

**CITY COUNCIL BUSINESS MEETING AGENDA**  
**1705 MAIN STREET, DAPHNE, AL**  
**NOVEMBER 1, 2010**  
**BUSINESS MEETING**  
**6:30 P.M.**

**1. CALL TO ORDER**

**2. ROLL CALL/INVOCATION /  
PLEDGE OF ALLEGIANCE**

**3. APPROVE MINUTES:** Council meeting minutes / October 18, 2010

**PROCLAMATION:** America Recycles Day / November 15, 2010

**PRESENTATION:** Mr. Bill McWhorter / Mobile Bay Tarpons

**PRESENTATION:** Mr. Pfil Hunt / Gardnyr Michael Capital / Bond Information

**PUBLIC HEARING:** Revision to Zoning Map / **Ordinance 2010-66**

**4. REPORT STANDING COMMITTEES:**

**A. FINANCE COMMITTEE / Boulware**

**Bid Award:**

Soccer/Football Sports Lighting Project – Trione Sports Complex / Bill Smith Electric /  
**Resolution 2010-98**

**B. BUILDINGS & PROPERTY - Lake**

**C. PUBLIC SAFETY – Palumbo**

Review minutes / August 11<sup>th</sup>

Review minutes / September 8<sup>th</sup>

Review minutes / October 13<sup>th</sup>

**D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Palumbo**

**E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Yelding**

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

**A. Board of Zoning Adjustments – Jones**

**B. Downtown Redevelopment Authority – Barnette**

Review minutes / October 25<sup>th</sup>

**C. Industrial Development Board – Yelding**

**D. Library Board – Lake**

Re-appoint: Jan Blankenhorn for a term of four (4) years / Term to end September 30, 2014

**E. Planning Commission – Barnette**

Set Public Hearing Date for December 6, 2010 to consider:

1. Amending the Land Use Ordinance / Table of Permitted Uses / For the designation of a convenience store by right in a B-1, Local Business District, as a use allowed upon Planning Commission approval

2. Amending the Land Use Ordinance / Table of Permitted Uses / Add a bowling alley and Entertainment Center as a use allowed upon Planning Commission approval in a B-1, Local Business District

F. Recreation Board – Reese  
Review minutes / August 11<sup>th</sup>

G. Utility Board - Scott

6. REPORTS OF OFFICERS:

A. Mayor’s Report

B. City Attorney’s Report

C. Department Head Comments

Adrienne Jones – Planning Department Director / Tiger II Planning Grant

7. PUBLIC PARTICIPATION:

Ms. Jasmine Lee / Restrict Use of Wireless Communication Devices While Driving

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

a.) Bid Award: Soccer/Football Sports Lighting Project –

Trione Sports Complex / Bill Smith Electric. .... /Resolution 2010-98

ORDINANCES:

2<sup>ND</sup> READ

a.) Annexation: Richard S. Higbee Property. .... /Ordinance 2010-60

b.) Rezone: A & B-10, LLC Property. .... /Ordinance 2010-61

c.) Appropriation of Funds: Capital Reserve Fund: Whispering Pines Road:

US Hwy 98 to Pollard Road / Alt #1 ..... /Ordinance 2010-62

d.) Appropriation of Funds: Capital Reserve Fund: Fiscal 2011 Road

Improvements Engineering. .... /Ordinance 2010-63

e.) Appropriation of Funds / General Fund: Sehoj Subdivision /

Claiborne Circle Drainage Project. .... /Ordinance 2010-64

f.) Restrict Use of Wireless Communication Devices While Driving ..... /Ordinance 2010-65

1<sup>ST</sup> READ

g.) Revision to Zoning Map. .... /Ordinance 2010-66

9. COUNCIL COMMENTS

10. ADJOURN

**CITY OF DAPHNE  
CITY COUNCIL MEETING**

**ROLL CALL**

**CITY COUNCIL:**

**CALL VOTES**

COUNCILMAN YELDING

PRESENT\_\_ ABSENT\_\_ \_\_

COUNCILWOMAN BARNETTE

PRESENT\_\_ ABSENT\_\_

COUNCILMAN LAKE

PRESENT\_\_ ABSENT\_\_ \_\_

COUNCILMAN BURNAM

PRESENT\_\_ ABSENT\_\_ \_\_

COUNCILMAN SCOTT

PRESENT\_\_ ABSENT\_\_ \_\_

COUNCILMAN BOULWARE

PRESENT\_\_ ABSENT\_\_ \_\_

COUNCILMAN PALUMBO

PRESENT\_\_ ABSENT\_\_ \_\_

**MAYOR**

MAYOR SMALL

PRESENT\_\_ ABSENT\_\_ \_\_

**CITY CLERK:**

DAVID L. COHEN

PRESENT\_\_ ABSENT\_\_

**CITY ATTORNEY:**

CITY ATTORNEY JAY ROSS

PRESENT\_\_ ABSENT

**MINUTE NOTES:**

**CITY COUNCIL MEETING  
MINUTES**

**NOTES:**

COMMITTEE RECOMMENDATIONS



OCTOBER 18, 2010  
CITY COUNCIL MEETING  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.

2

**PUBLIC HEARINGS:** 1.) **Annexation:** Richard S. Higbee  
***Located:*** Northwest of the intersection of County Road 13 &  
Whispering Pines Road  
***Present Zoning:*** RSF-2, Single Family District, in Baldwin County  
District 15  
***Requested Zoning:*** B-1, Local Business District, City of Daphne & B-3,  
Professional Business District, City of Daphne  
**Ordinance 2010-60**

Mr. David Diehl, Engineering Services, gave the presentation. He mentioned that the developer volunteered to put on the plat, and as part of their zoning if council approves this, that no convenience store be allowed to be built on the property.

Councilwoman Barnette stated that this was a unanimous favorable recommendation from the Planning Commission. She said the primary issue discussed at the Planning Commission meeting was suitability or unsuitability of a convenience store, and the applicant willing took that option off the table for the site plan. That made the majority of the public that had come out with concerns comfortable with the proposal.

Mr. Diehl stated that the Daphne Comprehensive Plan shows this as being commercial property.

***Council President Palumbo*** opened the Public Hearing at 6:40 p.m.

***Mr. Barry Nance – Sehoj Subdivision*** – requested that both of his letters to council be entered into the record. He spoke against the B-1, Local Business District zoning.

***Mr. Richard Reeves – Daphne*** – spoke against the B-1, Local Business District zoning.

***Mr. Barry Nance – Sehoj Subdivision*** – asked council if anyone approached the county to see if they had approached the county to rezone the property, and was turned down, and now they are coming to Daphne with the request.

Councilwoman Barnette stated for the record the proposal with the B-1 exclusion goes with the property. This is not a gentlemen's agreement, so to speak, where the request was to take B-1 out. Mr. Higbee has actually presented that for the subdivision, and assuming that it is annexed, the subdivision that has been approved by the Planning Commission, this would be filed in probate that excludes the ability for a convenient store to be located within that B-1 zone. It forever goes with the land with that exclusion.

***Mr. Nance*** asked that the city council find out if the county turned down a zoning request.

Councilman Scott, who works for the Baldwin County Planning Department, stated they have not applied for the county.

*Mr. Nance* stated that they came to Daphne for the annexation and the zoning without having first gone to the county to ask the county to rezone it as business.

Councilman Scott said that is correct.

Councilwoman Barnette stated that there were two (2) issues at hand the first was for this parcel to be annexed, and when there is an annexation it also has the ability to come in with a zoning request. This parcel has two (2) zoning requests associated with it B-3 which is professional office and B-1 which is a neighborhood business. Because there was some opposition and public concern for what could be done on that corner, specifically, after the discussion of the convenient store, and the belief that it was an unsuitable use at that intersection, the applicant willing said that he will forever put this on the plat, which is recorded on the plat, that a convenient store is forever excluded as a suitable use within this property, because, although, the current table of use allows a convenient store in a B-1, by putting this on the plat it forever restricts it. So if this property is not developed, and it comes in as a B-1 they will have to have a request to remove that exclusion from the plat, and come through the process of a rezoning.

Council President asked Mr. Diehl what is planned for that development.

Mr. Diehl stated that for the B-3 portion of the property they are planning a professional office park. This works well with neighborhoods, because they are gone by 4:30 p.m. – 5:00 p.m. before people are getting home so it works in harmony with the neighborhood. For the B-1 they recognize the traffic on Highway 13 and Whispering Pines, the school traffic, the traffic at the ball park and practice fields, and that is exactly why Mr. Higbee wanted the B-1 zoning, because he is looking for ice cream parlors and sandwich shoppes in order to serve that traffic. He does not want to bring in anymore traffic to that intersection. He wants to serve the people that are already there in the neighborhood, and that is the reason for the B-1 limited neighborhood retail business at that intersection. It is going to be a destination per say.

*Council President Palumbo* closed the Public Hearing at 6:55 p.m.

2.) **Rezone:** A & B-10, LLC

***Located:*** Northeast of the intersection of Whispering Pines Road and Parker Lane, north of Madison Place Subdivision, Phase Two, north of Caroline Woods, Phase One and Two and west of Daphne Business Park, Phase Two

***Present Zoning:*** R-3, High Density Single Family District, City of Daphne

***Requested Zoning:*** R-4, High Density Single Family District, City of Daphne / **Ordinance 2010-61**



**OCTOBER 18, 2010  
 CITY COUNCIL MEETING  
 1705 MAIN STREET  
 DAPHNE, AL  
 6:30 P.M.**

*NOTE:* Councilman Yelding left the meeting at 7:10 p.m.

**4. REPORT OF STANDING COMMITTEES:**

**A. FINANCE COMMITTEE** – Boulware  
 Minutes for the October 11<sup>th</sup> meeting are in the packet.

**Treasurers Report / September 30, 2010**

**MOTION BY Councilman Scott to accept the Treasurers report as of September 30, 2010, in the amount of \$19,536,273.23. *Seconded by Councilwoman Barnette.***

<b>AYE</b>	<b>ALL IN FAVOR</b>	<b>NAY</b>	<b>NONE OPPOSED</b>	<b>MOTION CARRIED</b>
------------	---------------------	------------	---------------------	-----------------------

**Sales and Use Taxes: August 31, 2010**

Sales and Use Tax Collected for August 2010	- \$ 771,407
Sales and Use Tax Budgeted for August 2010	- \$ <u>790,714</u>
Over Budget (for August)	- \$ 19,307

YTD Budget Collections Variance – Over Budget - \$ 244,250

**Lodging Tax Collections : August 31, 2010**

The Lodging Tax Collections report shows \$63,323.58 collected for August 2010.

The next meeting will be November 8<sup>th</sup> at 4:00 p.m. in the Executive Conference Room

Councilwoman Barnette asked when council was going to discuss the budget.

Council President Palumbo stated that he had set aside the work session in November to discuss the budget.

**OCTOBER 18, 2010**  
**CITY COUNCIL MEETING**  
**1705 MAIN STREET**  
**DAPHNE, AL**  
**6:30 P.M.**

**B. BUILDINGS AND PROPERTY COMMITTEE – Lake**

The minutes for the October 4<sup>th</sup> meeting are in the packet. No report.

**C. PUBLIC SAFETY COMMITTEE –**

No report.

**D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Palumbo**

There is an ordinance restricting the use of wireless communication devices while driving on the agenda for a first read.

**E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY – Yelding**

Councilwoman Barnette reported that the Public Works Director presented his report at the Public Works meeting right before the council meeting. The Public Works projects that are under way right now are: May Day Park is now complete, Captain O’Neal and Dryer it is also complete, and as of today the round-about at Whispering Pines Road and Pollard Road has been completed, but the stabilization in the center sod still has to be done, but all the signage is done.

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

**A. Board of Zoning Adjustments – Mrs. Jones**

No report.

**B. Downtown Redevelopment Authority – Barnette**

No report. The next meeting will be October 25<sup>th</sup> at 5:15 p.m.

**C. Industrial Development Board – Yelding**

No report.

**D. Library Board – Lake**

Free computer classes are starting, and anyone that is interested can go to the Library website for details. Trick or Treat night at the Library will be Friday, October 29<sup>th</sup> from 5:00 p.m. to 7:00 p.m.

**E. Planning Commission – Barnette**

**MOTION BY Councilwoman Barnette to set a Public Hearing date for November 15, 2010 to consider:**

- 1. Amending the Land Use Ordinance / Table of Permitted Uses / For the designation of a convenience store by right in a B-1, Local Business District as a use allowed upon Planning Commission Approval.**
- 2. Amending the Land Use Ordinance / Table of Permitted Uses / Add a bowling alley and Entertainment Center as a use allowed upon Planning Commission approval in a B-1, Local Business District.**

*Seconded by Councilman Scott.*

**AYE** Barnette, Reese, Scott

**NAY** Lake, Boulware, Palumbo

**MOTION FAILED**

**F. Recreation Board – Reese**

No report. The next meeting will be Wednesday, October 13<sup>th</sup>.

**G. Utility Board – Scott**

The next meeting will be the first Wednesday in November in the council chambers at 5:00 p.m.

**6. REPORTS OF THE OFFICERS:**

**A. *Mayor's Report***

- a.) Parade Permit / 10<sup>th</sup> Annual Animal Rescue Run / December 18, 2010 / 5K & 1 Pet Trot

**MOTION BY Councilman Lake to approve the Parade Permit for the 10<sup>th</sup> Annual Animal Rescue Run / December 18, 2010 / 5K & 1 Mile Pet Trot. *Seconded by Councilwoman Barnette.***

**AYE** ALL IN FAVOR

**NAY** NONE OPPOSED

**MOTION CARRIED**

b.) **MOTION:** Authorize the Mayor to enter into a Franchise Agreement with Media Com

**MOTION BY Councilwoman Barnette to authorize the Mayor to enter into a Franchise Agreement with Media Com. *Seconded by Councilman Scott.***

**AYE ALL IN FAVOR                      NAY NONE OPPOSED                      MOTION CARRIED**

***B. City Attorney Report***

No report.

***C. Department Head Comments***

***James White – Fire Chief*** – reported that that they received the truck that they purchased, and the bids are coming in for the construction of the proposed fire station.

***Captain Scott Taylor – Police Department*** – reported that two (2) officers graduated from the Police Academy last Wednesday, and they did well.

***Suzanne Henson – Senior Accountant – Finance*** – reported that there will be a Special Called Finance meeting on November 1<sup>st</sup> before the council meeting where three (3) bids will be discussed

***David McKelroy – Recreation Director*** - reported that there will be a sunset concert with a 17 piece brass big band at May Day Park October 24<sup>th</sup> from 5:00 p.m. – 6:30 p.m., and prior to that will be the dedication of the May Day Park Boat Ramp at 4:45 p.m. There was a good softball tournament this past Saturday and Sunday. There were 31 teams involved in the softball tournament. There will be a County Cross Country Meet at Trione this Saturday. This weekend is the Blast Halloween Soccer Tournament scheduled for Saturday and Sunday. Daphne High School Girls Volleyball Team won the area championship, and will be playing in Auburn Thursday with a chance to go to the State Elite 8 in Pelham. Daphne High School football team won the area championship with their win over Fairhope, and will play McGill Toolen Friday the last scheduled home game, and they are guaranteed a first round Playoff game November 5<sup>th</sup> playing Blount.

***Margaret Thigpen – Civic Center Director*** – reported that there will be an unveiling tomorrow at 2:00 p.m. of a painting donated by Ms. Connie Smith painted by a bay artist. She reminded everyone that the General Election is coming up on November 2<sup>nd</sup>. Ballroom Dance is November 5<sup>th</sup>. Mrs. Deni Biggs who has been with the Civic Center for 11 years is retiring, and her last day will be October 29<sup>th</sup>, and they are doing a come and go at the Civic Center that day for anyone to come and wish her well.

**7. PUBLIC PARTICIPATION**

No one from the public spoke.

**8. RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS**

**RESOLUTIONS:**

- a.) Bid Award: Energy Efficient Blower Retrofit at Daphne Utilities  
Water Reclamation Facility / Ballcon, Inc ...../Resolution 2010-95
- b.) Bid Award: Whispering Pines Road – Alternate #1 /  
M.C. Williams Contracting Co ...../Resolution 2010-96
- c.) Declaring Certain Property Surplus / Vehicles & Equipment. .... /Resolution 2010-97

MOTION BY Councilman Scott to waive the reading of Resolutions 2010-95 and 2010-97. *Seconded by Councilwoman Barnette.*

AYE ALL IN FAVOR            NAY NONE OPPOSED            MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2010-95. *Seconded by Councilwoman Barnette.*

AYE ALL IN FAVOR            NAY NONE OPPOSED            MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2010-97. *Seconded by Councilwoman Barnette.*

AYE Barnette, Reese, Scott, Boulware, Palumbo            NAY Lake

MOTION CARRIED

MOTION BY Councilman Scott to waive the reading of Resolution 2010-96. *Seconded by Councilman Boulware.*

AYE ALL IN FAVOR            NAY NONE OPPOSED            MOTION CARRIED

**MOTION BY Councilman Scott to adopt Resolution 2010-96. *Seconded by Councilman Boulware.***

Councilwoman Barnette stated for the record that this resolution should go with the ordinance or vice-versa so she is not in favor of adopting the bid award.

**AYE** Lake, Reese, Scott, Boulware, Palumbo

**NAY** Barnette

**MOTION CARRIED**

**ORDINANCES:**

**1<sup>ST</sup> READ**

- a.) **Annexation: Richard S. Higbee Property ...../Ordinance 2010-60**
- b.) **Rezone: A & B-10, LLC Property ...../Ordinance 2010-61**
- c.) **Appropriation of Funds: Capital Reserve Fund: Whispering Pines Road:  
US Hwy 98 to Pollard Road / Alt #1 ...../Ordinance 2010-62**
- d.) **Appropriation of Funds: Capital Reserve Fund: Fiscal 2011 Road  
Improvements Engineering ...../Ordinance 2010-63**
- e.) **Appropriation of Funds / General Fund: Sehoj Subdivision /  
Claiborne Circle Drainage Project...../Ordinance 2010-64**
- f.) **Restrict Use of Wireless Communication Devices While Driving. .... /Ordinance 2010-65**

**ORDINANCES 2010-60, 2010-61, 2010-62, 2010-63, 2010-64 AND 2010-65 WERE  
MADE 1<sup>ST</sup> READ.**

**8. COUNCIL COMMENTS**

*Councilwoman Barnette* thanked her colleagues for the honor of being Council President for the next year. She said more importantly she wanted to thank Mr. Palumbo for the service that he provided for the past year, and they are great shoes to fill. She appreciates what he has done in keeping them on track and orderly, and always consistent in applying everything consistently. Also, the Planning Commission, and she is going to talk with Mrs. Jones, because it is not on the agenda right now, but she may ask council to consider extending a moratorium for convenient stores since they were not able

to set the Public Hearing tonight. That is a necessity that they need to act on, and it is up to the council to decide whether or not they want to move forward with that, but there is certainly an importance there. Also, Ms. Kellie Myers from the Arthritis Foundation sent everyone an e-mail regarding the Jingle Bell Run which they are moving from Mobile to Daphne. The run will be the day after the Christmas Parade, and they are encouraging folks that are interested to come to the council chambers at 9:00 a.m. They are excited to bring the Olde Towne Daphne feel to the run that typically attracts close to 1,000 people. Tomorrow night there will be a public meeting on local amendment one which is the storm water bill that is before the voters, and there will be a public information meeting here in the council chambers from 6:00 p.m. – 8:00 p.m., and she invited everyone that wants to learn about that to come out and hear what it has to offer.

*Councilman Scott* congratulated Mrs. Barnette and Mr. Boulware for being elected to a leadership position. He thanked Mr. Palumbo for his service, and as he said at the work session he appreciated his leadership, although he did not always agree where he led, but he certainly appreciated his leadership, and he thinks he has done an admirable job.

*Councilman Boulware* said that he also appreciated Mr. Palumbo's service to the council this last year, and his leadership has been greatly appreciated and will be missed, but they know that they are in good hands with Mrs. Barnette. He thanked the council for selecting him as Council President Pro tem. He is honored by that, and he will do all he can to fulfill what hopes and promises they have for him.

*Council President Palumbo* asked Mrs. Thigpen to extend to Mrs. Biggs on behalf of the council their appreciation for her work. She served as the interim Civic Center Director for quite a period of time, and did a really good job during the time she was there. The council does appreciate that, and whether or not they can attend the event he would appreciate it if she would pass that on for the council. The merits of the changing of the zoning were not his reason for his vote. The zoning changes may have merit, those particular changes may be exactly what needs to happen, and in the proper forum and the proper time he would be happy to consider that, but he thinks this is just going afield and setting a precedent on a real fundamental difference on how things are done, and he does not feel like the citizens would want the city to abdicate the responsibility determining a zoning or rezoning. They saw an example tonight in this public hearing, and it will be voted on at the next council meeting. The council members are responsible to the voters, and are responsive to the voters. All due respect to the Planning Commission, and he has said many, many times how much he and the council appreciate the tedious work that the Planning Commission does it is important work, and having said that he thinks there is a reason why council members vote on rezoning and not the Planning Commission members, because they are elected and responsible to the people, and Planning Commission members are political appointees. There is a fundamental situation here that he is opposed to not the individual projects at all, and he would not want it to be construed that way. This will be the last meeting that he will chair as Council President. He said that it has been interesting and fun, and he recommends that everybody try it at some time. He appreciates the confidence council placed in him, and he welcomed the new council officers. He has tried to streamline the meetings, and it was a difficult thing to do to get seven council members to stay on point and not make political speeches. He said that it is like trying to herd cats sometimes, but he would hope that they continue in that. Over the past year they

**OCTOBER 18, 2010  
CITY COUNCIL MEETING  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

have probably trimmed an hour off each council meeting considering the five (5) previous years. He thinks Mr. Lake did a great job prior to him in trimming the time down. He wishes they could do the same thing on the committee meetings. He is ready to pass it on, and be able to sit back and make his comments at will instead of worrying about running the meeting. He said that with exception to the budget last year he did not call a single special council meeting, and they had a run several years ago where they were having one a month. He encourage the new Council President to hold back the special council meetings, because he thinks that unless there is a real need for one he thinks they can get their business done meeting twice a month.

**10. ADJOURN**

**MOTION BY Councilwoman Barnette to adjourn. *Seconded by Councilman Scott.***

**AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED**

**There being no further business to discuss the meeting adjourned at 8:05 p.m.**

Respectfully submitted by,

\_\_\_\_\_  
David L. Cohen,  
City Clerk

Certification by Presiding Officer:

\_\_\_\_\_  
Cathy Barnette,  
Council President

**DISTRIBUTED**

9/29/10

Barry Nance

9307 Sehov Boulevard

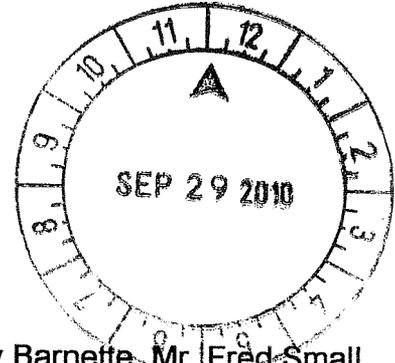
Daphne, Alabama

(251) 621-5270

(251) 621-5278 (fax)

September 27, 2010

Mr. David L. Cohen  
City Clerk  
City of Daphne Legislative Department  
1705 Main Street / P.O. Box 400  
Daphne, AL 36526



For distribution to Daphne City Council members Ms. Cathy Barnette, Mr. Fred Small, Mr. Bailey Yelding, Jr., Mr. John L. Lake, Mr. Ron Scott, Mr. Derek Boulware and Mr. August Palumbo

Councilors:

Rezoning the corner of Whispering Pines and County 13 for business use is a phenomenally bad idea.

Be aware that I oppose the rezoning so strongly that, in the next election, I will gladly put both money and my personal effort toward unseating anyone who votes for the rezoning.

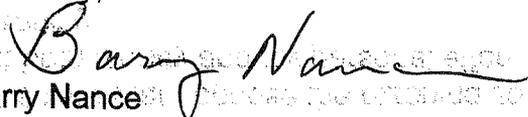
The rezoning will adversely affect traffic patterns and traffic densities. It will produce eyesores for the nearby residential neighborhoods. It will further reduce the values of the already depressed nearby residential real estate. The rezoning will cost Daphne taxpayers more money than any potential tax revenue could possibly make up for. Moreover, business use of that corner will produce local noise pollution and air pollution.

Highway 98 has tons of space for business use – including many empty buildings and lots. You should focus your business development efforts along Highway 98, not County Road 13.

Please do not make the mistake of rezoning the corner of Whispering Pines/County 13.

If you have any questions, feel free to let me know.

Sincerely,

  
Barry Nance

Barry Nance

9307 Sehoy Boulevard

Daphne, Alabama

(251) 621-5270

(251) 621-5278 (fax)

October 18, 2010

Mr. David L. Cohen, City Clerk  
City of Daphne Legislative Department  
1705 Main Street / P.O. Box 400  
Daphne, AL 36526



For distribution to all Daphne City Council members

Councilors:

I now understand you plan to **annex** the northwest corner of Whispering Pines and County 13 and then **zone** the (technically new) city property for business use. I mistakenly said in my 9/27/10 letter that you planned to **rezone** the corner of Whispering Pines and County 13 for business use.

Well, zoning the corner of Whispering Pines and County 13 for business use is **still** a phenomenally bad idea.

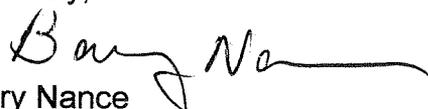
Baldwin County appropriately zoned the property Single Family District. I'd like to see you be as appropriate in your zoning of that corner. It's the common sense thing to do.

Air and noise pollution aside; nearby neighborhood property values aside; likely future eyesores aside – what about the safety of the little children who will cross Whispering Pines to get to the convenience store projected to occupy the newly-annexed corner? You'll have to hire a crossing guard, of course. You'll also have to resist considerable pressure to raise the (non-school-zone) speed limit of 30 MPH to 45 MPH. County 13's traffic has already doubled and tripled since the recent extension of 13. People late to work (or late getting home) already drive too fast on County 13. Putting any kind of business – especially a convenience store – on that corner will make things even worse. Your zoning the corner for business use may well lead to a child's injury or death.

Please do not make the mistake of zoning for business use the newly-annexed corner of Whispering Pines/County 13.

If you have any questions, feel free to let me know.

Sincerely,

  
Barry Nance

**PUBLIC HEARING LIST  
FOR COUNCIL MEETING  
NOVEMBER 1, 2010  
TO CONSIDER:**

**1. Revisions to Zoning Map**

To: Office of the City Clerk  
From: Adrienne D. Jones,  
Director of Community Development  
Subject: Revision to the City of Daphne Zoning  
Map  
Date: September 28, 2010

## MEMORANDUM

At the Thursday, September 23, 2010 regular meeting of the City of Daphne Planning Commission, six members were present and the motion carried unanimously to set forth a favorable recommendation to adopt the revision of the City of Daphne zoning map.

Upon receipt of said documentation, please prepare an ordinance and place on the appropriate agenda to set the public hearing for action by the City Council on Monday, November 1, 2010.

Thank you,  
ADJ/jd

cc: file

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2010-66**

---

**Zoning District Map  
Revision to Appendix H of the City of Daphne  
Land Use and Development Ordinance**

**WHEREAS**, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on September 23, 2010 , favorably recommended to the City Council of the City of Daphne certain amendments to the Zoning District Map approved and adopted by the Daphne Land Use and Development Ordinance No. 2002-22, referenced in Appendix H "Exhibit A" thereof and amended by Ordinance No. 2003-06, Ordinance No. 2005-11, Ordinance No. 2005-42, Ordinance No. 2006-24, Ordinance No. 2006-73, Ordinance No. 2007-15, Ordinance 2007-48 and Ordinance 2008-56, Ordinance 2009-19, Ordinance 2009-60; and

**WHEREAS**, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance No. 2002-22, Ordinance 2003-06, Ordinance No. 2005-11, Ordinance No. 2005-42, Ordinance No. 2006-24, Ordinance No. 2006-73, Ordinance No. 2007-15, Ordinance 2007-48, Ordinance 2008-56, Ordinance 2009-19 and Ordinance No. 2009-60; and

**WHEREAS**, due notice of said proposed zoning map amendments 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 Zoning District Map amendments was held by the City Council on November 1, 2010; and

**WHEREAS**, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission believe it in the best interest of the health, safety and welfare of the citizens of the City of Daphne to amend said Zoning District Map as recommended; and

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

**SECTION I: ZONING DISTRICT MAP**

The Zoning District Map referenced hereto as Exhibit "A" shall be the official zoning map of the City of Daphne, Alabama and shall be further designated in Appendix H of Exhibit "A" of the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2002-22 and its amendments.

**SECTION II: REPEALER**

Ordinances No. 2002-22, Appendix H "Exhibit A", 2003-06, 2005-11, 2005-42, 2006-24, 2006-73, 2007-15, 2007-48, 2008-56, 2009-19 and 2009-60 are specifically repealed and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

**SECTION III: EFFECTIVE DATE**

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

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,  
ALABAMA ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.**

---

**CATHY BARNETTE,  
COUNCIL PRESIDENT**

---

**FRED SMALL,  
MAYOR**

**ATTEST:**

---

**DAVID L. COHEN,  
CITY CLERK, MMC**

*City of Daphne Zone Map*

# *Re-Zone Audit*



*The Jubilee City*

*Prepared by: Nancy Anderson, GIS Manager, City of Daphne Community Development  
September 14, 2010*

## City of Daphne Zone Map Audit

### September 14, 2010

A zoning audit was conducted on the City of Daphne Zone map beginning on August 27, 2010. During this audit re-zoning Ordinances were checked against the zone map display and database. Documentation checked included; the ordinance acceptance notebook maintained by the Assistant City Clerk, zoning edit reports & the zone map database maintained by this reporter and re-zoning application packets maintained in digital files on the City of Daphne web site City Council section and plat files maintained by the Community Development Department.

Ordinances included in this audit ranged from #2004-07 through #2010-39.

Specific re-zoning ordinances checked are as follows;

Ord #	Date	Prev Zone	Re- Zone	Location
2004-07	3/1/2004	B-2	B-3	T'Crk Business Park
2005-70	12/19/05	R-4	B-2	Intersection Pecan Ct & Pollard
2005-71	12/19/05	R-3	B-1	Al 181 acr from Austin Rd (Bellaton)
2005-43	10/03/05	R-2	B-2	Hurley Prop, N side of Hwy 64
2006-16	03/20/06	R-3	R-4	Hwy 181 Bellaton
2006-17	06/05/06	R-3	B-2	Lots 4-7, Block 56 Park City, 2 <sup>nd</sup> & Van Buren
2006-51	08/07/06	B-1	R-4	Bellaton, Hwy 181 acr from Austin Rd
2006-52	08/07/06	R-3	R-4	Bellaton, Hwy 181 acr from Austin Rd
2006-53	08/07/06	R-3	B-1	Bellaton, Hwy 181 acr from Austin Rd
2006-67	09/18/06	B-2	MU	Cypress Pointe Apts
2006-68	09/18/06	B-2	MU	Cypress Pointe Apts
2006-69	09/18/06	R-2	R-4	Morse Sub, Randall Ave, E of Deerwood
2007-19	4/16/07	R-3	B-1	Malbis Plantation, Cnty Rd 13 & Lawson
2007-24	06/04/07	R-5	B-1	Witherington Prop, Whispering Pines
2007-51	12/17/07	R-2	B-3	Demaris Anderson prop, Main St
2007-53	12/17/07	B-1	B-2	William Lange prop, Hwy 98
2007-54	12/17/07	B-1	B-2	Dr Booth prop, Veteran's Point Hwy 98
2008-05	01/22/08	R-3	B-1	Wachter prop, Main St
2008-06	01/22/08	B-2	R-4	Windscape 2, E of Hwy 98 & Park Dr
2008-07	01/22/08	B-2	R-4	Klaas prop, E of Hwy 98 & S Park Dr
2008-44	07/21/08	R-4	B-2	SE corner Hwy 98 & Johnson Rd
2008-47	07/21/08	R-3	R-4	NE corner Parker Ln & Avery Ln
2008-66	12/01/08	B-2	R-4	Ashley Gates Apts
2009-04	01/20/09	B-1	B-2	Johnny Littleton prop, Hwy 98
2009-12	03/02/09	B-2	R-4	Big Sandy, LLC
2009-17	03/16/09	B-1	B-2	Baldwin Al Development, Publix
2009-18	04/06/09	R-3	MU	Howard Property
2009-65	12/21/09	R-2	B-1	Trione Heir Property
2010-39	08/02/10	R-2	B-2	Dale Family Property

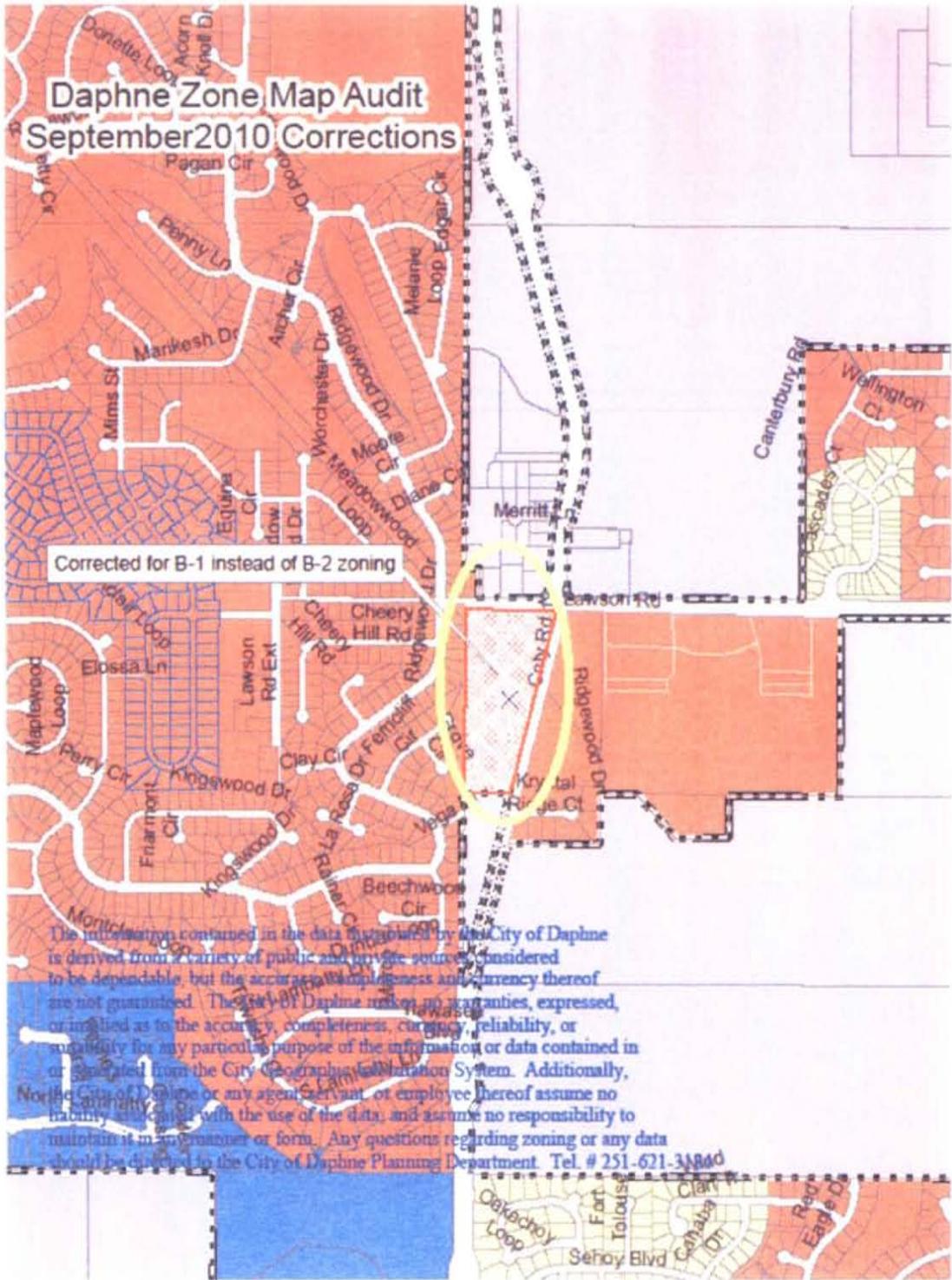
#### Findings:

- Corrected 2007-19 to reflect not B-2 but B-1 zoning
- Corrected Bellaton in N E corner from R-4 to R-3

- Changed golf course symbolization to reflect underlying zoning in these areas per request of City Council

# Daphne Zone Map Audit September 2010 Corrections

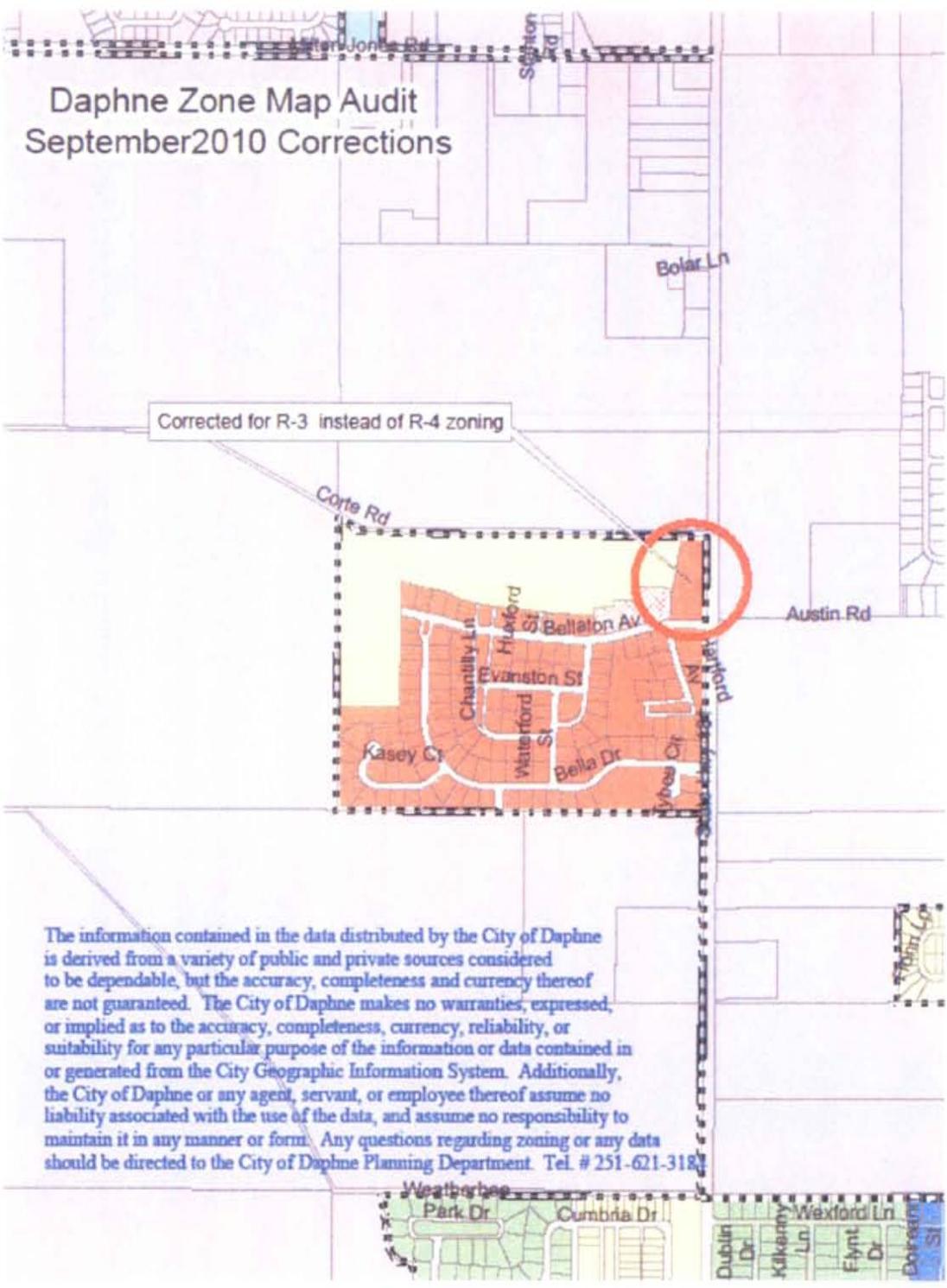
Corrected for B-1 instead of B-2 zoning



The information contained in the data displayed by the City of Daphne is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed. The City of Daphne makes no warranties, expressed or implied as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of the information or data contained in or generated from the City Geographic Information System. Additionally, the City of Daphne or any agent, servant, or employee thereof assume no liability whatsoever with the use of the data, and assume no responsibility to maintain it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Planning Department. Tel. # 251-621-3444

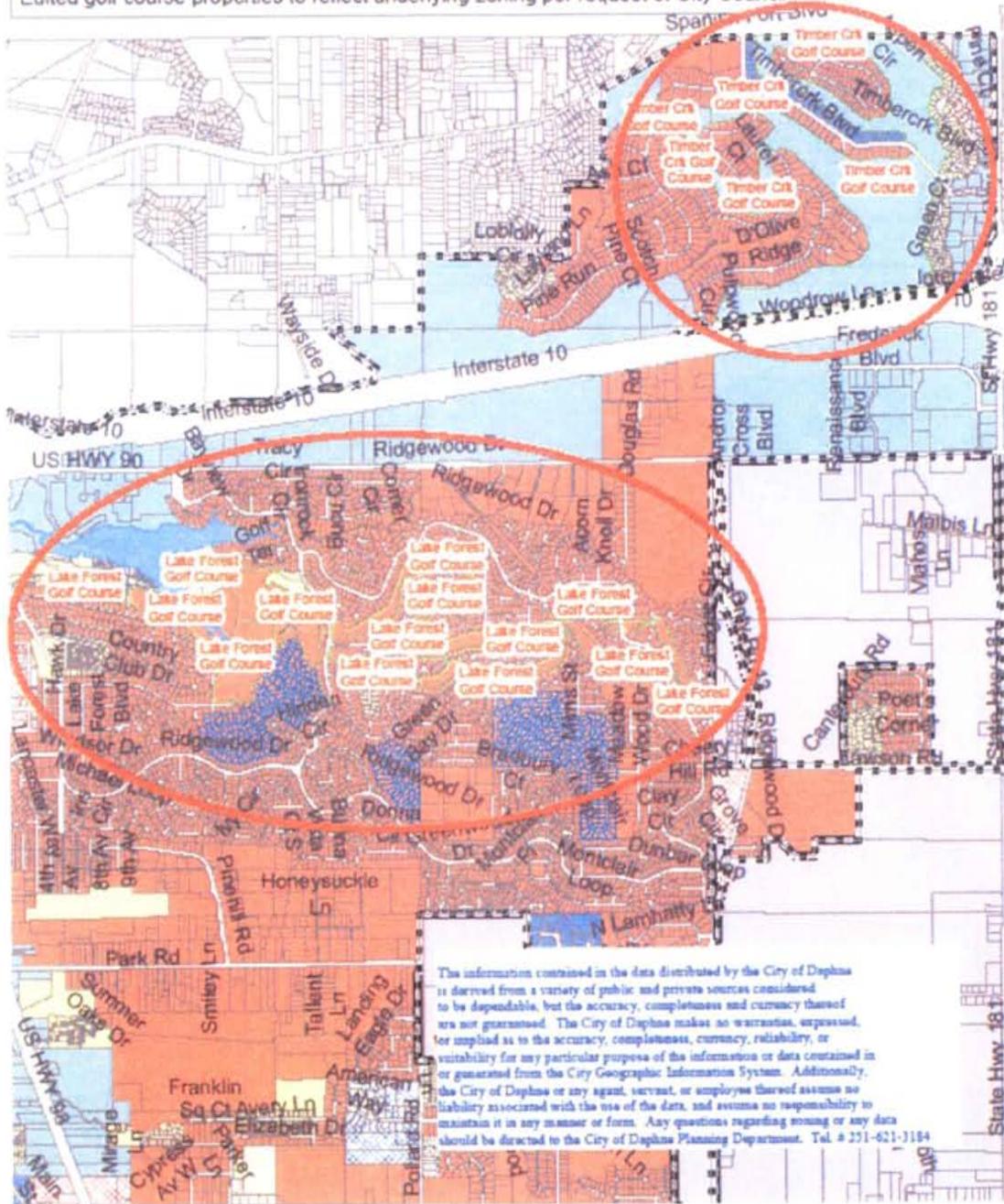
# Daphne Zone Map Audit September 2010 Corrections

Corrected for R-3 instead of R-4 zoning



# Daphne Zone Map Audit September 2010 Corrections

Edited golf course properties to reflect underlying zoning per request of City Council



## Zone Map Legend

**Legend**

CityLimits    Private Streets

- R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL
- R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL
- R-3 HIGH DENSITY SINGLE FAMILY RESIDENTIAL
- R-4 HIGH DENSITY SINGLE & MULTI-FAMILY RESIDENTIAL
- R-5 MOBILE HOME RESIDENTIAL
- B-1 LOCAL BUSINESS
- B-2 GENERAL BUSINESS
- B-3 PROFESSIONAL BUSINESS
- C/I COMMERCIAL/INDUSTRIAL
- M/U MULTI-USE
- GOLF COURSE
- ET JURISDICTION
- FUTURE DEVELOPMENT

1 inch = 1,000 feet

- Zone Map legend reflecting the changes. Golf courses are displayed in their respective zone colors but are outlined in green and labeled for the particular course.
- Future developments are now outlined in purple while maintaining their approved zone color fills. This special outline is used in areas such as Lake Forest where large blocks of land were subdivided & the plats were filed but have not yet been developed.

### Recommendations:

- Arrange to receive digital copies of signed ordinances directly through email rather than paper copies through third party.
- Include signed ordinance copies in the 6 month update zone map edit reports provided to the Planning Commission & City Council.

Office of the Mayor  
Daphne, Alabama

## PROCLAMATION

### *America Recycles Day*

ARD's THEME: "It All Comes Back to You."

KAB's THEME: "I Recycle Do You?"

***WHEREAS**, the City of Daphne recognizes the importance of protecting and preserving our natural resources, and is working to make the world a better place by adopting conscientious living habits that will improve our daily lives and bring about a cleaner, safer and healthier environment; and*

***WHEREAS**, to focus the nation's attention on the importance of recycling and closing the loop, businesses, industries, government agencies, nonprofit organizations, and individuals have joined together to celebrate America Recycles Day. We want to support the efforts of citizens, businesses, and organizations to celebrate, and are encouraging their employers, staff, customers, schools and all citizens to pledge to buy more recycled-content products starting on November 15, 2010; and*

***WHEREAS**, we recognize our dependence upon the Earth and upon one another for our common existence, well-being, and development; and*

***WHEREAS**, by encouraging businesses, schools, nonprofit organizations and individuals to celebrate the City of Daphne America Recycles Day 2010, we can further promote recycling as an environmentally efficient and, economically smart way of life; and*

***WHEREAS**, we encourage all citizens to sign a pledge card, and your name will be entered in a drawing.*

***NOW, THEREFORE**, the Mayor and City Council of the City of Daphne do hereby proclaim **November 15, 2010**, as **AMERICA RECYCLES DAY** in the City of Daphne, and in the spirit of commitment encourage our citizens, businesses, and organizations to participate in this celebration and accept responsibility to protect the integrity of the Earth, by signing your pledge card to promote recycling.*

---

*Fred Small, Mayor*

**ATTEST:**

---

*David L. Cohen, City Clerk, MMC*

**CITY COUNCIL MEETING  
STANDING COMMITTEE RECOMMENDATIONS:**

**FINANCE COMMITTEE REPORT**

**BUILDINGS & PROPERTY COMMITTEE REPORT**

**PLANNING/ZONING/CODE ENFORCEMENT COMMITTEE REPORT**

**PUBLIC SAFETY/ORDINANCE COMMITTEE REPORT**

**PUBLIC WORKS/BEAUTIFICATION/MUSEUM COMMITTEE REPORT**

**SPECIAL FINANCE COMMITTEE MEETING  
DAPHNE CITY HALL  
NOVEMBER 1, 2010 @ 5:30 P.M.**

**I. ROLL CALL**

**II. PUBLIC PARTICIPATION**

**III. CURRENT BUSINESS**

- A. 2011-A-DAPHNE FIRE DEPARTMENT TRAINING FACILITY
- B. 2011-B-SOCCER/FOOTBALL SPORTS LIGHTING PROJECT – TRIONE SPORTS COMPLEX
- C. 2011-C-CELLULAR PHONES / 800 MHZ EQUIPMENT
- D. 2011-E-CIVIC CENTER ELECTRONIC SIGNAGE

***Motion to recommend to Council to adopt a resolution awarding bid 2011-A-DAPHNE FIRE DEPARTMENT TRAINING FACILITY to Ladas Construction in the amount of \$629,000.***

***Motion to recommend to Council to adopt a resolution awarding bid 2011-B-SOCCER/FOOTBALL SPORTS LIGHTING PROJECT – TRIONE SPORTS COMPLEX to Bill Smith Electric in the amount of \$402,755.***

***Motion to recommend to Council to adopt a resolution awarding bid 2011-C-CELLULAR PHONES / 800 MHZ EQUIPMENT to Sprint/Nextel for cost as bid.***

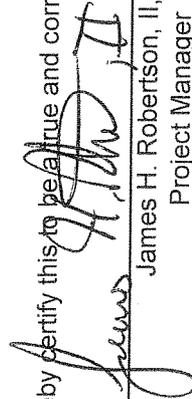
***Motion to recommend to Council to adopt a resolution awarding bid 2011-D-CIVIC CENTER ELECTRONIC SIGNAGE to Modern Signs. for the amount of \$26,123.***

**IV. ADJOURN**

**BID DOCUMENT NO.: 2011-B-SOCCER/FOOTBALL SPORTS LIGHTING PROJECT  
TRIONE SPORTS COMPLEX  
OCTOBER 13, 2010**

 <b>Hutchinson, Moore &amp; Rauch, LLC</b> Engineers ♦ Surveyors ♦ Land Planners		<b>BIDDER #1</b> BILL SMITH ELECTRIC		<b>BIDDER #2</b> SERVICE OF RUSSELLVILLE		<b>BIDDER #3</b> STEWART ENVIRONMENTAL	
ITEM#	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	CONTRACT PRICE	LS	1	*	402,755.00	*	463,950.00
2	TOTAL 25-YEAR OPERATING COST	LS	1		146,390.00		146,390.00
<b>TOTAL AMOUNT</b>				<b>\$</b>	<b>549,145.00</b>	<b>\$</b>	<b>610,340.00</b>
							<b>\$ 673,97</b>

We hereby certify this to be a true and correct tabulation on the above named project.

  
 James H. Robertson, II, P.E.  
 Project Manager  
 Hutchinson, Moore & Rauch, LLC

**Fred Small**  
Mayor  
**David McKelroy**  
Parks & Recreation  
Director



*The Jubilee City*

**Chris Bradford**  
Parks Maintenance Supervisor

**Mary Jensen**  
Seniors Program Coordinator

Recreation Programs Coordinator

**Charlie McDavid**  
Athletic Coordinator

October 18, 2010

Finance Committee  
City of Daphne

RE: Bid Document No.: 2011-B-Soccer/Football Sports Lighting Project  
Trione Sports Complex

It is the unanimous recommendation of the Daphne Recreation Board and the Parks and Recreation Director that the bid be awarded to Bill Smith Electric for the low bid of \$402,755.00.

  
David McKelroy  
Parks & Recreation Director



# HUTCHINSON, MOORE & RAUCH, LLC

Post Office Box 1127  
Daphne, Alabama 36526

Telephone: (251) 626-2626  
Fax: (251) 626-6934

October 14, 2010

Fred Small, Mayor  
City of Daphne  
Post Office 400  
Daphne, Alabama 36526

RE: Bid Document No.: 2011-B-Soccer/Football Sports Lighting Project  
Trione Sports Complex

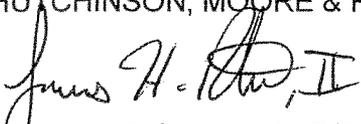
Dear Mayor Small:

Enclosed is the Tabulation of Bids received October 13, 2010 for the subject project.

We recommend that you award the Contract to Bill Smith Electric at their submitted lowest bid of \$402,755.00.

Sincerely,

HUTCHINSON, MOORE & RAUCH, LLC



James H. Robertson, II, P.E.  
Project Manager

\blg

c: David McElroy  
Richard Johnson

D250013293\10.322

## **Public Safety Committee**

*Wednesday, August 11, 2010*

Councilman , Chairman  
Councilman Gus Palumbo  
Councilman Derek Boulware  
Fire Chief James White  
Public Works Director, Richard Johnson

Police Chief David Carpenter  
Captain Scott Taylor  
Captain Daniel Bell  
Tracy Bishop - Secretary

### **Committee Members Attending:**

Councilman Derek Boulware, Councilman Gus Palumbo, Chief David Carpenter, Lt. Kenny Hempfleng, Chief James White.

### **Others Present:**

Councilman Yelding, Councilwoman Barnette, Battalion Chiefs Kenny Hanak and Joey Holasz

### **CALL TO ORDER**

Councilman Palumbo **convened** the meeting at 4:35 p.m.

### **PUBLIC PARTICIPATION –**

Jasmine Lee, a 15 year old who is Miss National Miss Alabama Junior Teen 2010, gave a speech on texting and driving. She stated in her speech that she would never text and drive and that she would like for Daphne to pass a “No Texting” ordinance against it. Chief stated that the state law failed to pass, but that there were several municipalities in Alabama that have passed these ordinances. Councilman Palumbo told Jasmine that she had made the first step in bringing that to reality and explained to her the process that passing an ordinance would take. He invited her back next month to see where that process was.

### **APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Minutes from July 2010 Meeting – Councilman Boulware made a motion to approve the minutes. Councilman Palumbo seconded. The motion passed.

### **FIRE DEPARTMENT**

- A. **New Business** –Chief White stated that most citizens go to bed at night knowing that they are safe. He stated that recently it took the fire department 12 minutes to get to a fire in Daphmont. He made a presentation to the members present to try and improve the protection on the south end of town as well as improve their response time. He stated that it takes 9 firefighters (3 per shift) to man a station. They have a rescue truck with 6 firefighters. He’d like to move the 6 firefighter from the rescue truck to the new station in Beat 1 (Stanton Rd), move the fire inspector back to a shift which eliminates off duty call outs, and hire two additional firefighters to man the new station. Chief White talked with the mayor and stated that the mayor was not enthused, but was glad about having more protection on the south end. Cathy Barnette wanted to make sure he was talking about the Stanton Road location and White agreed. The property is owned by the city and the

building is bought by the volunteers. White stated that the volunteers have no problem with the building being manned by fulltime firefighters. Councilman Palumbo mentioned that they should get a letter from the volunteers to that effect.

Councilman Palumbo was upset that the rescue truck would not be used when they man the station on Stanton Road. He stated that the fire department begged for it two years ago and now it will not be used. Hanak and Holasz were present and assured Mr. Palumbo that it would still be used. They stated that the equipment that was in that truck would be moved to a pumper and that fire inspection would utilize that truck until they could run a rescue truck again. They will start manning the station on Stanton Road around April or May 2011 to take care of the needs on the south end of the city.

Councilman Palumbo stated that it would take around \$50,000 for each of the two additional firefighters they need to hire and suggested to Chief White that he put that package in his budget and send it to council for approval. Chief White then went over the stats for the month of June 2010.

**B. Old Business**

**POLICE DEPARTMENT**

- A. New Business** – Chief Carpenter went over the stats and D runs. He advised members present that he had already had to transfer money from the jail fund to cover deficits in prisoner meals and prisoner meds. He announced that our SRO, Mike Williams, would be retiring January 1, 2011. Officer Williams has been in law enforcement for 33 years and 9 months and has been with the city 25 years. He advised that he was already accepting names from the officers who were interested in replacing Mike so they can shadow him for the first few months of school to learn the ropes.

School is starting next week. Chief stated that we will be stretched thin but will help maintain safety throughout the city.

Councilman Palumbo then told Chief Carpenter that he heard that someone was arrested and went to court and was placed in jail. When he was taken to the back he was handcuffed to a rail for three hours while waiting to appeal. He asked was that normal procedure? Chief Carpenter stated “yes” that when prisoners are sent to the back that they are handcuffed to a rail with a bench to sit on until the correction officers received the commitment order and the appeal bonds from the court. Then they can be processed by the correction officers. Palumbo then asked why they could not be placed in a holding cell and Chief Carpenter responded that when they come from court they are not under arrest and cannot be placed in the holding cells with arrestees. They are just being detained until they can be processed. Councilman Yelding, who was in attendance, made a comment to Chief asking him “wasn’t that normal procedure for everyone in jail?” To which Chief Carpenter replied “Yes”. Chief commented that safety is our primary concern in our jail.

**B. Old Business**

**OTHER BUSINESS**

**ADJOURN**

There being no further business to discuss, Mr. Palumbo adjourned the meeting at 5:45 p.m. The next meeting will be Wednesday, September 8, 2010 at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,  
Daphne Public Safety Committee

**CITY OF DAPHNE**  
**FIRE DEPARTMENT MONTHLY REPORT**  
**Report Period: August 2010**

	Current:	FY to Date:
<b>Suppression:</b>		
<b>1-Fire/Explosion:</b>	-	-
10-Fire, Other	1	5
11-Structure Fire/Commercial	0	5
11-Structure Fire/Residential	3	19
12-Fire in Mobile Property used as fixed structure	0	0
13-Mobile Property (vehicle) Fire	1	11
14-Natural Vegetation Fire	1	9
15-Outside Rubbish Fire	0	2
16-Special Outside Fire	0	4
17-Cultivated Vegetable Crop Fire	0	0
<b>2-Overpressure Rupture:</b>	0	1
<b>3-Rescue Call and Emergency Medical Service Incidents:</b>	144	1158
<b>4-Hazardous Conditions (No fire):</b>	3	20
<b>5-Service Call:</b>	11	172
<b>6-Good Intent Call:</b>	16	131
<b>7-False Alarm &amp; False Call:</b>	21	135
<b>8-Severe Weather &amp; Natural Disaster:</b>	0	1
<b>9-Other Situation:</b>	0	0
<b>Total Emergency Calls:</b>	<b>195</b>	<b>1644</b>
<b>Monthly Total Calls:</b>	<b>201</b>	<b>1702</b>
<b>Highest:</b>		
	23	23
<b>Lowest:</b>		
	<1	<1
<b>Average (Minutes/Seconds) :</b>		
	5:02	5:02
<b>Miscellaneous Reports:</b>		
<b>Training Hours</b>	91	1214
<b>Property Loss - \$</b>	311,000	817,792
<b>Fire Personnel Injuries by Fire/Civilian Injuries by Fire</b>	0	0
<b>Advance Life Support Rescues</b>	79	724
<b>Number of Patients Treated</b>	131	1068
<b>Child Passenger Safety Seat Inspections/Installations</b>	18	132
<b>Classes</b>		
	2	23
<b>Persons Attending</b>		
	356	3663
<b>Plan Reviews</b>		
	1	19
<b>Final/Certificate of Occupancy</b>		
	0	3
<b>General/Annual Inspections</b>		
	45	257
<b>General/Re-Inspections (Violation Follow-up - Annual)</b>		
	4	65
<b>Business Licenses</b>		
	1	36
<b>Consultations-</b>		
	0	0
<b>All Other/Misc. Activities</b>		
	0	0
<b>Total Activities:</b>	<b>51</b>	<b>780</b>

Authorized by:

*James White*

Chief James White

Patrol Division		Detective Division:		JAIL:			Animal Control		Crimes Reported This Month:	
(Capt. Bell/Lt. Hempfleng)		(Capt. Bell/Lt. Beedy)		(Capt. Taylor/Lt. Yelding)			(Capt. Taylor/ Lt. Yelding)			
						YTD				
# Complaints	1,081	# New Cases Received:	63	Total Arrestees Received & Processed:	201	2,107			Arson	0
# Misd. Arrests	51	# Previous Unsolved Cases:	169	Arrestees by Agency:			#Complaints	79	Burglary – Commercial	2
# Felony Arrests	2	# Cases Solved:	74	Daphne PD	125	1,336	#Follow-ups	118	Burglary – Residence	8
DUI Arrests	14	Resulting in Total Arrests:	140	BCSO	12	186	#Citations	11	Burglary - Vehicle	3
Alias Warrant Arrests	17	Felonies:	130	Spanish Fort PD	51	447	#Warnings	8	Criminal Mischief	8
Citations	225	Misdemeanors:	10	Silverhill PD	7	89	#Felines Captured	25	Disorderly Conduct	0
Close Patrols	461	Houses Searched	0	Troopers	6	47	#Canines Captured	36	Domestic Disturbance	4
Warnings	46			Other Agencies	0	2	#Other Captured	38	False Info to Police	0
Motorist Assists	244						#Returned to Owner	16	Felony Assault	0
Roadway Accidents	65	<b>Warrants:</b>					#Adopted Out	10	Felony Theft	25
Private Property Accidents	17	Bettner Served	90				#Euthanized	35	Harassment	9
Traffic Homicide	0	Agency Assists	34	Highest	40				Identity Theft	1
		Recalls (Pd Fines)	34	Lowest	24				Indecent Exposure	0
<b>DRUG REPORT</b>		Total Warrants Served	158						Kidnapping	0
<b>ROUTINE PATROL/SPECIAL OPS</b>				Meals Served	2,628	29,636			Menacing	0
		<b>Sex Offender:</b>		Medical Cost	\$7,087.14	\$34,192.00			Misdemeanor Assault	2
# Misd. Marijuana Arrest	2	New Registration:	0	Worker Inmate Hours	1,148	10,128			Misdemeanor Theft	23
# Felony Marijuana Arrest	0	Contact Verification	0						Murder	0
# Controlled Substance Arrest:	2	Total # registered in Daphne	3						Other Death Investigations	0
# Drug Paraphernalia Arrest	1	<b>DARE:</b>							Public Intoxication	0
Vehicles Searched	15	# Hours Report Writing:	0						Public Lewdness	0
		# Students Instructed SRO	100						Receiving Stolen Property	0
Drugs Seized:	0	# Students Instructed DARE	103						Reckless Endangerment	0
Type:	0	# Police Reports by SRO	0						Resisting Arrest	0
Money Seized	0	# Arrest by SRO	0						Robbery	0
Vehicles Seized	0								Sex Crime Investigations	0
		<b>CODE ENFORCEMENT:</b>							Suicide	0
Commercial Vehicle Inspections	6	Warnings:	4						Suicide, attempted	0
		Citations	2						Theft of Services	0
		Warning Compliance	25						Unauthorized Use of Services	2
		Follow – Up	32						Weapon Offenses	0
<i>Approved by:</i>				<i>David Carpenter, Chief of Police</i>					White Collar Crimes	5


**Public Safety Committee**  
*Wednesday, October 13, 2010*

Councilman Gus Palumbo, Chairman  
Councilman Derek Boulware  
Councilman Kelly Reese  
Fire Chief James White  
Public Works Director, Richard Johnson

Police Chief David Carpenter  
Captain Scott Taylor  
Captain Daniel Bell  
Tracy Bishop - Secretary

**Committee Members Attending:**

Councilman Gus Palumbo, Councilman Kelly Reese, Councilman Derek Boulware, Captain Scott Taylor, Captain Danny Bell, Chief James White.

**CALL TO ORDER**

Councilman Palumbo **convened** the meeting at 4:32 p.m.

**PUBLIC PARTICIPATION –**

No Public Participation

**APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Minutes from August 2010 Meeting and September 2010 meeting– Councilman Boulware made a motion to approve the minutes. Councilman Palumbo asked to have the word “upset” removed from the August minutes when discussing the rescue truck. The minutes were changed. Councilman Reese seconded the motion. Councilman Reese made a motion to accept the September 2010 minutes, motion was seconded by Councilman Palumbo.

**FIRE DEPARTMENT**

**A. New Business** – Chief White stated that the heavy duty truck that was bought with BP Funds was shipped today. They got 6 companies to bid on the training center with the lowest bid being \$660,000. It goes before Finance on the 26<sup>th</sup> of this month. Chief White explained that the 23 minute response time on his monthly report was a call to Fairhope for mutual aid. They had to assist Fairhope with three fires that they had at the same time.

**B. Old Business** – Chief stated that he learned a lot at the Safer Peer Panel Review that he attended. He will use volunteers up front for grant funding to the department. Volunteers can also get up to four years of college paid for through these grants. A combination department can always put volunteers on the top end to get grant money.

**POLICE DEPARTMENT**

**A. New Business** – Captain Taylor passed out a breakdown of the police department numbers to

let the PSC committee see where our budget has decreased by \$117,000 over the last two years. It was just an informational sheet to look at when they start looking over and adopting the budget. He stated that the PD had received two four wheelers from BP.

Captain Bell advised that the Ford Crown Vics for police use were no longer being made. He took the specs on the new Ford Police Cruiser to the city garage for Duke to look over and Duke said he would not go that route, that there would be too many problems. The Tahoe gets better gas mileage than the Crown Vic, cheaper maintenance, and it uses 4 cylinders around town but when needed for pursuit, it kicks in the 8 cylinders. Some of the same equipment used in the Crown Vics can be reused in the Tahoe. We can either put tons of money into the old vehicles or replace up front with the Tahoe's. Captain Bell also stated that Loxley PD was going to the Tahoe.

Councilman Palumbo asked that I make copies of the Tahoe Package for Vicki and all council members to review.

Captain Taylor went over the stats making a few corrections to the Jail stats, and medical stats.

## **B. Old Business**

**OTHER BUSINESS** – Cathy Barnette requested D-Runs on Randall Avenue per Jeannie Nelson.

## **ADJOURN**

There being no further business to discuss, Mr. Palumbo adjourned the meeting at 5:20 p.m. The next meeting will be Wednesday, November 10, 2010 at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,  
Daphne Public Safety Committee

**Public Safety Committee**  
*Wednesday, September 8, 2010*

Councilman , Chairman  
Councilman Gus Palumbo  
Councilman Derek Boulware  
Fire Chief James White  
Public Works Director, Richard Johnson

Police Chief David Carpenter  
Captain Scott Taylor  
Captain Daniel Bell  
Tracy Bishop - Secretary

**Committee Members Attending:**

Councilman Gus Palumbo, Councilman Kelly Reese, Chief David Carpenter, Lt. Ric Yelding, Chief James White.

**CALL TO ORDER**

Councilman Palumbo **convened** the meeting at 4:35 p.m.

**PUBLIC PARTICIPATION –**

Ms. Packer from Pinehill Rd was in attendance asking again for a light at Pinehill Rd and North Main Street. She stated that it was almost impossible to exit from Pinehill Road onto North Main due to the heavy traffic flow. Chief White agreed that there was an extraordinary amount of traffic on North Main but he had no solution to the problem. Chief Carpenter recalled from the last meeting with Ms. Packer that the city was going to let the state look at malfunction junction to see if we could get some relief at her intersection. Councilman Palumbo said the state was studying malfunction junction, but we have no recommendations from them as of yet. Chief Carpenter gave Ms. Packer Richard Johnson, the Public Works Director, number for her to call him to see if he knows what, if anything is being done to relieve traffic at North Main to local residents.

**APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Minutes from August 2010 Meeting – Councilman Palumbo asked to carry over the approval of those minutes until the next PSC meeting due to the absence of Councilman Boulware.

**FIRE DEPARTMENT**

- A. **New Business** – Chief White stated that Kenny Hanak had been selected by the US Fire Administration to attend the Executive Fire Officer Program. He will go each January for a weekend for 4 years in Maryland. Chief White was chosen to serve on the SAFER peer panel review in Maryland in October. Chief White reviewed the stats of his department. Councilman Palumbo asked Chief White if he had added additional funding in next years' budget for the south end fire station and Chief White stated that he had added \$40,808.

**B. Old Business**

**POLICE DEPARTMENT**

- A. **New Business** – Chief Carpenter reviewed the stats. He mentioned that he had attached 6 sample texting and driving ordinances from various municipalities for the committee's consideration. Councilman Palumbo and other members of PSC Committee will review them

before the next meeting to see if any may be useful in our city. Chief was asked by Councilman Reese if there was a driving while using cell phone ordinances within the state and Chief responded that he did not know of any. Councilman Palumbo asked how many patrol cars were put in next years' budget and Chief stated that we had asked for 5. Chief stated that we had made a presentation on getting Tahoe's a few months back and that is what we have asked for in the new budget. He emphasized that they would be used as patrol vehicles.

**B. Old Business**

**OTHER BUSINESS**

**ADJOURN**

There being no further business to discuss, Mr. Palumbo adjourned the meeting at 5:00 p.m. The next meeting will be Wednesday, October 13, 2010 at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,  
Daphne Public Safety Committee

## DAPHNE POLICE DEPARTMENT

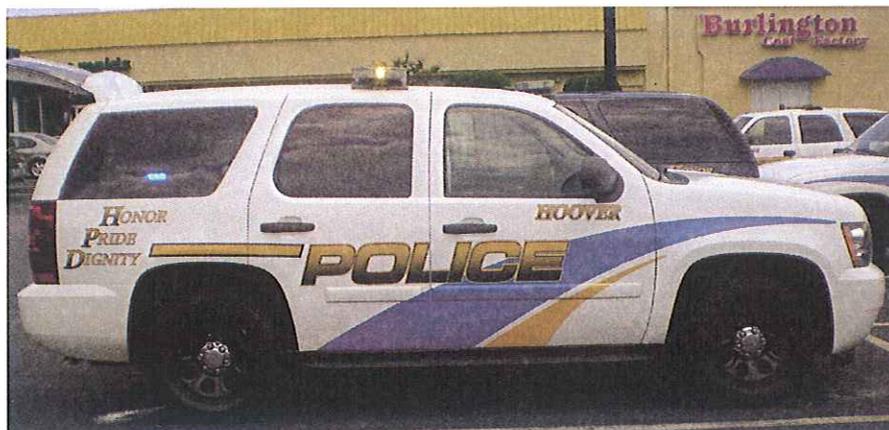
### ENTIRE POLICE DEPARTMENT OPERATIONS BUDGET

	FY 2009 ORIGINAL BUDGET	FY 2010 ORIGINAL BUDGET	DIFFERENCE BETWEEN FY2009 AND FY2010	FY 2011 PROPOSED BUDGET GIVEN TO COUNCIL	DIFFERENCE BETWEEN FY2010 AND FY2011
<b>CENTRAL COMMUNICATIONS</b>	7,000	7,000	0	7,000	0
<b>ADMIN</b>	624,361	619,675	-4,686	615,053	-4,622
<b>PATROL</b>	2,371,405	2,379,467	+8,062	2,352,534	-26,933
<b>DETECTIVES</b>	868,243	850,411	-17,832	851,089	+678
<b>CODE ENFORCEMENT</b>	59,878	59,356	-522	60,142	+786
<b>SWAT</b>	11,086	4,623	-6,463	4,638	+15
<b>ANIMAL CONTROL</b>	177,205	178,840	+1,635	162,461	-16,379
<b>DISPATCH</b>	490,024	488,621	-1,403	484,152	-4,469
<b>JAIL</b>	835,154	817,797	-17,357	789,550	-28,247
<b>TOTALS</b>	<b>5,444,356</b>	<b>5,405,790</b>	<b>-38,566</b>	<b>5,326,619</b>	<b>-79,171</b>

THE CURRENT POLICE DEPARTMENT'S FY2011 TOTAL PROPOSED OPERATIONS BUDGET THAT HAS BEEN SUBMITTED TO THE CITY COUNCIL HAS DECREASED A TOTAL OF **\$79,171** COMPARED TO THE FY2010 ORIGINAL OPERATIONS BUDGET. THIS IS THE SECOND STRAIGHT BUDGET WHERE THE TOTAL POLICE DEPARTMENT OPERATIONS BUDGET WAS LESS THAN THE PREVIOUS BUDGET YEAR. THE FY2010 ORIGINAL OPERATIONS BUDGET WAS **\$38,566** LESS THAN THE FY2009 ORIGINAL OPERATIONS BUDGET. IN THE LAST TWO BUDGET YEARS (FY2010 ORIGINAL OPERATIONS BUDGET AND THE FY2011 PROPOSED OPERATIONS BUDGET) THE TOTAL POLICE DEPARTMENT OPERATIONS BUDGET HAS DECREASED A TOTAL OF **\$117,737**.

WE ASK THAT THESE NUMBERS BE CAREFULLY CONSIDERED IF ACROSS THE BOARD BUDGET CUTS ARE BEING CONSIDERED. WE HOPE THAT EACH DEPARTMENT WITHIN THE CITY WILL BE INDIVIDUALLY EXAMINED FOR INCREASES AND DECREASES INSTEAD OF JUST REQUIRING EVERY DEPARTMENT TO MAKE MORE CUTS.

## CHEVROLET TAHOE PPV



### **LOWEST LIFETIME OPERATING COSTS**

The Chevrolet Tahoe Police 2WD vehicle was found to have the lowest life-cycle cost in the law enforcement market by Vincentric, a company specializing in the area of automobile lifecycle analysis. Vincentric recently released its 2010 law enforcement vehicle market analysis that measured 20 mileage/lifecycle timeframes and the Tahoe Police 2WD enjoyed the lowest life-cycle cost.

The life-cycle computation analysis evaluated seven factors: depreciation expense, fuel costs, finance costs, opportunity costs, maintenance costs, repair costs, and insurance costs.

Life-cycle cost analysis allows government agencies to more effectively compare the cost to own and operate law enforcement vehicles. The data provided facilitates a better informed decision about which vehicles provide the combination of features essential to their operations versus the overall life-cycle costs.

"Our intent with any of our fleet life-cycle cost analyses is to provide guidance to all types of fleet buyers, including small businesses, large commercial fleets, and police and other government organizations," said David Wurster, president of Vincentric. "By looking at as many different mileage/life-cycle timeframe scenarios as possible, we're able to account for a wide variety of driving and ownership patterns and provide an independent, solid foundation for accurately evaluating the life-cycle costs of fleet vehicles."

### **FUEL ECONOMY**

The Tahoe gets better gas mileage than the Ford Crown Victoria.

The Tahoe has an Active Fuel Management System which allows the motor to run on only 4 cylinders during normal operation, helping with fuel economy. This fuel system creates a multipurpose vehicle that allows for high speed performance when needed while normal operating costs are reduced and comparable to those of smaller less able vehicles. The Tahoe utilizes a 6 speed transmission compared to the 4 speed transmission of other police vehicles.



## FUNCTIONALITY

In addition to the lowest lifecycle costs in the law enforcement market, the Chevy Tahoe offers extensive functionality. A wide range of applications valued by law enforcement agencies are available.

The Chevrolet Tahoe PPV (Police Pursuit Vehicle) is pursuit tested, rated and certified.

- Extended service longevity.
- Extended warranty of 100,000 miles.
- Flex fuel compatible.
- Higher ground clearance resulting in less undercarriage damage.
- Climate- controlled cabin to protect electronic equipment eliminating damage due to extreme temperatures (often found due to electronics being mounted in trunks of sedans).
- Much needed additional cargo space for police equipment.
- Larger front seating area to accommodate drivers and passengers and additional space in the rear seating area for prisoners.
- Larger front cabin area that allows for safe mounting of specialized equipment outside the airbag deployment zone.
- Increased Officer Safety and collision survivability.
- Larger vehicle increases police presence.
- Larger vehicle increases officer's awareness and visibility.
- Ability to use some of the existing equipment. Most of our equipment is designed to fit into a Ford Crown Victoria. None of this equipment will fit into the smaller police vehicles.



### **RESIDUAL RESALE VALUE**

In 2010, a fleet auction (in a metroplex city) was conducted and two 2005 Chevrolet Tahoes with approximately 100,000 miles were sold for an average of \$7,500.00. In comparison, two 2005 Ford Crown Victorias with approximately 90,000 miles were sold for an average of 2,900.00

### **VEHICLE INITIAL COSTS**

Chevrolet Tahoe PPV	\$25,939.00
Ford Crown Victoria	\$22,405.00
Increase initial cost of	\$3,534.00

**CITY COUNCIL MEETING  
REPORTS OF SPECIAL COMMITTEES**

**NOTES:**

**BOARD OF ZONING ADJUSTMENTS REPORT:**

**DOWNTOWN REDEVELOPMENT AUTHORITY REPORT:**

**INDUSTRIAL DEVELOPMENT BOARD:**

**LIBRARY BOARD:**

**PLANNING COMMISSION REPORT:**

**RECREATION BOARD REPORT:**

**UTILITY BOARD REPORT:**

---

**DOWNTOWN REDEVELOPMENT AUTHORITY  
DAPHNE, AL**

**1705 MAIN STREET**

**OCTOBER 25, 2010**

**4:45 P.M.**

**DRAFT**

**1. CALL TO ORDER/ROLLCALL**

Councilwoman Barnette called the meeting to order at 5:00 p.m.

**Members Present:** Casey Zito; Doug Bailey; Ronald Nero; Laurie Gorowsky; Ken Balme.

**ABSENT:** Kelly Hughes; Mary Beth Mantiplay

**2. Adopt Minutes / August 23, 2010**

**MOTION BY Ronald Nero to adopt the August 23, 2010 meeting minutes. *Seconded by Ken Balme.***

**AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED**

**3. UPDATE / JUBILEE FESTIVAL**

Casey reported that she met with Darrelyn Bender to discuss working out a plan to work together with the chamber to bring the merchants into the Jubilee Festival. Darrelyn volunteered to come to a meeting to discuss this with the members. One way that was discussed was to realign the tents to the center so as not to block the businesses. She said she thinks the reason they have not done that in the past is that there are requirements on the distance between the booths for emergency access. Cathy and Becky will check with the Fire Department, and report at the next meeting. Casey also said it they need to get the merchants involved. Casey said that she would invite Darrelyn to the November meeting. The members also discussed coinciding different events with the festival.

**4. UPDATE / FACEBOOK PAGE**

The members agreed since Kelly has a hard time making the meetings that Ken would take over the Facebook page since he is knowledgeable about them.

**MOTION BY Ronald Nero to develop a website and Facebook page for the Downtown Redevelopment Authority. *Seconded by Doug Bailey.***

**AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED**

**5. UPDATE / MASTER PLAN / NEXT STEP**

The members think that the Master Plan has been discussed enough and it is time for action to implement step one (1), step two (2), etc. Discussion was held on having a grant writer come to a meeting to discuss what types of grants are out there to help with projects. Ms. Stacy McKean, a grant writer, will be at the November meeting to discuss grants. The

members wanted a new cost analysis of putting the utilities underground. This needs to be done first before any other projects can be done.

**6. HOLIDAY EVENT**

It is too late to plan events for this year, but the members want to get with the merchants to partner with them in planning events for the Olde Towne area. Councilwoman Barnette mentioned that the Arthritis Foundation is moving their Jingle Bell Run to Daphne, and will be December 4<sup>th</sup>, and December 3<sup>rd</sup> is the Christmas Parade.

**7. NEW BUSINESS**

Discussion was held on having a monument sign built to display the artist and contributors of the fountain project. It was mentioned that there was some money in an old account that can go toward this project.

**MOTION BY Ronald Nero to seek permission from the city to build a monument and plaque to recognize Fran Neuman for her valued contributions as designer of the fountain and sculptress of the statue of “Daphne” in front of city hall, and the many contributors to the project. The Olde Daphne Fountain/Park, Inc. will provide funding (up to \$900) to construct an 18” (w) x 18” (d) x 4’ (h) pedestal and plaque. Location of the pedestal will be in a prominent place between the fountain and clock. Appropriate City of Daphne protocol will be followed to see the project to completion. The design must be approved by the Downtown Redevelopment Authority prior to construction and placement. The Authority recommends this project to the Buildings and Property Committee. *Seconded by Laura Gorowsky.***

**AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED**

**4. NEXT MEETING**

The next meeting will be November 22<sup>nd</sup> at 5:15 p.m.

**5. ADJOURN**

**MOTION BY Doug Bailey to adjourn the meeting. *Seconded by Ronald Nero.***

**AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED**

The meeting adjourned at 6:35 p.m.

**SET A PUBLIC HEARING DATE**

**DECEMBER 6, 2010**

**TO CONSIDER:**

1. Amending the Land Use Ordinance / Table of Permitted Uses and Conditions / For the designation of a convenience store by right in a B-1, Local Business District, as a use allowed upon Planning Commission approval
2. Amending Land Use Ordinance / Table of Permitted Uses and Conditions / Add a bowling alley as a use allowed upon Planning Commission approval in a B-1, Local Business District

To: Office of the City Clerk  
From: Adrienne D. Jones,  
Director of Community Development  
Subject: An Amendment to Article XXXV, the Table  
of Permitted Uses of the Daphne Land Use  
Ordinance  
Date: September 29, 2010

## MEMORANDUM

At the Thursday, August 26, 2010 regular meeting of the City of Daphne Planning Commission, seven members were present and the motion carried unanimously to set forth a favorable recommendation to amend Article XXXV, the Table of Permitted Uses for the designation of a convenience store by right in a B-1, Local Business, zoning district as a use allowed upon Planning Commission approval.

Upon receipt of said documentation, please prepare an ordinance and place on the appropriate agenda to set the public hearing for action by the City Council on Monday, November 1, 2010.

Thank you,  
ADJ/jd

Attachment

1. Copy of Table of Permitted Uses

cc: file

THE CITY OF DAPHNE  
PLANNING COMMISSION MINUTES  
REGULAR MEETING OF AUGUST 26, 2010  
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

---

Mr. Diehl: To address Mr. Chason's questions and/or comments at the work session regarding the additional runoff directed into the lake from the development of this site, we have provided a letter from the developer of the subdivision which is the responsible party for the detention pond. A copy of this letter has been provided to you. I will be happy to answer any other questions you may have.

Vice Chairman: Do any of the Commissioners have any questions or comments? If there is no objection, the Chair will entertain a motion.

A Motion was made by Ms. Barnette and **Seconded** by Mayor Small *to approve the site plan for the 2<sup>nd</sup> Office Building on Lot A-2, Bellaton Subdivision, Phase Two. The Motion carried unanimously.*

The next order of business under petitions is annexation review for Richard S. Higbee.

PETITIONS:

ANNEXATION REVIEW:

An introductory presentation was given by Mr. David Diehl, representing Engineering Development Services. Mr. Chairman, this is a petition for annexation for twenty acres and later on the agenda there is a subdivision application that goes along with it. The owner is presenting a requesting annexation of a nineteen-point eight-eight acre parcel into the City of Daphne located northwest of the intersection of Whispering Pines Road and County Road 13 with B-1, Local Business, and B-3, Professional Business, zoning. The subject property is currently zoned RSF-2, Residential Single Family District, Baldwin County District 15. This property is bordered by a Mercy Medical facility to the east, residential to the west, a school to the south, and the proposed location of a church to the north. We reviewed the Comprehensive Plan for the City of Daphne, and the future use map shows this property as commercial development. Based on the comments made by the Planning Commission members at the work session, we have made some minor changes to the zoning plan by eliminating the request for a B-2, General Business, zoning districts. The annexation request will consist of the request for B-1, Local Business. The residential development and the proposed location of the church to the north will be buffered by the B-3, Professional Business, zone.

Vice Chairman: Do any of the Commissioners have any questions or comments?

Ms. Barnette: What are the proposed uses for this property?

THE CITY OF DAPHNE  
PLANNING COMMISSION MINUTES  
REGULAR MEETING OF AUGUST 26, 2010  
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

---

Mr. Diehl: The area in which we have asked for a B-1, Local Business, zone will be businesses which provide services to the surrounding neighborhood and to the school such as a dry cleaner or a sandwich shop. The B-3, Professional Business, zoning district use speaks for itself.

Ms. Barnette: In the revision to the Daphne Land Use and Development Ordinance, the method in which an annexation is achieved will be different. The petition for annexation will be filed initially requesting R-1, Low Density Single Family Residential. The applicant would have to apply for rezoning of the property to business which will give the Planning Commission more time to review the plan and requested use for the property.

Ms. Phelps: On the corner lot, lot 7, the City of Daphne has plans for this corner. There should be an inset there.

Mayor Small: That is already done. The City is ready to build it. What will be the size of the buffer left between the residential and the B-3 zoning?

Mr. Diehl: It will be ten feet which is referenced in your Ordinance. When we get into the discussion of the B-3 portion of this development, we can revisit that.

Vice Chairman: Do we allow public participation on an annexation request?

Ms. Dickson: It does not require public participation, but the Chairman may allow it.

Vice Chairman: Do any of the Commissioners have any questions or comments? The Vice Chairman opened the floor to public participation.

Several adjacent property owners addressed the Commission to express their concerns regarding the proposed development and how it would impact their property. The main concerns were whether or not the owner/developer proposes to construct a convenience and/or filling station on the property; consideration of a connection with sidewalks from the middle school to the high school or County Road 13/Whispering Pines Road to County Road 13/Lawson Road, for children to travel on to and from the residential areas; to consider the development of the property as a whole when designing access to the property, landscaping and maintenance in order to enhance the neighborhood and to control light and noise pollution; the development of a central location for detention in order to control the storm water drainage directed onto the residential subdivisions to the west; the development of a convenience store near a school zone is an attractive nuisance which is not conducive to the character of the neighborhood and creates problems for the students.

Vice Chairman: If there are no further comments, the Chair will close public participation. Do any of the Commissioners have any questions or comments?

THE CITY OF DAPHNE  
PLANNING COMMISSION MINUTES  
REGULAR MEETING OF AUGUST 26, 2010  
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

---

Ms. Barnette: Ms. Jones, I guess I need a clarification of the difference or definition of convenience store verses a service/filling station.

Ms. Jones: In the Daphne Land Use Ordinance under Article VIII, Definition of Terms, Section 8-2, Words and Terms Defined, the definitions are as follows: " Convenience Store - any retail store of the 7-11, Circle K, or Jr. Food Store variety providing self-service food, drink, tobacco, automobile fuel and other products for carry-out consumption, but not including bays, other than drive-through car washes, for automobile service or repair. Service Station, Automobile - any building or land used for retail sale and dispensing of automobile fuels or oils; may furnish supplies, equipment and minor services to private passenger vehicles incidental to sale and dispensing of automobile fuels and oils".

Ms. Phelps: Why aren't you bringing in this property as R-1?

Ms. Barnette: Because now the Ordinance allows you to specify the zoning you are requesting.

Mayor Small: Do you have another zoning plan which shows a sketch for a service road?

Mr. Diehl: No sir.

Ms. Jones: The application for the annexation is following past procedures that have been established.

Mr. Gibson: The proposed zoning plan shows only two lots. Is this meant for one business to be located on each lot or for the development of multiple lots?

Mr. Diehl: The property could be developed as either one lot or multiple lots, but a service road is not proposed on the property.

Ms. Jones: The exhibit shown on display is provided for the purpose of a representation of the zoning designations being requested by the owner of the property and not a representation of a lot layout.

Mr. Gibson: Will you keep the location of the pond or will it be redesigned to accept storm water?

Mr. Diehl: This is a grady pond located on the property. At the time of the development of the property, a drainage plan for the storm water design will be provided.

Ms. Phelps: At the time of the development of the property will a six-foot wide sidewalk be constructed?

Mr. Diehl: The construction of the sidewalk will be the responsible of the developer.

THE CITY OF DAPHNE  
PLANNING COMMISSION MINUTES  
REGULAR MEETING OF AUGUST 26, 2010  
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

---

Ms. Barnette: I misunderstood the uses for B-1, Local Business, provided for in the Table of Permitted Uses. I did not fully understand the distinction between a convenience store and a gas/filling station. If a parcel were annexed into the City of Daphne with an R-1 designation and the property rezoned, it would allow us time to review the Table of Permitted Uses for the zoning being requested.

Mayor Small: Do you think your client would consider changing his application?

Mr. Diehl: The owner is not here for me to ask, but I do not think so.

Mayor Small: Can you put a note on the plat restricting that use?

Ms. Barnette: That would be considered contract zoning.

Mr. Richard S. Higbee, the owner and the petitioner for the annexation into the City of Daphne, arrived at 6:54 p.m.

Mr. Diehl: The owner of the property is here now and has offered to restrict the use to address your concerns. We will be requesting preliminary/final plat review later on in the meeting so you can ask that we add a note to the plat also.

Vice Chairman: Do any of the Commissioners have any further questions or comments? If there is no objection, the Chair will entertain a motion.

A Motion was made by Ms. Barnette and **Seconded** by Mayor Small *for the affirmative recommendation by the Planning Commission to the City Council of Daphne to amend Article XXXV, the Table of Permitted Uses in the Daphne Land Use and Development Ordinance, under convenience store to modify the designation listed for B-1, Local Business, to a P, requiring Planning Commission approval, rather than an R, by right. The Motion carried unanimously.*

A Motion was made by Ms. Barnette and **Seconded** by Mr. Lemoine *for the affirmative recommendation by the Planning Commission to the City Council of Daphne for the annexation review for Richard S. Higbee located northwest of the intersection of Whispering Pines Road and County Road 13 with B-1, Local Business, and B-3, Professional Business, zoning.*

An Amended Motion was made by Ms. Barnette and **Seconded** by Mr. Lemoine *for the affirmative recommendation by the Planning Commission to the City Council of Daphne for the annexation review for Richard S. Higbee located northwest of the intersection of Whispering Pines Road and County Road 13 with B-1, Local Business, and B-3, Professional Business, zoning. The petitioner/owner of the property has agreed to restrict the uses on the proposed B-1, Local Business, zoning designation to not allow the construction of a convenience store. The Motion carried. Mr. Chason abstained.*

ARTICLE XXXV TABLE OF PERMITTED USES AND CONDITIONS	USE DISTRICT								
	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	C/I
Contractor's storage yard for vehicles, equipment, materials and supplies; need not be enclosed within a structure, but must be enclosed within a solid fence to screen view; chain link or similar open fence may be permitted if a screen planting adequate to obstruct the view is provided							R		R
Convenience Store						P	R		
Correctional, detention or penal institution							S		S
Dairy equipment sales							R		R
Dairy products sales						R	R		
Delicatessen						R	R		
Department store							R		
Dog pound; need not be enclosed within a structure							P		R
Drive-in restaurant						P	R		
Drug Store						R	R		
Dry cleaning shop, including self-service						R	R		
Dry goods or fabric store						R	R		
Dwelling, one-family	R	R	R	R					
Dwelling, two-family				R					
Dwelling, multi-family				R					
Electric power generating plant							S		S
Electric power substation; need not be enclosed within a structure, but must be secured by a chain link or similar fence, or raised above ground so as to be inaccessible to unauthorized persons; requires visual screen in most districts	P	P	P	P	P	P	P	P	P
Electric repair shop							R		R
Electric Supply Store							R		R
Elevator maintenance service							R		R

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2010-\_\_\_\_\_**

**Ordinance to Amend the City of Daphne  
Land Use and Development Ordinance's  
Table of Permitted Uses and Conditions**

**WHEREAS**, the Planning Commission of the City of Daphne, Alabama at its regular meeting held on August 26, 2010, considered certain proposed amendments to Article XXXV titled "Table of Permitted Uses and Conditions", of the City of Daphne Land Use and Development Ordinance No. 2002-22, and any amendments to the same; and,

**WHEREAS**, after such consideration the Planning Commission sent a favorable recommendation to the City Council of the City of Daphne for the approval of said amendment to the Table of Permitted Uses and Conditions contained within said Article XXXV of the City of Daphne Land Use and Development Ordinance; 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 November 1, 2010; and,

**WHEREAS**, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission, deemed that said amendment to the City of Daphne Land Use Ordinance, Article XXXV titled "Table of Permitted Uses and Conditions", 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. AMENDMENT**

The Table of Permitted Uses and Conditions contained in Article XXXV of the City of Daphne Land Use and Development Ordinance shall be amended to permit "Convenience Store" as a defined Use allowed by right in Use District B-2 and by Planning Commission approval in Use District B-1, the below shall be and is hereby added to the Table of Permitted Uses and Conditions contained in Article XXXV of the City of Daphne Land Use and Development Ordinance, Ordinance 2002-22 and its amendments:

ARTICLE XXXV	USE DISTRICT								
TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	C/I
Convenience Store						P	R		

All other sections, uses, conditions and/or contents of the Table of Permitted Uses and Conditions shall remain the same and shall be unchanged by this Ordinance; this Ordinance is only to amend the "Convenience Store" designation.

**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.**

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.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_ day of \_\_\_\_\_, 2010.**

**THE CITY OF DAPHNE,**

**AN ALABAMA MUNICIPAL CORPORATION**

\_\_\_\_\_  
**AUGUST A. PALUMBO, COUNCIL PRESIDENT**

\_\_\_\_\_  
**FRED SMALL, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**DAVID L. COHEN,  
CITY CLERK, MMC**

To: Office of the City Clerk  
From: Adrienne D. Jones,  
Director of Community Development  
Subject: An Amendment to Article XXXV, the Table  
of Permitted Uses of the Daphne Land Use  
Ordinance  
Date: September 28, 2010

MEMORANDUM

At the Thursday, September 23, 2010 regular meeting of the City of Daphne Planning Commission, six members were present and the motion failed to set forth a favorable recommendation to amend Article XXXV, the Table of Permitted Uses to add a bowling alley as a use allowed upon Planning Commission approval in a B-1, Local Business, zoning district. Four members voted in the affirmative, one dissented, and one abstained. Although the majority of those present voted in favor of the motion, a super majority would have been necessary for a favorable recommendation.

Upon receipt of said documentation, please prepare an ordinance and place on the appropriate agenda to set the public hearing for action by the City Council on Monday, November 1, 2010.

Thank you,  
ADJ/jd

Attachment

1. Copy of Table of Permitted Uses

cc: file

RESTER AND COLEMAN ENGINEERS, INC.  
CONSULTING ENGINEERS - LAND SURVEYORS  
66 MIDTOWN PARK WEST (251) 479-4518  
MOBILE, AL 36606

City of Daphne  
Department of Community Development  
P.O. Drawer 400  
Daphne, Alabama 36526

Attn: Mrs. Adrienne Jones, Director

Re: Zoning Usage

Dear Sirs & Ladies:

Matt White of MPWS, L.L.C. would like to request an administrative presentation opportunity at the September 23<sup>rd</sup> Planning Commission meeting. MPWS, L.L.C. would like to ask the planning commission to consider allowing a bowling alley use under B-1 zoning. This presentation would accompany the Preliminary/Final plat of Lake Forest Plaza that has been submitted for the same meeting.

Thank you for your consideration on this matter. If you have any questions or comments, please feel free to call.

Yours truly,

RESTER & COLEMAN ENGINEERS, INC.



D. Joel Coleman

jc

ARTICLE XVII	USE DISTRICT								
TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	C/T
Accessory buildings and uses, when located on the same lot or parcel as the principal structure or use and customarily incidental thereto, provided the requirements in all pertinent sections of this Ordinance are met	R	R	R	R	R	R	R	R	R
Agriculture and related farming operations, including horticulture, plant nurseries market gardening, field crops, orchards, and home gardens	R	R	R	R	R	R	R	R	
Air Conditioning sales and service						R	R		R
Ambulance/EMS service						R	R	P	R
Amusement and recreation services: must be so arranged that noise, vibration, lights, and all other possible disturbing aspects are enclosed, screened or otherwise controlled so that operation of the establishment will not unduly interfere with the use and enjoyment of properties in the surrounding area:									
Amusement Park							R		
Amusement arcade, kiddie land							R		
Archery range							R		
Baseball batting range							R		
Billiard or pool hall							R		
Bowling alley							R		
Fairgrounds, circus or carnival							R		R
Family Entertainment Center									
Golf Course	P	P	P	P	P	P	P		P
Golf Course, miniature						P	R		
Golf, driving range	P	P	P	P	P	P	R		
Racquetball or tennis courts, indoor	P	P	P	P	P	P	P		P
Skating rink						P	R		
Tennis Courts, outdoor; need not be enclosed within a structure	P	P	P	P	P	P	P		P
Theater, indoor						P	R		

To: Office of the City Clerk  
From: Adrienne D. Jones,  
Director of Community Development  
Subject: An Amendment to Article XXXV, the Table  
of Permitted Uses of the Daphne Land Use  
Ordinance  
Date: September 28, 2010

MEMORANDUM

At the Thursday, September 23, 2010 regular meeting of the City of Daphne Planning Commission, six members were present and the motion carried unanimously to set forth a favorable recommendation to amend Article XXXV, the Table of Permitted Uses to include a Family Entertainment Center as a use allowed upon Planning Commission approval in a B-1, Local Business, zoning district.

Upon receipt of said documentation, please prepare an ordinance and place on the appropriate agenda to set the public hearing for action by the City Council on Monday, November 1, 2010.

Thank you,  
ADJ/jd

Attachment

1. Copy of Table of Permitted Uses

cc: file

Jan Dickson

---

**From:** "Adrienne Jones" <ajonesdpln@bellsouth.net>  
**To:** "Jan Dickson" <jandplcr@bellsouth.net>  
**Sent:** Thursday, September 23, 2010 1:33 PM  
**Subject:** FW: Eastern Shore Family Entertainment Center

**From:** Gulf Bowl [mailto:gulfbowl@guftel.com]  
**Sent:** Thursday, September 23, 2010 1:22 PM  
**To:** ajonesdpln@bellsouth.net  
**Subject:** Eastern Shore Family Entertainment Center

Adrienne,

I have forwarded several letters to you from residences and coaches who have sent them to me in support of our Family Entertainment Center for the Eastern Shore.

Just a few concerns going into this meeting that we wanted you and the planning commission to know. We have already been approved for this loan by USDA and Vision's Bank for this center in Daphne, AL. One of our major concerns is that our funding with USDA will expire December 31, 2010 and we will have to start all over again. Not sure we want to go down that road again. The paperwork and the funding process was very long and detailed.

We also were under the impression that when we signed the contract with White-Spinner it was already zoned B2. That played a big factor in the selection of this property, so you can imagine the deep sinking feeling we have knowing that our time is running out on this USDA loan guarantee and the property being zoned B1 with no bowling centers allowed.

The other concern is the stigma of a "bowling alley" which is not what we are building. That term was used in the 70's. We are building a Family Entertainment Center that will be "no smoking" and family oriented. It will have 24 Brunswick lanes, arcade, laser tag, family restaurant, snack bar, adult pool table room and party rooms.

It was brought up several times at the site preview meeting about the other property and why we did not go there. I am sure most of the commission knows that USDA & Vision's Bank would not allow us to go thru with that purchase of the property at the Renaissance Center due to the bonds. We are ready to break ground as soon as we can.

It is really crucial that we get this project off the ground as the funding was a nightmare and will of course expire soon.

Respectfully  
The Cole Family  
251/747-0298 cell

ARTICLE XXXV	USE DISTRICT								
TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	C/I
Accessory buildings and uses, when located on the same lot or parcel as the principal structure or use and customarily incidental thereto, provided the requirements in all pertinent sections of this Ordinance are met	R	R	R	R	R	R	R	R	R
Agriculture and related farming operations, including horticulture, plant nurseries market gardening, field crops, orchards, and home gardens	R	R	R	R	R	R	R	R	
Air Conditioning sales and service						R	R		R
Ambulance/EMS service						R	R	P	R
Amusement and recreation services: must be so arranged that noise, vibration, lights, and all other possible disturbing aspects are enclosed, screened or otherwise controlled so that operation of the establishment will not unduly interfere with the use and enjoyment of properties in the surrounding area:									
Amusement Park							R		
Amusement arcade, kiddie land							R		
Archery range							R		
Baseball batting range							R		
Billiard or pool hall							R		
Bowling alley							R		
Fairgrounds, circus or carnival							R		R
Family Entertainment Center						P			
Golf Course	P	P	P	P	P	P	P		P
Golf Course, miniature						P	R		
Golf, driving range	P	P	P	P	P	P	R		
Racquetball or tennis courts, indoor	P	P	P	P	P	P	P		P
Skating rink						P	R		
Tennis Courts, outdoor; need not be enclosed within a structure	P	P	P	P	P	P	P		P
Theater, indoor						P	R		

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2010-\_\_\_\_**

---

---

**Ordinance to Amend the City of Daphne  
Land Use and Development Ordinance's  
Table of Permitted Uses and Conditions**

---

---

**WHEREAS**, the Planning Commission of the City of Daphne, Alabama at its regular meeting held on September 23, 2010, considered certain proposed amendments to Article XXXV titled "Table of Permitted Uses and Conditions", of the City of Daphne Land Use and Development Ordinance No. 2002-22, and any amendments to the same; and,

**WHEREAS**, after consideration the Planning Commission sent a favorable recommendation to the City Council of the City of Daphne for the approval of amendment to the Table of Permitted Uses and Conditions contained within said Article XXXV of the City of Daphne Land Use and Development Ordinance to amend the Use District for a Family Entertainment Center; and,

**WHEREAS**, after consideration of amendment to said Table of Permitted Uses and Conditions contained in Article XXXV of said Ordinance the Planning Commission sent an unfavorable recommendation to the City Council of the City of Daphne for amendment to the Use District for Bowling Alley; and

**WHEREAS**, due notice of said proposed amendments 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 November 15, 2010; and,

**WHEREAS**, the City Council of the City of Daphne after due consideration and review and consideration of the recommendations, both favorable and unfavorable, of the Planning Commission, deemed that said amendments to the City of Daphne Land Use Ordinance, Article XXXV titled "Table of Permitted Uses and Conditions", 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. AMENDMENT**

The Table of Permitted Uses and Conditions contained in Article XXXV of the City of Daphne Land Use and Development Ordinance shall be amended

( a) to permit "Family Entertainment Center" as a defined Use allowed by Planning Commission approval in Use District B-1, the below shall be and is hereby added to the Table of Permitted Uses and Conditions contained in Article XXXV of the City of Daphne Land Use and Development Ordinance, Ordinance 2002-22 and its amendments;

(b) to permit a "Bowling Alley" as a defined Use allowed upon Planning Commission approval in Use District B-1 and by right in Use District B-2, the below shall be and is hereby added to the Table of Permitted Uses and Conditions contained in Article XXXV of the City of Daphne Land Use and Development Ordinance, Ordinance 2002-22 and its amendments;

ARTICLE XXXV TABLE OF PERMITTED USES AND CONDITIONS	USE DISTRICT								
	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	C/I
Bowling alley						P	R		
Family Entertainment Center						P			

All other sections, uses, conditions and/or contents of the Table of Permitted Uses and Conditions shall remain the same and shall be unchanged by this Ordinance; this Ordinance is only to amend the "Family Entertainment Center" and "Bowling Alley" designations.

**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.**

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.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
DAPHNE, ALABAMA, \_\_\_\_\_ THIS day of \_\_\_\_\_, 2010.

THE CITY OF DAPHNE,

AN ALABAMA MUNICIPAL CORPORATION

\_\_\_\_\_  
AUGUST A. PALUMBO,  
COUNCIL PRESIDENT

\_\_\_\_\_  
FRED SMALL,  
MAYOR

ATTEST:

\_\_\_\_\_  
DAVID L. COHEN,  
CITY CLERK, MMC

**City of Daphne Recreation Board Minutes**  
**2605 Hay 98**  
**Daphne, AL. 36526**  
**August 11, 2020**  
**6:30 pm**

**Members Present:** Eric Smith, Matt Cunningham, Rick Cleveland and Glenn Vickery

**Members Absent:** Kit Smith and John Peterson

**Advisory Staff Present:** David McKelroy, Parks & Recreation Director

**Call to Order**

Eric Smith called the meeting to order at 6:45pm.

**Review and Approval of Minutes**

Motion was made by Rick Cleveland and seconded by Matt Cunningham to approve the July 7, 2010 minutes. Motion passed.

**Public Participation**

None

**Program Reports**

Athletics – Charlie McDavid provided information on athletic programs and fall sports registration. Dixie Boys 14 year olds finished 2<sup>nd</sup> in the state tournament. Registration numbers as of 8-11: Soccer – 510; Football – 209; Cheerleading – 54  
Senior Adults – Mary Jensen reported on senior adult programs and provided participation numbers. The senior adults have attended a hurricane awareness seminar. On November 4, city will host a Care Givers Conference along with SARPC.

**Old Business**

1. Trione Sports Complex Update
  - a. Electrical Design Bayfour Design has completed the design and the plans are being reviewed by HMR and Daphne Public Works.
  - b. Concession Stand & Restroom Design The plans are complete are to be reviewed.
  
2. Mayday Park Update
  - a. Boat Ramp The completion of the ramp is going slowly and is expected to be completed by the end of August / mid-September.

b. Erosion / Sink holes at Board Walk    Recent rains have exposed drainage and erosion problems at Mayday. Public Works Director and Parks & Recreation Director meet at the park. Plans are in the works to correct the problem.

3. Board Member Replacement  
The replacement of two board members was discussed at the City Council meeting.
4. National Playground Safety Inspector  
Dwayne Coley and David McKelroy have completed a course in playground safety inspection. David McKelroy is a Certified Playground Inspector.
5. Vacancy's in Parks Department  
The board was made aware of recent openings in the parks department staff.

**Comments from Director**

None

**Comments from Advisors**

None

**Adjourn**

The meeting was adjourned at 7:20pm.

**CITY COUNCIL MEETING  
MAYOR'S REPORT**

**NOTES:**

**CITY ATTORNEY'S REPORT**

**NOTES:**

**DEPARTMENT HEAD'S COMMENTS**



# HUTCHINSON, MOORE & RAUCH, LLC

1141 Montlimar Drive, Suite 3006  
Mobile, Alabama 36609

Telephone: (251) 345-1841  
Fax: (251) 345-1843

October 26, 2010

Mayor Fred Small  
City of Daphne  
Post Office Box 400  
Daphne, Alabama 36526

RE: Tiger II Planning Grant

Mayor Small:

I learned late last week that the cooperative grant application made with Baldwin County and the Cities of Spanish Fort and Fairhope was not selected for funding. Although I am disappointed that such a worthwhile project was overlooked, I am not surprised. There were nearly 700 applications made and not a single project from Alabama was selected for funding.

Regardless of the outcome I am proud that each of the three Eastern Shore Cities and the County agreed to cooperate with each other. This cooperative approach will certainly benefit all residents in the future.

We will continue to look for creative and meaningful opportunities to work together. Should you have any questions, please feel free to contact me.

Respectfully,

HUTCHINSON, MOORE & RAUCH, LLC

A handwritten signature in black ink that reads 'Christopher D. Baker' with a long horizontal line extending to the right.

Christopher D. Baker, AICP, MBA  
Director of Planning

/djh

cc: Ms. Adrienne Jones

10.343

**CITY COUNCIL MEETING  
RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS**

**NOTES:**

RECOMMENDATIONS

**COUNCIL COMMENTS:**

**RESOLUTION NO. 2010-98**  
**2010-B-SOCCER/FOOTBALL SPORTS LIGHTING PROJECT-TRIONE**  
**SPORTS COMPLEX**

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

**WHEREAS**, The City of Daphne acknowledges that the cost for the SOCCER/FOOTBALL SPORTS LIGHTING PROJECT-TRIONE SPORTS COMPLEX will exceed this amount; and

**WHEREAS**, Staff has reviewed the bids for the SOCCER/FOOTBALL SPORTS LIGHTING PROJECT-TRIONE SPORTS COMPLEX and determined that the bid as presented is reasonable; and

**WHEREAS**, the SOCCER/FOOTBALL SPORTS LIGHTING PROJECT-TRIONE SPORTS COMPLEX project will be paid out of the General Fund and reimbursed from Lodging Tax proceeds according to Ordinance 2010-09, and

**WHEREAS**, Staff recommends the bid for the SOCCER/FOOTBALL SPORTS LIGHTING PROJECT-TRIONE SPORTS COMPLEX be awarded to Bill Smith Electric.

**NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE**, hereby accept the bid of Bill Smith Electric in the amount of \$402,755 as specified in BID SPECIFICATION NO: 2010-B-SOCCER/FOOTBALL SPORTS LIGHTING PROJECT-TRIONE SPORTS COMPLEX (Total project cost including Engineering-\$14,240 + \$402,755=\$416,995) .

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS** \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**Cathy Barnette, Council President**

\_\_\_\_\_  
**Fred Small, Mayor**

**ATTEST:**

\_\_\_\_\_  
David L. Cohen, City Clerk MMC

**ORDINANCE NO. 2010-60**

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

**Higbee Property**

**(Located on Northwest of the intersection of County Road 13 and Whispering Pines Road)**

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

**WHEREAS**, the owners of the property described in Section 2 of this Ordinance have signed and filed a written petition with the City Clerk of the City of Daphne, Alabama, requesting that such property be annexed to the corporate limits of the City of Daphne, Alabama; and,

**WHEREAS**, all of such property is located and contained within an area contiguous to the corporate limits of the City of Daphne, Alabama and does not lie within the corporate limits or police jurisdiction of any other municipality; and,

**WHEREAS**, said petition contains an accurate description of the property or territory proposed to be annexed together with a map of said property showing its relationship to the corporate limits of the City of Daphne; and,

**WHEREAS**, said petition has been presented to the Planning Commission of the City of Daphne on August 26, 2010 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned B-1, Local Business and B-3, Professional Business**; and,

**WHEREAS**, after proper publication, a public hearing was held by the City Council on October 18, 2010 concerning the petition for annexation; and,

**WHEREAS**, the City Council of the City of Daphne, Alabama has determined that it is in the best interest of said City that the property described in Section 2 hereof be annexed to the corporate limits of the City of Daphne, and that all the requirements of Sections 11-42-21 through 11-42-24, Code of Alabama, 1975, as amended have been complied with by said Petitioner.

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

**SECTION 1: CONSENT TO ANNEXATION.** The City Council of the City of Daphne, Alabama does by this Ordinance assent to the annexation of the property described in Section 2 of this Ordinance to the corporate limits of the City of Daphne, Alabama, and does by the adoption of this Ordinance, extend and rearrange said corporate limits to embrace and include such property.

**SECTION 2: THE PROPERTY.** That property requested to be annexed into the City of Daphne is described in Exhibit "A", attached hereto and made a part of this Ordinance as if fully set out herein.

**SECTION 3: MAP OF PROPERTY.** The property hereby annexed to the City of Daphne, Alabama, is set forth and described in Exhibit "B" and attached hereto a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this Ordinance.

**SECTION 4: PUBLICATION.** This Ordinance shall be published as required by Section 11-42-21, Code of Alabama, 1975, as amended, and the property described herein shall be annexed to the corporate limits of the City of Daphne, Alabama, upon such publication.

**SECTION 5: PROBATE COURT.** A description of the property described in this Ordinance shall be filed in the Office of the Judge of Probate of Baldwin County, Alabama, as required by Section 11-42-21, Code of Alabama, 1975, as amended.

**“Exhibit A”**

**LEGAL DESCRIPTION:**

**(TO BE KNOWN AS LOT B-1- B-1, LOCAL BUSINESS, ZONING)**

**COMMENCE** AT THE NORTHEAST CORNER OF LOT 1, HIGBEE SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, SLIDE 2191-D, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 58 SECONDS EAST, A DISTANCE OF 236.64 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY ALONG SAID LINE, A DISTANCE OF 958.54 FEET; THENCE RUN SOUTH 44 DEGREES 52 MINUTES 16 SECONDS WEST, A DISTANCE OF 141.12 FEET; THENCE RUN SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, A DISTANCE OF 382.47 FEET; THENCE RUN NORTH 00 DEGREES 14 MINUTES 58 SECONDS WEST, A DISTANCE OF 176.51 FEET; THENCE RUN NORTH 89 DEGREES 45 MINUTES 02 SECONDS EAST, A DISTANCE OF 252.46 FEET; THENCE RUN NORTH 00 DEGREES 14 MINUTES 58 SECONDS WEST, A DISTANCE OF 880.00 FEET; THENCE RUN NORTH 89 DEGREES 45 MINUTES 02 SECONDS EAST, A DISTANCE OF 230.00 FEET TO THE POINT OF BEGINNING. CONTAINING 6.5 ACRES, MORE OR LESS.

**(TO BE KNOWN AS LOT B-3 - B-3, PROFESSIONAL BUSINESS, ZONING)**

COMMENCE AT THE NORTHEAST CORNER OF LOT 1, HIGBEE SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, SLIDE 2191-D, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; SAID POINT BEING THE POINT OF BEGINNING; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 58 SECONDS EAST, A DISTANCE OF 236.64 FEET; THENCE RUN SOUTH 89 DEGREES 45 MINUTES 02 SECONDS WEST, A DISTANCE OF 230.00 FEET; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 58 SECONDS EAST, A DISTANCE OF 880.00 FEET; THENCE RUN SOUTH 89 DEGREES 45 MINUTES 02 SECONDS WEST, A DISTANCE OF 252.46 FEET; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 58 SECONDS EAST, A DISTANCE OF 176.51 FEET; THENCE RUN SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, A DISTANCE OF 190.04 FEET; THENCE RUN NORTH 00 DEGREES 14 MINUTES 43 SECONDS WEST, A DISTANCE OF 1295.54 FEET; THENCE RUN SOUTH 89 DEGREES 58 MINUTES 38 SECONDS EAST, A DISTANCE OF 672.41 FEET TO THE POINT OF BEGINNING. CONTAINING 13.38 ACRES, MORE OR LESS.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,  
ALABAMA** on this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**Cathy Barnette,  
Council President**

\_\_\_\_\_  
**Fred Small,  
Mayor**

**ATTEST:**

\_\_\_\_\_  
**David L. Cohen  
City Clerk, MMC**

**RICHARD S. HIGBEE  
ANNEXATION REVIEW  
NORTHWEST OF THE INTERSECTION OF  
WHISPERING PINES ROAD AND COUNTY ROAD 13  
EXHIBIT "A"**

**(RESUBDIVISION OF LOT 1, HIGBEE SUBDIVISION)**

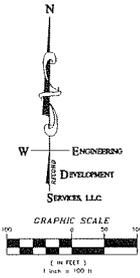
**LEGAL DESCRIPTION:**

**(TO BE KNOWN AS LOT B-1- B-1, LOCAL BUSINESS, ZONING)**

**COMMENCE** AT THE NORTHEAST CORNER OF LOT 1, HIGBEE SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, SLIDE 2191-D, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 58 SECONDS EAST, A DISTANCE OF 236.64 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY ALONG SAID LINE, A DISTANCE OF 958.54 FEET; THENCE RUN SOUTH 44 DEGREES 52 MINUTES 16 SECONDS WEST, A DISTANCE OF 141.12 FEET; THENCE RUN SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, A DISTANCE OF 382.47 FEET; THENCE RUN NORTH 00 DEGREES 14 MINUTES 58 SECONDS WEST, A DISTANCE OF 176.51 FEET; THENCE RUN NORTH 89 DEGREES 45 MINUTES 02 SECONDS EAST, A DISTANCE OF 252.46 FEET; THENCE RUN NORTH 00 DEGREES 14 MINUTES 58 SECONDS WEST, A DISTANCE OF 880.00 FEET; THENCE RUN NORTH 89 DEGREES 45 MINUTES 02 SECONDS EAST, A DISTANCE OF 230.00 FEET TO THE POINT OF BEGINNING. CONTAINING 6.5 ACRES, MORE OR LESS.

**(TO BE KNOWN AS LOT B-3 - B-3, PROFESSIONAL BUSINESS, ZONING)**

**COMMENCE** AT THE NORTHEAST CORNER OF LOT 1, HIGBEE SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, SLIDE 2191-D, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; SAID POINT BEING THE POINT OF BEGINNING; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 58 SECONDS EAST, A DISTANCE OF 236.64 FEET; THENCE RUN SOUTH 89 DEGREES 45 MINUTES 02 SECONDS WEST, A DISTANCE OF 230.00 FEET; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 58 SECONDS EAST, A DISTANCE OF 880.00 FEET; THENCE RUN SOUTH 89 DEGREES 45 MINUTES 02 SECONDS WEST, A DISTANCE OF 252.46 FEET; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 58 SECONDS EAST, A DISTANCE OF 176.51 FEET; THENCE RUN SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, A DISTANCE OF 190.04 FEET; THENCE RUN NORTH 00 DEGREES 14 MINUTES 43 SECONDS WEST, A DISTANCE OF 1295.54 FEET; THENCE RUN SOUTH 89 DEGREES 58 MINUTES 38 SECONDS EAST, A DISTANCE OF 672.41 FEET TO THE POINT OF BEGINNING. CONTAINING 13.38 ACRES, MORE OR LESS.

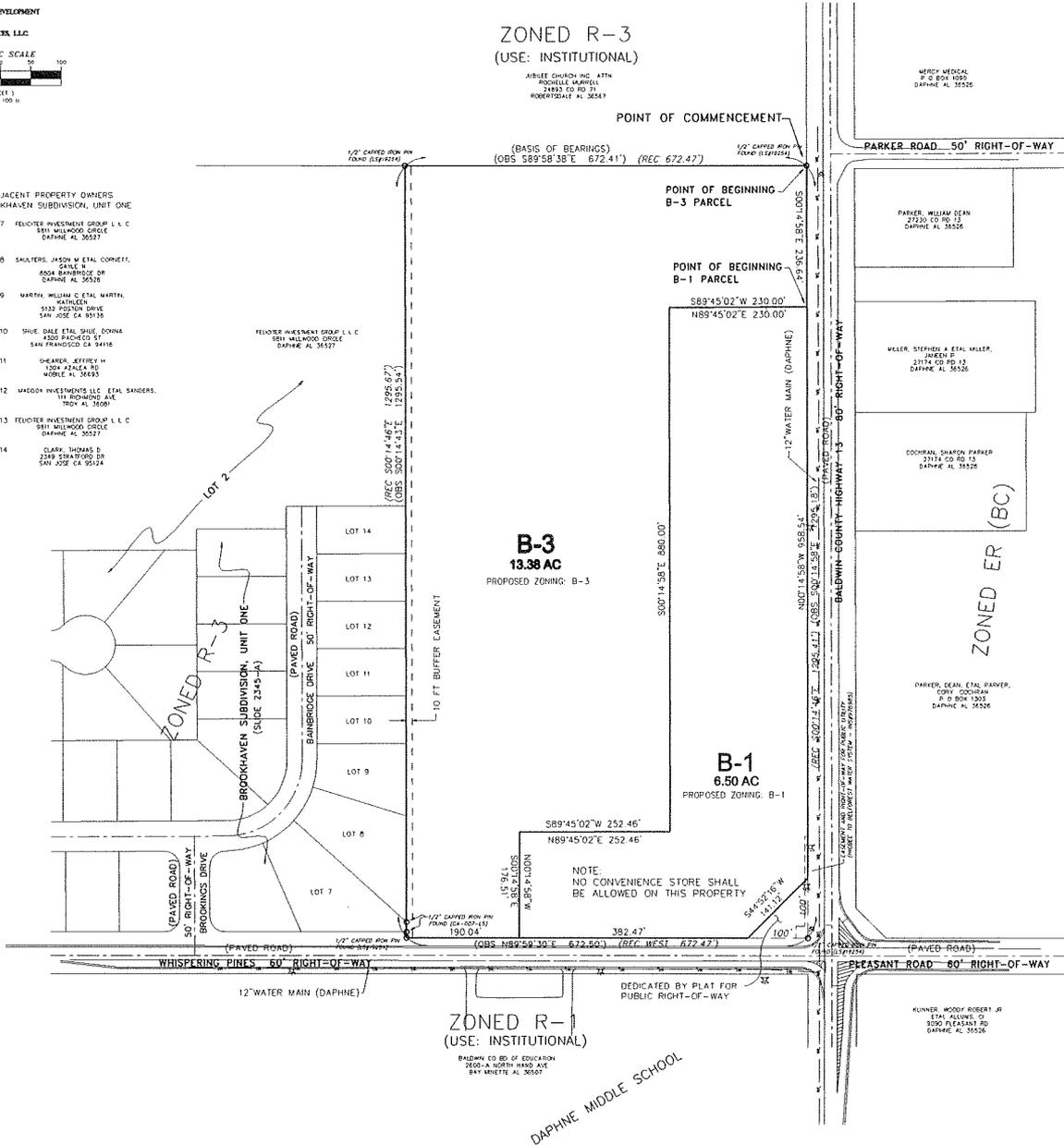


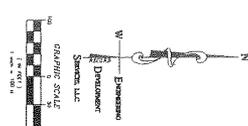
# RICHARD S. HIGBEE ANNEXATION REVIEW EXHIBIT "B"

**ZONED R-3  
(USE: INSTITUTIONAL)**

ARILEE CHURCH INC ATTN  
ROCHELLE MARSHALL  
2485 100 RD 73  
ROBERTSDALE AL 36569

- ADJACENT PROPERTY OWNERS  
BROOKHAVEN SUBDIVISION, UNIT ONE
- LOT 7 FELVETER INVESTMENT GROUP L L C  
1811 MILLWOOD CIRCLE  
DAPHNE AL 36526
  - LOT 8 SKULTERS, JASON W ETAL CORNETT,  
DANE H  
2004 BANBROOKE DR  
DAPHNE AL 36526
  - LOT 9 MARTIN, WILLIAM C ETAL MARTIN,  
KATHLEEN  
5132 PIEDMONT DRIVE  
SAN JOSE CA 95138
  - LOT 10 SHUE DALE ETAL SHUE, DONNA  
4350 PALMCREST S  
SAN FRANCISCO CA 94134
  - LOT 11 DEAMER, JEFFREY H  
1204 FRANCES H  
MOBILE AL 36693
  - LOT 12 MAGDOY INVESTMENTS LLC ETAL SANDERS,  
TIA BROWNING AVE  
MOBILE AL 36686
  - LOT 13 FELVETER INVESTMENT GROUP L L C  
1811 MILLWOOD CIRCLE  
DAPHNE AL 36527
  - LOT 14 CLARK, THOMAS B  
2348 STARBUCKS DR  
SAN JOSE CA 95122





**LEGEND**  
 ○ BUILDING EXHIBIT LINK  
 ○ CAPPED SIGN PER ROAD  
 ○ UNASSIGNED  
 ○ RECORD

**CERTIFICATE OF APPROVAL OF UTILITIES**  
 I, THE ENGINEER, HEREBY CERTIFY THAT THE UTILITIES SHOWN ON THE CITY OF BALDWIN COUNTY, ALABAMA, MAP OF THE PROPOSED SUBDIVISION OF BALDWIN COUNTY, ALABAMA, ARE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE BALDWIN COUNTY ENGINEERING DEPARTMENT.

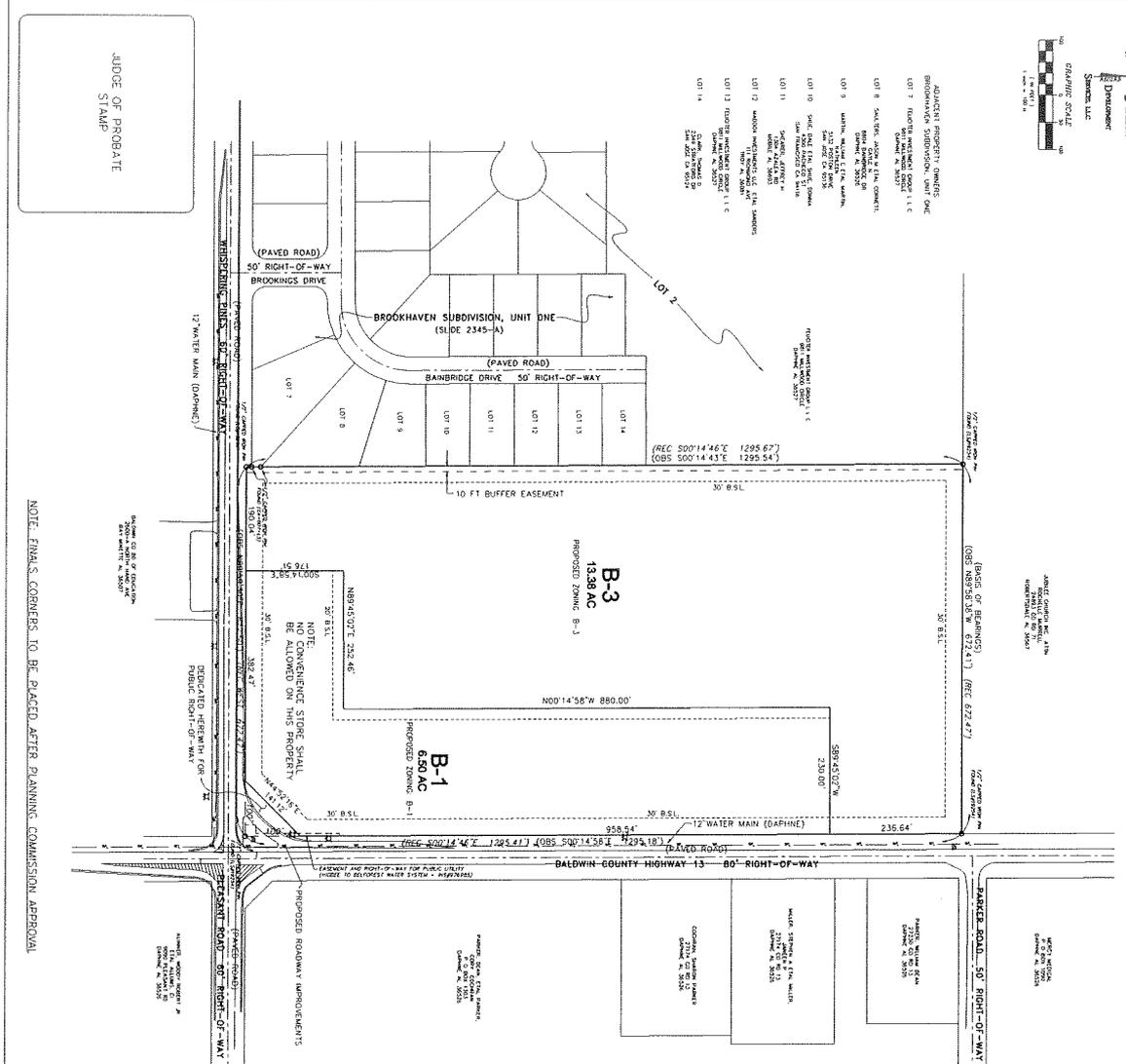
**CERTIFICATE OF APPROVAL BY PUBLIC UTILITIES**  
 THE UNDERSIGNED, AS AUTHORIZED BY PUBLIC UTILITIES, HEREBY APPROVE THE MAP OF THE PROPOSED SUBDIVISION OF BALDWIN COUNTY, ALABAMA, IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE BALDWIN COUNTY ENGINEERING DEPARTMENT.

**CERTIFICATE OF APPROVAL BY TELEPHONE (AT&T)**  
 THE UNDERSIGNED, AS AUTHORIZED BY AT&T TELEPHONE ASSOCIATES, INC., HEREBY APPROVE THE MAP OF THE PROPOSED SUBDIVISION OF BALDWIN COUNTY, ALABAMA, IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE BALDWIN COUNTY ENGINEERING DEPARTMENT.

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
 THIS IS TO CERTIFY THAT I, THE UNDERSIGNED, HAVE THE INTEREST OF THE SAID LANDS IN THE CITY OF BALDWIN COUNTY, ALABAMA, AND HAVE HEREBY DEDICATED THE SAME TO THE CITY OF BALDWIN COUNTY, ALABAMA, FOR THE USE OF THE PUBLIC AS SHOWN ON THE MAP OF THE PROPOSED SUBDIVISION OF BALDWIN COUNTY, ALABAMA, AND HAVE HEREBY RECEIVED FROM THE CITY OF BALDWIN COUNTY, ALABAMA, THE NECESSARY RECORDS FOR THE DEDICATION OF THE SAID LANDS TO THE CITY OF BALDWIN COUNTY, ALABAMA.

**CERTIFICATE OF APPROVAL FOR RECORDING**  
 I, THE ENGINEER, HEREBY CERTIFY THAT THE MAP OF THE PROPOSED SUBDIVISION OF BALDWIN COUNTY, ALABAMA, IS IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE BALDWIN COUNTY ENGINEERING DEPARTMENT AND IS FIT FOR RECORDING.

- LOT 1: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 2: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 3: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 4: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 5: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 6: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 7: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 8: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 9: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 10: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 11: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 12: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 13: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 14: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 15: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 16: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 17: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 18: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 19: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)
- LOT 20: 1.00 AC. (1.00 AC. MINIMUM) - 1.00 AC. (1.00 AC. MINIMUM)



**REQUIRED SETBACKS:**  
 SETBACKS SHOWN HEREON REFLECT THE MINIMUM SETBACKS REQUIRED FOR THE PROPOSED SUBDIVISION OF BALDWIN COUNTY, ALABAMA, AND SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE BALDWIN COUNTY ENGINEERING DEPARTMENT.

**REQUIRED SETBACKS:**  
 SETBACKS SHOWN HEREON REFLECT THE MINIMUM SETBACKS REQUIRED FOR THE PROPOSED SUBDIVISION OF BALDWIN COUNTY, ALABAMA, AND SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE BALDWIN COUNTY ENGINEERING DEPARTMENT.

**REQUIRED SETBACKS:**  
 SETBACKS SHOWN HEREON REFLECT THE MINIMUM SETBACKS REQUIRED FOR THE PROPOSED SUBDIVISION OF BALDWIN COUNTY, ALABAMA, AND SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE BALDWIN COUNTY ENGINEERING DEPARTMENT.

**DEVELOPER/OWNER:**  
 RICHARD S. HIGBEE  
 1000 S. GARDNER DRIVE  
 DAPHNE, AL 36620

**ENGINEER:**  
 EDS ENGINEERING SERVICES, INC.  
 1000 S. GARDNER DRIVE  
 DAPHNE, AL 36620

**DATE:** AUGUST 18, 2000

**SHEET:** 1 OF 1

**PROJECT:** A RESUBDIVISION OF LOT 1 HIGBEE SUBDIVISION

**SCALE:** 1" = 100'

**PROJ. NO.:** 100605

**ENG. NO.:** N/A

**PROJ. MAP:** DED

**SUBJECT:** DED

**BOUNDARY SURVEY AND PLAT OF SUBDIVISION**

**FINAL PLAT**

**EDS ENGINEERING SERVICES, INC.**

**REGISTERED PROFESSIONAL ENGINEER**

**STATE OF ALABAMA**

**NO. 100605**

**DATE: AUGUST 18, 2000**

**BY: [Signature]**

**SEAL:**

**ORDINANCE NO. 2010 - 61**

**Ordinance to Rezone Property Located Northeast of the intersection of Whispering Pines Road and Parker Lane (18.44 Acres)  
A & B-10, L.L.C.**

**WHEREAS**, the owners of certain real property within the City of Daphne, Alabama, have requested that said property be rezoned from R-3 High Density Single Family District, to R-4 High Density Single Family District, to said property is located, Northeast of the intersection of Whispering Pines Road and Parker Lane being more particularly described as follows:

**Legal Description:**

COMMENCE AT THE NORTHWEST CORNER OF LOT NUMBER 12 OF CAROLINE WOODS SUBDIVISION, PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2423-C, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, FOR A POINT OF BEGINNING; THENCE RUN EASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 614.76 FEET, AN ARC DISTANCE OF 45.51 FEET, (CHORD BEARS SOUTH 87 DEGREES 58 MINUTES 43 SECONDS EAST FOR 45.50 FEET); THENCE RUN SOUTH 85 DEGREES 51 MINUTES 27 SECONDS EAST, A DISTANCE OF 79.53 FEET; THENCE RUN SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 39.27 FEET, (CHORD BEARS SOUTH 40 DEGREES 51 MINUTES 27 SECONDS EAST FOR 35.35 FEET); THENCE RUN SOUTH 78 DEGREES 58 MINUTES 58 SECONDS EAST, A DISTANCE OF 50.36 FEET; THENCE RUN NORTH 04 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 92.25 FEET; THENCE RUN SOUTH 85 DEGREES 51 MINUTES 27 SECONDS EAST, A DISTANCE OF 152.00 FEET; THENCE RUN NORTH 04 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 43.15 FEET; THENCE RUN NORTH 01 DEGREES 09 MINUTES 37 SECONDS EAST, A DISTANCE OF 73.81 FEET; THENCE RUN NORTH 00 DEGREES 03 MINUTES 54 SECONDS WEST, A DISTANCE OF 388.21 FEET; THENCE RUN NORTH 89 DEGREES 55 MINUTES 26 SECONDS WEST, A DISTANCE OF 1,319.93 FEET; THENCE RUN SOUTH 00 DEGREES 07 MINUTES 50 SECONDS WEST, A DISTANCE OF 365.76 FEET; THENCE RUN NORTH 89 DEGREES 54 MINUTES 03 SECONDS EAST, A DISTANCE OF 100.29 FEET; THENCE RUN SOUTH 78 DEGREES 46 MINUTES 58 SECONDS EAST, A DISTANCE OF 50.96 FEET; THENCE RUN NORTH 89 DEGREES 54 MINUTES 03 SECONDS EAST, A DISTANCE OF 576.12 FEET; THENCE RUN NORTH 76 DEGREES 51 MINUTES 49 SECONDS EAST, A DISTANCE OF 84.84 FEET; THENCE RUN SOUTH 89 DEGREES 57 MINUTES 25 SECONDS EAST, A DISTANCE OF 174.30 FEET; THENCE RUN SOUTH 00 DEGREES 04 MINUTES 34 SECONDS WEST, A DISTANCE OF 139.01 FEET; THENCE RUN SOUTH 24 DEGREES 01 MINUTES 42 SECONDS WEST, A DISTANCE OF 54.45' TO THE POINT OF BEGINNING. CONTAINING 12.44 ACRES, MORE OR LESS, AND LYING IN FRACTIONAL SECTION 8 AND GRANT SECTION 19 AND 38, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

**WHEREAS**, the Planning Commission of the City of Daphne on August 26, 2010 has considered said request and set forth an affirmative recommendation to the City Council of the City of Daphne that said property be rezoned; and,

**WHEREAS**, after proper publication, a public hearing was held by the City Council on Monday, October 18, 2010 concerning the requested rezoning.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, that said property described above is hereby rezoned from R-3 High Density Single Family District, to a R-4 High Density Single Family District, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA,  
THIS \_\_\_\_ day of \_\_\_\_\_, 2010.**

\_\_\_\_\_  
**Cathy Barnette,  
Council President**

\_\_\_\_\_  
**Fred Small,  
Mayor**

**ATTEST:**

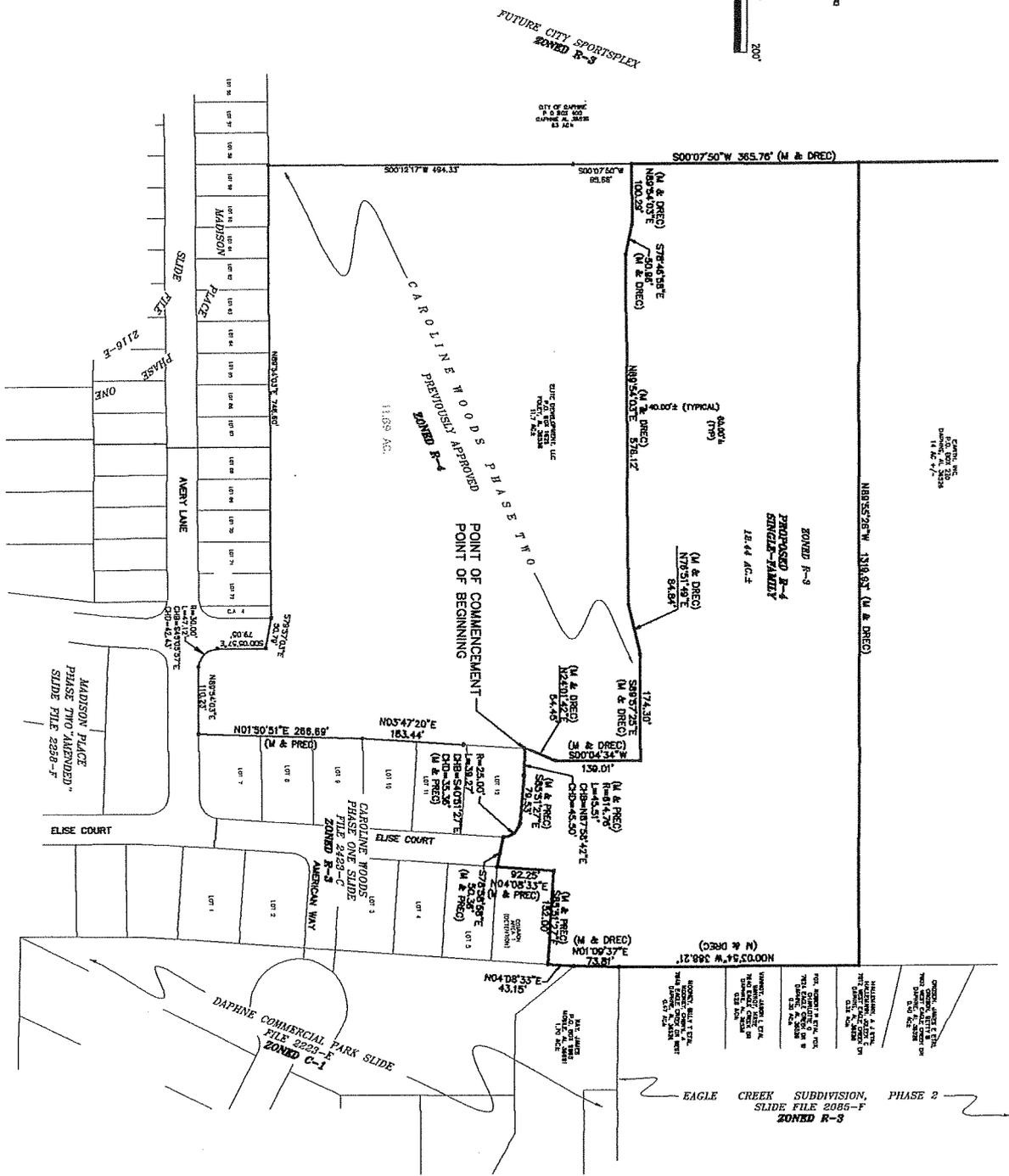
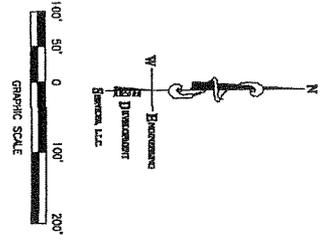
\_\_\_\_\_  
**David L. Cohen  
City Clerk, MMC**

**A & B-10, L.L.C**  
**ZONING AMENDMENT REVIEW**  
**NORTHEAST OF THE INTERSECTION OF**  
**WHISPERING PINES ROAD AND PARKER LANE,**  
**NORTH OF CAROLINE WOODS SUBDIVISION, PHASE TWO**  
**EXHIBIT "A"**

**(CAROLINE WOODS SUBDIVISION, PHASE THREE)**

**LEGAL DESCRIPTION:**

**COMMENCE AT THE NORTHWEST CORNER OF LOT NUMBER 12 OF CAROLINE WOODS SUBDIVISION, PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2423-C, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, FOR A POINT OF BEGINNING; THENCE RUN EASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 614.76 FEET, AN ARC DISTANCE OF 45.51 FEET, (CHORD BEARS SOUTH 87 DEGREES 58 MINUTES 43 SECONDS EAST FOR 45.50 FEET); THENCE RUN SOUTH 85 DEGREES 51 MINUTES 27 SECONDS EAST, A DISTANCE OF 79.53 FEET; THENCE RUN SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 39.27 FEET, (CHORD BEARS SOUTH 40 DEGREES 51 MINUTES 27 SECONDS EAST FOR 35.35 FEET); THENCE RUN SOUTH 78 DEGREES 58 MINUTES 58 SECONDS EAST, A DISTANCE OF 50.36 FEET; THENCE RUN NORTH 04 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 92.25 FEET; THENCE RUN SOUTH 85 DEGREES 51 MINUTES 27 SECONDS EAST, A DISTANCE OF 152.00 FEET; THENCE RUN NORTH 04 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 43.15 FEET; THENCE RUN NORTH 01 DEGREES 09 MINUTES 37 SECONDS EAST, A DISTANCE OF 73.81 FEET; THENCE RUN NORTH 00 DEGREES 03 MINUTES 54 SECONDS WEST, A DISTANCE OF 388.21 FEET; THENCE RUN NORTH 89 DEGREES 55 MINUTES 26 SECONDS WEST, A DISTANCE OF 1,319.93 FEET; THENCE RUN SOUTH 00 DEGREES 07 MINUTES 50 SECONDS WEST, A DISTANCE OF 365.76 FEET; THENCE RUN NORTH 89 DEGREES 54 MINUTES 03 SECONDS EAST, A DISTANCE OF 100.29 FEET; THENCE RUN SOUTH 78 DEGREES 46 MINUTES 58 SECONDS EAST, A DISTANCE OF 50.96 FEET; THENCE RUN NORTH 89 DEGREES 54 MINUTES 03 SECONDS EAST, A DISTANCE OF 576.12 FEET; THENCE RUN NORTH 76 DEGREES 51 MINUTES 49 SECONDS EAST, A DISTANCE OF 84.84 FEET; THENCE RUN SOUTH 89 DEGREES 57 MINUTES 25 SECONDS EAST, A DISTANCE OF 174.30 FEET; THENCE RUN SOUTH 00 DEGREES 04 MINUTES 34 SECONDS WEST, A DISTANCE OF 139.01 FEET; THENCE RUN SOUTH 24 DEGREES 01 MINUTES 42 SECONDS WEST, A DISTANCE OF 54.45' TO THE POINT OF BEGINNING. CONTAINING 12.44 ACRES, MORE OR LESS, AND LYING IN FRACTIONAL SECTION 8 AND GRANT SECTION 19 AND 38, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.**



**CAROLINE WOODS, PHASE THREE  
EXHIBIT "B"**

**ORDINANCE 2010-62**

**Whispering Pines Road: US 98 to Pollard Road – Alternate #1**

**WHEREAS**, the Fiscal Year 2011 Budget is being considered by the City Council; and

**WHEREAS**, prior to the adoption of the Fiscal Year 2011 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2011 budget; and

**WHEREAS**, certain improvements for Whispering Pines Road were funded in Fiscal 2010 and are under construction; and

**WHEREAS**, it is more cost effective to complete an additional phase of the Whispering Pines project while construction activities are already staged.

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that an appropriation in the amount of \$363,502 from the Capital Reserve Fund is hereby approved for Alt #1 of the Whispering Pines Road: US 98 to Pollard Road Project.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**Cathy Barnette,  
Council President**

\_\_\_\_\_  
**Fred Small,  
Mayor**

**ATTEST:**

\_\_\_\_\_  
David L. Cohen,  
City Clerk MMC

**ORDINANCE 2010-63**

**Fiscal 2011 Road Improvements Engineering**

**WHEREAS**, the Fiscal Year 2011 Budget is being considered by the City Council; and

**WHEREAS**, prior to the adoption of the Fiscal Year 2011 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2011 budget; and

**WHEREAS**, the City Council has authorized the letting of bids for certain 2011 road projects; and

**WHEREAS**, Engineering services are required for survey, design, and preparation of specifications for bidding as follows:

- |  |                   |
|--|-------------------|
| 1. Bay View Drive from Highway 90 (1.42 miles)   | - \$110,000       |
| 2. Ridgewood Drive( ½ mile north and ½ mile south of Lawson)                           | - \$132,000       |
| 3. Whispering Pines (Pollard Road to US 98)  |                   |
| If Deductive Alternate is returned to existing contractor – No Charge                  |                   |
| If New Bid Process is initiated  | \$ 2,500          |
| 4. Intersection of US 98 and Whispering Pines  | - \$ 15,000       |
| 5. Timber Creek Boulevard (Hwy 181 to Hwy 31)(estimated: pending County's involvement) | - \$ 40,000       |
|  | <u>\$ 299,500</u> |

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that an appropriation of \$ 299,500 from the Capital Reserve Fund for the engineering services required for the preparation and letting of bids for certain 2011 road projects is hereby approved.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**Cathy Barnette,**  
**Council President**

\_\_\_\_\_  
**Fred Small,**  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
David L. Cohen,  
City Clerk MMC

**ORDINANCE 2010-64**

**Sehoy Sub Division-Claiborne Circle Drainage Project**

**WHEREAS**, the Fiscal Year 2011 Budget is being considered; and

**WHEREAS**, prior to the adoption of the Fiscal Year 2011 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2011 budget; and

**WHEREAS**, certain drainage improvements, including the replacement of plastic pipe with metal pipe, are needed at Claiborne Circle in the Sehoy Sub Division.

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that an appropriation of \$60,098 from the General Fund is hereby approved for drainage improvements at Claiborne Circle.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**Cathy Barnette,  
Council President**

\_\_\_\_\_  
**Fred Small,  
Mayor**

**ATTEST:**

\_\_\_\_\_  
David L. Cohen,  
City Clerk MMC

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2010-65**

---

**AN ORDINANCE TO RESTRICT USE OF WIRELESS COMMUNICATION  
DEVICES WHILE DRIVING**

---

**WHEREAS**, the City Council of the City of Daphne, Alabama, is aware of growing public concern regarding the safety implications of the widespread use of wireless communication devices while operating motor vehicles; and,

**WHEREAS**, the City Council of the City of Daphne, Alabama, finds that restricting the use of wireless communication devices while operating motor vehicles would best serve public health, safety and welfare; and,

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

**SECTION 1: RESTRICTED USE OF WIRELESS COMMUNICATION DEVICES  
WHILE DRIVING.**

**(A) Definitions.**

The following words, terms, and phrases when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Except as may be otherwise provided in this division, all words and phrases used in this division which are defined in Code of Ala. 1975 § 32-1-1.1 shall have the meanings ascribed to them in that section.

*Wireless Communication Device* shall include a cellular, analog, wireless or digital device, computer or telephone, capable of accessing the internet or sending, receiving or downloading any electronic or digital data, including, but are not limited to, videos, pictures, or communications, such as electronic mail, instant messages and text messages. Such device may include telecommunication capabilities. Covered devices include, but are not limited to, devices commonly known as Blackberries, iPhones, iPads, Kindles, laptops, netbooks and other similarly equipped wireless devices. Covered devices shall not include voice radios, mobile radios, land mobile radios, commercial mobile radios or two-way radios with capability to transmit and receive voice transmission utilizing a “push to talk” or “press to transmit” function.

**(B) Restricted Use of Wireless Communication Devices While Driving.**

(a) No person shall operate a vehicle upon any highway, roadway or street while using a wireless communication device to send, receive, download or view any electronic or digital content including music, video, picture or

communication including, but not limited to, electronic mail, instant messaging or text messaging.

**(C) Exceptions.**

Subsection (B) shall not apply only in the following instances:

(a) an emergency services professional using a wireless communication device while operating an authorized emergency vehicle in the due course of business; personal use of a wireless communication device shall remain subject to the provisions contained in Subsection (B);

(b) an individual using a wireless communication device to make or receive a telephone call;

(c) an individual using a wireless communication device to obtain emergency services including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency or entity;

(d) an individual using a wireless communication device while the motor vehicle is parked on the shoulder of the highway, roadway or street, or the vehicle is stopped due to normal traffic being obstructed and the vehicle transmission is in neutral or park;

(e) Global Positioning System (GPS) or navigation units that are permanently affixed to vehicle.

**(D) Stopping Vehicle Solely to verify Violations of Subsection (B) is prohibited**

(a) no law enforcement officer shall stop a vehicle solely for the purpose of verifying a suspected violation of Subsection (B);

(b) the provisions of Subsection (B) shall not constitute probable cause for search of the vehicle involved.

**(E) Penalty.**

Any person who violates any provision of this division shall upon conviction be punished, in addition to such other punishment as may be provided by the court, by fines and penalties as follows:

(a) for a first conviction, by a fine of \$100.00 or by imprisonment of not more than 10 days;

(b) for a second conviction, by a fine of \$200.00 or by imprisonment for not more than 30 days;

(c) for a third or subsequent conviction, by a fine of \$500.00 or by imprisonment for not more than three months or by both such fine and imprisonment.

**SECTION 2: NOTICE**

That the City of Daphne shall erect a sign on every major thoroughfare entering the City to notify persons traveling to or through the City that the use of wireless communication devices, other than to make a phone call, while operating a motor vehicle is prohibited within the City. Such signs shall be erected no later than thirty (30) days after the adoption of this ordinance.

**SECTION 3: SEVERABILITY**

That 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 thereof.

**SECTION 4: EFFECTIVE DATE.**

That this ordinance shall become effective sixty days (60) days from and after the date of its adoption.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** on this the \_\_\_\_ day of \_\_\_\_\_, 2010.

---

**Cathy Barnette,  
Council President**

---

**Fred Small,  
Mayor**

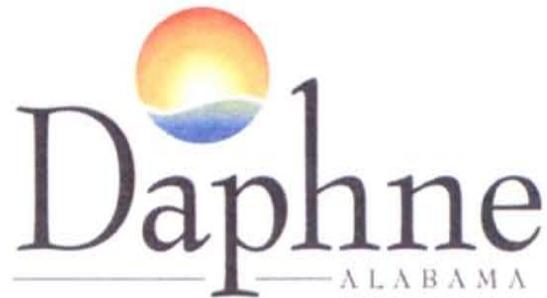
**ATTEST:**

---

**David L. Cohen,  
City Clerk, MMC**

*City of Daphne Zone Map*

# *Re-Zone Audit*



*The Jubilee City*

*Prepared by: Nancy Anderson, GIS Manager, City of Daphne Community Development  
September 14, 2010*

## City of Daphne Zone Map Audit

### September 14, 2010

A zoning audit was conducted on the City of Daphne Zone map beginning on August 27, 2010. During this audit re-zoning Ordinances were checked against the zone map display and database. Documentation checked included; the ordinance acceptance notebook maintained by the Assistant City Clerk, zoning edit reports & the zone map database maintained by this reporter and re-zoning application packets maintained in digital files on the City of Daphne web site City Council section and plat files maintained by the Community Development Department.

Ordinances included in this audit ranged from #2004-07 through #2010-39.

Specific re-zoning ordinances checked are as follows:

Ord #	Date	Prev Zone	Re- Zone	Location
2004-07	3/1/2004	B-2	B-3	T'Crk Business Park
2005-70	12/19/05	R-4	B-2	Intersection Pecan Ct & Pollard
2005-71	12/19/05	R-3	B-1	Al 181 acr from Austin Rd (Bellaton)
2005-43	10/03/05	R-2	B-2	Hurley Prop, N side of Hwy 64
2006-16	03/20/06	R-3	R-4	Hwy 181 Bellaton
2006-17	06/05/06	R-3	B-2	Lots 4-7, Block 56 Park City, 2 <sup>nd</sup> & Van Buren
2006-51	08/07/06	B-1	R-4	Bellaton, Hwy 181 acr from Austin Rd
2006-52	08/07/06	R-3	R-4	Bellaton, Hwy 181 acr from Austin Rd
2006-53	08/07/06	R-3	B-1	Bellaton, Hwy 181 acr from Austin Rd
2006-67	09/18/06	B-2	MU	Cypress Pointe Apts
2006-68	09/18/06	B-2	MU	Cypress Pointe Apts
2006-69	09/18/06	R-2	R-4	Morse Sub, Randall Ave, E of Deerwood
2007-19	4/16/07	R-3	B-1	Malbis Plantation, Cnty Rd 13 & Lawson
2007-24	06/04/07	R-5	B-1	Witherington Prop, Whispering Pines
2007-51	12/17/07	R-2	B-3	Demaris Anderson prop, Main St
2007-53	12/17/07	B-1	B-2	William Lange prop, Hwy 98
2007-54	12/17/07	B-1	B-2	Dr Booth prop, Veteran's Point Hwy 98
2008-05	01/22/08	R-3	B-1	Wachter prop, Main St
2008-06	01/22/08	B-2	R-4	Windscape 2, E of Hwy 98 & Park Dr
2008-07	01/22/08	B-2	R-4	Klaas prop, E of Hwy 98 & S Park Dr
2008-44	07/21/08	R-4	B-2	SE corner Hwy 98 & Johnson Rd
2008-47	07/21/08	R-3	R-4	NE corner Parker Ln & Avery Ln
2008-66	12/01/08	B-2	R-4	Ashley Gates Apts
2009-04	01/20/09	B-1	B-2	Johnny Littleton prop, Hwy 98
2009-12	03/02/09	B-2	R-4	Big Sandy, LLC
2009-17	03/16/09	B-1	B-2	Baldwin Al Development, Publix
2009-18	04/06/09	R-3	MU	Howard Property
2009-65	12/21/09	R-2	B-1	Trione Heir Property
2010-39	08/02/10	R-2	B-2	Dale Family Property

### Findings:

- Corrected 2007-19 to reflect not B-2 but B-1 zoning
- Corrected Bellaton in N E corner from R-4 to R-3

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2010-66**

---

**Zoning District Map  
Revision to Appendix H of the City of Daphne  
Land Use and Development Ordinance**

**WHEREAS**, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on September 23, 2010 , favorably recommended to the City Council of the City of Daphne certain amendments to the Zoning District Map approved and adopted by the Daphne Land Use and Development Ordinance No. 2002-22, referenced in Appendix H "Exhibit A" thereof and amended by Ordinance No. 2003-06, Ordinance No. 2005-11, Ordinance No. 2005-42, Ordinance No. 2006-24, Ordinance No. 2006-73, Ordinance No. 2007-15, Ordinance 2007-48 and Ordinance 2008-56, Ordinance 2009-19, Ordinance 2009-60; and

**WHEREAS**, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance No. 2002-22, Ordinance 2003-06, Ordinance No. 2005-11, Ordinance No. 2005-42, Ordinance No. 2006-24, Ordinance No. 2006-73, Ordinance No. 2007-15, Ordinance 2007-48, Ordinance 2008-56, Ordinance 2009-19 and Ordinance No. 2009-60; and

**WHEREAS**, due notice of said proposed zoning map amendments 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 Zoning District Map amendments was held by the City Council on November 1, 2010; and

**WHEREAS**, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission believe it in the best interest of the health, safety and welfare of the citizens of the City of Daphne to amend said Zoning District Map as recommended; and

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

**SECTION I: ZONING DISTRICT MAP**

The Zoning District Map referenced hereto as Exhibit "A" shall be the official zoning map of the City of Daphne, Alabama and shall be further designated in Appendix H of Exhibit "A" of the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2002-22 and its amendments.

**SECTION II: REPEALER**

Ordinances No. 2002-22, Appendix H "Exhibit A", 2003-06, 2005-11, 2005-42, 2006-24, 2006-73, 2007-15, 2007-48, 2008-56, 2009-19 and 2009-60 are specifically repealed and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

**SECTION III: EFFECTIVE DATE**

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

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,  
ALABAMA ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.**

---

**CATHY BARNETTE,  
COUNCIL PRESIDENT**

---

**FRED SMALL,  
MAYOR**

**ATTEST:**

---

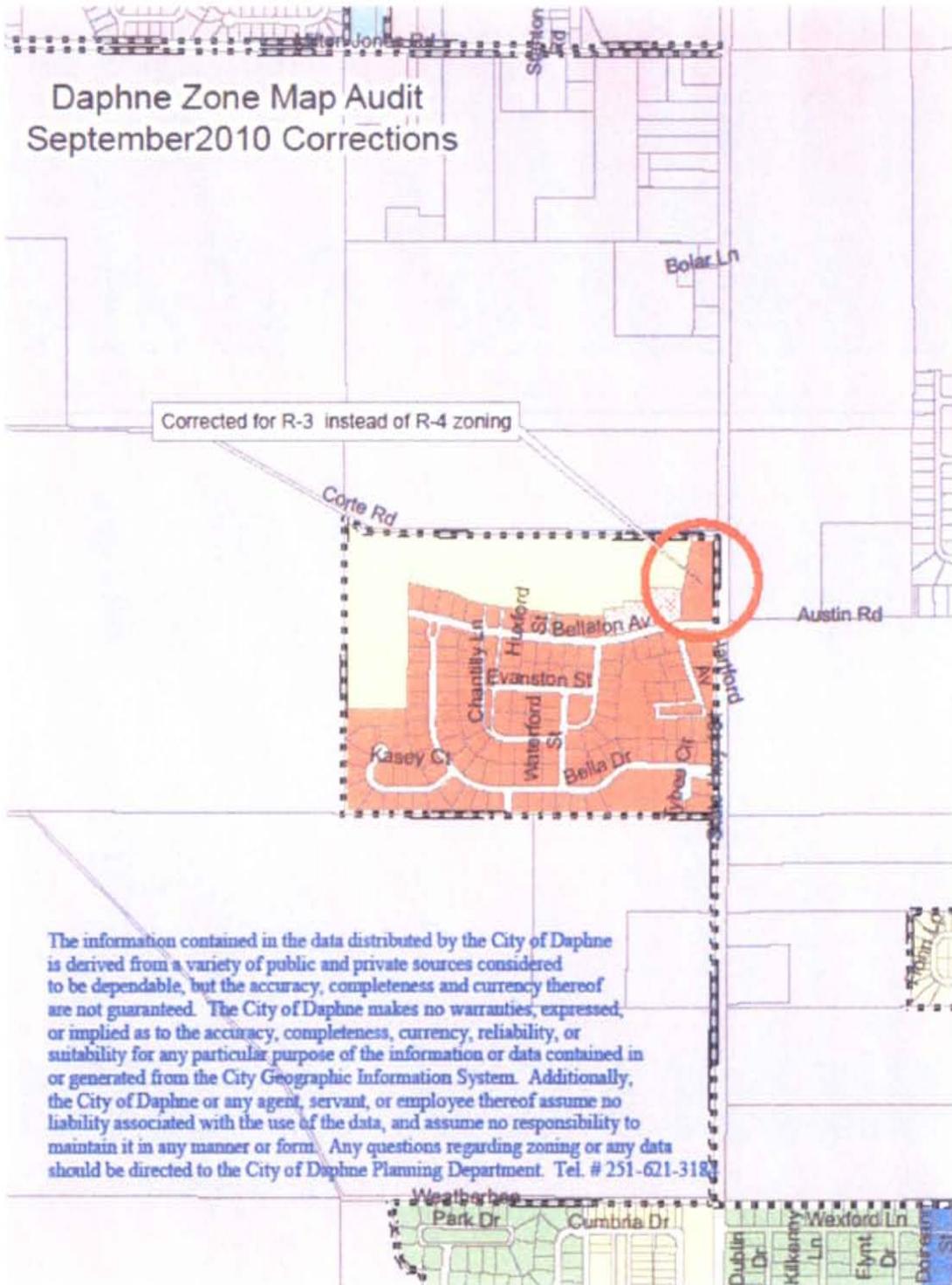
**DAVID L. COHEN,  
CITY CLERK, MMC**

- Changed golf course symbolization to reflect underlying zoning in these areas per request of City Council



# Daphne Zone Map Audit September 2010 Corrections

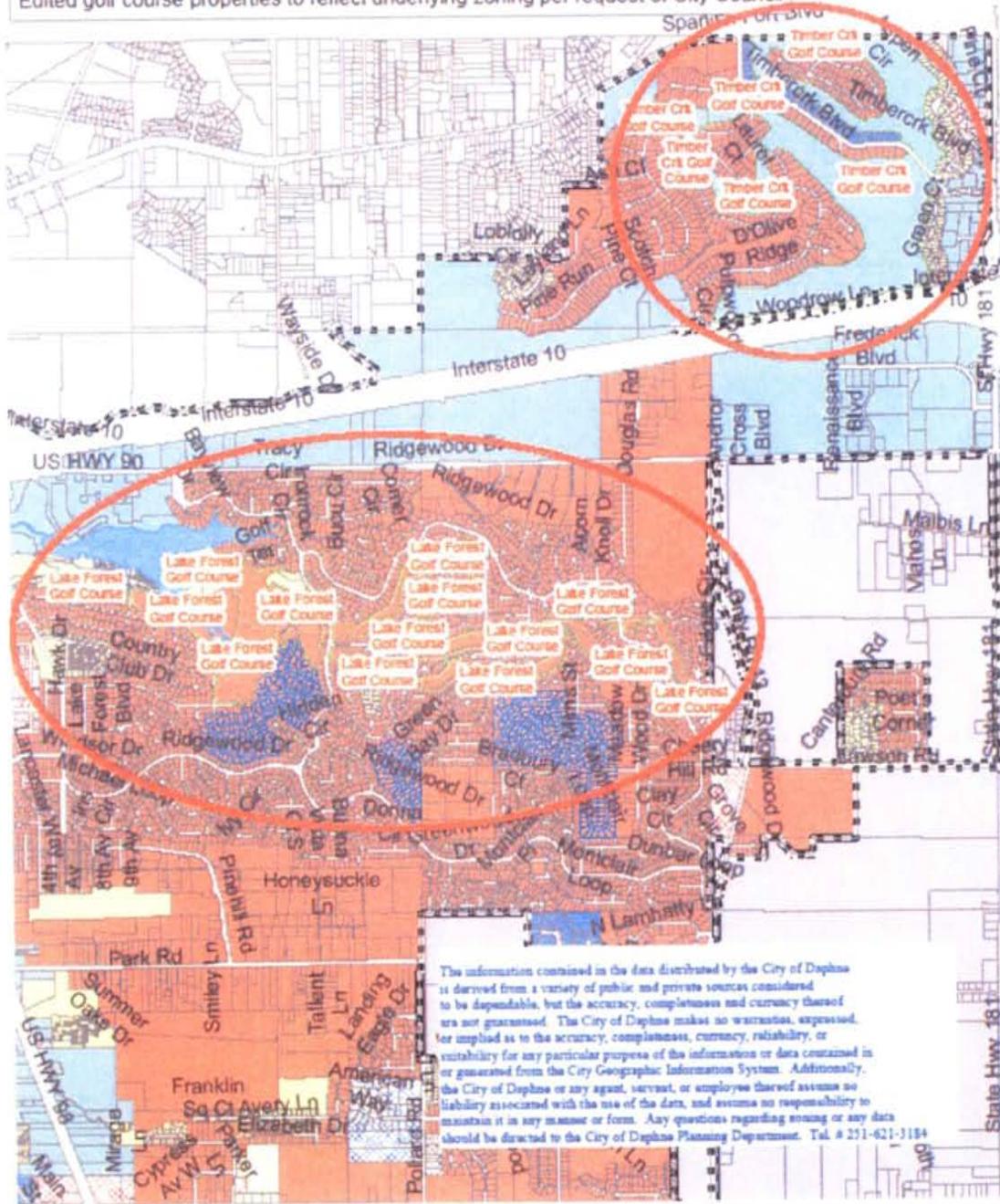
Corrected for R-3 instead of R-4 zoning



The information contained in the data distributed by the City of Daphne is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed. The City of Daphne makes no warranties, expressed, or implied as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of the information or data contained in or generated from the City Geographic Information System. Additionally, the City of Daphne or any agent, servant, or employee thereof assume no liability associated with the use of the data, and assume no responsibility to maintain it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Planning Department. Tel. # 251-621-3183

# Daphne Zone Map Audit September 2010 Corrections

Edited golf course properties to reflect underlying zoning per request of City Council



## Zone Map Legend

**Legend**

CityLimits Private Streets

- R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL
- R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL
- R-3 HIGH DENSITY SINGLE FAMILY RESIDENTIAL
- R-4 HIGH DENSITY SINGLE & MULTI-FAMILY RESIDENTIAL
- R-5 MOBILE HOME RESIDENTIAL
- B-1 LOCAL BUSINESS
- B-2 GENERAL BUSINESS
- B-3 PROFESSIONAL BUSINESS
- C/I COMMERCIAL/INDUSTRIAL
- M/U MULTI-USE
- GOLF COURSE
- ET JURISDICTION
- FUTURE DEVELOPMENT

1 inch = 1,000 feet

- Zone Map legend reflecting the changes. Golf courses are displayed in their respective zone colors but are outlined in green and labeled for the particular course.
- Future developments are now outlined in purple while maintaining their approved zone color fills. This special outline is used in areas such as Lake Forest where large blocks of land were subdivided & the plats were filed but have not yet been developed.

### Recommendations:

- Arrange to receive digital copies of signed ordinances directly through email rather than paper copies through third party.
- Include signed ordinance copies in the 6 month update zone map edit reports provided to the Planning Commission & City Council.