

**May 13, 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 6:31 p.m.

2. ROLL CALL:

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

Council Member Absent: 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, Vickie Hinman, HR Director; Jeremy Sasser, Public Works Director; Tonja Young, Library Director; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Councilman Ron Scott.

PRESENTATION: Mayor Haygood presented Daphne Police Department and Officers with the National Police Week Proclamation. The Mayor commended the department and offered his appreciation for their service.

PRESENTATION: Mayor Haygood presented City Clerk Candace Antinarella with the National Municipal Clerk's Week Proclamation. The Mayor stated that it was the 50th anniversary of Municipal Clerk's Week. He thanked Mrs. Antinarella for all she does for the city.

3. APPROVE MINUTES:

The minutes of the April 15, 2019 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilwoman Conaway said the minutes from the April 15, 2019 meeting were in the packet. She stated the financial reports were Unrestricted Fund Balance for March 2019 was \$14,943,687; Sales Tax for February 2019 was \$1,311,553; Lodging Tax for February 2019 was \$88,819 and Total Cash Balance was \$24,734,563. Councilwoman Conaway said there were three motions from the Finance Committee.

MOTION by Councilman Scott to add the three motions to the Council Agenda. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY.

City Clerk did a roll call vote.

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

MOTION CARRIED UNANIMOUSLY.

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**MOTION by Councilwoman Conaway to approve DAC's new Policy and Procedure manual including event notices recently adopted by the SEC.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to approve to use Bond Proceeds from the 2019 Warrant for the Fires Station #5 project. Councilman LeJeune said he thought it was around \$600,000. Mayor Haygood said the last time he checked it was close to \$900,000.
MOTION CARRIED UNANIMOUSLY.**

Councilman LeJeune said there is a motion concerning a bid for concession services. He said the Recreation Department has a recommendation to change this motion.

**MOTION by Councilman LeJeune to amend Resolution 2019-34 from the contract starting date from July 1, 2019 to upon execution of the contract. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

B. BUILDINGS & PROPERTY COMMITTEE

Councilman Goodlin said the committee met that afternoon. He said the April 2019 Building Report is in the packet. The next meeting will be June 10th at 5:15pm.

C. PUBLIC SAFETY COMMITTEE

Councilman Scott said the committee met that afternoon and they have a great report from the School Resource Officers. The next meeting will be June 10th.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Rudicell gave report for Councilwoman Phillips who was absent. He said the next meeting is June 3rd at 4:30pm. He said the subcommittee is currently discussing speed calming devices.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the minutes from the April 8, 2019 Museum Meeting are in the packet. The next meeting will be June 3rd at 5:30pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Adrienne Jones said the minutes from the March 2019 meeting were in the packet.

**MOTION by Councilman Scott to appoint Thomas Warner to the Board of Zoning Adjustments for a three year term ending May 2022. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to appoint Carolyn Courson to the Board of Zoning Adjustments for a three year term ending May 2022. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to appoint Derek Wolstenhome to the Board of Zoning Adjustments for a three year term ending May 2022. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

Councilman Scott asked if one of the positions was an alternate. Ms. Jones said that Carolyn Courson was. She also presented a letter/resume for a new individual interested in serving on the Board.

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B. Downtown Redevelopment Authority

Councilwoman Conaway said the next meeting will be May 28th at 5:30pm.

C. Industrial Development Board

Councilman Rudicell said the next meeting will be May 14th at 11:30am.

D. Library Board

Councilwoman Phillips was absent. There was no report.

E. Planning Commission

Councilman Scott said the minutes from the March 29, 2019 and April 25, 2019 meetings as well as the April 9, 2019 are in the packet. The next meeting is May 23rd at 5:00pm.

F. Recreation Board

Councilman LeJeune said they are missing David McKelroy, but wishes him well on his retirement. He said the Sports Complex and Lott Park are coming along well.

G. Utility Board

Councilman LeJeune said the Utility Board met that morning and discussed strategic planning. They are working with the City on creating a "litter getter". The next meeting will be May 29th at 5pm.

6. MAYOR'S REPORT:

Mayor Haygood said there were some rain issues to a few city facilities from the storms over the weekend, including significant damage in the City Clerk's Office. He mentioned the refunding from the 2019 General Obligation Funds which will be around \$900,000. He said that Rouses Supermarket is planning to open May 31st in Daphne. He mentioned that the property to the north of City Hall has had the building removed and says he likes the "new landscape".

7. CITY ATTORNEY REPORT:

City Attorney had no report.

8. DEPARTMENT HEAD COMMENTS:

No report from the Fire and Police Departments.

City Clerk reported on the Daphne Civic Center. She said there were three upcoming events in May.

9. CITY CLERK'S REPORT:

City Clerk thanked the Council and Mayor for the Proclamation given this evening. She also thanked Assistant City Clerk, Jessica Linne, for her work in the City Clerk Office.

**MOTION by Councilman LeJeune to approve the issuance of the 050 – Retail Beer (Off Premises Only) and 070 – Retail Table Wine (Off Premises Only) to Rouses Enterprises LLC dba Rouses Market 78 located at 3075 US Highway 98, Daphne, Alabama. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman LeJeune to approve the Eastern Shore Out of the Darkness Walk on October 20, 2019 from 1:00 – 4:00pm (no street closure requested). Seconded by Councilman Scott. Councilman Scott said that this walk was to raise suicide awareness.
MOTION CARRIED UNANIMOUSLY.**

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10. PUBLIC PARTICIPATION:

Councilman Rudicell said that some of the Council received a letter about an issue in Lake Forest and wanted to know if anyone was there who needed to speak not with Lake Forest.

Public Participation opened at 7:04pm.

Ian Walters, 202 Bradbury Circle S, Daphne, presented for the homeowners of Lake Forest. He read a letter to the Council concerning the discord in Lake Forest amongst the residents and the POA Board. He said the letter was signed by over 1,300 residents.

Steve Sasser, Lake Forest POA President, thanked the Council for all they are doing within Lake Forest neighborhood.

Councilman Rudicell asked City Attorney Jay Ross to give his opinion on the issue within Lake Forest. Attorney Ross said the dispute between the property owners and the association and that the City has no legal standing to be involved with it because it is not a "city issue".

Councilman LeJeune said he's met with the Lake Forest POA and that he's been involved with a few projects from the city including the sidewalks. He said that when he's met with the Board, it seems to him that the Board is listening and trying to be involved in the progression of Lake Forest.

Councilman Scott stated that the City has spent over \$12 million in drainage and roads within Lake Forest. He said that the sidewalks and pool upgrades have been great improvements to the neighborhood.

Ann Armstrong, 169 Rolling Hill, Daphne, said she is concerned with the \$3 billion the Lake Forest Golf Club and Yacht Club that costs \$1,000 a day to run.

Liz Warden, Lake Forest, Daphne, said that she has fears over the actions of Lake Forest POA.

James Sluth, 138 Fairway Drive, Daphne, stated that the property values are not increasing. He said he wants to know that the Council appreciates Lake Forest Citizens.

Lynn Davis, 137 Rolling Hill Drive, Daphne, said she wanted to thank the Council for the work they are doing. She said that Lake Forest has over 9,000 residents and over 3,200 homes. She is concerned about the dues have already increased this year to \$70 a month.

Cathie Marx, 201 Bradbury Circle S, Daphne, provided a letter to the Council where she discussed dues and concerns with the Lake Forest POA. She said many of the residents in Lake Forest are living on fixed income and they are worried they will not be able to pay the dues. She said the POA Board doesn't listen to the residents.

Michelle White, 105 Victor Circle, Daphne, said the Lake Forest POA collects \$2.9 million a year in dues and assessments. She said the Board refuses to provide access to the financials even though they are a 501c3. She wants to know if the City Attorney can get involved.

Harry Tolbert, 525 Ridgewood Drive, Daphne, asked questions about legal recourse when dealing with Lake Forest POA Board.

Public Participation closed at 7:41pm.

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11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

2019 -34 - Concession Services Bid - Greek Catering and Events

2019 -35 - Acceptance of Roads and Rights of Way – Pollard Park

2019 -36 - Acceptance of Roads and Rights of Way – HSC Johnson Road LLC Subdivision

2019 -37 – RFQ-MBNEP/ADEM 319: Tiawasee Creek Sub-Watershed Management and Restoration

2019 -38 – Montclair Loop Ditch Stabilization – NRCS Emergency Watershed Protection Program

**MOTION by Councilwoman Conaway to waive the reading of Resolution 2019-34, 2019-35, 2019-36, 2019-37 and 2019-38. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2019-34. Seconded by Councilman Coleman. Councilman LeJeune made note that this was the amended Resolution as discussed earlier.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2019-35. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2019-36. Seconded by Councilman LeJeune.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to adopt Resolution 2019-37. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to adopt Resolution 2019-38. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

ORDINANCES:

2nd READ:

1st READ:

2019-21 – Flood Damage Prevention

2019-22 - Additional Appropriation: Poles and Signal Upgrade Johnson Road/Hwy 98 & US 98/CR64 Intersection - \$30,127

2019-23 – Additional Appropriation: Daphne Sports Complex - \$37,450

2019-24 – Appropriation: Daphne Sports Complex 120 Day Contract Extension - \$11,978

2019-25 – ICC Building Code – Repeal and Replace 2012-40

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12. COUNCIL COMMENTS:

Mayor Haygood thanked everyone who came out from Lake Forest to represent. He said he hopes the decisions being made are being made for the good of the residents. He hopes everyone can work together.

Councilwoman Conaway thanked the residents for coming out that evening and sharing their concerns. She hopes everyone can work together to address the concerns.

Councilman Coleman said he lived in Lake Forest for over 20 years, but still represents a portion of Lake Forest. He said everyone made great comments. He hopes everyone knows that their voices have been heard.

Councilman Goodlin thanked everyone for coming out and he said a small portion of his area is in Lake Forest. He also reminded everyone that Tuesday night is Daphne's graduation and he hopes everyone goes out to support the students.

Councilman Scott thanked everyone for coming out and expressing their concerns. He says that he has heard that most golf courses are struggling right now.

Councilman LeJeune thanked everyone for coming out to share their thoughts and concerns. He says that it is always the Council's hope to work well with all POA and HOA Boards.

Councilman Rudicell thanked everyone for coming out. He asked Andy Bobe with Dewberry Engineers if he would mind rescheduling his presentation that was scheduled for the Work Session.

MOTION by Councilman Scott to table all items on the Work Session until June's regularly scheduled Work Session. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.

City Clerk did a roll call vote.

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

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:58 P.M.

Respectfully submitted by,


 Candace G. Antinarella, City Clerk

Certification of Presiding Officer


 Pat Rudicell, Council President