

**July 17, 2023
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Angie Phillips called the meeting to order at 6:00pm.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Angie Phillips, Steve Olen, Tommie Conaway, Joel Coleman, Ron Scott, Benjamin Hughes and Doug Goodlin

Also Present: Jay Ross, City Attorney; Candace Antinarella, City Clerk; Chief Brian Gulsby, Police; Troy Strunk, City Development; Chief Tacon, Fire; Tonja Young, Library; Adrienne Jones, Planning; Charlie McDavid, Recreation; Ronnie Huskey, Public Works; Ange Baggett, Marketing; Josh Newman, City Engineer; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Pastor Wesley Jenkins, Destiny Church.

PROCLAMATION: Councilman Hughes presented a proclamation to Officer Jeffery Sulzmann for his recent retirement. Chief Gulsby presented Officer Sulzmann with his service weapon.

RECOGNITION: Councilman Goodlin recognized Daphne High School Men's Soccer Team for their achievements.

PUBLIC HEARING: Adrienne Jones presented on the Sirmon Properties, L.L.C. Pre-zoning Amendment located Northeast of Parker Lane and County Road 13.

Public hearing opened at 6:10pm. No one came forward to speak.

Public hearing closed at 6:10pm.

PUBLIC HEARING: Adrienne Jones presented on the Sirmon Properties, L.L.C. Annexation Petition located Northeast of Parker Lane and County Road 13.

Public hearing opened at 6:11pm. No one came forward to speak.

Public hearing closed at 6:11pm.

PUBLIC HEARING: Adrienne Jones submitted a letter from the developer for the Eunice Lett-Coleman Zoning Amendments located Northwest and Southwest of the Intersection of Pollard Road and Wilson Avenue. The letter stated the developer has requested to withdraw both applications.

3. APPROVAL OF MINUTES:

The minutes from the June 19, 2023 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilman Goodlin said the minutes from the June 19th meeting were in the packet and gave the Treasurer's Report for May 2023: Unrestricted Fund Balance-\$27,748,534; Total Cash Balance-\$42,587,744; Sales tax for April 2023 - \$2,258,371; Lodging Tax for April 2023-\$145,673; Excess Reserve Balance - \$17,956,013; Debt Summary for May 2023: Warrants-\$25,195,442; Capital Leases: General Fund-\$817,555; Enterprise Fund - \$839,427.

**MOTION by Councilman Goodlin to authorize the use of a new Tyler credit card customer-service portal. No second needed.
MOTION CARRIED UNANIMOUSLY.**

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B. BUILDINGS & PROPERTY COMMITTEE

Councilman Coleman said the minutes from the June 2023 meeting and the June 2023 new Construction and Building Reports were in the packet. He shared there were 25 certificates of occupancy, 308 permits issued; out of those permits there were 69 new resident home permits as well as \$234,524.02 collected in fees and said the next meeting is August 14th at 5:15pm.

**MOTION by Councilman Coleman to authorize the Mayor to execute the Right-of-Way plat for
Lavender Lane. No second needed.
MOTION CARRIED UNANIMOUSLY.**

C. PUBLIC SAFETY COMMITTEE

Councilman Hughes said the next meeting is August 14th at 4:30pm and the minutes from the June and July meetings are in the packet.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Olen said the next meeting is August 7th at 4:30pm.

E. PUBLIC WORKS COMMITTEE

Councilwoman Conaway said the next meeting is August 7th at 5:15pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Mrs. Jones said there was no meeting and no report.

B. Daphne Public School Commission

Councilwoman Conaway said the next meeting is August 28th at 5:30pm.

C. Downtown Redevelopment Authority

Councilwoman Conaway said the next meeting is July 20th at 5:30pm.

D. Industrial Development Board

Councilman Scott said the next meeting July 18th at 4:30pm.

E. Library Board

Councilman Goodlin said the next meeting is August 10th at 4:30pm.

F. Planning Commission

Councilman Olen said the next meeting is July 27th at 5:00pm.

G. Recreation Board

Councilman Hughes said the next meeting is August 16th at 6pm.

H. Utility Board

Councilwoman Phillips said the minutes from the May meeting are in the packet and the next meeting is July 26th at 5:00pm.

6. PUBLIC PARTICIPATION:

Public Participation opened at 6:19pm.

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Victoria Phelps, Worchester Drive, congratulated the City of the GoMesa grant.

Public Participation closed at 6:20pm.

7. MAYOR'S REPORT:

Mayor LeJeune was absent. Councilman Coleman shared that last Friday, Governor Ivey shared the City of Daphne is receiving \$7.2 million through the GoMesa Grant to go toward the Bayfront Project.

8. CITY ATTORNEY REPORT:

City Attorney said there was no report.

9. DEPARTMENT HEAD COMMENTS:

Chief Gulsby, Police, shared the Patrol Division recent worked a chemical endangerment of a child. He also addressed the recent pine straw scam.

Chief Tacon, Fire, congratulated the new Junior City Council, thanked Human Resources for the cooling towels and thanked Public Works for providing barricades.

Ronnie Huskey, Public Works, gave the Council an update on the May Day Park construction as well as the mosquito prevention spraying.

Charlie McDavid, Recreation, shared about the recent tennis tournament as well as upcoming sport tournaments.

Adrienne Jones, Planning, shared recent new staff developments as well as Planning Commission leadership updates.

Troy Strunk, City Development, reminded the Council and public that May Day Park is still closed as it is an active construction zone. He recognized two students in the audience, Augie Barnett and Jackson Cole.

10. CITY CLERK'S REPORT:

City Clerk explained the affidavit regarding recently adopted Ordinance 2023-21.

**MOTION by Councilman Coleman to accept the affidavit to Ordinance 2023-21. Seconded by Councilman Hughes. Councilman Scott abstained.
MOTION CARRIED UNANIMOUSLY.**

City Clerk explained Ordinances 2023-24, 2023-25 and 2023-26 should have been placed on the June 19th Council Agenda when the public hearings were held. She asked if the Council might consider suspending the rules to consider the adoption that evening when the time came. She welcomed the new Junior City Council.

**MOTION by Councilman Coleman to approve the 020 – Restaurant Retail Liquor to PressNCo LLC dba Press and Co located at 711 Belrose Avenue, Daphne, Alabama. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Hughes to approve the 060 – Retail Table Wine (On or Off Premises) and 040 – Retail Beer (On or Off Premises) to Taz Daphne Inc dba Tazikis Mediterranean Café located at 1539 US Highway 98, Suite 21, Daphne, Alabama. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to approve the road closure of 6th Street from Dryer Avenue to College Avenue on October 22, 2023 from 9:00am – 7:00pm for Christ the King's Pumpkin Festival.
Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

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**MOTION by Councilwoman Conaway to approve the Jubilee Race for Life 5k and 1-Mile Fun Run on November 18, 2023 from 7:30am – 12:30pm. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to approve the publication and set a public hearing on August 21, 2023 for the O’Gwynn Properties, L.L.C. Pre-Zoning Amendment Located Northeast of the intersection of Pollard Road and County Road 64. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to approve the publication and set a public hearing on August 21, 2023 for the O’Gwynn Properties, L.L.C. Annexation Petition located Northeast of the intersection of Pollard Road and County Road 64. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

11. **RESOLUTIONS & ORDINANCES:**

A. **RESOLUTIONS:**

2023 – 36 – Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose of Such Property – 8’ Tables, Rectangle

2023 – 37 – RFQ-Daphne ADA Transition Plan Update

2023 – 38 – G-Traffic Equipment for Lavender Lane and Hwy 98 Intersection (ALDOT Project #STPSU-0042(539)) – Bid Award

2023 – 39 – Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose of Such Property – 2000 Mower, Verticut Sweeper

2023 – 40 – Naming of a Private Drive Off of Main Street – “Heritage Place”

2023 – 41 – Additional Appropriation: North Main Street Fire Station #2 – Drainage Improvements Project

**MOTION by Councilman Scott to waive the reading of Resolutions 2023-36 and 2023-37. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2023-36. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

MOTION by Councilman Scott to adopt Resolution 2023-37. Seconded by Councilman Hughes. Councilman Olen expressed concerns. Councilman Scott explained the plan is only authorizing to spend what is budgeted.

**MOTION by Councilman Olen to amend the resolution to say “not to exceed the budgeted amount”.
Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2023-27 as amended. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

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**MOTION by Councilman Hughes to waive the reading of Resolutions 2023-38, 2023-39, 2023-40 and 2023-41. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Hughes to adopt Resolution 2023-38. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Hughes to adopt Resolution 2023-39. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2023-40. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2023-41. Seconded by Councilman Scott.
Councilman Hughes explained this was money from the Covid fund.
MOTION CARRIED UNANIMOUSLY.**

ORDINANCES:

B. 2nd READ ORDINANCES:

1ST READ ORDINANCES:

2023 – 22 – Ordinance to Approve the Annexation of Territory within the City Limits of the City of Daphne, Alabama (Baldwin County Commission)

2023 – 23 – Ordinance Setting Forth the Authorization of Certain City Officials as Designated Signatories on Various Accounts of the City of Daphne, Alabama

2023 – 24 – Ordinance to Pre-Zone Property Located Northeast of Alabama Highway 181 and Belgrove Avenue – Roy A. Wulff and Cynthia J. Wulff Revocable Trust Dated 12/14/2016

2023 – 25 – Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne – Property Located Northeast of Alabama Highway 181 and Belgrove Avenue – Roy A. Wulff and Cynthia J. Wulff Revocable Trust Dated 12/14/2016

2023 – 26 – Ordinance Amending the City of Daphne’s Land Use and Development Ordinance 2011-54 – Article 35, Table of Permitted Uses and Article 36, Village Overlay District

2023 – 27 – Ordinance to Pre-Zone Property Located Northeast of Parker Lane and County Road 13

2023 – 28 – Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne – Property Located Northeast of Parker Lane and County Road 13 – Sirmon Properties, LLC

2023 – 29 – Ordinance to Re-Zone Property Located Northwest of the Intersection of Pollard Road and Wilson Avenue

2023 – 30 – Ordinance to Re-Zone Property Located Southwest of the Intersection of Pollard Road and Wilson Avenue

**MOTION by Councilman Scott to suspend the rules in order to consider Ordinances 2023-24, 2023-25 and 2023-26 for adoption. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.**

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City Clerk called roll.

Councilwoman Conaway	Aye
Councilman Olen	Aye
Councilman Coleman	Aye
Councilman Goodlin	Aye
Councilman Scott	Aye
Councilman Hughes	Aye
Council President Phillips	Aye

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to waive the reading of Ordinance 2023-24. Seconded by Councilman Hughes.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2023-24. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to waive the reading of Ordinance 2023-25. Seconded by Councilman Hughes.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2023-25. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to waive the reading of Ordinance 2023-26. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2023-26. Seconded by Councilman Goodlin.

MOTION CARRIED UNANIMOUSLY.

12. COUNCIL COMMENTS:

Councilwoman Conaway congratulated the new Junior Councilmembers and thanked Officer Sulzmann for his service.

Councilman Olen said it was wonderful news about the GoMesa Grant. He congratulated Officer Sulzmann and the Daphne High School soccer team. He thanked the citizens for coming out that evening to express their concerns.

Councilman Coleman wished Happy Birthday to City Attorney Jay Ross and Councilman Scott.

Councilman Goodlin echoed all the previous comments.

Councilman Scott explained where the funds for the GoMesa grant came.

Councilman Hughes said it was great news about the grant.

Council President Phillips echoed all the previous sentiments and thanked all those involved with the grant.

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13. ADJOURN:


THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 6:58PM.

Respectfully submitted by,

Certification of Presiding Officer,



Candace G. Antinarella, CMC, City Clerk



Angie Phillips, Council President