

January 3, 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: Tommie Conaway, Steve Olen, Doug Goodlin, Joel Coleman, Ron Scott, Angie Phillips and Benjamin Hughes

Also Present: Candace Antinarella, City Clerk; Jay Ross, City Attorney; Chief Brian Gulsby, Police; Troy Strunk, City Development; Chief LeAnn Tacon, Fire; Ronnie Huskey, Public Works; Ange Baggett, Marketing; Tonja Young, Library; Kelli Reid, Finance; Adrienne Jones, Planning; Maren Fagan, Junior City Councilmember; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Councilman Ron Scott.

PRESENTATION: Judge Michael Hoyt swore in new Police Chief Brian Gulsby.

PRESENTATION: Mayor LeJeune presented a proclamation to recently retired Police Chief David Carpenter as well as his service weapon.

RECOGNITION: Mayor LeJeune recognized the Bayside Volleyball Team and Coach Ann Schilling for their continued Championship streak for over 20 years.

3. **APPROVAL OF MINUTES:**

The minutes from the December 19, 2022 regular meeting were approved.

4. **REPORT OF STANDING COMMITTEES:**

A. **FINANCE COMMITTEE**

Councilman Goodlin said the minutes from the December 19th meeting were in the packet and gave the Treasurer's report for November 2022: Unrestricted Fund Balance - \$24,072,592; Total Cash Balance - \$42,578,481; Sales Tax for October 2022 - \$2,178,288; Lodging Tax for October 2022 - \$128,615.

MOTION by Councilman Goodlin to authorize the Mayor to enter into an Agreement for Engineering Services with Lieb Engineering Co. – Ridgewood Drive Sidewalk Improvements - \$56,465. No second was needed.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Goodlin to authorize the Mayor to enter into agreements for the Justice Center expansion project: 1) Engineering Services with Dewberry Engineers - \$845,548 and 2) Architectural Services with Walcott Adams - \$300,000. No second was needed.

MOTION CARRIED UNANIMOUSLY.

B. **BUILDINGS & PROPERTY COMMITTEE**

Councilman Coleman said the next meeting is January 9th at 5:15pm.

C. **PUBLIC SAFETY COMMITTEE**

Councilman Hughes said the next meeting is January 9th at 4:30pm and the minutes for the December 12th meeting are in the packet.

D. **CODE ENFORCEMENT/ORDINANCE COMMITTEE**

Councilman Olen said the next meeting is February 6th at 4:30pm.

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- E. PUBLIC WORKS COMMITTEE**
Councilwoman Conaway said the next meeting is February 6th at 5:15pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

- A. Board of Zoning Adjustments**
Mrs. Jones said there is no meeting in January.
- B. Downtown Redevelopment Authority**
Councilwoman Conaway said the next meeting is January 19th at 5:30pm.
- C. Industrial Development Board**
Councilman Scott said the next meeting is January 24th at 4:30pm.
- D. Library Board**
Councilman Goodlin said the next meeting is January 12th at 4:30pm.
- E. Planning Commission**
Councilman Olen said the next meeting is January 26th at 5:00pm.
- F. Recreation Board**
Councilman Hughes said the next meeting is January 11th at 6:00pm in the Jubilee Conference Room.
- G. Utility Board**
Councilwoman Phillips said the next meeting is January 25th at 5:00pm.

6. PUBLIC PARTICIPATION:

Public Participation opened at 6:22pm.

Tom Stokes, 29891 Woodrow Lane, said he is representing Truland Homes. He requested the Council to send Ordinance 2022-74 back to Planning Commission because they had some concerns about the grading plan as well as the performance standards.

Sean Gibbs, 10533 Ruffian Route, said he represents D.R. Horton and they have concerns about Ordinance 2022-74. He said they felt the ordinance should go back to Planning Commission for reviews.

Chloe Kelly, representing TerraCore Development Services, shared concerns about Ordinance 2022-74 grading requirements and garage requirements.

Michael Niemeyer, attorney with Hand Arendall Harrison Sale Attorneys and representing Malbis Lane Homeowners Association, asked Ordinance 2022-71 be sent back to Planning Commission to request traffic not be sent down Malbis Lane seeing as it is a private drive.

Public Participation closed at 6:38pm.

7. MAYOR'S REPORT:

Mayor LeJeune said it was a great night of celebrations. He said it should be 6-8 weeks before the new pickleball courts are open and added the Ruff Wilson project is coming along. He said the first Mardi Gras parade is February 10th.

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8. **CITY ATTORNEY REPORT:**

City Attorney discussed the things needed for the closing of the old Thomas Medical Building. He asked if the Council would consider a two-minute Special Called Meeting on Monday to approve the funding. Councilman Olen said he had concerns with approving funding until the Council hears from the State. After discussion, City Attorney recommended waiting until the January 17th Council Meeting.

9. **DEPARTMENT HEAD COMMENTS:**

Chief Gulsby, Police, shared that an officer started the Police Academy and they have upcoming police testing.

Chief Tacon, Fire, said there is an upcoming written driver's test. She wished retired Chief Carpenter well in his retirement and is looking forward to working with Chief Gulsby.

Vickie Hinman, HR, said there are upcoming oral board interview for police promotions and HR will be participating in a job fair for veterans on January 18th.

Josh Newman, Engineering, updated the Council on ongoing projects within the City.

Charlie McDavid, Recreation, said youth basketball has kicked off and baseball and softball registration is now open.

Adrienne Jones, Planning, said the staff has reviewed the Comprehensive Plan and hopes to share it with the Council soon.

10. **CITY CLERK'S REPORT:**

**MOTION by Councilwoman Conaway to approve the street closures of Main Street at Lott Park from Lea Avenue North to Randall Avenue for the Jubilee Festival of Arts from 12:00pm on October 20, 2023 through 5:00pm on October 22, 2023. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

City Clerk shared that the next Junior City Council meeting is January 12th.

11. **RESOLUTIONS & ORDINANCES:**

A. **RESOLUTIONS:**

2023 – 01- Resolution to Appoint the City of Daphne Police Chief – Brian Gulsby

2023 – 02 – Bid Award - C-Janitorial Services

**MOTION by Councilwoman Conaway to waive the reading of Resolutions 2023-01 and 2023-02.
Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2023-01. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2023-02. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

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ORDINANCES:

B. 2nd READ ORDINANCES:

2022 – 70 – Amendment to Ordinance 2004-11 (Business License Ordinance) to Modernize Certain Requirements Relating to License Term and Minimum Amount and to Include Short-Term Rentals

2022 – 71 – Ordinance Amending the City of Daphne’s Land Use and Development Ordinance 2011-54 – Article XLI, Medical Overlay District

2022 – 72 – Pre-Zone Property Located Southwest of the Intersection of U.S. Highway 90 and Alabama Highway 181 – Infirmity Health Systems, Inc.

2022 – 73 – Annex Property Contiguous to the Corporate Limits of the City of Daphne – Southwest of the Intersection of U.S. Highway 90 and Alabama Highway 181 – Infirmity Health Systems, Inc.

2022 – 74 – Ordinance Amending the City of Daphne’s Land Use and Development Ordinance 2011-54 – Articles VI, Procedures for Transaction of Business, Article XI, Minimum Standards and Required Improvements for Subdivisions and Commercial Site Developments, Article XIII, District Requirements, Article XV, Site Plan Review, Article XIX, Landscaping and Tree Protection, Article XXXIV, Schedule of Fees and Article XXXVII, Eastern Shore Overlay District

2022 – 75 – Ordinance Consenting to the Sale by the Utilities Board of the City of Daphne of Certain Surplus Personal Property

2022 – 76 – Appropriation for Garbage Truck - \$339,535

MOTION by Councilman Scott to waive the reading of Ordinances 2022-70. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2022-70. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to waive the reading of Ordinances 2022-71, 2022-72 and 2022-73.

Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Ordinance 2022-71. Seconded by Councilman Scott. Mayor LeJeune commented that this would be a huge benefit to Daphne and the Staff have worked hard on this Ordinance. Councilman Olen said the Medical Overlay District has been presented well. He shared that Malbis Lane is a private road and is also in the County. Councilman Coleman commented that those who live on Malbis Lane might consider petitioning the County to put a gate up to block the road.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Ordinance 2022-72. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Ordinance 2022-73. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY.

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MOTION by Councilman Scott to waive the reading of Ordinance 2022-74. Seconded by Councilman Olen.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Olen to adopt Ordinance 2022-74. Seconded by Councilwoman Conaway. Councilman Scott asked if Staff felt any concerns expressed from the developers warranted the ordinance returning to Planning Commission. Mrs. Jones said the grading plan was already adopted and this ordinance just presents an amendment to ask for an up-front review. She said it does not encourage mass grading. She presented a handout to Council with recommendations to amend the ordinance.

MOTION by Councilman Scott to amend the ordinance to allow a “grandfather clause” being subject to all previously approved preliminary plat plans/exclude any previously approved preliminary plats. Seconded by Councilman Olen. Councilman Coleman asked about the grating plan.

**MOTION by Councilman Coleman to amend the ordinance per the recommendations in the handout presented by staff (handout is attached to these minutes). Seconded by Councilman Scott.
Aye – Conaway, Coleman, Goodlin, Phillips and Scott Nay – Olen and Hughes
MOTION CARRIED.**

**MOTION to adopt Ordinance 2022-74 amending to allow a “grandfather clause”.
MOTION CARRIED UNANIMOUSLY.**

**MOTION to adopt Ordinance 2022-74 as amended twice.
Aye – Conaway, Coleman, Goodlin, Phillips and Scott Nay – Olen and Hughes
MOTION CARRIED.**

**MOTION by Councilman Coleman to waive the reading of Ordinance 2022-75 and 2022-76. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to adopt Ordinance 2022-75. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Ordinance 2022-76. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

C. 1ST READ ORDINANCES:

2023 – 01 – Appropriation: Janitorial Services - \$24,345

2023 – 02 – Appropriation: Pole Banner Bracket for New Light Poles on Hwy 98 - \$8,600

2023 – 03 – Appropriation: Demo & Removal of Vacant Buildings – 6275 Shriner Avenue - \$10,500

12. COUNCIL COMMENTS:

Councilwoman Conaway congratulated Chief Gulsby.

Councilman Olen thanked Chief Carpenter and congratulated Chief Gulsby. He congratulated Bayside Academy Volleyball on their continued success.

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Councilman Coleman congratulated Chief Carpenter on his retirement and Chief Gulsby on his new appointment. He shared that Coach Schilling is an old friend that he thinks very highly of her.

Councilman Goodlin congratulated Chief Carpenter, Chief Gulsby and Bayside Volleyball.

Councilman Scott wished everyone a happy new year and congratulated Chief Gulsby.

Councilman Hughes congratulated Chief Gulsby and thanked Chief Carpenter for his work.

Mayor LeJeune congratulated Chief Gulsby and thanked Chief Carpenter. He congratulated Bayside Academy Volleyball on their continued wins. He thanked the Council for their kind words and support.

Councilwoman Phillips said the Mayor and his positive attitude ^{have} has been inspirational. She congratulated Chief Gulsby and thanked Kelli Reid, Troy Strunk and Adrienne Jones for their work with the City.

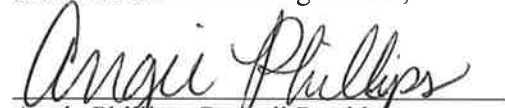
13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 7:44 PM.

Respectfully submitted by,


Candace G. Antinarella, CMC, City Clerk

Certification of Presiding Officer,


Angie Phillips, Council President