

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
January 6, 2020
6:30 P.M.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
INVOCATION Detective Dejuan Jackson, Daphne Police Department
PLEDGE OF ALLEGIANCE
- 3. APPROVE MINUTES:** Council Meeting – December 16, 2019
- 4. REPORTS OF STANDING COMMITTEES**
 - A. FINANCE COMMITTEE – Conaway**
Review the minutes from the December 16, 2019 meeting.
Treasurer Report – November 2019
 - Unrestricted Fund Balance - \$14,733,313
 - Total Cash Balance - \$23,337,979Sales Tax for October 2019 - \$1,414,708
Lodging Tax for October 2019 - \$93,920
 - B. BUILDINGS & PROPERTY COMMITTEE – Goodlin**
 - 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 November 21, 2019 meeting.
 - F. RECREATION BOARD – Coleman**
 - G. UTILITY BOARD – LeJeune**
- 6. MAYOR’S REPORT**
- 7. CITY ATTORNEY REPORT**

City Council Agenda – January 6, 2020

8. DEPARTMENT HEAD REPORTS

9. CITY CLERK’S REPORT

MOTION to approve the Eastern Shore Chamber of Commerce 32nd Annual Jubilee Festival of Arts on September 26 – 27, 2020 located on the streets of Olde Towne Daphne.

MOTION to approve the 020 – Restaurant Retail Liquor to Roll and Go Sushi Asian Kitchen LLC located at 1410 Highway 98; Suite J, Daphne, AL.

MOTION to approve the Shadow Barons Mardi Gras Parade on February 22, 2020 at 7:00pm with a rain date of February 23, 2020.

10. PUBLIC PARTICIPATION

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2020-01 – Bid: Sod and Hay

2020-02 – Authorizing Resolution: FY2020 Capital Equipment Agreement (Regions Bank) – Four Solid Waste Trucks and Three Police Chevy Tahoes

B. 2ND READ ORDINANCES:

2020 – 01 - Rachel Burmeister and James Stocks - Rezone – Belrose Avenue

2020 – 02 - Proposed Amendments to the Ordinance 2011 – 54, Land Use and Development Ordinance, Articles 13, 14 and 36.

2020 – 03 – Additional Appropriation TAP Grant: Sidewalk on CR 13 from Whispering Pines to Champion Way – TAPNU – TAI5(940) – Guardrail Improvements - \$17,120

2020 – 04 – Appropriation: Fire Station #5 - \$856,500

C. 1ST READ ORDINANCES:

2020-05 – Additional Appropriation for Joe Louis Patrick Park – Fencing and Gutters - \$6,000

2020-06 – Additional Appropriation – Legal Fees – WPNVA, LLC - \$25,000

2020-07 – Additional Appropriation - Olde Towne Daphne Street Lighting Improvements - \$8,620

12. COUNCIL COMMENTS

13. ADJOURN

**December 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 Robin LeJeune called the meeting to order at 6:31 p.m.

2. ROLL CALL:

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

COUNCIL MEMBERS ABSENT: Pat Rudicell

Also Present: Candace Antinarella, City Clerk; Jay Ross, City Attorney; Mayor Haygood; Troy Strunk, Executive Director of City Development; Tonya Young, Library Director; Betsy Schneider, Operations Director; Jeremy Sasser, Public Works Director; Eric Lazzari, Facilities Director; Chief White, Fire Department; Adrienne Jones, Planning Director; Chief Carpenter, Police Department; Kenny Hanak, Battalion Chief; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Father Tuck Bowen, St. Stephen's Charismatic Episcopal Church.

PRESENTATION: Chief Bo White presented two firemen with promotions.

PRESENTATION: Mayor Haygood presented Chief White with a golden ax for his years of service to the City of Daphne and upon his retirement.

PUBLIC HEARING: Casey Hill from Dewberry Engineers presented on the Rachel Burmeister and James Stocks proposed zoning amendment located Southwest of Main Street and Belrose Avenue.

Councilman LeJeune opened the public hearing at 6:41pm. No one came forward.

Councilman LeJeune closed the public hearing at 6:42pm.

PUBLIC HEARING: Adrienne Jones presented on the proposed amendments to the Ordinance 2011-54, Land Use and Development Ordinance, Articles 13, 14 and 36.

General discussion was had amongst Council Members regarding the proposed amendments.

Councilman LeJeune opened the public hearing at 6:50pm. No one came forward

Councilman LeJeune closed the public hearing at 6:51pm.

3. APPROVE MINUTES:

The minutes of the December 2, 2019 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilwoman Conaway said the Committee met earlier that afternoon and the Finance report will be given at the next Council meeting.

B. BUILDINGS & PROPERTY COMMITTEE

Councilman Goodlin said the November 2019 Building Report was in the packet. The next meeting is January 13th at 5:15pm.

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C. PUBLIC SAFETY COMMITTEE

Councilman Scott said the next meeting is January 13th at 4:30pm. He said the minutes from the November 12th meeting are in the packet.

**MOTION by Councilman Scott to post the job external and accept applications for the position of Fire Chief from Tuesday, December 17, 2019 through the close of business on Tuesday, January 7, 2020.
Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilwoman Phillips said the next meeting is January 6th at 4:30pm.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said minutes from the November meeting are in the packet. The next meeting is January 6th at 5:30pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Mrs. Jones said there is no meeting in December or January.

B. Downtown Redevelopment Authority

Councilwoman Conaway said the next meeting is December 19th at 5:30pm.

C. Industrial Development Board

Councilman Rudicell was absent. City Clerk said the next meeting is Tuesday at 4:30pm. Councilman LeJeune said the City had received a check from IDB recently to start paying back their loan.

D. Library Board

Councilwoman Phillips said there is no meeting in December and the next one will be in January.

E. Planning Commission

Councilman Scott said the next meeting is December 19th at 5:00pm.

F. Recreation Board

Councilman Coleman said there is no meeting in December, but the next meeting is January 8th at 6:30pm.

G. Utility Board

Councilman LeJeune said the minutes from the October meeting are in the packet. He said there will be no end of December meeting.

6. MAYOR'S REPORT:

Mayor Haygood said Battalion Chief Kenny Hanak will step in as the interim Fire Chief while they seek to fill the position. He introduced Eric Lazzari to the Council as the new Facilities Director. Mayor Haygood thanked everyone for coming out to the recent Christmas events.

7. CITY ATTORNEY REPORT:

City Attorney said there was a matter of pending litigation to discuss that would warrant the Council to enter into Executive Session for 15-20 minutes after the Council meeting.

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8. DEPARTMENT HEAD COMMENTS:

Fire Department had no report.

Chief Carpenter reminded everyone to lock their vehicles and remove gifts from their cars.

Jeremy Sasser, Public Works, reminded everyone of the holiday scheduled the next few weeks concerning garbage and recycling pickups. He shared there is currently no place to take recycling to process because of the recent fire at the recycling center.

9. CITY CLERK'S REPORT:

**MOTION by Councilwoman Phillips to set a public hearing for January 21, 2020 in regards to the recycling national crisis. Three options will be discussed: limiting services, increasing fees and/or changing the items accepted. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to authorize Mayor Dane Haygood to execute an agreement with Fortuna Investment LLC for the purchase of real property on Belrose Avenue. Seconded by Councilman Coleman. City Attorney said it includes a timeline for construction of a parking lot.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to approve the Loyal Order of the Firetrucks parade on February 23, 2020 at 2:29pm. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to approve the Eastern Shore Baptist Church Winter Carnival – Coolest Celebration on Eastern Shore on January 12, 2020 from 3:30-5:30pm at Eastern Shore Baptist Church. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

10. PUBLIC PARTICIPATION:

Public Participation opened at 7:07pm.

Bill Robinson, 1500 Main Street, spoke on lowering the speed limit on Main Street.

Curt Fonger, 1443 Randall Avenue, urged the Council to look at other areas to lower the speed limit.

Public Participation closed at 7:12pm.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

2019-67 – Declare Certain Personal Property Surplus and Authorizing the Mayor to Dispose – Crown Vic and Expedition

2019-68 – Bid Award: Fire Station #5

**MOTION by Councilwoman Phillips to waive the reading of Resolution 2019-67. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

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**MOTION by Councilwoman Phillips to adopt Resolution 2019-67. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Goodlin to waive the reading of Resolution 2019-68. Seconded by
Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Goodlin to adopt Resolution 2019-68. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

ORDINANCES:

2nd READ:

2019-49 – Appropriation: Daphne High School Project – Refurbish Track - \$75,000

2019-50 – Adjust the Speed Limits and Post Speed Limit Signs

**MOTION by Councilwoman Phillips to waive the reading of Ordinances 2019-49 and 2019-50. Seconded
by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Ordinance 2019-49. Seconded by Councilwoman
Phillips.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to adopt Ordinance 2019-50. Seconded by Councilwoman
Conaway.
MOTION CARRIED UNANIMOUSLY.**

1st READ:

2020 – 01 - Rachel Burmeister and James Stocks - Rezone – Belrose Avenue

2020 – 02 - Proposed Amendments to the Ordinance 2011 – 54, Land Use and Development Ordinance,
Articles 13, 14 and 36.

2020 – 03 – Additional Appropriation TAP Grant: Sidewalk on CR 13 from Whispering Pines to Champions
Way – TAPNU – TAI5(940) – Guardrail Improvements - \$17,120

2020 – 04 – Bid Award: Fire Station #5 - \$856,500

12. COUNCIL COMMENTS:

Mayor Haygood wished everyone a Merry Christmas.

Councilwoman Conaway wished everyone a Merry Christmas.

Councilman Coleman wished everyone a Merry Christmas and safe travels.

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Councilman Goodlin wished everyone a Merry Christmas and Happy New Year.

Councilman Scott wished everyone a Merry Christmas and Happy New Year.

Councilwoman Phillips welcomed Mr. Lazzari to the City.

Councilman LeJeune wished everyone a Merry Christmas and Happy New Year.

City Attorney asked the City Council to enter into an Executive Session concerning matters of pending litigation. He said there would be no need to come out of Executive Session to vote and it should take no more than 15-20 minutes.

MOTION by Councilman Scott to enter into executive session and adjourn from there. Seconded by Councilwoman Phillips.

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

MOTION CARRIED.

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 7:25PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, City Clerk

Robin LeJeune, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
DECEMBER 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:

Chairperson Mrs. Tommie Conaway
Councilman Mr. Joel Coleman
Councilman Mr. Doug Goodlin

Councilwoman Mrs. Angie Phillips
Councilman Mr. Robin LeJeune – arrived 4:48 p.m.

Councilman Mr. Ron Scott

Also Present: Mayor Dane Haygood, Finance Director Mrs. Kelli Reid, Senior Accountant Mrs. Suzânnne Henson, Revenue Officer Courtney Coleman, Public Works Director Mr. Jeremy Sasser, Operations Director Mrs. Betsy Schneider, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Troy Strunk, , City Attorney Mr. Jay Ross and Engineer- Mr. Scott Hutchinson, GMC.

II. PUBLIC PARTICIPATION

There was no public participation.

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were reviewed and approved.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Henson reviewed the Human Resource Report:

- Posted positions – 0
- Reviewing/Testing/Interviewing/Background check - 12
- Promotion/Internal Transfer - 0
- New Hires – 5
- Open positions - 1

The monthly Safety Committee meeting topics and other Human Resource projects and events were included in the packet and included:

- Meetings regarding Leadership Training for Directors

Mrs. Henson noted that Mrs. Hinman had asked her to report that a landscape coordinator was hired, an offer has been made to the PW Grounds Crew Leader and that Mr. Eric Lazzari has been hired as the new Facilities Director and started work today. Mayor Haygood introduced Mr. Lazzari to the committee members and welcomed him to the City.

B. Overtime Report

The overtime report was included in the packet.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – November, 2019

Mrs. Coleman reviewed the following reports and information:

- Code enforcement issued 4 warnings resulting in businesses becoming compliant and \$480 in revenue.
- New Businesses with a physical location in Daphne - 8 .
- Simplified Sellers Use Tax collections - \$51,473.01 and YTD collections - \$38,808.13.

BUSINESS LICENSE ACTIVITY REPORT NOVEMBER 2019	
BUSINESS LICENSE COUNT through 11/30/2019	
NEW Licenses	30
RENEWAL Licenses (2019)	13
Total Issued THIS MONTH	43
Total Issued THIS MONTH - PREVIOUS YEAR	36
Net Gain/-Loss Current VS Previous Yr MONTH	+ 7
Total Issued YTD 2019	4,651
Total Issued YTD - PREVIOUS YEAR	4,525
Net Gain/-Loss Current VS Previous Yr YTD	+ 126

Business License Fee Historical Comparison 2019 / 2020				
	FY 19	FY 20	+/- Previous Year	Budget 2020 * \$2,335,000
October	\$7,486.91	\$15,924.77	\$8,437.86	(\$2,199,075.23)
November	\$3,983.03	\$3,754.50	(\$228.53)	(\$2,195,320.73)
Year to Date	\$11,469.94	\$19,679.27	\$8,209.33	(\$2,130,320.73)
* Amounts include penalty and interest.				

Mr. Scott discussed the \$5 issuance fee and that only 3 cities in the state have that low of fee. Discussion continued that the state's cap is at \$12. Mr. Scott noted that he remembered Mrs. Phillips had requested the fee be tied to the state's rate. Mrs. Phillips confirmed that she did think that the City's rate should be tied to the state's rate. Discussion continued further and Mrs. Coleman and Mrs. Phillips will update the ordinance and bring to council in the next few months.

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: October, 2019

Mrs. Henson reviewed the Sales & Use Tax Reports and Graphs: \$1,414,707.52 was collected for October, 2019 which was up \$38,276.49 from October 2018's collections:

- YTD Variance over Budget - \$3,865.71

B. Lodging Tax Collections, October, 2019

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for October, 2019 were \$93,920.22 which is down (\$11,187.92) from October 2018's collections.

- YTD Variance over Budget: (\$11,187.92)

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

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

- Unreserved balance for Bayfront related purchases - \$ 1,611,907
- Recreation related purchases - \$ 724,159.01

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: November, 2019

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT					
As of November 30, 2019					
Account Type/Title	11/30/2019	10/31/2019	Increase (Decrease) from last Month	11/30/2018	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	\$ 8,543,961	\$ 8,031,368	\$ 512,593	\$ 4,898,935	\$ 3,645,026
CERTIFICATE OF DEPOSIT	505,908	505,908	-	504,979	\$ 930
INVESTMENT FUND	5,668,775	5,669,872	(1,098)	5,302,088	\$ 366,687
CREDIT CARD ACCOUNT	14,668	15,803	(1,135)	11,976	\$ 2,692
Total Unrestricted Cash Balance	14,733,313	14,222,953	510,360	10,717,978	4,015,335
SPECIAL REVENUE FUNDS					
	3,470,760	3,477,468	(6,708)	3,873,321	(402,560)
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	2,403,671	2,426,716	(23,045)	3,994,665	(1,590,994)
2016 CAPITAL IMPROVEMENTS	-	-	-	774,420	(774,420)
2017 CONSTRUCTION	-	-	-	4,316,276	(4,316,276)
2019 CAPITAL IMPROVEMENTS	919,936	919,811	126	-	919,936
	3,323,607	3,346,527	(22,919)	9,085,361	(5,761,754)
DEBT SERVICE FUNDS					
DEBT SERVICE	1,810,299	1,766,414	43,885	2,042,191	(231,892)
Total Restricted Cash Balance	8,604,667	8,590,408	14,258	15,000,873	(6,396,206)
Total City Cash Balance	\$ 23,337,979	\$ 22,813,361	\$ 524,618	\$ 25,718,850	\$ (2,380,871)
	Encumbrance Total as of		11/30/2019	\$ 766,940.05	

Mrs. Reid noted that the Court/Corrections Fund and the Court Judicial Administrative funds have been combined so that is why one has a zero balance on this month's report. Mrs. Reid also noted that the City received a \$325,000 payment from the IDB for the DISC loan agreement.

The Treasurer's Report as of NOVEMBER, 2019 Total Unrestricted Cash Balance - \$14,733,313 and Total City Cash Balance - \$23,337,979 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance is - \$766,940.05 as of **November, 2019**.

Mrs. Reid reviewed the Encumbrance Report and projects that would be completed and coming off the report soon. Mrs. Reid gave an update on the SAFE room project and that payments are being made. Discussion continued on the SAFE room and ongoing projects.

3. Outstanding Appropriations

Mrs. Reid reviewed the Outstanding Appropriations report and noted the largest amounts listed are for Corte Road.

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

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), **November, 2019**
 - Jubilee Square: Debt payments are currently fully paid through December 2018 thus 10 months in arrears. Arrearage includes \$415,998 in principal and \$97,162 in interest

Monthly Financial Statements – October 2019 Financial Highlights

General Fund:

- | | FY 2020 | FY 2019 | Change |
|--|----------------|----------------|---------------|
| • YTD Budgetary Net Income: | \$<116,454> | \$<2,268,465> | \$<2,152,011> |
| • Total sales tax collected year to date is approximately \$3,800 over budgeted income and \$38,000 over prior year to date income | | | |

- Transfers were made to the Capital Reserve Fund in the amount of \$2,135,404 for Lott Park and Corte Road in FY 2019
- There were three payrolls in the month of October
- Unassigned Fund Balance: \$14,670,921
- Outstanding Encumbrances: \$794,221

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of October 31, 2019: \$35,804,053
- Outstanding Note Payable Balance as of October 31, 2019: \$595,495
- Outstanding Capital Lease Balance as of October 31, 2019:
 - General Fund: \$1,409,599
 - Enterprise Fund: \$283,176

Capital Project Funds (Capital Reserve, 2019 Construction):

- No significant activity

Special Revenue Funds (11 separate funds):

- Lodging Tax Fund –
 - Bayfront Unreserved Fund Balance: \$1,594,353
 - Recreation Unreserved Fund Balance: \$725,094
 - Total lodging tax collected was \$11,188 under budgeted income and prior year to date income.

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

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

	<u>FY 2020</u>	<u>FY 2019</u>	<u>Change</u>
Solid Waste Fund	\$ -0-	\$ -0-	\$ -0-
Civic Center Fund	\$39,719	\$ 2,343	\$ 37,376
Bayfront Park Fund	\$ 605	\$ 6,409	\$ 5,804

The Solid Waste fund did not require a transfer to cover net operating losses in the month of October

Mr. Scott asked about the status of the audit. Mrs. Reid stated she had just received the OPEB numbers and she had given the auditors the information for the pending entries needed. Mrs. Reid noted the OPEB information was received about a month late this year but now that she has that information she plans to give the auditors the draft CAFR to review next week.

5. Unfunded Future Projects Expenditure Summary

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

- Total Project Estimated Cost: \$7,900,000 - Total City Cost needing to be appropriated - \$6,100,000.
- Annual Yearly Expenditures: \$1,900,000 - Total City Cost needing to be appropriated - \$1,900,000.

Mrs. Reid noted that Fire Station #5 was removed off this report since the will soon be adopted.

6. Summary of Budgetary Amendments

Mrs. Reid stated that there have only been a couple small budget amendments but next month she would include a report since additional appropriations from this packet would be forthcoming.

B. Bills Paid Reports – November, 2019

The Bills Paid Report were previously presented electronically.

VIII. BIDS (Resolution)

A. 2019-R-Pollard Road Sidewalk-TAPAA-TA17 (933)

Mrs. Henson discussed the Pollard Road Sidewalk-TAPAA-TA17 (933) bid and noted that Blade Construction LLC was the low bidder. The bid amount submitted by Blade Construction is \$955,010.50. Mrs. Henson noted if the bid is awarded there would need to be an appropriation in the amount of \$645,353. Mr. Sasser discussed the option of hiring some

employees to do the construction and use City bids for materials in an effort to get the project costs closer to \$500,000. Mr. Sasser stated that the \$500,000 cost estimate would not include completing the full amount of sidewalk proposed which was 2.3 miles of sidewalk. Mayor Haygood discussed other options being researched and noted they were checking with ALDOT to see if the grant would allow these options. Discussion continued on why the bid submittals were so much higher than the estimate and if there were other possible options to reduce the cost. Mrs. Phillips stated this project was important but wanted to see why the cost was so far over budget. Mrs. Phillips recommended that monies be appropriated for sidewalks and the City construct the miles of sidewalk that can be built within the budget approved. Mrs. Phillips stated we need to manage expectations of what is expected so we do not keep coming back for appropriations. Mr. Scott Hutchinson noted that typically contractors will bid higher cost on ALDOT projects because of the extra grant work required. Mr. Scott discussed MPO joint sidewalk projects. Discussion continued and the project was forwarded to the January Public Works Committee meeting on January 6, 2020 after more research could be done on the option of completing the project with City employees.

B. 2020-D-Sod & Hay

Mrs. Henson reviewed the sole bid received from Eastern Shore Ag. Mrs. Henson noted she had included a copy of previous bid's cost which was a SAPA bid contract for informational purposes. (Note: the previous vendor did not choose to extend their contract for the SAPA bid). Mrs. Henson also noted that historically there are generally very few bids if any submitted for the sod bid.

MOTION BY Mrs. Phillips to recommend to Council to award the bid to Eastern Shore Ag for unit cost bid. Secoded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

C. 2020-E-Single Stream Recycle Hauling & Delivery

Mrs. Henson stated that there were no bids submitted again this year for the single stream recycle hauling and delivery bid. Mr. Sasser negotiated with Eastern Shore Ag for a cost of \$400/load. Last year's contract was \$350/load. Discussion continued on the recycle issue since the recycle building fire completely destroyed that building. Mr. Sasser explained a couple options being evaluated for rebuilding a recycling building and a receiving site to receive the recycling materials. Mr. Sasser noted that it could be several months before the recycling facilities is built and the City is ready to recycling services. Discussion continued on evaluating the recycling needs before awarding the bid.

IX. APPROPRIATION REQUESTS: (Ordinance)

A. CR13 Sidewalk– Guardrail Improvements - \$17,120

Mrs. Reid reviewed the project and the improvements are needed for safety purposes and to obtain grant reimbursement from ALDOT.

MOTION BY Mrs. Phillips to recommend to Council to adopt the Ordinance amending the budget for an additional appropriation in the amount of \$17,120 from the General Fund for the CR13 Road Sidewalk. Secoded by Mr. Scott.

MOTION CARRIED UNANIMOUSLY

B. Payment to DRA for Old Towne Daphne Street Lighting Improvements - \$8,620

Mrs. Reid stated the City entered into a Memorandum of Understanding (MOU) with DRA to provide partial funding for street light improvements on Main Street. Mrs. Reid discussed the DRA agreement. \$30,000 was included in the FY 2020 Capital Budget but another \$8,620 is required per the MOU.

MOTION BY Mr. Scott to recommend to Council to adopt an ordinance appropriating \$8,620 from the General Fund for payment to DRA for Old Towne Street Lighting Improvements. Secoded by Mrs. Phillips. MOTION CARRIED UNANIMOUSLY

C. Legal Fees: Litigation- WPNVA, LLC - \$25,000

Mrs. Reid reviewed the lawsuit and the appropriation needed to cover legal fees. Mr. Ross noted that he would increase the appropriation to \$25,000.

MOTION BY Mrs. Phillips to recommend to Council to adopt an ordinance appropriating \$25,000 from the General Fund for the Legal Fees: Litigation- WPNVA, LLC . Secoded by Mr. Scott.

NAY: Coleman AYE: Conaway, Phillips, Scott, LeJeune, Goodlin

MOTION CARRIED

D. Joe Louis Patrick Park – Fencing and Gutter Improvements - \$6,000

Mrs. Reid reviewed the project. Discussion continued the gutters are now needed which became apparent during the last hard rain. Fencing is also needed along the property line.

MOTION BY Mrs. Phillips to recommend to Council to adopt an ordinance appropriating \$6,000 from the General Fund for Joe Louis Patrick Park – Fencing and Gutter Improvements. Seconded by Mr. Scott.

MOTION CARRIED UNANIMOUSLY

X. NEW BUSINESS

A. Authorizing Resolution: FY20 Capital Equipment Lease Agreement: 4 SW & 3 PD Vehicles

Mrs. Reid reviewed the resolution required to enter into a lease agreement through Regions Bank for the following FY20 capital equipment:

- One (1) Mack-Automated Side Loader-33CY Garb Truck - up to- \$299,938
- One (1) Mack-Automated Side Loader-33CY Recycle Truck -up to- \$299,938
- Two (2) Freightliner w/Pac-Mac Knuckleboom (\$157,104/ea)-up to- \$314,208
- Three (3) Chevy Tahoe w/Equipment (\$57,750/ea) - up to -\$173,250

MOTION BY Mrs. Phillips to recommend to Council to adopt an Resolution authorizing the Mayor to enter into a lease agreement with Regions bank for lease financing for the following FY2020 Capital Equipment:

- **One (1) Mack-Automated Side Loader-33CY Garb Truck - up to- \$299,938**
- **One (1) Mack-Automated Side Loader-33CY Recycle Truck -up to- \$299,938**
- **Two (2) Freightliner w/Pac-Mac Knuckleboom (\$157,104/ea)-up to- \$314,208**
- **Three (3) Chevy Tahoe w/Equipment (\$57,750/ea) - up to -\$173,250**

Seconded by Mr. Scott.

MOTION CARRIED UNANIMOUSLY

XI. OLD BUSINESS

A. Update on OPEB (Other Post-Employment Benefits) Trust Fund

Mr. Scott discussed the need to fund the OPEB fund and the increase in insurance coverage. Discussion continued on the funding needed for the OPEB fund for the initial setup of the fund and the annual contribution needed. Mrs. Reid stated the City has 21 retired employees the City is paying insurance for. Discussion continued on the cost and Mrs. Reid stated the single employee's premium is approximately \$650 and the retired employees pays \$36 and the family cost is approximately \$1,500 and the retired employee pays \$950. There are couple employees that have family coverage. In January 31, 2018 an Ordinance was passed that anyone hired after that time would only receive three years of insurance coverage upon retirement after 25 years of service. Mrs. Reid stated that a resolution and a funding ordinance will be needed to set up the new fund and transfer funds in the amount of \$500,000 (monies from Malbis sewer assessment collections).

Mrs. Reid noted a draft resolution was pending legal review for setting up the OPEP trust agreement and approving Regions Bank as the trustee of the fund. The resolution will be brought to the Ordinance Committee.

MOTION BY Mr. Scott to recommend to Council to adopt an ordinance authorizing the transfer of \$500,000 from the Capital Reserve fund, from the Malbis Sewer assessment collections, for the initial funding of an OPEB Trust. Seconded by Mrs. Phillips.

MOTION CARRIED UNANIMOUSLY

XII. ADJOURN

The meeting adjourned at 6:03 p.m.

The City of Daphne
Planning Commission Minutes
Regular Meeting of November 21, 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 5:03 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Bo Tucker
Ed Kirby
Andrew Prescott, Vice Chairman
Ron Scott
Phillip Hodgson, Secretary
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
Ashley Campbell, Environmental Programs Manager

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

Vice Chairman asked for questions, comments or corrections to the minutes ***of the regular meeting of October 24, 2019. There being none, minutes are approved as submitted.***

The next order of business is final plat review for Jubilee Farms Subdivision, Phase Five.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry, requesting final review of Jubilee Farms Subdivision, Phase Five located southeast of Austin Road and Alabama Highway 181. He stated we have been working diligently to address the deficiencies and request approval conditioned upon the completion of the remainder of the improvements.

Vice Chairman asked for Commission questions or comments.

Ms. Jones advised that staff, Troy Strunk & Ashley Campbell, and Steve Harbin, Forestar (USA) Real Estate Group, have met to discuss a conclusion of a recommendation for the final plat that would be appropriate and is not the typical recommendation to not to sign the plat; in this case, the recommendation is to not issue building permits conditioned upon completion of the improvements to allow for more time and the developer can still achieve his goal of recording the plat.

The City of Daphne
Planning Commission Minutes
Regular Meeting of November 21, 2019
Council Chamber, City Hall - 5:00 P.M.

Ms. Jones stated when the preliminary plat was originally approved the Commission granted a waiver of the buffer requirement for the wetland area highlighted as Lots 260, 261, 262 and 263 and others were impacted. She also outlined stability and erosion control issues near the detention ponds and areas shown on Exhibit A which require sodding; therefore, our recommendation is that no building permits shall be issued until such time as these conditions have been satisfied: a surety bond is provided to guarantee the grassing of all common areas in this phase; completely sod the back slopes of the lake in Common Area 3 as shown on Exhibit A; installation of the proposed boardwalk as shown on the approved construction plans; restoration of impacted wetland buffers; to plant an additional six to eight Magnolia trees; removal of gravel in that area; and, properly posting protection signs in wetland buffer areas.

Vice Chairman asked if the developer was in agreement with these terms. Mr. Harbin concurred.

Chief White asked about the purpose and the enforcement of wetland protection signs. Ms. Campbell noted that wetland protection signs are designed by the developer to protect the wetland buffer areas.

Mr. Scott noted that this subdivision is located in the Weeks Bay Protection Area and that Baldwin County has shown interest in applying for grants for its protection because it is an important watershed.

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

A Motion was made by Mr. Scott and Seconded by Mr. Kirby to approve the final plat for Jubilee Farms Subdivision, Phase Five with the following conditions: no building permits will be issued until the developer submits a surety for grassing all common areas; completely sods the back slope of the lake of Common Area 3 as shown on Exhibit A; installs the proposed boardwalk in accordance with approved plans; restores wetland buffers, adds 6 to 8 Magnolia trees and removes gravel; and, properly posts wetland protection signs in the wetland buffer area. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is final plat review for Oldfield Subdivision, Phase 3B.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry, requesting final review of Oldfield Subdivision, Phase 3B, Five located south and west of Oldfield Subdivision, Phase One. He stated we have been working diligently to address the deficiencies and request approval conditioned upon the completion of the remainder of the improvements.

Vice Chairman asked for Commission questions or comments and about conditions of approval.

Ms. Campbell expressed concern about the construction of the swale on the north side of the subdivision and completion of landscaping/irrigation.

The City of Daphne
Planning Commission Minutes
Regular Meeting of November 21, 2019
Council Chamber, City Hall - 5:00 P.M.

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

A Motion was made by Mr. Scott and **Seconded** by Mr. Kirby **to approve the final plat for Oldfield Subdivision, Phase 3B with the following conditions: no building permits will be issued until the developer submits a surety for landscaping and irrigation; installs swales as per the approved construction plans; and, addresses other items discussed by staff. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is final plat review for the Resubdivision of Lots 1, 6 & 7, DISC Subdivision.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry, requesting preliminary/final review of the Resubdivision of Lots 1, 6 & 7, DISC Subdivision located west of the southwest corner of the intersection of Alabama Highway 181 and Champions Way. He presented an overview of the modifications the DISC Subdivision: Lot 1, Lot 1A and 1B were created by the construction of the roadway system and infrastructure; Lot 6, a sloped easement was added; and Lot 7, the boundary of the lot changed due to a change in the right-of-way.

Vice Chairman asked for Commission questions or comments.

Mr. Pumphrey stated after approval of the modifications to the plat, we will be requesting street acceptance.

Mr. Pumphrey stated initially, a color rendering was presented and approved by the Commission as a master plan; with regard to the presentation of a revision of the master plan, it may become necessary for the Industrial Development Board to carve out additional lots for marketing purposes, but there is not a definite plan.

Mr. Scott asked about the aesthetics of property and signage. Steve Carey, Industrial Development Board President, responded that the board has a yearly maintenance agreement for landscaping and is currently closing out the contract with SJ&L to acquire signage and begin marketing the property.

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

A Motion was made by Mr. Scott and **Seconded** by Mr. Hodgson **to approve the preliminary/final plat for the Resubdivision of Lots 1, 6 & 7, DISC Subdivision. There was no discussion on the motion. The Motion carried unanimously.**

Ms. Jones asked Commissioners to familiarize themselves with the regulatory side of an AirBnB, VRBO and other online platforms for non-traditional transient accommodations.

The next order of business is public participation.

Vice Chairman asked for public participation.

The City of Daphne
Planning Commission Minutes
Regular Meeting of November 21, 2019
Council Chamber, City Hall - 5:00 P.M.

None presented.

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

Mr. Dungan stated no report.

The next order of business is commissioner's comments.

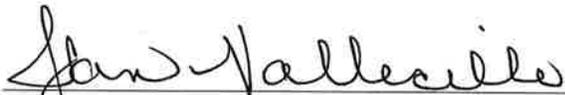
None presented.

The next order of business is director's comments.

Ms. Jones presented the upcoming meeting dates. Site Preview is December 11, and the Regular Meeting is December 19, 2019. She also mentioned the upcoming Christmas holiday festivities to be held at the city and wished everyone a Happy Thanksgiving!

There being no further business, the meeting was adjourned at 5:26 p.m.

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: December 19, 2019


Marybeth Bergin, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF DECEMBER 19, 2019
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.



1. **CALL TO ORDER:** 5:03 p.m.
2. **CALL OF ROLL:** Marybeth Bergin, Phillip Hodgson, Ron Scott, Hudson Sandefur, Ed Kirby and Chief White
3. **APPROVAL OF MINUTES:**
Review of minutes of the regular meeting of November 21, 2019. (**Approved**)
4. **NEW BUSINESS:**
 - A. **SITE PLAN REVIEW:**
 1. **File SP19-12:** (**Approved**)

Site: United Bank

Zoning: *B-2, General Business*

Location: Southeast of Renaissance Boulevard and U.S. Highway 90, Lot C1, Malbis Place Resubdivision
Area: 1.12 ± Acres
Owner(s): United Bank - Justin Jennings
Engineer: S. E. Civil - Larry Smith
 - B. **JUBILEE FARMS SUBDIVISION APPLICATIONS:**
 1. **JUBILEE FARMS, PHASE EIGHT PRELIMINARY PLAT REVISION:**

File SDP18-05: (**Approved**)

Presentation to be given by Steve Pumphrey, representative of Dewberry, representing Forestar (USA) Real Estate Group, requesting a revision to a preliminary plat approved on April 26, 2018 for Jubilee Farms Subdivision, Phase Eight.
 2. **MASTER PLAN REVIEW:**

File MPA19-03: (**Approved**)

Presentation to be given by Steve Pumphrey, representative of Dewberry, representing Forestar (USA) Real Estate Group, requesting a master plan revision of Jubilee Farms Subdivision.
 3. **PRELIMINARY PLAT REVIEW:**

File SDP19-03: (**Approved**)

Subdivision: Jubilee Farms, Phase Ten

Present Zoning: *PUD, Planned Unit Development*
Location: Southeast of Austin Road and Alabama Highway 181
Area: 22.40 ± Acres, (57) lots
Owner: Forestar (USA) Real Estate Group, Inc. - Tucker Dorsey
Agent: Dewberry - Steve Pumphrey
Engineer: Dewberry - Jared Landry

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF DECEMBER 19, 2019
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

C. OFFICIAL ZONING MAP UPDATE:

1. File AP19-16: (Set forth a favorable recommendation to City Council)

Presentation to be given by Adrienne Jones, Director of Community Development, of a proposed amendment to the Official Zoning Map and the Official Street Map.

5. PUBLIC PARTICIPATION: None presented

6. ATTORNEY'S REPORT: No report

7. COMMISSIONER'S COMMENTS: Commissioners and Director expressed their appreciation for Chief White's service to the Planning Commission.

8. DIRECTOR'S COMMENTS: Director presented that the upcoming meeting dates. Site Preview is January 15 and the Regular Meeting is January 23, 2019.

9. ADJOURNMENT: 5:26 p.m.



City of Daphne Event Permit Application

Date of Application: _____ Permit Requested: Event/Fundraiser Parade/Run Band

Contact Information

Organization Name: _____

Contact Name: _____ E-mail Address: _____

Address: _____
Street / P.O. Box City/State/Zip Code

Primary Phone Number: _____ Secondary: _____

Event Information

Event Name: _____ Event Date: _____

Event Location: _____ # Participants/Vehicles: _____

Start Time: _____ Stop Time: _____ Assembly Time: _____
Parades/Runs Only

Special Requests: _____

_____ Road Closures Requested: Yes No

Special Instructions

Approval: Internal Use Only

Date Routed: _____

Fire Dept: _____

Police Dept: _____

Public Works: _____

Parks & Recreation: _____
Only required if event interrupts traffic near Daphne parks

Not valid unless stamped "Approved"

For Special Event/Band Permits:

Council Member: _____
District # Signature

For Parade/Run Permits & Use of City Grounds:

City Council: _____
Date of Approval

Parade/Run Permits ONLY

Fee Paid: \$ _____ N/A Waived

Insurance Filed N/A

Route Selection: 1 2 3 4



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20191211110546528

Type License: 020 - RESTAURANT RETAIL LIQUOR **State:** \$300.00 **County:** \$440.00

Type License: **State:** **County:**

Trade Name: ROLL AND GO SUSHI ASIAN KITCHEN **Filing Fee:** \$50.00

Applicant: ROLL AND GO SUSHI ASIAN KITCHEN LLC **Transfer Fee:**

Location Address: 1410 HIGHWAY 98; SUITE J DAPHNE, AL 36526

Mailing Address: 1410 HIGHWAY 98; SUITE J DAPHNE, AL 36526

County: BALDWIN **Tobacco sales:** NO **Tobacco Vending Machines:**

Type Ownership: LLC

Book, Page, or Document info: INST 2019009358 PG 1 OF 4

Date Incorporated: 02/01/2019 **State incorporated:** AL **County Incorporated:** JEFFERSON

Date of Authority: 02/01/2019 **Alabama State Sales Tax ID:** R010151952

Federal Tax ID: 83-3470338

Name:	Title:	Date and Place of Birth:	Residence Address:
KEOPRASEUTH DARAVONG 7138437 - AL	MEMBER	06/10/1971 VIENTIANE, LAOS	5300 DAVID LANGAN DR S MOBILE, AL 36608
SIDRA RASOOL 7570752 - AL	MEMBER	10/02/1987 MOBILE, AL	5300 DAVID LANGAN DR S MOBILE, AL 36608

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: KEOPRASEUTH DARAVONG

Business Phone: 251-626-4065

Fax:

Home Phone: 337-504-1567

Cell Phone: 337-504-1567

E-mail: ROLLANDGOSUSHIDAPHNE@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: 20191211110546528

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
 Name of Property owner/lessor and phone number: **COLONIAL LLC 251-990-9364**
 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: **1500** Display Square Footage:
 Building seating capacity: **42** 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: 20191211110546528

Initial each

Signature page

KD
 KD

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.

KD

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.

N/A

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.

N/A

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

N/A

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

KD

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.

KD

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.

KD

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): *Keopraseuth Daravong*

Signature of Applicant: *Kan. Daravong*

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:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20191211110546528

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: SUITE J

Receipt Confirmation Page

Receipt Confirmation Number: **20191211110546528**
Application Payment Confirmation Number: **52910912**

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: **ROLL AND GO SUSHI ASIAN KITCHEN**
Applicant Name: **ROLL AND GO SUSHI ASIAN KITCHEN LLC**
Location Address: 1410 HIGHWAY 98; SUITE J
DAPHNE, AL 36526

Mailing Address: 1410 HIGHWAY 98; SUITE J
DAPHNE, AL 36526

Contact Person: **KEOPRASEUTH DARAVONG**
Contact Home Phone: 337-504-1567
Contact Business Phone: 251-626-4065
Contact Fax:
Contact Cell Phone: 337-504-1567
Contact Email Address:
Contact Web Address:

CASE NO. 2019-12

ABC LICENSE ROUTING

DATE RECEIVED BY REVENUE DIV. 12/18/19 (initial) CAC

DATE FORWARDED TO POLICE DEPT. _____

DATE RECEIVED BY POLICE DEPT. 12/18/19 Hed

DATE: APPROVED DISAPPROVED _____

POLICE DEPT SIGNATURE [Signature] 12/18/19

DATE RETURNED TO REVENUE DIV. 12/18/19 Hed

DATE FORWARDED TO CITY CLERK 12/19/19 CAC

DATE RECEIVED BY CITY CLERK _____

SCHEDULED DATE ON AGENDA _____

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 Event Permit Application

Date of Application: 12/30/2020 Permit Requested: Event/Fundraiser Parade/Run Band

Contact Information

Organization Name: The Shadow Barons
Contact Name: Damon Henderson E-mail Address: damondamondamon@att.net
Address: 9593 Milton Jones Road (P.O. Box 2770) Daphne, AL 36526
Primary Phone Number: (251) 533-4263 Secondary: (251) 623-5815

Event Information

Event Name: The Shadow Barons Mardi Gras Parade Event Date: 2/22/2020
Event Location: Main Street, Daphne # Participants/Vehicles: 550 People 10 Floats 17 Vehicles
Start Time: 7:00 PM Stop Time: 8:30 PM Assembly Time: Floats at 3:30 Everyone Else at 5:00
Special Requests: A check for low limbs and power/utility lines would be helpful Road Closures Requested: Yes No

Special Instructions IF the parade gets rained out on Saturday we ask for a make-up day on Sunday at a time approved by the city.

Approval: Internal Use Only

Date Routed: 12/20/19

Fire Dept: Keith B. Ule

Police Dept: David Carpent

Public Works: _____

Parks & Recreation: _____

Only required if event interrupts traffic near Daphne parks

For Special Event/Band Permits:

City Clerk: _____

Signature

For Parade/Run Permits & Use of City Grounds:

City Council: _____

Date of Approval

Not valid unless stamped "Approved!"

Use of Alcohol

Parade/Run Permits ONLY

Fee Paid: \$ 1,750 N/A Waived

Insurance Filed N/A

Route Selection: 1 2 3 4

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2020-01
2020-D-SOD AND HAY**

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

WHEREAS, The City of Daphne acknowledges that the cost for the SOD AND HAY will exceed this amount; and

WHEREAS, No bids were received and therefore can be negotiated; and

WHEREAS, Staff has reviewed the negotiated bid for the SOD AND HAY and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the negotiated bid for the SOD AND HAY be awarded to Eastern Shore Ag.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, hereby accept the negotiated bid of Eastern Shore Ag for unit cost as follows:

DESCRIPTION	UNIT		COST
CENTIPEDE SOD:	Delivered	Per Pallet*	\$ 80.00
	Furnished Only	Per Pallet*	\$ 80.00
ST. AUGUSTINE SOD:	Delivered	Per Pallet*	No Bid
	Furnished Only	Per Pallet*	No Bid
CONSTRUCTION GRADE CENTIPEDE:	Delivered	Per Pallet*	\$ 80.00
	Furnished Only	Per Pallet*	\$ 80.00
ROLL SOD CENTIPEDE WITH DISPOSAL	Delivered	Per Roll*	\$ 48.00
	Furnished Only	Per Roll*	\$ 48.00
CONSTRUCTION GRADE CENTIPEDE:	Delivered	Per Roll*	\$ 48.00
	Furnished Only	Per Roll*	\$ 48.00
419 BERMUDA SOD	Delivered	Per Pallet*	\$ 80.00
	Furnished Only	Per Pallet*	\$ 80.00
ROLL SOD 419 BERMUDA WITH DISPOS	Delivered	Per Roll*	\$ 80.00
	Furnished Only	Per Roll*	\$ 80.00
CONSTRUCTION GRADE HAY	Delivered	Per Bale*	No Bid
	Furnished Only	Per Bale*	No Bid

** Rolls are 30 Sq Yds*

as specified in BID SPECIFICATION NO. 2020-D-SOD AND HAY.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2020.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2020-02**

**AUTHORIZING RESOLUTION:
FY2020 CAPITAL EQUIPMENT AGREEMENT (REGIONS BANK) –
THREE (3) SOLID WASTE TRUCKS AND THREE (3) POLICE CHEVY TAHOES**

A RESOLUTION OF THE CITY COUNCIL, THE GOVERNING BODY (“THE COUNCIL”) OF CITY OF DAPHNE , ALABAMA (THE “PAYEE”), FINDING IT NECESSARY TO ACQUIRE CERTAIN EQUIPMENT FOR GOVERNMENTAL PURPOSES AUTHORIZED BY LAW: FINDING THAT IT WOULD BE IN THE PUBLIC INTEREST TO ACQUIRE SUCH EQUIPMENT UNDER THE TERMS OF A EQUIPMENT LOAN THE CITY FO DAPHNE WILL ACQUIRE SUCH EQUIPMENT AND BE REIMBURSED FOR THE COST OF SUCH EQUIPMENT . FINDING THAT SUCH PROPOSAL IS IN THE INTEREST OF THE PAYEE AND AUTHORIZING AND DIRECTING THE AUTHORIZED OFFICERS (AS HEREINAFTER DEFINED) TO EXECUTE A EQUIPMENT LOAN AND SUPPORTING SCHEDULES AND ATTACHMENTS INCLUDING, BUT NOT LIMITED TO, ASSIGNMENTS OF TITLE TO THE EQUIPMENT TO REGIONS BANK TO THE END THAT THE EQUIPMENT SHALL BE ACQUIRED BY SUCH BANK AND FINANCED FOR THE PAYEE ON THE TERMS AND CONDITIONS EXPRESSED IN SUCH AGREEMENT.

WHEREAS, the Council has determined that it is necessary to acquire the below items of Equipment (the “Equipment”) for use by the Payee for purposes authorized by law:

- One (1) Mack-Automated Side Loader-33CY Garb Truck - *up to-* \$299,938
- One (1) Mack-Automated Side Loader-33CY Recycle Truck *-up to-* \$299,938
- Two (2) Freightliner w/Pac-Mac Knuckleboom (\$157,104/ea)-*up to-* \$314,208
- Three (3) Chevy Tahoe w/Equipment (\$57,750/ea) *up to -*\$173,250

WHEREAS, the referenced equipment shall be financed on a Loan Purchase Agreements with Mayor and City Clerk to execute the Loan Purchase Agreements; and

WHEREAS, the Council has determined that it would be in the public interest to acquire such equipment through a Equipment Loan Agreement as provided under Section 41-16A-1 *et seq.* of the Code of Alabama, 1975; and

WHEREAS, to the best knowledge and belief of the Council, this Agreement qualifies as a qualified project bond within the meaning of the Tax Reform Act of 1986; and

WHEREAS, REGIONS BANK has proposed to offer the City an Equipment Loan to acquire the equipment at the offered price at the rate of 2.38% per annum; and
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:

SECTION 1: The Mayor and City Clerk (hereinafter the “Authorized Officers”) be and are hereby authorized and directed to execute an Equipment Loan (also referred to as a “Governmental Equipment Loan”), either reference being the “Agreement”, and all attachments thereto. Such Agreements shall be in substantially the form attached hereto with such appropriate

variations, omissions and insertions as are permitted or required by this Resolution and as are consented to by the Payee’s representatives (the “Authorized Officers”) executing the Agreement, such consent being evidenced by their signatures.

SECTION 2: Upon delivery and acceptance by the Payee of the Equipment, the Authorized Officers are authorized and directed to execute a Certificate of Acceptance of such Equipment and the term shall commence on the date of acceptance.

SECTION 3: The Authorized Officers are further authorized and directed to execute on behalf of the Payee a Financing Statement and all other documents as provided for in the agreement to establish and maintain the security interest of REGIONS BANK in such Equipment.

SECTION 4: The Payee and the Council acknowledges that the Agreements (“Provisions Regarding Insurance”) agrees to provide property damage and liability insurance in accordance with the terms of the Agreement.

The motion was approved after a full discussion, the same was put to vote with the following results:

Doug Goodlin	Voted: _____
Tommie Conaway	Voted: _____
Joel Coleman	Voted: _____
Pat Rudicell	Voted: _____
Ron Scott	Voted: _____
Robin LeJeune	Voted: _____
Angie Phillips	Voted: _____

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF _____, 2020.

CITY OF DAPHNE

Dane Haygood, Mayor

ATTEST:

—

Candace Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2020-01**

**Ordinance to Re-Zone Property Located
Southwest on Main Street and Belrose Avenue
Rachel Burmeister and James Stocks**

WHEREAS, Rachel Burmeister and James Stocks, as the owners of certain real property located within the City of Daphne, has requested that said property that is currently zoned as R-2, Medium Density Single Family Residential District, be re-zoned as MU, Mixed Use District; and

WHEREAS, said real property is located Southwest of Main Street and Belrose Avenue, and more particularly described as follows:

Legal Description of Property to be Re-Zoned to MU, Mixed Use District:

TRIONE SUBDIVISION, A RE-PLAT OF LOTS 29 & 30, BLOCK 3 OF THE YUILLE BELROSE WHARF SUBDIVISION, ACCORDING TO PLAT THEREOF RECORDED ON SLIDE 2478-D OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA. TRACT CONTAINS 0.30 ACRES, MORE OR LESS.

WHEREAS, at the regular Planning Commission meeting on October 24, 2019, the Commission considered said request and set forth a favorable recommendation; and,

WHEREAS, due notice of said proposed re-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, and a public hearing was held before the City Council on December 16, 2019; and,

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

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

SECTION I: ZONING

The above described real property is hereby re-zoned from R-2, Medium Density Single Family Residential District, be re-zoned as MU, Mixed Use District, and the zoning ordinance and zoning map shall be amended to reflect the said zoning change.

SECTION II: REPEALER.

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

SECTION III: SEVERABILITY.

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

SECTION IV: EFFECTIVE DATE AND REVERSION.

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and after publication as required by law. This zoning classification is subject to a two (2) year reversionary clause. Two years from the date this Ordinance is enacted, if the site development has not started for the purpose listed herein, the zoning shall be null and void and the property shall revert to the prior zoning district. Refer to Section 22-2, Reversionary Clause, of the Daphne Land Use and Development Ordinance.

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

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE
ORDINANCE NO. 2020-02**

**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**

**ARTICLE XIII, SECTION 6, MINIMUM ZONING
SETBACK REQUIREMENTS, ARTICLE XIV, SECTION 2, USES PERMITTED,
ARTICLE XXXVI, SECTION 2, USES PERMITTED**

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

WHEREAS, at the City of Daphne Planning Commission regular meeting on October 24, 2019 the Commission considered certain proposed amendments to the City of Daphne Land Use & Development Ordinance, Ordinance 2011-54, and any amendments to the same and set forth a unanimous favorable recommendation to the City Council of the City of Daphne; and,

WHEREAS, due notice of said proposed amendment has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on December 16, 2019; and,

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

SECTION 1: THIS SECTION HEREBY AMENDS THE LAND USE AND DEVELOPMENT ORDINANCE TO REPEAL ARTICLE XIII, SECTION 6, MINIMUM ZONING SETBACK REQUIREMENTS, ARTICLE XIV, SECTION 2, USES PERMITTED, and ARTICLE XXXVI, SECTION 2, USES PERMITTED AND REPLACE SAID SECTION AS FOLLOWS:

13-6 MINIMUM ZONING DISTRICT SETBACK REQUIREMENTS

The following setback requirements shall apply in districts as outlined below, except in a Planned Unit Development, the Olde Towne Daphne District, the Village Overlay District, the Eastern Shore Park Overlay District, or the Jubilee Retail Overlay District, unless otherwise provided in said overlay district.

14-2 USES PERMITTED

(a) General

The following zoning districts provided herein established and most specifically defined in Article 12, Establishment of Districts: B-1, Local Business, B-1(a) Limited Local Business District; B-2, General Business, B-3, Professional Business, R-4, Single Family and Multi-Family Residential, and MU, Mixed Use. Article 35, the Table of Permitted Uses and Conditions, outlines the restrictions for each district, except with regard to mixed-uses as provided in the following subsections. (See also Article 12, Establishment of Districts).

The Planning Commission shall no longer consider zoning or rezoning amendments for B-2, General Business or R-4 zoning districts. All existing B-2, General Business and R-4, High Density Single and

Multi-Family Residential Districts shall be developed in accordance with the standards provided herein. For any new request, the following districts shall be considered in lieu of R-4: R-6(G) for all garden/patio homes developments; and, R-6(D) for duplexes.

(b) Mixed-Use Developments in the Olde Towne Daphne District. It is the intent of the City to encourage mixed-use developments in the Olde Towne Daphne District. Zoning districts that will allow mixed-use developments by right include MU, Mixed Use; B-1, Local Business; B-2, General Business; and B-3, Professional Business. Said mixed-use development may have a vertical configuration, meaning the primary business is located on the ground floor and the secondary use is located on an upper floor, or may otherwise meet the provisions of an accessory dwelling unit as provided in section (c) below.

(c) Accessory Dwelling Units (ADU) in the Olde Towne Daphne District shall adhere to the following provisions.

1. Detached accessory dwelling is defined as a dwelling unit separate from the principal structure. The dwelling shall be clearly subordinate in size, height, and purpose to the principal structure, it shall be located on the same lot as the principal structure, but may be served by separate utility meter(s), and is detached from the principal structure if approved by the Building Official. A detached accessory dwelling may be an independent structure, a dwelling unit above a garage, or attached to a workshop or other accessory structure on the same lot as the principal structure.

2. It is the intent of this ordinance to allow, where deemed appropriate by the Planning Commission, accessory dwelling units that maintain an appropriate proportional relationship to the adjacent principal structure(s) on the same site.

3. The accessory dwelling unit may function as purely residential use or as a mixed use building that allows separate commercial and residential usage.

4. While these provisions apply to detached accessory dwelling units, the provisions do not supersede or override applicable life safety standards found in the applicable codes adopted by the city.

5. When deemed appropriate by the Planning Commission, in business and commercial districts located in the Olde Towne Daphne district, a detached accessory dwelling may be considered where such detached accessory dwelling complies with the following requirements:

a) A recreational vehicle (RV) shall not be considered as an ADU.

b) Shall not exceed 60% of the size (measured in square feet) of the principal building.

c) Shall not be located on a lot by itself, nor be located in or extend into the front yard.

d) Shall not be constructed to exceed more than two (2) stories.

e) Shall not be constructed to exceed thirty (30) feet mean roof height; however, the accessory dwelling unit shall not exceed the height of the primary business or commercial building.

f) Shall not encroach into any easement.

g) Shall maintain a side yard setback and rear yard setback of not less than six (6) feet where abutting property zoned for business or commercial use.

- h) Where the adjacent property is zoned for residential use, the side yard and rear yard setback shall be no less than the standard zoning district setback requirement.
- i) Requests for variances to the provisions of this section shall be submitted to the Board of Zoning Adjustment.
- j) There shall be one (1) power meter to service both the primary business and the accessory structure, unless a second power meter is approved by the Building Official. The decision of the Building Official may be appealed to the Board of Zoning Adjustment in accordance with provisions established herein.
- k) Prefabricated accessory structures (such as utility sheds, conex storage boxes and the like) shall not be utilized for the purpose of habitation.
- l) No more than one detached accessory dwelling shall be permitted on a single lot in conjunction with the principal structure.
- m) The detached accessory dwelling may not be divided from the property ownership of the principal dwelling.
- n) The detached accessory dwelling shall be of similar style, design and material color as used for the principal structure and shall use similar architectural characteristics, including roof form and pitch, to the existing principal structure.

36-2 USES PERMITTED

(a) General

The following zoning districts provided herein established and most specifically defined in Article 12, Establishment of Districts: B-1, Local Business, B-2, General Business, B-3, Professional Business, R-4, Single Family and Multi-Family Residential, and MU, Mixed Use. Article 35, the Table of Permitted Uses and Conditions, outlines the restrictions for each district, except with regard to mixed-uses as provided in the following subsections.

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

(b) Mixed-Use Developments in the Village Overlay District

It is the intent of the City to encourage mixed-use developments in the Village Overlay District. Zoning districts that will allow mixed-use developments by right include MU, Mixed Use; B-1, Local Business; B-2, General Business; and B-3, Professional Business. Said mixed-use development may have a vertical configuration, meaning the primary business is located on the ground floor and the secondary use is located on an upper floor, or may otherwise meet the provisions of an accessory dwelling unit as provided in section (c) below.

(c) Accessory Dwelling Units (ADU) in the Village Overlay District shall adhere to the following provisions.

1. Detached accessory dwelling is defined as a dwelling unit separate from the principal structure. The dwelling shall be clearly subordinate in size, height, and purpose to the principal structure, it shall be located on the same lot as the principal structure, but may be served by separate utility meter(s), and is detached from the principal structure if approved by the Building Official. A detached accessory dwelling may be an independent structure, a dwelling unit above a garage, or attached to a workshop or other accessory structure on the same lot as the principal structure.
2. It is the intent of this ordinance to allow, where deemed appropriate by the Planning Commission, accessory dwelling units that maintain an appropriate proportional relationship to the adjacent principal structure(s) on the same site.
3. The accessory dwelling unit may function as purely residential use or as a mixed use building that allows separate commercial and residential usage.
4. While these provisions apply to detached accessory dwelling units, the provisions do not supersede or override applicable life safety standards found in the applicable codes adopted by the city.
5. When deemed appropriate by the Planning Commission, in business and commercial districts located in the Village Overlay district, a detached accessory dwelling may be considered where such detached accessory dwelling complies with the following requirements:
 - a) A recreational vehicle (RV) shall not be considered as an ADU.
 - b) Shall not exceed 60% of the size (measured in square feet) of the principal building.
 - c) Shall not be located on a lot by itself, nor be located in or extend into the front yard.
 - d) Shall not be constructed to exceed more than two (2) stories.
 - e) Shall not be constructed to exceed thirty (30) feet mean roof height; however, the accessory dwelling unit shall not exceed the height of the primary business or commercial building.
 - f) Shall not encroach into any easement.
 - g) Shall maintain a side yard setback and rear yard setback of not less than six (6) feet where abutting property zoned for business or commercial use.
 - h) Where the adjacent property is zoned for residential use, the side yard and rear yard setback shall be no less than the standard zoning district setback requirement.
 - i) Requests for variances to the provisions of this section shall be submitted to the Board of Zoning Adjustment.
 - j) There shall be one (1) power meter to service both the primary business and the accessory structure, unless a second power meter is approved by the Building Official. The decision of the Building Official may be appealed to the Board of Zoning Adjustment in accordance with provisions established herein.

k) Prefabricated accessory structures (such as utility sheds, conex storage boxes and the like) shall not be utilized for the purpose of habitation.

l) No more than one detached accessory dwelling shall be permitted on a single lot in conjunction with the principal structure.

m) The detached accessory dwelling may not be divided from the property ownership of the principal dwelling.

n) The detached accessory dwelling shall be of similar style, design and material color as used for the principal structure and shall use similar architectural characteristics, including roof form and pitch, to the existing principal structure.

SECTION II: CONFLICT WITH OTHER ORDINANCES

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

SECTION III: SEVERABILITY

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

SECTION IV: EFFECTIVE DATE

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

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

AN ALABAMA MUNICIPAL CORPORATION

Dane Haygood, Mayor

Attest:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2020-03**

**ADDITIONAL APPROPRIATION TAP GRANT: SIDEWALK ON CR-13 FROM WHISPERING
PINES TO CHAMPION WAY- TAPNU-TA15(940) – GUARDRAIL IMPROVEMENTS**

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

WHEREAS, the project for construction of the sidewalk on County Road 13 has been bid, awarded, and completed; and

WHEREAS, a guardrail is needed for a portion of the sidewalk for safety reasons and to satisfy ALDOT grant requirements; and

WHEREAS, quotes have been received and an appropriation of \$17,120 is immediately needed to purchase and install the required guardrail; and

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

1. Funds in the amount of **\$17,120 from the General Fund** are appropriated and made a part of the Fiscal Year 2020 budget for additional guardrail improvements to the County Road 13 sidewalk project.
2. The Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne required for this project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA this ____ day of _____, 2020.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2020-04**

APPROPRIATION: FIRE STATION #5

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, Ordinance 2017-56 was adopted to appropriated \$59,560 for the architectural design and civil/site design for Fire Station #5; and

WHEREAS, the project was bid resulting in a bid amount of \$1,615,000 which will require an additional appropriation of \$856,500 to complete the project.

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

1. An appropriation in the amount of \$856,500 from the General Fund and transferred to the Capital Reserve Fund is appropriated and made a part of the Fiscal Year 2020 Budget for the
2. The Mayor is hereby authorized to execute any and all documents required in order for the Fire Station #5 project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2020.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2020-05
ADDITIONAL APPROPRIATION FOR JOE LOUIS PATRICK PARK: FENCING AND
GUTTERS**

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

WHEREAS, the improvements at Joe Louis Patrick Park meet such criteria; and

WHEREAS, improvements are needed to install fencing and gutters at Joe Louis Patrick Park. Quotes for improvements at the Park have been received and the estimated amount of improvements is expected to total \$6,000 and therefore, additional money is needed; and

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

1. The Fiscal Year 2020 Budget is hereby amended to include an additional appropriation in the amount of **\$6,000** from the **Lodging Tax Fund** for additional improvements at Joe Louis Patrick Park.
2. The Mayor is hereby authorized to execute all documents associated with the described project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA this ____ day of _____, 2020.

Dane Haygood, Mayor

Attest:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2020-06**

ADDITIONAL APPROPRIATION: LEGAL FEES-WPNVA, LLC

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, an additional appropriation is needed for legal services not covered by Alabama Municipal Insurance Corporation related to litigation involving WPNVA, LLC.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that monies from the **General Fund** in the amount of **\$25,000** are hereby appropriated for the above-stated purpose and made a part of the Fiscal Year 2020 Budget.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2020.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2020-07
ADDITIONAL APPROPRIATION FOR PAYMENT TO DRA FOR OLD TOWNE DAPHNE
STREET LIGHTING IMPROVEMENTS**

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 entered in a memorandum of understanding with the City of Daphne Down Redevelopment Authority (DRA) regarding installing lighting improvements in several areas of Old Towne Daphne; and

WHEREAS, in the signed memorandum of agreement with the DRA, the total cost of the project was \$197,240 and City agreed to provide financial assistance in the amount of \$38,620 for the street lighting improvements; and

WHEREAS, the Fiscal Year 2020 capital budget only provided for a \$30,000 payment to the DRA for the street lighting improvements and therefore, additional money is needed; and

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

1. The Fiscal Year 2020 Budget is hereby amended to include an additional appropriation in the amount of **\$8,620** from the **General Fund** for payment to the DRA for Old Towne Daphne Street Lighting Improvements.
2. The Mayor is hereby authorized to execute all documents associated with the described project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA this ____ day of _____, 2020.

Dane Haygood, Mayor

Attest:

Candace G. Antinarella, City Clerk