

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, ALABAMA
SEPTEMBER 2, 2014
6:30 P.M.

1. CALL TO ORDER

2. ROLL CALL / INVOCATION / Pastor Rife Stewart with Destiny Church

3. APPROVE MINUTES: Council meeting minutes / August 18, 2014
Amended August 5, 2014 Special Called Council meeting minutes / **NO ACTION**

PUBLIC HEARING: Amending the Land Use & Development Ordinance 2011-54 / Revisions
To Appendix "H" Zoning Map

4. REPORT STANDING COMMITTEES:

- A. FINANCE COMMITTEE** – Conaway
- B. BUILDINGS & PROPERTY COMMITTEE** - Davis
- C. PUBLIC SAFETY** - Rudicell
- D. CODE ENFORCEMENT/ORDINANCE COMMITTEE** - Scott
- E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY** – LeJeune
Review Beautification Minutes / August 6th

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

- A. Board of Zoning Adjustments** – Adrienne Jones
- B. Downtown Redevelopment Authority** – Conaway
- C. Industrial Development Board** – Davis
Review Minutes / August 25th
- D. Library Board - Lake**
- E. Planning Commission** – Scott
Review minutes / July 24th
Review staff report for / August 21st meeting
- F. Recreation Board** – LeJeune
- G. Utility Board - Fry**
Review minutes / July 30th
Review Special Called meeting minutes August 12th

6. REPORTS OF OFFICERS:

- A. Mayors Report**
- B. City Attorney's Report:**
MOTION: For a Personnel Matter
- C. Department Head Comments:**
- D. City Clerk Report:**
 - a.) Parade Permit / Daphne High School Home Coming Parade / September 18, 2014

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

NO RESOLUTIONS TO CONSIDER

ORDINANCES:

2ND READ

- a.) **Federal Emergency Management Agency (FEMA): Hazard Mitigation Grant Program (HMGP) disaster Assistance for Lamar and Willet White 104 Gordon Circle. /Ordinance 2014-37**

1ST READ

- a.) **Amending the Land Use and Development Ordinance 2011-54 Appendix "H" / Revision to Zoning Map. /Ordinance 2014-38**
- b.) **Appropriating Funds: Authorized Settlement by the City Council. /Ordinance 2014-39**

9. COUNCIL COMMENTS

10. ADJOURN

**CITY OF DAPHNE
CITY COUNCIL**

ROLL CALL

CITY COUNCIL:

| | | |
|-----------------------|------------|-----------|
| COUNCILWOMAN CONAWAY | PRESENT___ | ABSENT___ |
| COUNCILMAN RUDICELL | PRESENT___ | ABSENT___ |
| COUNCILMAN LAKE | PRESENT___ | ABSENT___ |
| COUNCILMAN SCOTT | PRESENT___ | ABSENT___ |
| COUNCILMAN LEJEUNE | PRESENT___ | ABSENT___ |
| COUNCILMAN DAVIS | PRESENT___ | ABSENT___ |
| COUNCIL PRESIDENT FRY | PRESENT___ | ABSENT___ |

MAYOR:

| | | |
|---------------|------------|-----------|
| MAYOR HAYGOOD | PRESENT___ | ABSENT___ |
|---------------|------------|-----------|

CITY CLERK:

| | | |
|---------------|------------|-----------|
| REBECCA HAYES | PRESENT___ | ABSENT___ |
|---------------|------------|-----------|

CITY ATTORNEY:

| | | |
|----------|------------|-----------|
| JAY ROSS | PRESENT___ | ABSENT___ |
|----------|------------|-----------|

**AUGUST 18, 2014
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

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

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE:

Pastor Johnny Hunt of Celebration Church gave the invocation.

COUNCIL MEMBERS PRESENT:

Tommie Conaway; Pat Rudicell; John Lake; Randy Fry; Ron Scott; Robin LeJeune; Joe Davis.

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Sarah Toulson, Assistant City Clerk; Jay Ross, City Attorney; Richard Johnson, Public Works Director; Adrienne Jones, Community Development Director; Margaret Thigpen, Civic Center Director; Richard Merchant, Building Official; Vickie Hinman, HR Director; David Carpenter, Police Chief; James White, Fire Chief; David McKelroy, Recreation Director; Tonja Young, Library Director; Christine Ciancetta, Deputy Finance Director; Ashely Campbell, Environmental Programs Manager; Dorothy Morrison, Beautification Committee and Downtown Redevelopment Authority; Ronnie Champion, Daphne Search & Rescue; Al Guarisco, Village Point Foundation; Tomasina Werner, Beautification Committee; Heiko Einfeld, Executive Director of the ES Chamber of Commerce; Coach Glen Vickery, Daphne High School; Danny Lyndall, Daphne Utilities; Scott Hutchinson, HMR..

Absent: Michael Hoyt, Municipal Judge.

3. APPROVE MINUTES: August 4, 2014 Council meeting minutes / August 5, 2014 Special Called Council meeting minutes / August 7, 2014 Special Called Council meeting minutes / August 11, 2014 Emergency Special Called Council meeting minutes / August 11, 2014 Council Work Session minutes

August 4, 2014 Council Meeting Minutes

There were no corrections to the August 4, 2014 council meeting minutes and the minutes stand approved as written.

August 5, 2014 Special Called Council Meeting Minutes

Councilman Lake amended the minutes to note that he voted “Nay to uphold the Mayors action in the termination of Danny Bell”. The August 5, 2014 Special Called council meeting minutes stand approved as amended.

August 7, 2014 Special Called Council Meeting Minutes

There were no corrections to the August 7, 2014 Special Called council meeting minutes and the minutes stand approved as written.

**AUGUST 18, 2014
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

August 11, 2014 Emergency Special Called Council Meeting Minutes

There were no corrections to the August 11, 2014 Emergency Special Called council meeting minutes and the minutes stand approved as written.

August 11, 2014 Council Work Session Minutes

There were no corrections to the August 11, 2014 Council Work Session minutes and the minutes stand approved as written.

PRESENTATION: Tristan Daniels / Eagle Scout Project @ Village Point Park Preserve

Tristan gave a presentation on his Eagle Scout project at Village Point Park Preserve.

MOTION BY Councilman Scott to approve the Eagle Scout Project by Tristan Daniels at Village Point Park Preserve. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

PRESENTATION: Update on Recreation Summer Programs / Coach Vickery

Coach Vickery gave a presentation on the summer programs and camps for the citizens of Daphne with the use of a power point slides.

4. REPORT OF STANDING COMMITTEES:

A. *FINANCE COMMITTEE* – Conaway

The minutes for the August 11th meeting are in the packet.

Treasurers Report / July 2014

The Treasurer’s Report as of July 31, 2014 is \$15,632,512

- Total Unrestricted Funds - \$9,677,463
- Increase from Last Year’s Unrestricted Funds - \$776,089
- # of months of Unrestricted cash to cover monthly operating Expenses & Debt Service – 4.4 months compared to the previous year – 4.2 months

Sales & Use Tax Collections / June 2014

\$1,202,126.66 was collected for June 2014:

- YTD Variance over Budget - \$109,350
- Percent change from last year’s collections +9.5 %

**AUGUST 18, 2014
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Lodging Tax Collections / June 2014:

the collections for June 2014 were \$127,920.37 which is up \$54,156.77 from June's 2013's collections of \$71,090.69.

- YTD Variance over Budget: \$134,902.43
- Percentage change from last year's collections: +44.4 %

Councilwoman Conaway commented on an article that stated Birmingham and Mobile charged the highest lodging tax rate of 17% in the state.

B. BUILDINGS & PROPERTY COMMITTEE - Davis

The minutes for the August 4th meeting are in the packet. They covered a variety of subjects. There is an ordinance for a FEMA buyout and a resolution declaring certain property surplus on the agenda.

Council President Fry offered Mr. and Mrs. White an opportunity to speak later in the meeting.

C. PUBLIC SAFETY COMMITTEE – Rudicell

The next meeting will be the second Wednesday in September. He mentioned that if a citizen would like a traffic study done in their neighborhood to contact Lt. Judd Beedy at the Police Department.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Scott

The August 13th minutes are in the packet. The committee discussed amending the Council Rules of Procedure ordinance formalizing areas for committees and setting agendas.

E. PUBLIC WORKS COMMITTEE – LeJeune

The committee met before the council meeting. Phase IV will start after Labor day on September 8th. The next meeting will be September 15th.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Adrienne Jones

The June 5th minutes are in the packet along with a staff report on the August 7th meeting.

B. Downtown Redevelopment Authority – Conaway

The next meeting will be August 27th at 5:30 p.m.

C. Industrial Development Board – Davis

The board will meet August 25th at 6:00 p.m.

D. Library Board – Lake

The next meeting will be September 11th at 4:00 p.m.

**AUGUST 18, 2014
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

E. Planning Commission – Scott

The next meeting will be Thursday at 5:00 p.m.

F. Recreation Board – LeJeune

Councilman LeJeune is working with David McKelroy and Richard Johnson on the RFP for the recreational facilities project. They would like to send the RFP out to engineers by the first of September.

G. Utility Board – Fry

The next meeting is August 27th at 5:00 p.m. The board has appointed Danny Lyndall as General Manager of Daphne Utilities.

6. REPORTS OF OFFICERS:

A. Mayor's Report

Mayor Haygood thanked Rob McElroy for his services and wished him the best. He congratulated Danny Lyndall.

Rob McElroy thanked the council and Mayor for their support. He congratulated Danny. He will be taking over as Vice President of Operations with Algae Systems on August 28th.

Mayor Haygood recognized Ronnie Champion with Daphne Search and Rescue for the seminar held at city hall on Saturday. Governor Bentley and Lt. Governor Kay Ivey were present for the event. He thanked Ronnie for all he does for the city.

He mentioned that Lamar Signs has begun construction on the digital sign, and the billboard sign removal has also begun and will continue and should be finished by the end of the week.

Memorandum of Agreement with ALDOT

MOTION BY Councilman Davis to authorize the Mayor to enter into a memorandum of Agreement with ALDOT regarding removal and disposal of storm debris from ALDOT maintained rights-of-way/roadways. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

B. City Attorney's Report

Mr. Ross asked council to enter into Executive Session at the end of the meeting to discuss pending litigation and a personnel issue.

**AUGUST 18, 2014
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

C. Department Head Comments

James White – Fire Chief – reported there was a fire on Captain O’Neal.

David Carpenter – Police Chief – reported that there was a bad storm and lighting this afternoon that held up traffic and kept the kids in school.

David McKelroy – reported on the schedule for soccer games, and that fall registration of now going on.

Margaret Thigpen Civic Center Director – reported that Taste of the Eastern Shore is Friday, and they had a press release last week on the event, and she is scheduled to be on Studio 10 to talk about the event.

Richard Johnson – Public Works Director – reported to council that HMR moved quickly to get qualified bidders for the Maize’s Gulch project and the bids came in higher than first thought and will bring an amended ordinance to appropriate funds for the difference which is \$10,500. The ordinance will be on the first meeting in September, go to Finance Committee and then the second read will be September 15th.

Adrienne Jones – Planning Director – gave council a briefing on the progress of the comprehensive plan, and said she should have something documented by next month.

D. City Clerk Report – Rebecca A. Hayes

a.) Parade Permit / The Scott Ward Memorial Fund / November 15, 2014

MOTION BY Councilman Scott to approve the Parade Permit / Scott Ward Memorial Fund / November 15, 2014 *Seconded by Councilman Rudicell.*

MOTION CARRIED UNANIMOUSLY

7. PUBLIC PARTICIPATION

Mrs. Dorothy Morrison – 26197 Via del San Francesco spoke regarding the re-opening of Gator Alley on September 3rd at 9:00, and there will be a reception afterwards at the Hampton Inn.

Ronnie Champion – Daphne Search and Rescue – thanked the Mayor and Council and employees who helped put on the program Saturday. He said Governor Bentley and Lt. Governor Kay Ivey were present and were very impressed with the facility. There were 160 members in the facility and all were impressed. He also thanked council for the Carolina Skiff.

**AUGUST 18, 2014
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) **Declaring Certain Property Surplus / 2 Generators. /Resolution 2014-47**

- b.) **Bid Award: Portable Restrooms / Jag Mobile Solutions /Resolution 2014-49**

MOTION BY Councilwoman Conaway to waive the reading of Resolutions 2014-47 and 2014-49. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to adopt Resolution 2014-47. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to adopt Resolution 2014-49. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

ORDINANCES:

2ND READ

- a.) **Appropriation of Funds: Mast Arm Poles & Signal Upgrade / Johnson Road and US Hwy 98 /Ordinance 2014-32**

- b.) **Pre-zone: Property Located Northwest of the Intersection of County Roads 13 & 64 /Baldwin County District 15 to B-2, General Business, City of Daphne. /Ordinance 2014-33**

- c.) **Annexation: Property Located Northwest of the Intersection of County Roads 13 & 64. /Ordinance 2014-34**

- d.) **Repealing & Replacing Ordinance 2008-19 / Protecting the Air Quality in the City of Daphne. /Ordinance 2014-35**

AUGUST 18, 2014
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

MOTION BY Councilman Scott to waive the reading of Ordinance 2014-32. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Ordinance 2014-32. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to waive the reading of Ordinance 2014-33 and 2014-34. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Ordinance 2014-33. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Ordinance 2014-34. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to waive the reading of Ordinance 2014-35. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Ordinance 2014-35. *Seconded by Councilman LeJeune.*

AYE Conaway, Rudicell, Scott, LeJeune, Davis, Fry

NAY Lake

MOTION CARRIED

1ST READ

ORDINANCE 2014-37, WAS 1ST READ

Council President Fry asked Mr. and Mrs. White if they would like to speak with reference to Ordinance 2014-37.

**AUGUST 18, 2014
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Mr. White said they are asking the city for assistance as a sponsor for flood damage for the FEMA Buyout. He stated for the record that this was the third time their house has been flooded: 2001, 2009 and 2014.

9. COUNCIL COMMENTS

Mayor Haygood gave kudos to Tristan Daniels for his presentation. He mentioned Jacob Turly being on America's Got Talent and hopes he achieves his goal on the show. He asked everyone to keep the family whose house was struck by lightning on Captain O'Neal in their prayers.

Councilman Lake spoke regarding the cutting of the trees by Lamar saying they were supposed to have a certified arborist to cut them. He said an arborist did not cut the trees. He is upset because it is in his district, and the way he found out about it was first hand. He said this is not how they want the gateway into Daphne to look

Councilman Davis called attention to the dates for the I-10 Bridge Project September 23rd and September 29th at 5 Rivers 5:00 p.m. He said the agencies respond to comments so folks need to get out an fill out the comment sheets.

Council President Fry reminded everyone to watch for the children. He appreciates the officers, and encouraged everyone to come out to the Taste of the Eastern Shore Friday at the Civic Center. He wished Mr. Drummond a Happy Birthday. He is thrilled with the reopening of Gator Alley.

MOTION BY Councilman Scott to enter into Executive Session to discuss pending litigation and a personnel issue. The session will last for 20 minutes. *Seconded by Councilman Davis.*

Mr. Ross, City Attorney certified that the reason stated for entering into Executive Session is according to the Open Meetings Act.

ROLL CALL VOTE

| | | | |
|-----------------|------------|----------------|------------|
| Conaway | Aye | LeJeune | Aye |
| Rudicell | Aye | Davis | Aye |
| Lake | Aye | Fry | Aye |
| Scott | Aye | | |

MOTION CARRIED UNANIMOUSLY

Council took a 5 minute break at 7:42 p.m.

Council entered into Executive Session at 7:47 p.m.

Council returned from Executive Session at 8: 25 p.m.

**AUGUST 18, 2014
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

There was no vote on the personnel issue. It will be on the September 2nd agenda.

10. ADJOURN:

MOTION BY Councilman Scott to adjourn. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:25 P.M.

Respectfully submitted by,

Certification of Presiding Officer

Rebecca A. Hayes,
City Clerk

Randy Fry,
Council President

**AUGUST 5, 2014
SPECIAL CALLED CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
5:30 P.M.**

1. CALL TO ORDER

There being a quorum present Council President Fry called the meeting to order at 5:35 p.m.

2. ROLL CALL

COUNCIL MEMBERS PRESENT: Tommie Conaway; Pat Rudicell; John Lake; Randy Fry; Ron Scott
Robin LeJeune; Joe Davis.

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Jay Ross, Attorney; Scott Hetrick, City Attorney; Vickie Hinman, Human Resources Director; David Carpenter, Police Chief; Lt. Judd Beedy, Police Department; Corporal Jason Vanoy, Police Department; Sergeant Brian Gulsby, Police Department; Danny Bell; Buzz Jordan, Attorney for Danny Bell.

Personnel Hearing

MOTION BY Councilman Scott to enter into Executive Session for a Quasi-Judicial Hearing to deal with a personnel grievance, and the meeting will last for three (3) hours. *Seconded by Councilman Lake.*

The City Attorney certified that the stated reason is acceptable according to the Alabama Open Meetings Act.

ROLL CALL VOTE

| | | | |
|-----------------|------------|----------------|------------|
| Conaway | Aye | LeJeune | Aye |
| Rudicell | Aye | Davis | Aye |
| Lake | Aye | Fry | Aye |
| Scott | Aye | | |

MOTION CARRIED

Council entered into Executive Session at 5:40 p.m.

Council returned from Executive Session at 9:12 p.m.

AMENDED MINUTES FROM THE AUGUST 18, 2014 COUNCIL MEETING

MOTION BY Councilman Scott to uphold the Mayors actions in the termination of Danny Bell. *Seconded by Councilwoman Conaway.*

AYE Conaway, Rudicell, Scott, LeJeune, Davis, Fry NAY Lake

MOTION CARRIED

MOTION BY Councilman Scott to adjourn. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

PUBLIC HEARING

SEPTEMBER 15, 2014

TO CONSIDER:

- 1. Amending the Land Use & Development Ordinance 2011-54 /
Revisions to Zoning Map**

Recommendation: Unanimous Favorable

Ordinance 2014-38

To: Office of the City Clerk
From: Adrienne D. Jones, 
Community Development Director
Subject: Revised City of Daphne Zoning Map
Date: July 25, 2014

MEMORANDUM

At the July 24, 2014, regular meeting of the City of Daphne Planning Commission, six members were present. The motion to set forth a **favorable recommendation** carried unanimously of the above-mentioned revision to the zoning map.

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

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda of Monday, August 4, to set the public hearing for Tuesday, September 2, 2014.

Thank you,
ADJ/jv

cc: file

attachment(s)

1. Zoning Map Six-Month Report (Copy Attached)
2. Zoning Map (Display - Posted in Council Chambers)

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2014-**

**Zoning District Map
Revision to 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 July 24, 2014 favorably recommended to the City Council of the City of Daphne certain amendments to the Daphne Land Use and Development Ordinance / Zoning District Map approved and adopted by No. 2011-54 and 2013-55; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of 2013-55; 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 September 15, 2014; 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 the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2011-54 and its amendments.

SECTION II: REPEALER

Ordinance No. 2011-54, Appendix H "Exhibit A", and Ordinance No. 2013-55 is hereby 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 _____, 2014.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Every six months the Department of Community Development creates new official city zoning and street maps for the Council’s adoption. All modifications shown on these two maps have been approved by the Planning Commission (recorded preliminary/final and/or final subdivision plat) and/or the City Council (annexation, zoning and/or street acceptance resolution).

- **ANNEXATION:** During this period the City limits remain 16.62 sq. miles. No land annexed into corporate limits.
- **ZONING:** No property has been rezoned, although the pre-zoning and annexation process has begun for land at the northwest intersection of County Roads 13 and 64 (anticipate Council action early September 2014).
- **INFRASTRUCTURE:** The city has accepted additional roads or rights of way for maintenance south of Profit Drive then renamed the right of way “Bailey Yelding, Jr. Dr.” and in Bellaton Phase 3.
- **DEVELOPMENT:** 139 new single family residential lots have been created in the City; 9 new residential lots in our Extra-Territorial Jurisdiction.

| Instrument | Approval | Action | Size |
|---|--|--------------------------------------|-------------------|
| <i>Rezoning</i> | n/a | | |
| <i>Annexation</i> | n/a | | |
| Street Acceptances | | | |
| <i>R.O.W. acceptance N. of Johnson Rd & S. Profit Dr</i> | 01/06/14 | Council Resolution #2014-01 | |
| <i>Naming R.O.W. “Bailey Yelding, Jr. Drive”</i> | 01/21/14 | Council Resolution #2014-05 | |
| <i>R.O.W. acceptance-Bellaton Subdivision</i> | 04/21/14 | Council Resolution #2014-17 | |
| Subdivisions--- Probate Slide Number | Date of PC Approval Recorded since last map revision | New lots created (from original lot) | Corporate Limits? |
| 2502-C <i>Trott Subdivision</i> | 01/23/14 | 4 | No ETJ |
| 2502-B <i>Bienvenue Estates</i> | 02/27/14 | 1 | No ETJ |
| 2504-C <i>Orchard Farms Replat of Lots 1,2,5</i> | 02/27/14 | 0-replat | No ETJ |
| 2507-D <i>Colonnade at Eastern Shore, Replat of lot 1 Springs at Eastern Shore</i> | 03/27/14 | 0- replat | Yes |
| 2504-E <i>Bellaton Phase 3</i> | 03/27/14 | 39 | Yes |
| 2505-C <i>Broadway-AL Highway 181</i> | 03/27/14 | 1 | No ETJ |
| 2506-C <i>Terri Subdivision</i> | 04/24/14 | 3 | No ETJ |
| 2509-A,B,C <i>Timbercreek Phase 11</i> | 06/26/14 | 100 | Yes |
| *Approved in 2013, recorded after last map update | | -- | -- |
| (2505-F) *Honda Division, (2496-F) | | | |
| *Lazzari *(2501-A) Gipson | | | |



**FIRST NOTICE
OF PUBLIC HEARING**

Notice is hereby given the first time that the City Council of the City of Daphne will hold a Public Hearing on September 15, 2014 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance amending the Land Use Ordinance and Development Ordinance / Revision to Zoning Map. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk
**PROPOSED ORDINANCE:
CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2014-
Zoning District Map
Revision to 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 July 24, 2014 favorably recommended to the City Council of the City of Daphne certain amendments to the Daphne Land Use and Development Ordinance / Zoning District Map approved and adopted by No. 2011-54 and 2013-55; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of 2013-55; 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 September 15, 2014; 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 the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2011-54 and its amendments.

SECTION II: REPEALER

Ordinance No. 2011-54, Appendix H "Exhibit A", and Ordinance No. 2013-55 is hereby 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, ALA-
BAMA ON THE DAY
OF**

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

**SECOND NOTICE OF
PUBLIC HEARING**

Notice is hereby given the second time, the first notice was published on August 8, 2014, that the City Council of the City of Daphne will hold a Public Hearing on September 15, 2014 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring an Ordinance amending the Land Use Ordinance and Development Ordinance / Revision to Zoning Map as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes,
City Clerk

**PROPOSED ORDINANCE:
CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2014-
Zoning District Map
Revision to 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 July 24, 2014 favorably recommended to the City Council of the City of Daphne certain amendments to the Daphne Land Use and Development Ordinance / Zoning District Map approved and adopted by No. 2011-54 and 2013-55; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of 2013-55; 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

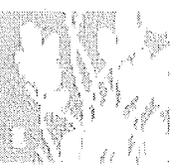
WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on September 15, 2014; and

/END SYNOPSIS

The Courier
August 15, 2014

**REPORT
OF
STANDING COMMITTEES**

DAPHNE BEAUTIFICATION COMMITTEE



Daphne Beautification Committee Meeting Minutes
August 6, 2014

CITY OF DAPHNE
PO Box 400
DAPHNE, AL 36526

District 1
Dorothy Morrison,
Chair
Walter Gray

District 4
Selena Vaughn
Tomasina Werner
Dana Sawyer

District 5
David Dueitt
Rebecca Trosclair

District 6
Elaine Maxime
Hollie LeJeune

City Liaisons
Richard Johnson
Dwayne Coley
Marjorie Bellue
Denise Penry
Michele Hanson
Christine Ciancetta
David McKelroy

Guest - Woody Callaghan, Karen Callaghan and Karen McCain from TRAX Tires and Vanessa Cochran, Camille Reynolds, from Bay Area Food Bank to bring us up to date on their Community/ Garden on TRAX Land. Gardner's will come from the Daphne High School as part of a school program perhaps joined by Fairhope High as well.....we suggested they needed to go to Planning and Zoning Board would need a Site Plan....there was discussion about the use fruit trees and a definite suggestion that NO CHAIN LENGTH FENCING be part of their plan... they have found their own earthmoving machinery and no longer need ours.....we said the Hwy 98 frontage would need to meet requirements from ALDOT...and suggested they keep the frontage as is and that with those consideration we sent them on with our best wishes.....and ask that they keep us informed of their progress.....we suggested that Community Gardening name might be misleading since the food was for the Food Bank and the workers; suggested "Training Garden or Farm"...There is a 5 year commitment between the Bay Area Food Bank and TRAX Tires.

A-Gator Alley- should be completed by the evening of Aug 6th. Re-Celebration scheduled for 9 AM Sept 3rd at the Hampton Inn [presuming they agree] followed by meeting at 10AM [Hampton is delighted to have us again] All local Media is being invited
Clean up the Coast Day scheduled Sept 13th, hope to get lots of help with Gator Alley area.

B-Patriot's Points- has just been replanted...

C-Treasurer's Report \$822.32+ any remaining monies approved to add color to KFC Hill.

D- Top Ten

- * Need a Plan for tree redo on I-10 Curve.....
- * Master Plan I-10 /181.....
- * Malfunction Junction Master Plan.....
- * Signage for Olde Towne Daphne at Main Street and 64-both north and south.....
- * Plan for City owned land Daphne Avenue Shopping Center
- * Crape Myrtle and landscaping for Island on 64.....
- * Master Plan for all Daphne entrances [moved to 2015 list].....
- * Raise canopy on all 98 trees- in progress.....

E-PW Report

Gator Alley bids re submitted for approval, design completed, there will be twice as much parking and easier access in and out....

Discussion of the Fist Statue Tomasina will communicate with Dr Booth...can it be moved to KFC Hill...

We received a \$1000 grant for Crape Myrtles for Trione Park.....

Canopy being raised on Hwy 98 [this is normal operations....done every few years]....

Working on Lake Forest sidewalks starting later this month.....

Working on Village Point Boardwalk....thank you to Selena for all her work.....

F- American Flags.....we should have 300...suggestion to put some flags on Hwy 90 Whispering Pines, Hwy 64 and Johnson Road....to connect 98 and 181.....a plan for more even spacing; not one flag at one point and 11 on the other side.....

G-Crape Myrtles on 98 looking very nice.....

H- Hwy 98 – Mayor's Initiative Flowers looking good more interchanges planned...see which come next?????????

I-DRA- is very interested in how to clean up eye sores-Daphne Avenue Shopping Center, Pine Lodge on Main Street....also looking for Bike stand plans for down town Daphne.

J-Bird House Brochures need reprinting and information to go to Roads Scholar Travel Center to be include in their Birding tours of this area.....[need writer]

K-Keep Daphne Beautiful.....waiting for information



L- Endowment Fund- waiting for the attorney and Mayor

M- Mayor unable to attend....

N- Next Meeting September 3rd at HAMPTON INN AT GATOR ALLEY 9AM Dedication the new bridge
.....Meeting at 10 in Hampton Inn.. Bring Umbrellas and bright smiles for a job well done.....

**REPORT
OF
SPECIAL BOARDS**

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
AUGUST 25, 2014
6:00 P.M.**

1. CALL TO ORDER/ROLL CALL

There being a quorum present the chairman called the meeting to order at 6:05 p.m.

MEMBERS PRESENT – Toni Fassbender; Dennis Kearney, III; Dan Romanchuk; Pokey Miller;

ABSENT: Doug Bailey; John Cox; Jeffrey Ramsland.

Also present – Rebecca Hayes, Recording Secretary; Councilman Joe Davis, Council Liaison; Lee Lawson, BCEDA.

2. APPROVE MINUTES / July 28, 2014

MOTION BY Denis Kearney to approve the July 28, 2014 meeting minutes. *Secoded by Dan Romanchuk.*

MOTION CARRIED UNANIMOUSLY

3. OLD BUSINESS

a. Proposals from Banks.

MOTION BY Dan Romanchuk to change from Wells Fargo Bank to Compass Bank. *Secoded by Denis Kearney.*

MOTION CARRIED UNANIMOUSLY

b. Update on I-10 Bridge Project

Councilman Davis reported the date and time for the meetings on the I-10 Bridge project, and stated that it is very important that people come and participate in those meetings as it makes a difference with the state and federal governments, because they look at volume when making decisions. Lee Lawson concurred with that statement and said that it is a competitive atmosphere for federal dollars. He said they are looking at expanding lanes on I-10 from Exit 35 to Loxley before the bridge is complete.

c. Update on Algae Systems

The members discussed the progress of Algae Systems.

4. TREASURERS REPORT

The balance as of the end of July 31, 2014 is \$345,030.35

MOTION BY Pokey Miller to accept the Treasurers report with an ending balance of \$345,303.35. *Secoded by Denis Kearney.*

MOTION CARRIED UNANIMOUSLY

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
AUGUST 25, 2014
6:00 P.M.**

5. REPORT FROM BCEDA

Lee Lawson reported on the London Air Show saying there was a good show from Baldwin County with three Mayors, one County Commissioner and one councilmember from Fairhope at the show. They had a lot of meetings with suppliers, and he said they will see more activity as Air Bus ramps up production.

Lee reported on the BP money for the Deep/Horizon Oil Spill saying that the Governor's office and legal counsel has directed Mayor Haygood to pursue the same course of action as the City of Fairhope in which the Baldwin County Economic Development Alliance partnered with Troy University provided the City of Fairhope with an economic damage causation study analyzing and detailing the harmful economic impacts of the Deep/Horizon Oil Spill on the city's economy. After the study for the City of Daphne is completed it will be reviewed by Governor Bentley and his legal counsel and decide if the money reserved can be distributed and used for economic development and recreational purposes. He asked that the IDB fund the study not to exceed \$15,000, and will be reimbursable from the BP funds.

MOTION BY Denis Kearney to fund and go forward with the BP Deep/Horizon economic damage causation study analyzing and detailing the harmful economic impacts of the Deep/Horizon Oil Spill on the City of Daphne's economy by the Baldwin County Economic Development Alliance and Troy University. *Seconded by Dan Romanchuk.*

MOTION CARRIED UNANIMOUSLY

6. NEW BUSINESS

No new business.

7. NEXT MEETING

The next meeting will be September 22, 2014.

8. ADJOURN

MOTION BY Denis Kearney to adjourn. *Seconded by Dan Romanchuk.*

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS THE MEETING ADJOUNED AT 7:15 P.M.

Submitted by:

Certification of Presiding Officer:

Rebecca Hayes, Secretary

Toni Fassbender, Chairman

The City of Daphne
Planning Commission Minutes
Regular Meeting of July 24, 2014
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

The regular meeting of the City of Daphne Planning Commission was called to order at 5:05 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Monty Montgomery
Larry Chason, Chairman
Charles Smith
Ron Scott, Councilman arrived at 5:30 p.m.
Hudson Sandefur
Chief White

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Kevin Boucher, Attorney

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

Chairman asked for questions, comments or corrections to the minutes of *the regular meeting of June 26, 2014. There being none, the minutes are approved as submitted.*

The next order of business under old business is preliminary/final plat review for Consolidated Acres, Unit Three.

An introductory presentation was given by Mr. Larry Smith, representative of S. E. Civil, requested preliminary/final plat review, contingent upon the approval of the sketch plan by the Corps of Engineers of the wetland delineation and the addition of the necessary buffers.

Chairman asked for Commission questions or comments and asked if Ms. Jones had reviewed the plan. Ms. Jones stated the plan was not provided prior to the meeting and has not been reviewed by the Environmental Programs Manager. He asked for Commission additional questions or comments and a motion for approval.

A Motion was made by Mr. Smith and **Seconded** by Mr. Montgomery to *grant preliminary/final plat approval to Consolidated Acres, Unit Three, contingent upon approval of the wetland delineation by the Corps of Engineers; the addition of wetland buffers, and acceptance of the Environmental Programs Manager. There was no discussion on the motion.*

The Motion carried unanimously.

The next order of business under new business is master plan revision for the Reserve at Daphne Subdivision, Phase One.

An introductory presentation was given by Mr. Steve Pumphrey, representative of Preble-Rish, of a master plan revision consisting of five hundred and forty-four, one hundred by fifty, single family residential lots. In 2006, the original master plan extended east from Plantation Hills Subdivision to U.S. Highway 90, but this developer did not own that property. He is asking for approval of Phase One of the development tonight and will develop the dark area northwest of this phase, Phase Two, which consists of approximately sixty lots surrounded by wetlands, later.

Chairman asked for Commission questions or comments and stated that he is not prepared to act on the master plan and asked for a motion to table.

A Motion was made by Mr. Scott and Seconded by Mr. Smith to table the master plan revision for further review until the regular meeting of August 21, 2014. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is final plat review for the Reserve at Daphne Subdivision, Phase One.

An introductory presentation was given by Mr. Steve Pumphrey, representative of Preble-Rish, of seventy-eight lot subdivision consisting of approximately eighty-one point one acres located north of the intersection of County Road 64 and Montelucia Way. Preliminary plat approval was given in 2006 by the City of Daphne, but when the development was approximately eighty-five percent complete, the developer walked away from the project. In 2012, a new developer purchased the subdivision and began reconstruction of the existing infrastructure. Recently, he discovered there was a fire hydrant issue. Comments have been addressed for the Fire Marshal, Baldwin County, and the Environmental Programs Manager. She has requested the issuance of a grass bond prior to acceptance.

Chairman asked for Commission questions or comments and asked to discuss the temporary turnaround. Mr. Pumphrey stated there will be a utility easement constructed of shell which will serve as the temporary turn around and not as a connection. He asked for Commission additional questions or comments and a motion for approval.

A Motion was made by Mr. Scott and Seconded by Mr. Sandefur to grant final plat approval to the Reserve at Daphne Subdivision, Phase One.

The City of Daphne
Planning Commission Minutes
Regular Meeting of July 24, 2014
Council Chamber, City Hall - 5:00 P.M.

During discussion, Mr. Scott commented that Commissioners should address bonding procedures for subdivisions. Chairman stated that was addressed in the Land Use Ordinance in that a development must be ninety percent complete prior to the issuance of a performance bond.

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

The next order of business is preliminary/final plat review for the Resubdivision of Lot 1A, Mark Trione's Belforest Subdivision, Unit 2.

An introductory presentation was given by Mr. Spence Monroe, representative of Ashurt & Neimeyer, of a two-lot subdivision consisting of approximately twelve point zero four, the Resubdivision of Lot 1C, located on the north side of Milton Jones Road, approximately one thousand feet west of U.S. Highway 181 for the purpose of the construction of air conditioning distribution center. Acceptance by Baldwin County is contingent upon the outcome of a rezoning hearing scheduled for Tuesday, August 19, 2014.

Chairman asked for Commission questions or comments and asked if the Baldwin County comments regarding drainage had been added to the plat. Mr. Monroe stated the Baldwin County comments have been addressed.

Mr. Sandefur asked if there is a business planned on Lot 1B. Mr. Monroe confirmed that there is a building under construction on this lot.

Commissioned discussed the requirement of a master plan prior to the approval of any further subdivision of this property. Mr. Monroe responded I do not think the owner will have a problem with that.

Chairman opened the floor to public participation. No one came forth. He closed public participation and asked for Commission questions or comments and a motion for approval.

A Motion was made by Mr. Scott and Seconded by Mr. Smith to grant preliminary/final plat approval for the Resubdivision of Lot 1A, Mark Trione's Belforest Subdivision, Unit 2, contingent upon a note being placed on the plat, no further subdividing of the lot will be allowed without the presentation of a master plan. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is subdivision replat review for the Resubdivision of Lots 382 & 383, Resubdivision of a part of Plantation Hills Subdivision, Unit One.

An introductory presentation was given by Mr. Bobby McBryde, representative of Rowe Surveying.

The City of Daphne
Planning Commission Minutes
Regular Meeting of July 24, 2014
Council Chamber, City Hall - 5:00 P.M.

Mr. McBryde stated this is a two-lot subdivision consisting of approximately zero point six acres located south of U.S. Highway 90, southwest of Geneva Drive and Robbins Boulevard for the purpose of relocating the interior line.

Chairman asked for Commission questions or comments and stated at site preview, the Commissioners asked to remove the easement from the buildable area of the corner lot to the east. Mr. McBryde stated there is an existing structure on one of the lots, and the replat has been revised to adjust the building setback line to not exclude the easement.

Chairman asked why a subdivision exemption is reviewed by the Commission. Ms. Jones said a subdivision exemption requires the action of the Planning Commission; this is not a subdivision.

A Motion was made by Chief White and Seconded by Mr. Smith to grant subdivision replat approval to the Resubdivision of Lots 382 & 383, Resubdivision of a part of Plantation Hills Subdivision, Unit One. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is an administrative presentation of street acceptance for TimberCreek Subdivision, Phase Eleven.

Ms. Jones presented a request for acceptance of all right-of-ways contained within the record plat of TimberCreek Subdivision, Phase Eleven. A recommendation by the Commission is necessary for the acceptance by resolution of the City Council for maintenance, contingent upon a two-year warranty bond.

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

A Motion was made by Mr. Scott and Seconded by Mr. Smith for the favorable recommendation by the Planning Commission to the City Council of Daphne of the acceptance of all right-of-ways and maintenance of Tamerack Drive, Persimmon Drive, Hemlock Street, Elderberry Drive, Pine Run, and Pine Run Court in TimberCreek Subdivision, Phase Eleven. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is an administrative presentation for the City of Daphne Zoning and Street Map updates.

Ms. Jones presented a request for the acceptance of the zoning and street map updates consisting of the addition of TimberCreek Subdivision, Phase Eleven and Bellaton Subdivision, Phase Three and no zoning changes.

The City of Daphne
Planning Commission Minutes
Regular Meeting of July 24, 2014
Council Chamber, City Hall - 5:00 P.M.

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

A Motion was made by Mr. Scott and Seconded by Mr. Smith to grant approval of the Street Map and of an affirmative recommendation by the Planning Commission to the City Council of Daphne for the adoption of the City of Daphne Zoning Map. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is Planning Commission discussion.

Ms. Jones stated an A-1, Agriculture District, will consist of two categories: non-residential and/or farming and rural estate residential. Chairman commented that the district should be comparable to an R-1 or R-2 residential district in order to be compatible with small lots.

Chairman requested the preparation and distribution of a draft copy of Planned Unit Development regulations for Commission review and comments.

The next order of business is public participation.

Chairman asked for public participation. No one came forward. He closed public participation.

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

Mr. Boucher stated no report.

The next order of business is commissioner's comments.

Mr. Scott asked that a subdivision inventory be provided to the MPO representative for future planning purposes.

Chairman commented on the necessity of an appointment of a ninth Planning Commission member, due to lack of attendance at meetings, and asked for Commission questions or comments.

Commissioners discussed the possibility of a temporary appointment. Mr. Boucher stated the Mayor does not have the authority to do a temporary appointment. An appointment must be for a term of six years, unless an appointment is to complete the term.

A Motion was made by Mr. Scott and Seconded by Chief White to request the City Attorney to discuss an appointment of a Planning Commission member with Mayor Dane Haygood. The Motion carried unanimously.

The City of Daphne
Planning Commission Minutes
Regular Meeting of July 24, 2014
Council Chamber, City Hall - 5:00 P.M.

The next order of business is director's comments.

Ms. Jones presented the following:

The developer has requested the formal presentation of correspondence to withdraw for the preliminary/final plat for Malbis Plantation Subdivision. This does not require any action by the Planning Commission.

The National Business Institute continuing education class on Land Use Law is October 2, 2014 at the Marriott, Airport Boulevard, in Mobile.

Your Town Alabama conference is September 8-10, 2014. Attendance of a Planning Commission member is requested with participation each year of which the expenses will be paid by the City of Daphne.

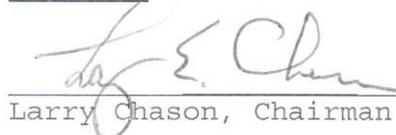
There being no further business, the meeting was adjourned at 6:09 p.m.

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: August 21, 2014



Larry Chason, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF AUGUST 21, 2014 **REPORT**
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

1. **CALL TO ORDER** **DATE OF REPORT: AUGUST 22, 2014**
2. **CALL OF ROLL** **LARRY CHASON, ED KIRBY, RON SCOTT, CHIEF WHITE,
MONTY MONTGOMERY, RON SCOTT AND HUDSON
SANDEFUR**

3. **APPROVAL OF MINUTES:**

Review of minutes for the regular meeting of July 24, 2014. . **(APPROVED AS SUBMITTED)**

4. **OLD BUSINESS:**

A. **THE RESERVE AT DAPHNE:**

1. **MASTER PLAN:**

File MPA14-01: **(APPROVED)**

Presentation to be given by Mr. Steve Pumphrey, representing Preble-Rish, requesting a master plan revision for The Reserve at Daphne Subdivision.

5. **NEW BUSINESS:**

A. **PRELIMINARY/FINAL PLAT REVIEW:** **PUBLIC HEARING**

1. **File SDPF14-09:** **(APPROVED)**

Subdivision: **Stevens Addition to Main Street**

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

Location: **At the southwest intersection of Main Street and Professional Place**
Area: **1.07 Acres ±, (2) lots**
Owner(s): **Stevens Company, L.L.C. - Ronald Stevens**
Engineer: **Coleman Engineering Group of McCrory & Williams - Daryl Russell**

B. **SUBDIVISION EXEMPT REVIEW:**

1. **File SRP14-06:** **(APPROVED)**

Replat: **GCOF & WSR 64-13 (Associated with Zoning Amendment & Annexation of John White-Spinner, Kidco, L.L.C. - John White-Spinner, & Sidno, L.L.C. - Matt White)**

Present Zoning: **B-1, Professional Business, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne**

Proposed Zoning: **B-2, General Business, (Ordinance 2014 -33 & 2014-34, Council consideration on 8/18/14)**

Location: **Northwest of the intersection of County Road 13 and 64**
Area: **17.90 Acres ±, (2) lots**
Owner(s): **GCOF Daphne Commercial Property 13-64, L.L.C. - William Stimpson, John White-Spinner, Kidco, L.L.C. - John White-Spinner, & Sidno, L.L.C. - Matt White**
Engineer: **Coleman Engineering Group of McCrory & Williams - Daryl Russell**

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF AUGUST 21, 2014 REPORT
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

2. File SRP14-07: (APPROVED)

Subdivision by Testament: Creamer Property (32.8 Acres)

Present Zoning: RA, Rural Agricultural, in Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

Location: County Road 54 East
Area: 32.8 Acres \pm , (3) lots
Owner(s): Estate of Theresa L. Creamer - Rebecca C. Pursley, Personal Representative
Agent: Melvin E. Creamer, Jr.
Surveyor: David Lowery Survey, L.L.C. - David Lowery

3. File SRP14-08: (APPROVED)

Subdivision by Testament: Creamer Property (38.66 Acres)

Present Zoning: RA, Rural Agricultural, in Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

Location: County Road 54 East
Area: 38.66 Acres \pm , (2) lots
Owner(s): Estate of Theresa L. Creamer - Rebecca C. Pursley, Personal Representative
Agent: Melvin E. Creamer, Jr.
Surveyor: David Lowery Survey, L.L.C. - David Lowery

C. SITE PLAN REVIEW:

1. File SP14-06: (APPROVED)

Site: Sonic Restaurant @ TimberCreek Village

Zoning(s): B-2, General Business

Location: On the west side of Mill Lane, south of the north terminus of Mill lane, Lot 2B, Resubdivision of TimberCreek Village, Phase Two, Resubdivision of Lots 1 & 2

Area: 0.62 \pm
Owner: Baldwin AL Development, L.L.C. - L. W. Cave, Manager
Developer: SDI Investments, L.L.C. - Ronald McClain
Engineer: Coleman Engineering Group of McCrory & Williams - Daryl Russell

D. PLANNING COMMISSION DISCUSSION: PLANNED UNIT DEVELOPMENT - (NO ACTION TAKEN)

6. PUBLIC PARTICIPATION

7. ATTORNEY'S REPORT:

- a. Tiawasee Trace POA litigation update
- b. Commissioners authorization of Malbis Lane vs Baldwin County, City of Daphne Planning Commission litigation (Approved authorization for Chairman to sign settlement document)

8. COMMISSIONER'S COMMENTS

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF AUGUST 21, 2014 REPORT
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

9. DIRECTOR'S COMMENTS:

- a. Mobile River Bridge meetings at 5 Rivers on September 23, 2014 from 4 to 8 p.m.
- b. Meeting dates: Site Preview, September 17, and Regular Meeting, September 25, 2014

10. ADJOURNMENT



Accepted by:


Chairman, Daphne Utilities

Daphne Utilities

APPROVED MINUTES

Utilities Board Meeting

City of Daphne Council Chambers ♦ July 30, 2014 ♦ 5:00 p.m.

I. Call to Order

The regular July 2014, Board meeting for the Utilities Board of the City of Daphne was held on July 30, 2014 and called to order by Chairman Robert Segalla, at 5:01 p.m., proceeded by the Roll Call:

II. Roll Call

Members Present: Robert Segalla, Chairman
Randy Fry, Vice Chairman
Billy Mayhand
Fenton Jenkins

Others Absent: Dane Haygood, Mayor

Others Present: Jerry Speegle – Board Attorney
Rob McElroy – General Manager
Danny Lyndall – Assistant General Manager/Operations Manager
Drew Klumpp – Administrative Services Manager
Teresa Logiotatos – Finance Manager
Lori May-Wilson – Executive Assistant
Melinda Immel – Volkert & Associates
Ray Moore – HMR

Others Absent:

III. Pledge of Allegiance

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

The Chairman introduced and welcomed new Board member, Billy Mayhand.

IV. Approval of Minutes

A. Utilities Board Minutes from June 25, 2014:

The Chairman inquired if there were any corrections noted for the submitted Minutes for the June 25th, 2014, Utilities Board meeting. No corrections were recommended.

MOTION BY Billy Mayhand to approve the Minutes for June 25, 2014 as submitted; Seconded by Fenton Jenkins.

AYE: FRY, JENKINS, MAYHAND, SEGALLA

NAY:

ABSENT: HAYGOOD

ABSTAIN:

MOTION CARRIED

V. OLD BUSINESS –

A. Items in Abeyance:

Rob McElroy updated the Board advising that he had met with Spanish Fort Mayor Mike McMillan after the letter had been sent requesting our entering into a franchise agreement with the City of Spanish Fort for providing sewer service. Mr. McElroy stated that Mayor McMillan expressed concern over raising rates. Mr. McElroy clarified to him that the rates would not be raised but rather the City’s franchise fee be reflected on the Spanish Fort customers’ bills. Mr. McElroy stated that Mayor McMillan would take it before the Spanish Fort Council and that he has not heard anything further. He also reviewed for Mr. Mayhand’s benefit the revenue situation with the City of Spanish Fort and Daphne Utilities’ for sewer and natural gas sales. A discussion took place examining several scenarios of the Spanish Fort sewer and natural gas circumstances.

VI. NEW BUSINESS –

A. BP Natural Gas Purchase Contract

Mr. Speegle explained that he has reviewed the contract and Mr. Lyndall further clarified. The Chairman suggested addressing this under Board Action later in the meeting.

B. Election of Utilities Board Secretary/Treasurer Officer

The Chairman announced that due to Mr. Johnston’s resignation from the Board, an election was necessary in order to select a new Daphne Utilities Board Secretary/Treasurer Officer position. Nominations were petitioned.

MOTION BY Randy Fry to nominate Fenton Jenkins for the position of Secretary/Treasurer of the Board for the Utilities Board of the City of Daphne; Seconded by Billy Mayhand.

AYE: FRY, JENKINS, MAYHAND, SEGALLA NAY: ABSENT: HAYGOOD ABSTAIN: MOTION CARRIED

Chairman Segalla requested changing the September 24th Board meeting date. It was recommended changing the September 24th meeting to October 1st.

VII. BOARD ATTORNEY’S REPORT

Mr. Speegle had nothing further to add to his report.

VIII. FINANCIAL REPORT

Teresa Logiotatos discussed the financials with the Board and discussed the graphs. Questions from the Board were answered by staff.

IX. GENERAL MANAGER’S REPORT

A. GM Report

Mr. McElroy pointed out to the Board an article that appeared in the *Journal* from the American Water Works Association.

B. Operations Report

Danny Lyndall thanked Larry English, Martin Dale and the water department employees for their hard work that garnered the Best Operated Plant award for Trojan Treatment Facility and Award of Excellence for the Lovette Treatment Facility and Award of Excellence for the Water Distribution System awarded by the Alabama Water Pollution Control Association (AWPCA). He presented Buford King as Daphne Utilities’ new Maintenance Manager. He then introduced James McPherson and Vincent Sellers to give their presentation on the results of the cleaning and video project from the field.

Rob McElroy announced to the Board news from our Blue Cross/Blue Shield representative that insurance rates will be decreased as a direct testament from the full family-wellness programs that the Daphne Utilities’ employees embrace.

C. Engineering & Consulting Reports

Melinda Immel of Volkert & Associates pointed out that the County Road 64/13 Project will be advertised and bid and recommendations brought for consideration at the next board meeting.

Ray Moore of HMR noted that at the September Planning Commission meeting, the Sixth Street Water Treatment Facility will be submitted for consideration.

X. BOARD ACTION –

A. MOTION for Approval for BP Natural Gas Purchase Contract

The Chairman then referred back to the New Business A – BP Natural Gas Purchase Contract and solicited for a motion.

MOTION BY Randy Fry to approve the BP Natural Gas Purchase Contract as presented; Seconded by Fenton Jenkins.

AYE: FRY, JENKINS, MAYHAND, SEGALLA NAY: ABSENT: HAYGOOD ABSTAIN: MOTION CARRIED

B. MOTION to elect Daphne Utilities Board Secretary/Treasurer – addressed under New Business.

XI. PUBLIC PARTICIPATION – None.

XII. BOARD COMMENTS – Mr. Fry thanked Mr. Sellers for the very informative presentation and welcomed Mr. Mayhand. Mr. Mayhand expressed his pleasure to be part of the Board and eager to learn.

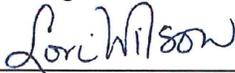
XIII. ADJOURNMENT -

MOTION BY Billy Mayhand to adjourn.

AYE: FRY, JENKINS, MAYHAND, SEGALLA NAY: ABSENT: HAYGOOD ABSTAIN: MOTION CARRIED

The meeting adjourned at 5:49 p.m.

Preceding minutes submitted to the Daphne Utilities Board by:


Lori Wilson, Executive Assistant, Daphne Utilities



Accepted by:

Robert Segalla
Chairman, Daphne Utilities

Daphne Utilities

APPROVED MINUTES

Utilities Board SPECIAL Meeting

City of Daphne Council Chambers ♦ August 12, 2014 ♦ 5:00 p.m.

I. Call to Order

A Special meeting for the Utilities Board of the City of Daphne was held on August 12, 2014 and called to order by Chairman Robert Segalla, at 5:00 p.m., proceeded by the Roll Call:

II. Roll Call

Members Present: Robert Segalla, Chairman
Randy Fry, Vice Chairman
Billy Mayhand
Fenton Jenkins, Secretary/Treasurer – arrived at 5:01 pm
Dane Haygood, Mayor

Others Absent:

Others Present: Jerry Speegle – Board Attorney
Rob McElroy – General Manager
Danny Lyndall – Assistant General Manager/Operations Manager
Teresa Logiotatos – Finance Manager
Lori May-Wilson – Executive Assistant

Others Absent: Drew Klumpp – Administrative Services Manager

III. Pledge of Allegiance

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

IV. New Business

- A. Selection of Interim General Manager (Fenton Jenkins arrived – 5:01 pm)
The Chairman clarified that the purpose of this special meeting was to select a General Manager to undertake the position when Rob McElroy vacates the position on August 27, 2014. Mr. Speegle qualified this topic for Executive Session as a discussion of general reputation, character, professional competence, and job performance of employees.

MOTION BY Billy Mayhand to adjourn at 5:03 p.m. to Executive Session to discuss the general reputation, character, professional competence and job performance of employees in the selection of a General Manager; Seconded by Randy Fry.

AYE: FRY, HAYGOOD, JENKINS, MAYHAND, SEGALLA NAY: ABSENT: ABSTAIN: MOTION CARRIED

The Chairman reconvened the meeting at 5:45 p.m.

V. BOARD ACTION

A. MOTION to Appoint Interim General Manager

MOTION BY Randy Fry to accept the resignation of Rob McElroy effective April 27, 2014 and name Danny Lyndall as General Manager effective August 28, 2014 with compensation adjustment to be made by the Chairman;

Mayor Dane Haygood corrected the effective resignation date from April to August.

MOTION BY Randy Fry to accept the resignation of Rob McElroy effective August 27, 2014 and name Danny Lyndall as General Manager effective August 28, 2014 with compensation adjustment to be made by the Chairman; Seconded by Billy Mayhand.

AYE: FRY, HAYGOOD, JENKINS, MAYHAND, SEGALLA NAY: ABSENT: ABSTAIN: MOTION CARRIED

VI. PUBLIC PARTICIPATION – Not appropriate on the agenda for this Special Meeting

VIII. BOARD COMMENTS –

Mayor Dane Haygood noted his appreciation for Rob McElroy's service to the City of Daphne and Daphne Utilities and the great job he has performed and expressed his confidence in Danny Lyndall's abilities and vision for the Daphne Utilities organization.

The Chairman pointed out the reception being held for Mr. McElroy on Friday, August 22, 2014, at 2:30 p.m. at the Central Services Facility.

VIV. ADJOURNMENT -

MOTION BY Mayor Dane Haygood to adjourn.

AYE: FRY, HAYGOOD, JENKINS, MAYHAND, SEGALLA NAY: ABSENT: ABSTAIN: MOTION CARRIED

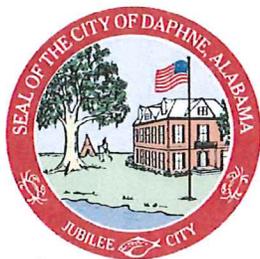
The meeting adjourned at 5:47 p.m.

Preceding minutes submitted to the Daphne Utilities Board by:



Lori Wilson, Executive Assistant, Daphne Utilities

**REPORT
OF
OFFICERS**



City of Daphne Event Permit Application

Date of Application: 20 Aug 2014 Permit Requested: Event/Fundraiser Parade/Run Band

Contact Information

Organization Name: Daphne High School
Contact Name: Lt Col (Ret) Douglas Goodlin E-mail Address: dgoodlin@bcbe.org
Address: 9300 Champions Way Daphne, AL. 36526
Street / P.O. Box City/State/Zip Code
Primary Phone Number: 251-626-0096 Secondary: 334-782-2560

Event Information

Event Name: Daphne High School Homecoming Parade Event Date: 18 Sep 2014
Event Location: See attached map # Participants/Vehicles: 320/20
Start Time: 4:30 PM Stop Time: 5:30 PM Assembly Time: 3:30-4:15 PM
Parades/Runs Only
Special Requests: Will use Civic Center Alley for line up of floats/participants.
Main St to College Ave to 6th St to Magnolia Ave to Main Street and back to Civic Center Road Closures Requested: Yes No

Special Instructions

Approval: Internal Use Only

Date Routed: 8/27/14
Fire Dept: James White
Police Dept: [Signature]
Public Works: [Signature]
Parks & Recreation: [Signature]
Only required if event interrupts traffic near Daphne parks

Not valid unless stamped "Approved"

For Special Event/Band Permits:

Council Member: _____
District # Signature

For Parade/Run Permits & Use of City Grounds:

City Council: 9-02-14
Date of Approval

Parade/Run Permits ONLY

Fee Paid: \$ _____ N/A Waived
 Insurance Filed N/A
Route Selection: 1 2 3 4

PLEASE SPREAD THE WORD

- PARTICIPANTS:
PLEASE NOTE LINE-UP
LOCATIONS AND TIMES

- FANS: PLEASE NOTE
ROUTE AND TIMES

* FLOATS START @ PARKING
Lot AT CIVIC CENTER

FLOATS LINE-UP BETWEEN 3:45-4:15

SANTA ROSA

DAPHNE
ELEMENTARY

* MARCHING UNITS START AT
ELEMENTARY SCHOOL
LINE UP BETWEEN 3:30-4:15

LEA AVENUE

DAPHNE HIGH SCHOOL

HOME COMING PARADE
THURS.

MAGNOLIA AVENUE

FLOATS START MOVING AT
4:30 PM

MARCHING UNITS START
WHEN FLOATS ARRIVE

PARADE STARTS AT 4:30 PM
AND ENDS AT 5:30 PM AT
ELEMENTARY SCHOOL

SIXTH STREET

MAIN STREET

CITY
HALL

College Avenue

Library

CIVIC
CENTER

FASTIME

CABLE
HOUSE

U.S. HWY 98

QUESTIONS?

PLEASE SEE LT COL GOODLIN RM 173

WORK: 626-0096 or Cell: 334-782-2560

RESOLUTIONS
&
ORDINANCES

ORDINANCE 2014-37

Federal Emergency Management Agency (FEMA): Hazard Mitigation Grant Program (HMGP) Disaster Assistance for Lamar and Willet White, 104 Gordon Circle

WHEREAS, Ordinance 2013-50 approved and adopted the Fiscal Year 2014 Budget on September 23, 2013; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2014 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2014 budget; and

WHEREAS, on April the 29th and 30th the City of Daphne received 16.5" of rainfall which lead to severe flooding; and

WHEREAS, on May 2, 2014, FEMA declared the event a Major Disaster Declaration; Alabama *Severe Storms, Tornadoes, Straight line Winds, and Flooding (DR-4176)*; and

WHEREAS, the declaration activates the FEMA Hazard Mitigation Grant Program (HGMP). The HMGP provides grants to states and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Long-term mitigation measures may include but not be limited to; property acquisition and structure demolition, property acquisition and structure relocation, structure elevation, mitigation reconstruction, dry flood proofing, etc.; and

WHEREAS, the HGMP requires a state or local government sponsor; and 25% cost share for the grant: and

WHEREAS, the home of Lamar and Willet White, 104 Gordon Circle, Lot 30 Unit 21 in Lake Forest was flooded during the April 29-30th, 2014 disaster; and

WHEREAS, the Whites have requested to participate in the FEMA HMGP National Flood Insurance Program Buyout where the home would be purchased by FEMA with FEMA providing 75% of the approved market value of the residence; and with the homeowner or the sponsor providing the additional 25% share; and

WHEREAS, the White residence has an estimated market value of \$150,000;

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

Option A (Full Match)

- 1) The City of Daphne shall sponsor the approved qualifying grant application with the following conditions:
 - a. The property owner shall handle the entire FEMA HMGP application process; and
 - b. The City shall provide the 25% cost share for the grant. A General Fund appropriation not to exceed 25% of the FEMA approved market value of the

- c. home (\$37,500.00) less any in-kind labor/cash match as incurred for expenses such as demolition of the home shall be appropriated; and
 - d. The City will retain ownership of the vacant lot and shall deed restrict the lot to remain as floodway green space
- 2) The Mayor is hereby authorized to execute such proposal and any and all additional documents necessary to carry out the purpose of requesting such funds from FEMA; and

Option B (DEMO Only)

- 1) The City of Daphne shall sponsor the approved qualifying grant application with the following conditions:
 - a. The property owner shall handle the entire FEMA HMGP application process; and
 - b. The City shall provide the demolish expense cost share, not to exceed \$10,000. A General Fund appropriation not to exceed \$10,000 less any in-kind labor/cash match as incurred for expenses such as demolition of the home shall be appropriated; and
 - c. The City will retain ownership of the vacant lot and shall deed restrict The lot to remain as floodway green space
- 2) The Mayor is hereby authorized to execute such proposal and any and all additional documents necessary to carry out the purpose of requesting such funds from FEMA; and

Option C (Match Determined by Council)

- 1) The City of Daphne shall sponsor the approved qualifying grant application with the following conditions:
 - a. The property owner shall handle the entire FEMA HMGP application process; and
 - b. The City shall provide the (TBD%) cost share for the grant. A General Fund appropriation not to exceed (TBD)% of the FEMA approved market value of the home, less any in-kind labor/cash match as incurred for expenses such as demolition of the home; and
 - c. The City will retain ownership of the vacant lot and shall deed restrict the lot to remain as floodway green space
- 2) The Mayor is hereby authorized to execute such proposal and any and all additional documents necessary to carry out the purpose of requesting such funds from FEMA; and

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this _____ day of _____, 2014.

Dane Haygood, Mayor

Attest:

Rebecca A. Hayes, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2014-38**

**Zoning District Map
Revision to 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 July 24, 2014 favorably recommended to the City Council of the City of Daphne certain amendments to the Daphne Land Use and Development Ordinance / Zoning District Map approved and adopted by No. 2011-54 and 2013-55; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of 2013-55; 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 September 15, 2014; 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 the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2011-54 and its amendments.

SECTION II: REPEALER

Ordinance No. 2011-54, Appendix H "Exhibit A", and Ordinance No. 2013-55 is hereby 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 _____, 2014.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Every six months the Department of Community Development creates new official city zoning and street maps for the Council’s adoption. All modifications shown on these two maps have been approved by the Planning Commission (recorded preliminary/final and/or final subdivision plat) and/or the City Council (annexation, zoning and/or street acceptance resolution).

- **ANNEXATION:** During this period the City limits remain 16.62 sq. miles. No land annexed into corporate limits.
- **ZONING:** No property has been rezoned, although the pre-zoning and annexation process has begun for land at the northwest intersection of County Roads 13 and 64 (anticipate Council action early September 2014).
- **INFRASTRUCTURE:** The city has accepted additional roads or rights of way for maintenance south of Profit Drive then renamed the right of way “Bailey Yelding, Jr. Dr.” and in Bellaton Phase 3.
- **DEVELOPMENT:** 139 new single family residential lots have been created in the City; 9 new residential lots in our Extra-Territorial Jurisdiction.

| Instrument | Approval | Action | Size |
|--|--|--------------------------------------|-------------------|
| <i>Rezoning</i> | n/a | | |
| <i>Annexation</i> | n/a | | |
| Street Acceptances | | | |
| <i>R.O.W. acceptance N. of Johnson Rd & S. Profit Dr</i> | 01/06/14 | Council Resolution #2014-01 | |
| <i>Naming R.O.W. “Bailey Yelding, Jr. Drive”</i> | 01/21/14 | Council Resolution #2014-05 | |
| <i>R.O.W. acceptance-Bellaton Subdivision</i> | 04/21/14 | Council Resolution #2014-17 | |
| Subdivisions--- Probate Slide Number | Date of PC Approval Recorded since last map revision | New lots created (from original lot) | Corporate Limits? |
| <i>2502-C Trott Subdivision</i> | 01/23/14 | 4 | No ETJ |
| <i>2502-B Bienvenue Estates</i> | 02/27/14 | 1 | No ETJ |
| <i>2504-C Orchard Farms Replat of Lots 1,2,5</i> | 02/27/14 | 0-replat | No ETJ |
| <i>2507-D Colonnade at Eastern Shore, Replat of lot 1 Springs at Eastern Shore</i> | 03/27/14 | 0- replat | Yes |
| <i>2504-E Bellaton Phase 3</i> | 03/27/14 | 39 | Yes |
| <i>2505-C Broadway-AL Highway 181</i> | 03/27/14 | 1 | No ETJ |
| <i>2506-C Terri Subdivision</i> | 04/24/14 | 3 | No ETJ |
| <i>2509-A,B,C Timbercreek Phase II</i> | 06/26/14 | 100 | Yes |
| <i>*Approved in 2013, recorded after last map update</i> | | -- | -- |
| <i>(2505-F) *Honda Division, (2496-F)</i> | | | |
| <i>*Lazzari *(2501-A) Gipson</i> | | | |

July 2014 Planning Report



ORDINANCE 2014-39

**APPROPRIATION OF FUNDS: AUTHORIZED SETTLEMENT
BY THE CITY COUNCIL**

WHEREAS, Ordinance 2013-50 approved and adopted the Fiscal Year 2014 Budget on September 23, 2013; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2014 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2014 budget; and

WHEREAS, the City of Daphne wishes to reach a resolution with an employee who holds an appointed position with the city.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that funds not to exceed the amount of \$12,000 are hereby appropriated from the General Fund and made a part of the Fiscal Year 2014 budget pursuant to a council authorized settlement.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2014.

Dane Haygood , Mayor

ATTEST:

Rebecca A. Hayes, City Clerk