

April 1, 2019
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

1. **CALL TO ORDER:**

There being a quorum present Council President Rudicell called the meeting to order at 6:32 p.m.

2. **ROLL CALL:**

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

Also Present: Jay Ross, City Attorney; Candace Antinarella, City Clerk; Kelli Reid, Finance Director/Treasurer; Joey Wehrman, Facilities Director; Betsy Schneider, Operations Director; Adrienne Jones, Planning Director; James White, Fire Department; David Carpenter, Police Department, Jeremy Sasser, Public Works Director; Tonja Young, Library Director; and Jessica Linne, Assistant City Clerk

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Father Tuck Bowen.

PUBLIC HEARING:

Public Hearing on Revisions to the City of Daphne Land Use and Development Ordinance Zoning Map.

Adrienne Jones, Planning Director, presented about the amendments from the City's Planning Commission.

Public Participation opened at 6:35pm.

Public Participation closed at 6:35pm.

PRESENTATION: Dorothy Morrison from Daphne's Beautification Committee presented DesignGallery by Swift Supply the April Beautification Award. Principal Jonathan Ellis from Daphne Elementary School shared of what a great job DesignGallery has done on their campus.

3. **APPROVE MINUTES:**

The minutes of the March 18, 2019 regular meeting were approved.

4. **REPORT OF STANDING COMMITTEES:**

A. **FINANCE COMMITTEE**

- a. Councilwoman Conaway said the minutes from the March 18th meeting are in the packet. She stated the financial reports were Unrestricted Fund Balance for February 2019 - \$15,606,993, Sales Tax for January 2019 - \$1,336,931.53, Lodging Tax for January 2019 - \$76,210.18, Total Cash Balance - \$26,399,360.

MOTION by Councilwoman Conaway to authorize the Mayor to enter in a lease through the NIPA cooperative contract to continue leasing Canon copiers.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to authorize the Mayor to enter in an agreement with Hand Arendall for Bond Counsel for the 2012 Bond Refunding.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to recommend to Council to move forward with the bidding process for the SAFE Room Project and evaluate funding after the bids are received.

MOTION CARRIED UNANIMOUSLY.

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B. BUILDINGS & PROPERTY COMMITTEE

Councilman Goodlin said the next meeting will be April 8th at 5:15pm.

C. PUBLIC SAFETY COMMITTEE

Councilman Scott said the next meeting is April 8th at 4:30pm.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilwoman Phillips said the Committee met that afternoon and there were two motions that came out of the meeting.

MOTION by Councilwoman Phillips to table Resolution 2019-29.

MOTION CARRIED UNANIMOUSLY.

Councilman LeJeune shared that the Council is getting more information on the bond concerning the Renaissance Parkway Development Agreement.

MOTION by Councilwoman Phillips to remove Ordinance 2019-20 from the Agenda and place it back on the Ordinance Committee Agenda for further discussion.

MOTION CARRIED UNANIMOUSLY.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the Committee met that afternoon. They spoke about the recycling costs. He said the next meeting will be May 6th at 5:30pm. The Beautification Committee Minutes are in the packet.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

No report.

B. Downtown Redevelopment Authority

Councilwoman Conaway said the next meeting will be April 30th at 5:30pm.

C. Industrial Development Board

Councilman Rudicell said the next meeting will be April 2nd at 11:30am.

D. Library Board

Councilwoman Phillips said the next meeting is Thursday, April 11th at 4:00pm at the Library.

E. Planning Commission

Councilman Scott said there is a special called meeting on April 9th at 8:30am. The next regular meeting will be on April 25th at 5:00pm.

F. Recreation Board

Councilman LeJeune said the next meeting will be on April 10th at 6:30pm. He said it is nice to see the paint going down on the tennis courts at Lott Park.

G. Utility Board

Councilman LeJeune said the Council had requested the waiving of tap fees for the Sports Complex. The Utility Board voted and it was not approved. There was also a motion at the Utility Board Meeting to ask for an Attorney General's opinion on whether those fees can legally be waived. Discussion was had on the interpretation of that motion and whether the City Attorney and Utility Attorney would work together. Continued debate if a motion and approval for City Attorney to request an Attorney General opinion is needed.

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MOTION by Councilman LeJeune for the City Attorney to get the Attorney General's opinion on whether tap fees can legally be waived. Councilman Scott asked if the City Attorney can share the letter prior to the meeting. Councilman Rudicell asked if the Utility Board Attorney was also seeking Counsel's opinion. Councilman LeJeune said that it was his understanding that the Utility Board Attorney and the City Attorney would be working together to write an opinion. City Attorney said the letter from Danny Lyndall stated the Utility Board Attorney would be writing the opinion instead of both attorneys working together. Councilman Coleman said that before he votes he would like to know if the Utility Board Attorney is going to work with the City Attorney or not.
MOTION RESCINDED by Councilman LeJeune.

6. **MAYOR'S REPORT:**

Mayor Haygood was absent. No report.

7. **CITY ATTORNEY REPORT:**

City Attorney asked that after the meeting adjourns that Council could enter in an Executive Session.

8. **DEPARTMENT HEAD COMMENTS:**

David McKelroy shared that Brown Bag by the Bay will start this month and that the Easter Egg Hunt is on April 13th.

Councilman Scott asked Ms. Hinman about the current Museum Position. Ms. Hinman said that they are asking questions of the candidates and setting up interviews.

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

MOTION by Councilman Rudicell to change the May 6th City Council Meeting to May 13th at 6:25pm before the Work Session to accommodate the Council, City Clerk and Mayor who will be attending the Alabama League of Municipalities Annual Conference May 4-7. All committee meetings will continue as scheduled. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.

10. **PUBLIC PARTICIPATION:**

Public Participation opened at 7:00pm.

Ruth Sewell, 810 Pine Wood Court, said she received a MOU from the City concerning concessions. She was hoping to find out more information about utilizing Trione Park and the expansions at Village Park. Councilman Rudicell suggested she attend the Buildings and Property meeting on April 8th at 5:15pm.

Joe Davis, 30757 Pine Court, asked that the Council give strong consideration to the Renaissance Package. Councilman Scott asked if a document could be provided stating that this alliance will not affect the City's bank contracts. Mr. Davis said he could provide that information. City Attorney Jay Ross read an email from Bond Counsel, Jodie Smith, to the Council.

Councilman Rudicell recommended allowing anyone else who had something to share in public participation to come forward, then the discussion on the Renaissance Package be brought up later in the meeting.

Public Participation closed at 7:08pm.

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11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- 2019-18 – Rock Material Bid
- 2019-19 – Asphalt Bid
- 2019-20 – Plastic Pipe Bid
- 2019-21 – Concrete Pipe Bid
- 2019-22 – Lease Authorizing FY19 Regions Bank
- 2019-23 – Renewal of CD – BBVA Compass
- 2019-24 – Disaster Debris Removal
- 2019-25 – Monitoring Services for Disaster Debris Removal – True North
- 2019-26 – ADECA VP Coastal Trails Boardwalk – Professional Engineering Services – RFQ
- 2019-27 – Concrete –Negotiated
- 2019-28 – Legislative Annexation
- 2019-29 – Renaissance Center – Economic Development Agreement

**MOTION by Councilman Coleman to waive the reading of Resolution 2019-18, 2019-19, 2019-20 and 2019-21. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to waive the reading of Resolution 2019-22, 2019-23, 2019-24 and 2019-25. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman LeJeune to adopt Resolution 2019-18, 2019-19, 2019-20 and 2019-21.
Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to adopt Resolution 2019-22, 2019-23, 2019-24 and 2019-25.
Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to waive the reading of Resolution 2019-26, 2019-27 and 2019-28.
Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2019-26. Seconded by Councilman LeJeune.
MOTION CARRIED UNANIMOUSLY.**

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**MOTION by Councilman Scott to adopt Resolution 2019-27. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2019-28. Seconded by Councilwoman Phillips.
Attorney Ross gave a summary of this Resolution. It is to annex a portion of real property off of County
Road 64.
MOTION CARRIED UNANIMOUSLY.**

ORDINANCES:

2nd READ:

2019-16 – Revisions to the Land Use Ordinance – Article 9, Lots of Record

**MOTION by Councilman Scott to waive the reading of Ordinance 2019-16. Seconded by Councilwoman
Phillips. Councilman Scott said this has been in the works for 3 years. He said he is happy to see this
come to pass.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Ordinance 2019-16. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

1st READ:

2019-17 – Lott Park – Additional Appropriation - \$53,425.73

2019-18 – Lodging Tax – Joe Louis Patrick Park Additional Appropriation - \$42,465

2019-19 – Revisions to Zoning Map

2019-20 – Amend Job Classification Schedule: Information Technology Director

**PUBLIC PARTICIPATION ON THE RENAISSANCE CENTER – ECONOMIC DEVELOPMENT
AGREEMENT**

John Lake gave description about the Renaissance Center Agreement and the monies it can bring into Daphne and the impact it will make for local families. Mr. Lake said there is no cost to the city but will all be paid for by the owners.

Phil Hunt, representing Phil Hunt and Associates, spoke that this agreement would be an “assessment deal”. General discussion was had about the property and the hope of the agreement. Councilman Scott said he’d like to see an agreement with the Board of the Renaissance Center that the landscaping would be kept better.

**MOTION by Councilman Scott to have a Special Called Council Meeting on Monday, April 8, 2019 at
6:25pm to discuss the Renaissance Agreement. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

12. COUNCIL COMMENTS:

Councilman Goodlin presented the “Golden Spike Award” to Public Works Director, Jeremy Sasser, for the improvement of sidewalk walkability.

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Councilman LeJeune said it was great to see Mr. Lake and Mr. Davis at the Council Meeting.

City Attorney said as an attorney licensed and in good standing to practice law in the state of Alabama he certified that there was a valid reason to enter in to Executive Session in compliance with the Alabama Open Meetings Act specifically to discuss the buying and selling of real property. He asked for a roll call vote and a motion to state the purpose. He asked if Council President would state if the Council would reconvene and the approximate time they would return. He said that the Council should not have to take any action and that it should take about 20 minutes.

**MOTION by Councilman Scott to enter into Executive Session and they will not reconvene. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

City Clerk called roll.

Councilwoman Conaway	Aye
Councilman Coleman	Aye
Councilman Goodlin	Aye
Councilman Scott	Aye
Councilman LeJeune	Aye
Councilwoman Phillips	Aye
Council President Rudicell	Aye

MOTION CARRIED UNANIMOUSLY.

13. **ADJOURN:**

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:16 P.M.

Respectfully submitted by,


Candace G. Antinarella, City Clerk

Certification of Presiding Officer


Pat Rudicell, Council President