southeast of Main Street and Ryan Avenue. One of the benefits of being included in the district is the landscape and buffer requirements of commercial development abutting a residential subdivision. He stated that the rezoning request is for B-1(a), Limited Local Business, similar to Whitt's Frozen Custard.

Chairman asked for Commission questions or comments.

Mr. Hodgson asked about the proposed use of the property. Mr. Cummings responded that the proposed rezoning is for the purpose of the development of a European-style neighborhood market.

Jason Tickle, developer, expressed his desire to develop a small market similar to Whole Foods market. He is in collaborations with Harvest Market, which he thinks would work in conjunction with the Judge's Square development.

Ms. Jones was asked to present the uses allowed in a B-1(a) zone.

Ms. Jones read a summary of uses allowed in a B-1(a), Limited Local Business District from Ordinance 2016-39.

Chairman opened the floor to public participation for both applications presented by Francis and Patricia Jones.

Sherri Killam Albee, 812 Pinewood Court, spoke in opposition and stated that she is the resident of Pinewood Subdivision. Rezoning to accommodate a market is not necessary. She asked Commissioners to preserve the peace and tranquility of the neighborhood by allowing the property to remain R-1.

Larry Lambert, 624 Main Street, spoke in opposition and asked the Commissioners to consider the history of the area and Daphne.

Steve Olen, 437 Village Drive, spoke in opposition and stated that the zoning of surrounding properties is R-1 and he believes this is spot zoning. The development is not a part of the Judge's Square development and should not be included in the Olde Towne Daphne Overlay district.

Garred Brannon, 501 Pinewood Street, spoke in opposition and expressed his concerns regarding the rezoning and removal of trees.

The City of Daphne
Planning Commission Minutes
Regular Meeting of August 22, 2019
Council Chamber, City Hall - 5:00 P.M.

Ann McLaurin, 705 Hillwood Circle, spoke in opposition and stated that according to the store website for Harvest Market, it consists of a market, café, coffee shop, expresso loft and a bar with a variety of operation hours seven days a week.

Mary Reddit, an adjacent property owner, spoke in opposition and expressed concerns about Judge's Square and the extension of commercial development into residential development neighborhood.

Andy Allegri, 904 Ryan Avenue, spoke in opposition and expressed concern about the rezoning, the hours of operation, noise and odor from dumpsters.

Jenny White, 403 Village Drive, spoke in opposition and expressed concern about additional traffic from U.S. Highway 98, and it may be spot zoning.

Michael Gagnet, 24437 Main Street, spoke in favor of the rezoning on behalf of himself, mother, and mother-in-law, spoke and expressed his concern about restrictive covenants to control the use of the property or for the property to remain R-1.

During rebuttal, Mr. Cummings responded that this parcel is not a part of Pinewood Subdivision, and traffic is designed to accommodate a mixed use business. He said that B-1(a) is what the City wants, small-scale developments on streets classified as minor collectors; proximity to MU zoning is not spot zoning.

Chairman closed public participation and called for a motion regarding the proposed district map amendment.

A Motion was made by Mr. Scott and **Seconded** by Mr. Sandefur **to set forth an unfavorable recommendation to City Council with regard to a proposed amendment to the Land Use and Development Ordinance, Article 14, Section 20(a) to amend the boundary of the Olde Towne Daphne District Map to include the parcel located at the southeast intersection of Ryan Avenue and Main Street.**

During discussion, Mr. Sandefur commented that the arguments presented to support rezoning were not compelling enough to overcome the reasons not to rezone the property; Mr. Hodgson stated that the property should not be residential and may be rezoned commercial at some point in the future.

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

Chairman called for a motion regarding the rezoning request.

A Motion was made by Mr. Scott and **Seconded** by Mr. Hodgson **to set forth an unfavorable recommendation to the City Council regarding the rezoning of the subject property from R-1, Low Density Single Family Residential to B-1(a), Limited Local Business.**

The City of Daphne
Planning Commission Minutes
Regular Meeting of August 22, 2019
Council Chamber, City Hall - 5:00 P.M.

During discussion, Mr. Scott mentioned Whitt's Frozen Custard and also noted that there was an unfavorable recommendation to rezone property at the northwest corner of Ryan Avenue and Main Street in the past. He stated this property abuts a residential subdivision, the concept of a neighborhood market is a great, but this is not the appropriate location for it.

Chief White asked Mr. Lambert if Judge Roy Bean posed a hardship on the neighborhood. Mr. Lambert stated the bar was located one block to the south and posed similar concerns.

Mr. Scott advised that the Commission makes a recommendation to the City Council, and that body will hold a public hearing that gives another opportunity to speak on this issue.

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

The next order of business is a request for pre-zoning for Down by the Bay, L.L.C.

An introductory presentation was given by Tim Lawley, representative of Goodwyn, Mills & Cawood, of a request to pre-zone and annex an eight-point seven-four acre parcel northeast of County Road 64 and County Road 13 as B-2(a), General Business Alternate District for the development of a storage facility. He also discussed the modification to the turn lane on County Road 13.

Mr. Scott commended the owner for annexing into the city.

Chairman commented that the development of a storage facility in a B-2(a) requires Planning Commission approval and advised that city staff will issue a right-of-way permit for a turn lane north of the subdivision entrance in conjunction with construction of the previously approved subdivision.

Ms. Jones asked about the status of the subdivision. Mr. Lawley stated that the developer is holding the subdivision as an option in case the zoning is not approved.

Chairman opened the floor to public participation. No one came forth. She closed public participation.

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

A Motion was made by Mr. Scott and Seconded by Mr. Hodgson to set forth a favorable recommendation to pre-zone the subject property from County B-1, Professional Business, to B-2(a), General Business Alternate.

An Amendment to the main motion was made by Mr. Scott and Seconded by Mr. Hodgson to grant approval to allow a storage facility use on the subject property, if annexed and pre-zoned to B-2(a).

The City of Daphne
Planning Commission Minutes
Regular Meeting of August 22, 2019
Council Chamber, City Hall - 5:00 P.M.

During discussion, Ms. Jones stated this does not preclude any requirements during site plan approval.

The Chair called for a vote on the motion as amended. The vote carried unanimously.

The Chair called for a vote on the annexation request.

A ***Motion*** was made by Mr. Scott and ***Seconded*** by Mr. Sandefur ***to set forth a favorable recommendation to the City Council to annex the eight-point seven-four acre parcel into the Daphne city limits. There was no discussion on the motion. The Motion carried unanimously.***

Mr. Hodgson was excused at 6:10 p.m.

The next order of business is an administrative presentation of the Mobile Bay NEP-Montclair Loop Stream Restoration Project was given by Ashley Campbell, Environmental Programs Manager, and Andrew James, Volkert, Inc., of the Mobile Bay NEP-Montclair Loop Stream Restoration Project.

The next order of business is planning commission discussion of a proposed amendment to Article 14, Olde Towne Daphne District, and Article 36, Village Overlay District.

Ms. Jones presented a proposed amendment to Article 14 to allow property zoned B-1, B-2 and B-3 that lies in the Olde Towne Daphne District or Village Overlay District to have a residential component upstairs/vertical.

Mr. Strunk commented on a proposal for accessory residential units on existing commercial sites in the Olde Towne Daphne District or Village Overlay District.

Mr. Dungan discussed the potential to use a tiered density in the districts as the maximum R-7 zoning requirement may not work.

Mr. Scott asked for further discussion at the next meeting.

The next order of business is public participation.

Chairman asked for public participation.

Sandy Robinson, 1500 Main Street, spoke in favor of a mixed use development with a cohesive building with a residential component upstairs, but expressed concern accessory dwelling units in the Olde Towne Daphne District and Village Overlay District.

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

Mr. Dungan stated no report.

The City of Daphne
Planning Commission Minutes
Regular Meeting of August 22, 2019
Council Chamber, City Hall - 5:00 P.M.

The next order of business is commissioner's comments.

None presented.

The next order of business is director's comments.

Ms. Jones presented the following:

- a. EnerGov Land Management Program is operational now; and,
- b. The upcoming meeting dates are site preview, September 18 & regular meeting, September 26, 2019.

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

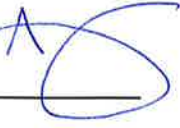
Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: September 26, 2019


Marybeth Bergin, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF SEPTEMBER 26, 2019
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report 

1. **CALL TO ORDER:** 5:05 p.m.
2. **CALL OF ROLL:** Marybeth Bergin, Hudson Sandefur, Phillip Hodgson, Ron Scott, Chief White and Ed Kirby
3. **APPROVAL OF MINUTES:**

Review of minutes of the regular meeting of August 22, 2019. (**Approved**)
4. **NEW BUSINESS:**

A. MRM STORAGE PLANNING APPROVAL AND SITE PLAN:

1. Planning Commission approval of a warehouse and/storage facility in a B-2 zone. (**Approved**)
2. **File SP19-08: (Approved site plan contingent on revising the fence from chain link to wood along the road frontage)**

Site: MRM Storage

Zoning: B-2, General Business

Location: Southeast of the intersection of Pollard Road and Randall Avenue

Area: 2.47 ± Acres

Owner(s): MRM Storage, L.L.C. - Robert Ristaneo, Jr.

Engineer: Goodwyn, Mills & Cawood - Robert Cummings

B. INFIRMARY HEALTH MALBIS MEDICAL OFFICE BUILDING:

1. **MASTER PLAN REVIEW:**

File MPR19-01: (**Approved**)

Presentation to be given by Christopher Grant, representative of Thompson Engineering, requesting a master plan review of Infirmary Health Malbis Medical Office Building.

2. **SITE PLAN REVIEW:**

File SP19-09: (**Approved**)

Site: Infirmary Health Malbis Medical Office Building

Zoning: B-2(a), General Business Alternate

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

Area: 17.8 Acres ±

Owner: Infirmary Health Malbis Medical Office Building -
Dennis Summerford

Agent: Thompson Engineering - Christopher Grant

Engineer: Thompson Engineering - Frank E. Leatherwood, III

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF SEPTEMBER 26, 2019
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

C. SITE PLAN REVIEW:

1. File SP19-10: (Approved)

Site: Valentine Automotive

Zoning: *B-2, General Business*

Location: Southeast of Wilson Avenue and U. S. Highway 98

Area: 2.13 ± Acres

Owner(s): Randall Avenue Joint Venture - Larry Chason

Developer: Valentine Automotive - Stuart Valentine

Engineer: Goodwyn, Mills & Cawood - Robbie Strom

D. FINAL PLAT REVIEW:

1. File SDF19-05: (Approved)

Subdivision: Jubilee Farms, Phase Four

Present Zoning: *PUD, Planned Unit Development*

Location: Southeast of Austin Road and Alabama Highway 181

Area: 21.62 ± Acres, (52) lots

Owner: Forestar Real Estate Group, Inc. - Tucker Dorsey

Agent: Dewberry - Steve Pumphrey

Engineer: Dewberry - Jason Estes

E. ZONING AMENDMENT:

(Set forth an unfavorable recommendation to City Council)

1. File ZA19-04: Damaris Anderson

Present Zoning: *R-2, Medium Density Single Family Residential*

Proposed Zoning: *MU, Mixed Use*

Location: Northwest corner of Main Street and Van Avenue

Area: 0.20 Acres ±

Owner: Damaris Anderson

Agent: Ashurst Niemeyer Real Estate - Morgan Ashurst

F. PLANNING COMMISSION DISCUSSION:

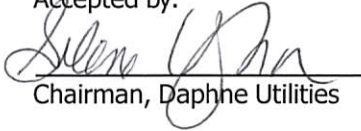
- 1. Proposed amendment to provisions of the Land Use and Development Ordinance, Article 14, Olde Towne Daphne District, and Article 36, Village Overlay District, regarding mixed uses, presented by Adrienne Jones, Director of Community Development (No action taken)**

G. ELECTION OF 2019-2020 OFFICERS: Marybeth Bergin, Chairman, Andrew Prescott, Vice Chairman, & Phillip Hodgson, Secretary

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF SEPTEMBER 26, 2019
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

5. **PUBLIC PARTICIPATION**: Comments expressed regarding the fence along the perimeter of Jubilee Farms Subdivision (see minutes for details).
6. **ATTORNEY'S REPORT**: No report
7. **COMMISSIONER'S COMMENTS**: None presented
8. **DIRECTOR'S COMMENTS**: None presented
9. **ADJOURNMENT**: 6:05 p.m.

Accepted by:

Chairman, Daphne Utilities



APPROVED MINUTES

Utilities Board Meeting

Council Chambers, Daphne City Hall ♦ August 28, 2019 ♦ 5:00 p.m.

I. Call to Order

The regular August 2019 Board meeting for the Utilities Board of the City of Daphne was held on August 28, 2019 at 5:04 p.m. in the Council Chambers at Daphne City Hall and called to order by Chairman Selena Vaughn, followed by the Roll Call:

II. Roll Call

Members Present: Selena Vaughn, Secretary/Treasurer
Robin LeJeune, Board Member
Tim Patton, Board Member

Members Absent: Billy Mayhand, Vice Chairman
Mayor Dane Haygood, Board Member – submitted a message that his absence was due to his chairmanship of the ESMPO meeting and the ongoing Mobile River Bridge matter that was being addressed – this meeting was still in session at the time of this Daphne Utilities Board meeting.

Others Present: Jerry Speegle – Board Attorney
Bobby Purvis – Interim General Manager
Drew Klumpp – Administrative Services Manager
Teresa Logiotatos – Finance Manager
Samantha Coppels – Communications Manager
Lori May-Wilson – Executive Assistant
Melinda Immell – Volkert & Associates
Ray Moore – GMC

Others Absent: Joe Asarisi – Asarisi & Associates

III. Pledge of Allegiance

The Chairman led the Board and meeting attendees in the Pledge of Allegiance.

IV. Approval of Minutes

A. Utilities Board Meeting Minutes July 31, 2019

The Chairman requested any additions, corrections, or deletions for the submitted minutes for the July 31, 2019 Utilities Board meeting.

With no additions, deletions or corrections, the Chairman declared that the submitted July 31st minutes would stand approved.

V. OLD BUSINESS –

A. Capacity Fees for Daphne Sports Complex

Mr. Jerry Speegle had no updates at this time.

VI. NEW BUSINESS –

A. Election of Vacant Board Officer Position: Secretary/Treasurer – BOARD ACTION: MOTION

The Chairman opened the floor for nominations.

MOTION by Robin LeJeune to nominate Tim Patton for the officer position of Chairman; Seconded by Tim Patton.

AYE: LeJeune, Patton, Vaughn NAY: ABSENT: Haygood, Mayhand ABSTAIN: **MOTION CARRIED**

VII. BOARD ATTORNEY'S REPORT

Mr. Speegle had nothing to add to the submitted report but requested an Executive Session to discuss pending litigation and options in that regard stating the declaration would be to discuss legal ramifications of and legal options for pending litigation and to meet and confer with the mediator with respect to pending litigation.

VIII. FINANCIAL REPORT

Teresa Logiotatos reviewed the July 2019 financials for the Board pointing out: total net income increase; the irrigation revenue graph; the cash on hand graph; restricted assets; combined income statement; depreciation; cell site income; and check history report.

GENERAL MANAGER'S REPORT

A. GM Report

Bobby Purvis updated the Board regarding a concern on Thompson Lane whereby utilities were previously installed on private property and the property owner planned to rebuild after the existing home was destroyed. He explained the plan to relocate the Daphne Utilities' lines.

Mr. Purvis gave follow-up information from his email to the Board members regarding the discovery of a property owner pumping grinder-pump sewage directly into a creek from a home on Linwood. He advised that Ashley Campbell, City of Daphne's Environmental Programs Manager, had been made aware of the situation and designated it an enforcement action by issuing a citation and getting ADEM and the State Health Department involved as well. Mr. Purvis noted another similar situation that was discovered and being handled and that he would keep the Board apprised of both of the situations.

Mr. Purvis updated the Board on new projects, such as Monroe Street lift station and the main office renovation. He commended Antonio Winston and his maintenance staff for helping to rewire and saving the company money for this work.

Bobby Purvis answered board questions explaining how the large amount of rain was handled within the Daphne Utilities' collection system with no sso's.

B. Operations Report

Bobby Purvis previously addressed under GM Report.

C. Engineering & Consulting Reports

Melinda Immel with Volkert expanded on the earlier report regarding the Monroe Street lift station.

Ray Moore with GMC had nothing further to add to his report but answered questions regarding the Timbercreek waterline upgrades.

Joe Asrarisi with Asarisi & Associates was not in attendance.

IX. BOARD ACTION – Previously addressed.

X. PUBLIC PARTICIPATION – the Chairman invited participants to address the Board at 5:26 pm; with no participants, the Chairman closed Public Participation at 5:26 pm.

XI. BOARD COMMENTS – Chairman Vaughn gave kudos for the diligent efforts preventing sso's during the rain event; Robin LeJeune welcomed Tim Patton to the Board; Tim Patton also commended the staff on doing a great job.

MOTION by Robin LeJeune to go into Executive Session with the certification previously provided by our attorney (Jerry Speegle) with an estimate not to exceed 20minutes; Seconded by Tim Patton. Adjourn into Executive Session at 5:27pm.

AYE: LeJeune, Patton, Vaughn

NAY:

ABSENT: Haygood, Mayhand

ABSTAIN:

MOTION CARRIED

XII. Executive Session

The Board members reconvened from Executive Session at 5:55pm, noting two options for motions; the first authorizing the fine appointed in the settlement agreement with ADEM and the State.

MOTION by Robin LeJeune to authorize the payment of the fine levied by ADEM and the State and approve the Consent Decree; Seconded by Tim Patton. Roll Call Vote:

AYE: Vaughn, Patton, LeJeune,

NAY:

ABSENT: Haygood, Mayhand

ABSTAIN:

MOTION CARRIED

MOTION by Robin LeJeune to authorize the payment to Mobile Baykeeper under the proposed Consent Decree in exchange for them providing the services they have agreed to under the proposed Consent Decree in the amount of \$23,000.00; Seconded by Tim Patton. Roll Call Vote:

AYE: Vaughn, Patton, LeJeune,

NAY:

ABSENT: Haygood, Mayhand

ABSTAIN:

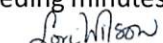
MOTION CARRIED

XIII. ADJOURNMENT

MOTION by Robin LeJeune to adjourn.

The meeting adjourned at 5:58 pm.

Preceding minutes submitted to the Daphne Utilities Board by:



Lori Wilson, Executive Assistant, Daphne Utilities



City of Daphne

Event Permit Application

Date of Application: 9-12-2019 Permit Requested: ☒ Event/Fundraiser ☒ Parade/Run ☐ Band

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
Street / P.O. Box City/State/Zip Code
Primary Phone Number: 251-680-3102 Secondary: 251-300-6149

Event Information

Event Name: Buckaroo Stampede 5K/Fun Run Event Date: May 30, 2020
Event Location: Certified 5K route #3 # Participants/Vehicles: 250/180
Start Time: 0730 Stop Time: 1300 Assembly Time: 5K@0800 FunRun@0900
Parades/Runs Only
Special Requests: Portable Bathroom trailer at City Hall/If rained out make up date on June 6, 2020 Road Closures Requested: ☒ Yes ☐ No

Special Instructions

Approval: Internal Use Only

Date Routed: 9-12-19
Fire Dept: [Signature]
Police Dept: [Signature]
Public Works: [Signature]
Parks & Recreation: [Signature]
Only required if event interrupts traffic near Daphne parks

For Special Event/Band Permits:

City Clerk: [Signature]
Signature

For Parade/Run Permits & Use of City Grounds:

City Council: [Signature]
Date of Approval

☐ Use of Alcohol

Parade/Run Permits ONLY

☐ Fee Paid: \$ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted

8/26/19

Application Number:

Planning Commission Public

ZA-19-04 or PZA-

Hearing Date:

9/26/19

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

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection):

PPIN#(s):

1401 Main St., Daphne AL

030643

Gross Site Area (acreage):

10.205 sq ft

Requested Zoning or Pre-Zoning:

Mix Use

Current Zoning Designation(s):

R-2 DP

Amended Request:

Initials:

Date:

Current Land Use:

Residential

Anticipated Land Use:

Business / Residential

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

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

Annexation Subdivision Site Plan Special Exception Variance Specify Other

APPLICANT & AGENT INFORMATION

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

Name of Current Owner:

Damaris L Anderson

972-832-8167

Mailing Address:

1401 Main St. Daphne

Phone/Fax:

E-mail:

Name of Authorized Agent:

Morgan Ashurst

201-583-5016

morgan@ashurstandnietmeyer.com

Mailing Address:

PO Box 928 Montrose AL

Phone/Fax:

E-mail:

Name of Developer*:

John + Jamie McAleer

3359

cell 336 462-0001

Phone/Fax:

E-mail:

jnmcaleer@aol.com

Other:

Phone/Fax:

E-mail:

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

Applicant's Signature:		Date	7/22/2019
Agent's Signature:		Date	7/22/19

**REVERSIONARY CLAUSE
ACKNOWLEDGEMENT**

SKIP THIS PAGE IF REQUESTING PRE-ZONING OR PLANNED UNIT DEVELOPMENT ZONING

Pursuant to Article 22-2 of the Land Use & Development Ordinance, zoning and rezoning may revert back to prior designation if certain conditions are not met. Said conditions are specified in Article 22 of the Land Use Ordinance. Legibly sign and print/type responses below. Indicate N/A or an "X" where item is not applicable. **Submit with rezoning request where applicable.**

CURRENT OWNER'S ACKNOWLEDGEMENT

I, Damaris Anderson, acknowledge that I am aware that this rezoning request is subject to a reversionary clause as noted in Article 22-2 of the Land Use & Development Ordinance. Date: 7-22-19

Damaris Anderson Damaris L. Anderson
PRINTED NAME OF CURRENT OWNER/PEITIONER

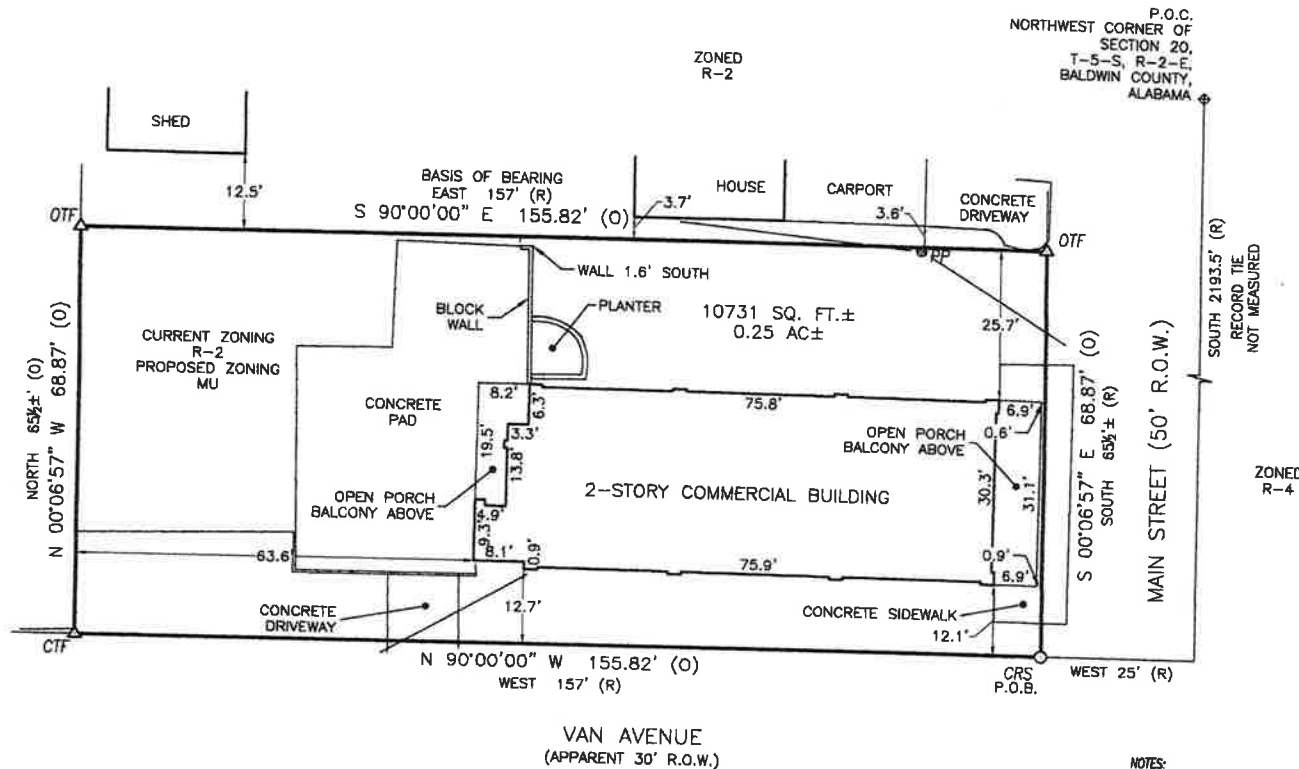
DEVELOPER'S ACKNOWLEDGEMENT

I, John McAleer, acknowledge that I am aware that this rezoning request is subject to a reversionary clause as noted in Article 22-2 of the Land Use & Development Ordinance. Date: July 23 2019

John N McAleer John n mcaleer
PRINTED NAME OF DEVELOPER

PROPERTY ADDRESS OR PPIN#(s): 1401 Main St., Daphne, AL 36526
PPIN 030643

ZONED
R-2



- LEGEND**
- △ CRF CAPPED IRON ROD FOUND
 - △ CTF CRIMPED TOP PIPE FOUND
 - △ OTF OPEN TOP IRON PIPE FOUND
 - △ RBF REBAR IRON FOUND
 - △ IPF IRON PIN FOUND
 - CRS CAPPED IRON ROD SET
 - (R) RECORD
 - (O) OBSERVED
 - R.O.W. RIGHT OF WAY
 - P.O.C. POINT OF COMMENCEMENT
 - P.O.B. POINT OF BEGINNING
 - CHAIN LINK FENCE
 - WIRE FENCE
 - WOOD FENCE
 - LP LIGHT POLE
 - PP POWER POLE
 - SS SANITARY SEWER MANHOLE
 - S SANITARY SEWER VALVE
 - GM GAS METER
 - WM WATER METER
 - WV WATER VALVE
 - FH FIRE HYDRANT
 - TP TELEPHONE PEDESTAL

NOTES:

1. TYPE OF SURVEY: ZONING EXHIBIT
2. OBSERVED DIMENSIONS FROM SURVEY PERFORMED BY THIS FIRM ON 7/29/2019, RECORD DIMENSIONS BASED ON QUIT CLAIM DEED RECORDED AS INSTRUMENT NO. 1582233 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.
3. THIS DRAWING AND DESCRIPTION DOES NOT REFLECT ANY TITLE OR EASEMENT RESEARCH OTHER THAN WHAT IS VISIBLE OR PROVIDED BY THE CLIENT'S CONVEYANCE. SETBACK LINES ESTABLISHED BY STATUTE, ORDINANCE OR RESTRICTIVE COVENANTS ARE NOT SHOWN.
4. THIS DRAWING IS THE PROPERTY OF SMITH, CLARK & ASSOCIATES. IT IS SOLELY FOR THE USE OF THE CLIENT NAMED HEREON AND IS NONTRANSFERABLE TO ANY OTHER PARTY. IT MAY NOT BE USED WITHOUT PRIOR CONSENT FROM SMITH, CLARK & ASSOCIATES.
5. THIS DRAWING IS TO SCALE WHEN PRINTED ON 11X17 PAPER IN LANDSCAPE VIEW WITH NO SCALING.

PARTY CHIEF:	DRAWN:	CHECKED:	CLIENT:
DS	PTS	BAG	ASHURST & NIEMEYER
DATE:	SCALE:	TITLE:	
7/29/19	1"=20'	ZONING EXHIBIT	
DRAWING NUMBER:	FILE/PC:		
190725	87/25		

ASHURST & NIEMEYER

ZONING EXHIBIT
1401 MAIN STREET
DAPHNE, ALABAMA



Physical Address: 1111 U.S. Hwy. 31
Suite 2
Spanish Fort, AL 36581
Phone: (251) 626-4444
Mailing Address: P.O. Box 7002
Spanish Fort, AL 36581
Phone: (251) 626-4444

DEMARIS L. ANDERSON
REZONING REQUEST OF
1401 MAIN STREET
DAPHNE, AL 36526

EXHIBIT A

STATE OF ALABAMA
COUNTY OF BALDWIN
CITY OF DAPHNE

DESCRIPTION OF PROPERTY TO BE RE-ZONED TO MU MIXED USE:

LEGAL DESCRIPTION:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 5 SOUTH, RANGE 2 EAST, THENCE SOUTH ALONG SAID SECTION LINE A DISTANCE OF 2193.5 FEET TO A POINT; THENCE WEST 25 FEET TO A POINT ON THE WEST MARGIN OF MAIN STREET AT THE INTERSECTION WITH THE NORTH MARGIN OF VAN AVENUE AND THE POINT OF BEGINNING, SAID POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE ALONG SAID NORTH MARGIN NORTH 90°00'00" WEST A DISTANCE OF 155.82 FEET TO A POINT MARKED BY A CRIMPED TOP PIPE; THENCE DEPARTING SAID NORTH MARGIN NORTH 00°06'57" WEST A DISTANCE OF 68.87 FEET TO A POINT MARKED BY AN OPEN TOP PIPE; THENCE NORTH 90°00'00" EAST A DISTANCE OF 155.82 FEET TO A POINT ON SAID WEST MARGIN MARKED BY AN OPEN TOP PIPE; THENCE ALONG SAID WEST MARGIN SOUTH 00°06'57" EAST A DISTANCE OF 68.87 FEET TO THE POINT OF BEGINNING CONTAINING 10731.1 SQUARE FEET (0.2 ACRES), MORE OR LESS.

DANE HAYGOOD
MAYOR

ADRIENNE D. JONES
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR



CITY COUNCIL
TOMMIE CONAWAY
DISTRICT 1
PAT RUDICELL
DISTRICT 2
JOEL COLEMAN
DISTRICT 3
DOUG GOODLIN
DISTRICT 4
RON SCOTT
DISTRICT 5
ROBIN LEJEUNE
DISTRICT 6
ANGIE PHILLIPS
DISTRICT 7

September 13, 2019

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission for Damaris Anderson containing 0.20 acres +/- located at the northwest corner of Main Street and Van Avenue zoned R-2, Medium Density Single Family Residential, proposed to be rezoned MU, Mixed Use.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, September 18, 2019 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, September 26, 2019 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, or by representation.

Sincerely,
Adrienne D. Jones
Director of Community Development

Demaris Anderson

P. O. Box 400 - Daphne, Alabama 36526
Phone: 251.620.1700

DAMARIS L ANDERSON
ADJACENT PROPERTY OWNERS LIST

EAST SIDE PROPERTY OWNERS

43-04-20-2-000-073.003
Vira & Associates LLC
701 S Mobile Avenue
Fairhope, AL 36532

SOUTHEAST SIDE PROPERTY OWNERS

43-04-20-0-000-090.000
68V Pay Dirt LLC
29891 Woodrow Ln Ste 300
Spanish Fort, AL 36527

SOUTH SIDE PROPERTY OWNERS

43-04-41-0-005-125.000
Pensco Trust Company
PO Box 1342
Fairhope, AL 36533

SOUTHWEST SIDE PROPERTY OWNERS

43-04-41-0-005-130.000
Claymark Properties LLC
PO Box 241
Fairhope, AL 36533

NORTH SIDE PROPERTY OWNERS

43-04-41-0-005-123.000
Trammell, Helen Lurleen Brown
23 Georges Pl
Clinton, NJ 08809 1320

WEST SIDE PROPERTY OWNERS

43-04-41-0-005-118.000
Rowell, Julie Russell
703 Van Avenue
Daphne, AL 36526

PROPERTY OWNER

43-04-41-0-005-124.000

Anderson, Damaris L

1401 Main Street

Daphne, AL 36526

DEVELOPER/AGENT

Ashurst & Niemeyer LLC

Morgan Ashurst

7472 Parker Road

Fairhope, AL 36532

REZONING REQUEST DEMARIS ANDERSON

LOCATION:

*Northwest intersection of Main
Street and Van Avenue*

APPLICANT:

Demaris Anderson

AREA:

0.20 ac

LOTS:

1

PPIN:

0606343

ZONING:

*R-2, Medium Density Single
Family Residential*

PROPOSED ZONING:

MU, Mixed Use

EXISTING PRECEDENT FOR

PROPOSED ZONING:

Yes, Trione Avenue

COMPREHENSIVE PLAN:

Olde Towne Daphne

Visioning Report

Consistent

RECOMMENDATION:

Approve



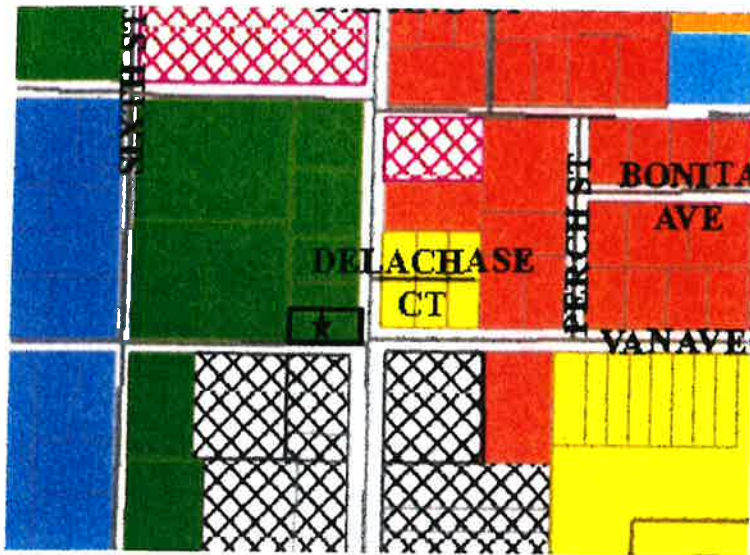
REZONING REQUEST DEMARIS ANDERSON

Existing Conditions: Two story structure grandfathered mixed use building with residential on upper floor and artist studio on the ground level

Existing Zoning: R-2, Medium Density Single Family Residential

Proposed Zoning: MU, Mixed Use

Surrounding Zonings/Uses:



North – R-2, Medium Density Single Family Residential (residence)

South – B-3, Professional Business (undeveloped)

West – R-2, Medium Density Single Family Residential (residence)

East – R-4, High Density Single Family Residential (residence)

Existing Utility Service Providers:

Water – Daphne Utilities

Sewer – Daphne Utilities

Gas – Daphne Utilities

Electric – Riviera Utilities

Affected City Service Providers:

Fire Protection-Station 1

Police Protection-Police Beat 1

Public Works

The Comprehensive Plan

The comprehensive plan's overarching policy regarding land development encourages harmony and compatibility.

REZONING REQUEST DEMARIS ANDERSON

Staff Recommendation

The request to rezone the property to Mixed Use is appropriate primarily because the property has long been used as both residential and as an artist's studio. The structure is a well preserved piece of Daphne's history and it should be preserved as it has added to the charm of the Olde Towne area. Staff recommends approval.

DEMARIS L. ANDERSON
REZONING REQUEST OF
1401 MAIN STREET
DAPHNE, AL 36526

EXHIBIT A

STATE OF ALABAMA
COUNTY OF BALDWIN
CITY OF DAPHNE

DESCRIPTION OF PROPERTY TO BE RE-ZONED TO MU MIXED USE:

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STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20191003091619032

Type License: 011 - LOUNGE RETAIL LIQUOR - CLASS II (PACKAGE) **State:** \$300.00 **County:** \$440.00

Type License:

State: **County:**

Trade Name: LEGACY SPIRITS

Filing Fee: \$50.00

Applicant: SAI BLESSINGS LLC

Transfer Fee:

Location Address: 9475 US HIGHWAY 90; SPACE 110 DAPHNE, AL 36526

Mailing Address: 7343 SAYBROOK BLVD MOBILE, AL 36619

County: BALDWIN **Tobacco sales:** YES

Tobacco Vending Machines: 0

Type Ownership: LLC

Book, Page, or Document info: BOOK 2019026841 PG 1 OF 3

Date Incorporated: 05/15/2019 **State incorporated:** AL

County Incorporated: MOBILE

Date of Authority: 05/15/2019

Alabama State Sales Tax ID: R010474521

Federal Tax ID: 84-1773954

Name:	Title:	Date and Place of Birth:	Residence Address:
YOGESHWARIBEN HASMUKHBHAI PATEL 8787936 - AL	MEMBER	01/31/1984 INDIA	7343 SAYBROOK BLVD MOBILE, AL 36619

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

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

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

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

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

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

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

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

Contact Person: YOGESHWARIBEN PATEL

Home Phone: 251-348-9194

Business Phone: 251-513-0484

Cell Phone: 404-314-9611

Fax:

E-mail: RITESH14FEB@GMAIL.COM

PREVIOUS LICENSE INFORMATION:

Previous License Number(s)

Trade Name:

License 1:

Applicant:

License 2:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20191003091619032

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
Name of Property owner/lessor and phone number: **REDSOUTH LLC 251-263-2888**
What is lessors primary business? **REAL ESTATE**
Is lessor involved in any way with the alcoholic beverage business? **NO**
Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

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

Will the business be operated primarily as a package store? **YES**
Building Dimensions Square Footage: **2000** Display Square Footage: **2000**
Building seating capacity: **0** Does Licensed premises include a patio area? **NO**
License Structure: **ONE STORY** License covers: **OTHER**
Location is within: **CITY LIMITS** Police protection: **CITY**

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

Name:	Violation & Date:	Arresting Agency:	Disposition:



STATE OF ALABAMA

ALCOHOLIC BEVERAGE CONTROL BOARD

ALCOHOL LICENSE APPLICATION



Confirmation Number: 20191003091619032

Initial each

Signature page

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

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

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

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

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

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

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

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

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

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

Applicant Name (print): **YOGESHWARIBEN PATEL**

Signature of Applicant: **Y. H. PATEL**

Notary Name (print): Betty G. Dean

Notary Signature: *Betty G. Dean*

Commission expires: 01/14/2023

Application Taken: 10/03/2019 App. Inv. Completed:

Submitted to Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to District Office:

Received from Local Government:

Forwarded to Central Office:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD

ALCOHOL LICENSE APPLICATION

Confirmation Number: 20191003091619032



Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

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

Has Agent verified membership applications for each member listed?

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

Agent's Initials:

For what purpose is the club organized?

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

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

Special Retail

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

License Covers: SPACE 110

Receipt Confirmation Page

Receipt Confirmation Number: **20191003091619032**
Application Payment Confirmation Number: **51227002**

Payment Summary	
Payment Item	Fee
Application Fee for License 011	\$50.00
Total Amount to be Charged	\$50.00

License Payment Confirmation Number:

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
011 - LOUNGE RETAIL LIQUOR - CLASS II (PACKAGE)	\$440.00	\$300.00	\$740.00
			\$0.00
Total Amount to be Charged	\$440.00	\$300.00	\$740.00

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 011 - LOUNGE RETAIL LIQUOR - CLASS II (PACKAGE)
License Type 2:
License County: BALDWIN
Business Type: LLC
Trade Name: LEGACY SPIRITS
Applicant Name: SAI BLESSINGS LLC
Location Address: 9475 US HIGHWAY 90; SPACE 110
DAPHNE, AL 36526

Mailing Address: 7343 SAYBROOK BLVD
MOBILE, AL 36619

Contact Person: YOGESHWARIBEN PATEL
Contact Home Phone: 251-348-9194
Contact Business Phone: 251-513-0484
Contact Fax:
Contact Cell Phone: 404-314-9611
Contact Email Address:
Contact Web Address:

CASE NO. 2019-9

ABC LICENSE ROUTING

DATE RECEIVED BY REVENUE DIV.	<u>10/3/19</u>	(initial) <u>CAC</u>
DATE FORWARDED TO POLICE DEPT.	<u>10/3/19</u>	<u>CAC</u>
DATE RECEIVED BY POLICE DEPT.	<u>10/3/19</u>	<u>Ad</u>
DATE: APPROVED ☒	DISAPPROVED ☐	
POLICE DEPT SIGNATURE	<u>[Signature]</u>	
DATE RETURNED TO REVENUE DIV.	<u>10/3/19</u>	<u>Ad</u>
DATE FORWARDED TO CITY CLERK	<u>10/3/19</u>	<u>CAC</u>
DATE RECEIVED BY CITY CLERK		
SCHEDULED DATE ON AGENDA	<u>10/7/19</u>	
Council Action:	☐ APPROVED ☐ DISAPPROVED ☐ TABLED	
COMMENTS:	<u></u>	
<u></u>		
Rescheduled for Council Agenda Date:	<u></u>	
Council Action:	☐ APPROVED ☐ DISAPPROVED ☐ TABLED	
COMMENTS:	<u></u>	
<u></u>		
DATE RETURNED TO REVENUE DIV.:	<u></u>	
DATE RETURNED TO TAXPAYER OR TO ABC FIELD OFFICE	<u></u> (per taxpayer request)	



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20191002155359571

Type License: 020 - RESTAURANT RETAIL LIQUOR

State: \$300.00 **County:** \$440.00

Type License:

State: **County:**

Trade Name: ISLAND WING COMPANY

Filing Fee: \$50.00

Applicant: MOBILE IWC LLC

Transfer Fee:

Location Address: 29740 A URGENT CARE DRIVE DAPHNE, AL 36526

Mailing Address: 29740 A URGENT CARE DRIVE DAPHNE, AL 36526

County: BALDWIN **Tobacco sales:** NO

Tobacco Vending Machines:

Type Ownership: LLC

Book, Page, or Document info: FLORIDA CORP

Date Incorporated: 09/22/2016 **State incorporated:** FL

County Incorporated: FLORIDA

Date of Authority: 10/24/2016

Alabama State Sales Tax ID: R009566839

Federal Tax ID: 38-4014653

Name:	Title:	Date and Place of Birth:	Residence Address:
JOSEPH LOBIONDO JR 7914814 - AL	MEMBER	11/19/1959 FORT LAUDERDALE, BROWARD, FL	317 COLLINWOOD LOOP FOLEY, AL 36535
ERIC DAVID JENRICH J562204643030 - FL	MEMBER	08/23/1964 SAN ANTONIO, BEXAR, TX	438 CAPTAINS CIR DESTIN, FL 32541

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

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

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

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

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

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

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

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

Contact Person: JOSEPH LOBIONDO

Business Phone: 251-550-5959

Fax:

Home Phone: 251-550-5959

Cell Phone: 251-550-5959

E-mail: joelobiondo1@gmail.com

PREVIOUS LICENSE INFORMATION:

Trade Name:

Applicant:

Previous License Number(s)

License 1:

License 2:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20191002155359571

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
Name of Property owner/lessor and phone number: **AETOS LLC 251-471-8000**
What is lessors primary business? **REAL ESTATE**
Is lessor involved in any way with the alcoholic beverage business? **NO**
Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **YES**
Is the business used to habitually and principally provide food to the public? **YES**
Does the establishment have restroom facilities? **YES**
Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

Will the business be operated primarily as a package store? **NO**
Building Dimensions Square Footage: **4000** Display Square Footage:
Building seating capacity: **125** Does Licensed premises include a patio area? **NO**
License Structure: **ONE STORY** License covers: **ENTIRE STRUCTURE**
Location is within: **CITY LIMITS** Police protection: **CITY**

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

Name:	Violation & Date:	Arresting Agency:	Disposition:



STATE OF ALABAMA

ALCOHOLIC BEVERAGE CONTROL BOARD

ALCOHOL LICENSE APPLICATION



Confirmation Number: 20191002155359571

Initial each

Signature page

[Signature]

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

[Signature]

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

[Signature]

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

[Signature]

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

[Signature]

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

[Signature]

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

[Signature]

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

[Signature]

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

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

[Signature]

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

Applicant Name (print):

Joseph Lubiano Jr.

Signature of Applicant:

Joseph Lubiano Jr.

Notary Name (print): Betty G. Dean

Notary Signature:

Betty G. Dean

Commission expires: 01/14/2023

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:

Receipt Confirmation Page

Receipt Confirmation Number: **20191002155359571**
Application Payment Confirmation Number: 51218092

Payment Summary	
Payment Item	Fee
Application Fee for License 020	\$50.00
Total Amount to be Charged	\$50.00

License Payment Confirmation Number:

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
020 - RESTAURANT RETAIL LIQUOR	\$440.00	\$300.00	\$740.00
			\$0.00
Total Amount to be Charged	\$440.00	\$300.00	\$740.00

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 020 - RESTAURANT RETAIL LIQUOR
License Type 2:
License County: BALDWIN
Business Type: LLC
Trade Name: ISLAND WING COMPANY
Applicant Name: MOBILE IWC LLC
Location Address: 29740 A URGENT CARE DRIVE
DAPHNE, AL 36526
Mailing Address: 29740 A URGENT CARE DRIVE
DAPHNE, AL 36526
Contact Person: JOSEPH LOBIONDO
Contact Home Phone: 251-550-5959
Contact Business Phone: 251-550-5959
Contact Fax:
Contact Cell Phone: 251-550-5959
Contact Email Address:
Contact Web Address:

CASE NO. 2019-8

ABC LICENSE ROUTING

DATE RECEIVED BY REVENUE DIV. 10/3/19 (initial) CAC
DATE FORWARDED TO POLICE DEPT. 10/3/19 CAC
DATE RECEIVED BY POLICE DEPT. 10/3/19 HL

DATE: APPROVED ☒ DISAPPROVED ☐

POLICE DEPT SIGNATURE [Signature]

DATE RETURNED TO REVENUE DIV. 10/3/19 HL

DATE FORWARDED TO CITY CLERK 10/3/19 CAC

DATE RECEIVED BY CITY CLERK _____

SCHEDULED DATE ON AGENDA 10/7/19 _____

Council Action: ☐ APPROVED ☐ DISAPPROVED ☐ TABLED

COMMENTS: _____

Rescheduled for Council Agenda Date: _____

Council Action: ☐ APPROVED ☐ DISAPPROVED ☐ TABLED

COMMENTS: _____

DATE RETURNED TO REVENUE DIV.: _____

DATE RETURNED TO TAXPAYER _____
OR TO ABC FIELD OFFICE _____ (per taxpayer request)

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2019-59**

2019-R-VILLAGE POINT PARK BOARDWALK – ADECA / 18-RTP-54-05

WHEREAS, the City of Daphne has received grant from the Alabama Department of Economic and Community Affairs (ADECA) Recreational Trails Program (RTP) to construct a walking trail at Village Point Preserve; and

WHEREAS, the ADECA selected the City of Daphne to participate in the Recreational Trails Program with a Federal Grant Award of \$210,206 and City match of \$52,552 (Ordinance #2018-45).

WHEREAS, bids were solicited for the Village Point Park Coastal Marsh Boardwalk; and

WHEREAS, staff recommends the award of the bid for the Village Point Park Coastal Marsh Boardwalk project to A-Long Boring, Inc.; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and the City Council of the City of Daphne, Alabama, that hereby:

1. Accept and award the contract from A-Long Boring, Inc. for the **Base Bid in the amount of \$246,720** for Bid Document: 2019-R-Village Point Park Boardwalk – ADECA / 18-RTP-54-05.
2. Authorize the Mayor to enter into any agreements, on behalf of the City of Daphne, associated with the 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

VILLAGE POINT PARK BOARDWALK – ADECA 18-RTP-54-05

CITY OF DAPHNE

50113950

Project Name

Owner

Project No.

BID TAB

A-LONG BORING, INC.

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
(A) SECTIONS 1 - 6 (STA 10+00.00 - 18+11.21)					
100.00	MOBILIZATION	LS	1	\$ 16,000.00	\$ 16,000.00
101.00	CLEARING AND GRUBBING (INCLUDES TREE REMOVAL AND TREE TRIMMING)	LS	1	\$ 10,000.00	\$ 10,000.00
102.00	BOARDWALK (INCLUDING ALL TIMBER, HARDWARE, ANCHORS, TOE KICKS)	LF	812	\$ 260.00	\$ 211,120.00
103.00	REMOVE & REPLACE EXISTING 8' WIDE BOARDWALK (PILES TO REMAIN)	LF	28	\$ 150.00	\$ 4,200.00
104.00	GEOMETRIC CONTROLS	LS	1	\$ 4,650.00	\$ 4,650.00
105.00	PROJECT SIGN	EA	1	\$ 750.00	\$ 750.00
	TOTAL FOR BASE BID (A) SECTIONS 1 - 6	-	-	-	\$ 246,720.00
(B) DEDUCTIVE ALTERNATE #1 SECTION 6 (STA 16+73.40 - 18+11.21)					
200.00	BOARDWALK (INCLUDING ALL TIMBER, HARDWARE, ANCHORS, TOE KICKS)	LF	138	\$ 260.00	\$ 35,880.00
	TOTAL FOR DEDUCT ALT #1 (B) SECTION 6	-	-	-	\$ 35,880.00
(C) ADDITIVE ALTERNATE #1 - REPAIR EXISTING PIER					
400.00	DEMOL EXISTING PIER DOWN TO PILES (INCLUDING ALL ITEMS BUT PILES) (APPROX 280 LF)	LS	1	\$ 10,000.00	\$ 10,000.00
401.00	NEW STRINGERS, JOISTS AND DECKING	LF	280	\$ 280.00	\$ 78,400.00
402.00	NEW GUARD RAILS AS DETAILED BOTH SIDES	LF	280	\$ 75.00	\$ 21,000.00
403.00	NEW LATERAL BRACING AS DETAILED	BENT	43	\$ 150.00	\$ 6,450.00
404.00	NEW LIGHTING (INCLUDES ALL WIRING, CONDUIT, & ELECTRICAL WORK NEEDED FOR LIGHT INSTALLATION)	LS	1	\$ 10,800.00	\$ 10,800.00
	TOTAL FOR ADD ALT #1 (C) REPAIR EXISTING PIER	-	-	-	\$ 126,650.00

Dewberry has reviewed the bid attached and found it to be correct.


Andrew N. Bobe, P.E.



9-13-2019



25353 Friendship Road
Daphne, Alabama 36526
Ph. 251-990-9950
Fax: 251-990-9910

September 13, 2019

Mr. Jeremy Sasser, P.E.
City of Daphne
Public Works Director
P.O. BOX 400
Daphne, AL 36526

**RE: BID NO.: 2019-R-VILLAGE POINT PARK
BOARDWALK – ADECA / 18-RTP-54-05
Award Recommendation**

Mr. Sasser,

Dewberry has reviewed the bid submitted by **A-Long Boring, Inc.** on September 11, 2019 for the above mentioned project. Within the past year, A-Long Boring, Inc. was awarded the Village Point Park FEMA boardwalk repair project. They completed the project on time and to a satisfactory standard. The bid price was approximately \$8,000 (3%) higher than the grant estimate. The new boardwalk portion of this project is slated to be reimbursed by ADECA at 80.0% up to \$210,061.48. Based on the aforementioned details and with a low base bid of **\$246,720**, Dewberry recommends that the Base Bid of the project be awarded to A-Long Boring, Inc.

An additive alternate was included in the bid to allow for the City to repair the existing pier that extends out over Mobile Bay. The pier repair/replacement work is to be funded 100% by the City of Daphne at this time. If the City elects to utilize the additive alternate the value for each option is below.

<u>Base Bid:</u>	Sections 1-6 (812 LF of Boardwalk)	\$246,720
*	Pier Repair Price	\$126,650
<u>Subtotal #2:</u>	Sections 1-6 & Add. Alt. #1 Pier Repair*	\$373,370

It is my opinion that the bidder has provided a good price for the proposed work. However, with only 1 bid being received, State bid law would allow the City to advertise and seek other competitive bids, or the awarding authority may direct that the work be done by force account under its direction and control, or the awarding authority may negotiate a lower price for the work, that does not exceed 10% of the value of the bid Award.

Should you have any questions or require any further information please let me know.

Sincerely,
Dewberry Engineers, Inc.

Andrew N. Bobe
Associate, Sr. P.M.

**CITY OF DAPHNE
ORDINANCE 2019-44**

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

**REVISION TO APPENDIX I OF THE CITY OF DAPHNE
OLDE TOWNE DISTRICT MAP**

WHEREAS, the Planning Commission of the City of Daphne, at their regular meeting held on July 25, 2019, favorably recommended certain amendments to the Olde Towne District Map approved and adopted by Ordinance No. 2011-54 referenced in Appendix I “Exhibit B” of the Daphne Land Use & Development Ordinance; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests, which have been approved since the adoption of Ordinance No. 2011-54 and Ordinance No. 2003-05, 2005-12, 2008-04, 2009-66, 2016-08 and 2019-34; and

WHEREAS, due notice of said proposed amendments to the Olde Towne District Map has been provided to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and

WHEREAS, a public hearing regarding the proposed Olde Towne District Map amendments was held by the City Council September 16, 2019; and

WHEREAS, the City Council of the City of Daphne after due consideration believe the amendment to said Olde Towne District Map as requested by the Planning Commission are proper and in the best interest of the City.

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

SECTION I. OLDE TOWNE DISTRICT MAP

The Olde Towne District Map referenced hereto as Exhibit “A” attached to this Ordinance shall be the official boundary map for the Olde Towne District of the City of Daphne, Alabama.

SECTION II. AMENDMENT

Ordinances 2011-54, 2003-05, 2005-12, 2008-04, 2009-66, 2016-08 and 2019-34 and any other amendments to these Ordinances are hereby amended to the extent that the previous Olde Towne District Map referenced in Land Use Ordinance Appendix I of Exhibit “B” and any amendment thereto, conflict with the Olde Towne District Map referenced as Exhibit “A”.

SECTION III. REPEALER

Any Ordinance(s) or parts of Ordinance(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION IV. EFFECTIVE DATE

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

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

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

Olde Towne Daphne District

Appendix I Olds Towne Daphne District Map Revisions as per Ordinance No. 2003-05, 2005-12, 2008-04, 2009-66, and 2016-08
Published on September 12, 2016

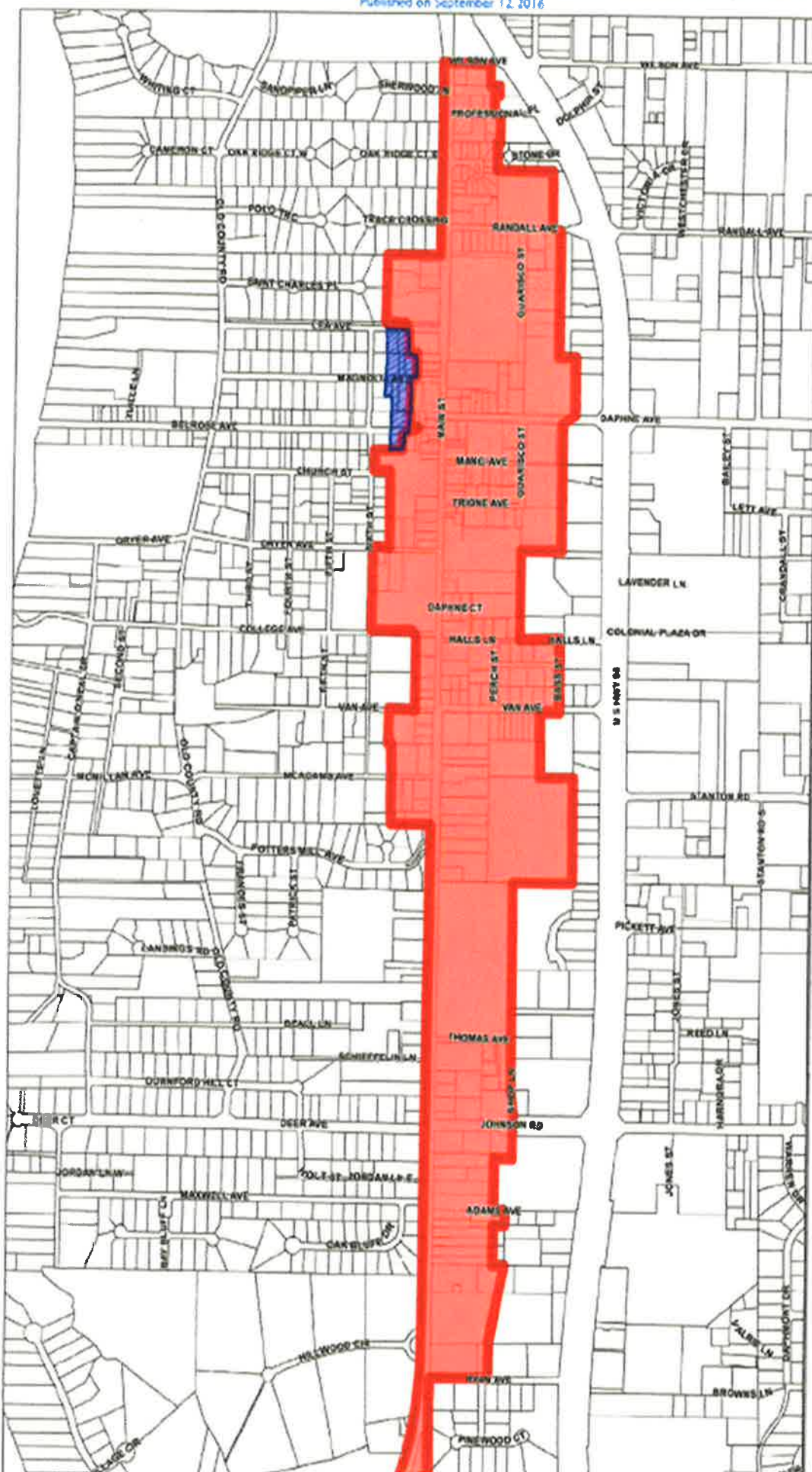
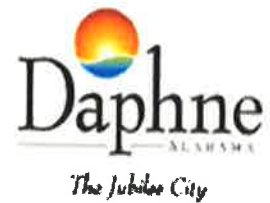


Exhibit A

The information contained in this data is collected by the City of
Daphne is derived from a variety of public and private sources
and cannot be guaranteed. The accuracy, completeness and
reliability thereof are not guaranteed. The City of Daphne
makes no warranties, expressed, or implied as to the
accuracy, completeness or reliability of the information. The
purpose of the information or data contained is to provide
the City Geographic Information System. Additionally, the City of
Daphne or any agent, servant, or employee thereof assumes no
responsibility to maintain it in any manner or form. Any
reproducing, storing or using of this data without the City of
Daphne Planning Department, Inc. a 205-427-3184

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2019-45**

**APPROPRIATION: ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY
AFFAIRS (ADECA) GRANT MATCH FOR THE RECREATIONAL TRAILS PROGRAM (RTP)
TO CONSTRUCT A WALKING TRAIL AT VILLAGE POINT PRESERVE –
GRANT #18-RT-54-05**

WHEREAS, Ordinance 2019-43 approved and adopted the Fiscal Year 2020 Budget on October 1, 2019; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2020 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2020 budget; and

WHEREAS, the City of Daphne submitted a grant to the Alabama Department of Economic and Community Affairs (ADECA) Recreational Trails Program (RTP) to construct a walking trail at Village Point Preserve; and

WHEREAS, the ADECA selected the City of Daphne to participate in the Recreational Trails Program with a Federal Grant Award of \$210,206 and City match of \$52,552 (Ordinance #2018-45).

WHEREAS, the project was bid resulting in a base bid amount of \$246,720 which will require an additional appropriation of \$29,392 to complete the project.

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

1. Additional appropriation in the amount of \$29,392 from the General Fund are appropriated and made a part of the Fiscal Year 2020 Budget for the construction of a Boardwalk at Village Point Preserve.
2. The Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to request funding consideration from ADECA and 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

ADECA RTP Grant Summary of Costs and Funds Needed

	<u>Design Fees</u>	<u>Construction</u>	<u>CEI</u>	<u>Less: Grant Proceeds</u>	<u>Less: Ord 2018-45</u>	<u>Appropriation Required</u>
Base Bid	23,870.62	246,720.00	21,384.56	(210,061.48)	(52,522.00)	29,391.70
Add Alt#1 w/Ded	23,870.62	210,840.00	21,384.56	(187,768.50)	(52,522.00)	15,804.68
Add Alt#1 - Repair Existing Pier	23,870.62	373,370.00	32,362.00	(210,061.48)	(52,522.00)	167,019.14
Add Alt#1 less Ded + Pier Repairs	23,870.62	337,490.00	29,252.09	(187,768.50)	(52,522.00)	150,322.21

Project Cost Estimate

The Recreational Trails Program provides **80/20 matching** fund grants. That is, the RTP will fund up to 80 percent of the project cost and the grant recipient must provide at least 20 percent in the form of cash, in-kind, and/or donated contributions.

Eligible Costs

1. Design, engineering, construction oversight services (may not exceed 10% of the total construction cost)
2. Direct labor
3. Special tradesmen secured under a service purchase contract
4. Rental of equipment
5. Construction contracts
6. Project materials
7. Signage¹
8. Land acquisition
9. Professional project administration (grant consultant) (may not exceed 5% of total project cost)

PROJECT DEVELOPMENT BUDGET

BUDGET ITEM	TOTAL	RTP SHARE	MATCHING SHARE
Acquisition			
Construction Contracts	<u>\$237,606.23</u>	<u>\$190,084.98</u>	<u>\$47,521.25</u>
Equipment Rental			
Labor			
Signage	<u>\$1,100.00</u>	<u>\$880.00</u>	<u>\$220.00</u>
Supplies/Materials			
Administration			
Engineering	<u>\$23,870.62</u>	<u>\$19,096.50</u>	<u>\$4,774.12</u>
TOTAL PROJECT COST	<u>\$262,756.85</u>	<u>\$210,061.48</u>	<u>\$52,515.37</u>

¹ Signs which function as traffic control devices must conform with the Manual on Uniform Traffic Control Devices (MUTCD). Part IX of the MUTCD, Traffic Controls for Bicycle Facilities, covers the bicycle related signs, pavement markings, and signals which may be used on highways or bikeways. Part IX is applicable to shared use paths (nonmotorized multiple-use trails which may provide a transportation purpose). The publication Standard Highway Signs has the detailed drawings for the highway signs prescribed in the MUTCD. These documents are available for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

Signs which do not function as traffic control devices are not subject to the MUTCD. However, informational signs and kiosks must take into consideration the needs of various users, such as: people who are blind or who have low vision, people who use wheelchairs, and children.