

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

1. CALL TO ORDER	
2. ROLL CALL / INVOCATION / Rabbi Donald Kunstadt / Springhill Avenue Temple	
3. APPROVE MINUTES: Council meeting minutes / December 16, 2013	4
PRESENTATION: Presentation of service weapon for Detective James Matthews	11
4. REPORT STANDING COMMITTEES:	
A. FINANCE COMMITTEE - Conaway	
B. BUILDINGS & PROPERTY COMMITTEE - Davis Review minutes / December 2, 2013	13
C. PUBLIC SAFETY - Rudicell Review minutes / December 11, 2013	16
D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Scott	
E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY – LeJeune	
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B. Downtown Redevelopment Authority – Conaway Review minutes / December 4, 2013	26
C. Industrial Development Board – Davis Need one member	
D. Library Board - Lake	
E. Planning Commission – Scott Review minutes / November 21, 2013.....	28
F. Recreation Board - LeJeune	
G. Utility Board - Fry	
6. REPORTS OF OFFICERS:	
A. Mayors Report	
a.) Special Events Permit / S.E.E.D.S. Mama Mia Cook Off / November 1, 2014.....	40
B. City Attorney’s Report	
C. Department Head Comments	
D. City Clerk Report MOTION: 90 day moratorium on issuance of new sign permits.	

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7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) **Resolution 2014-01:** Acceptance of Right-of-Way and
Maintenance for the Extension of Profit Drive, North of Johnson Road**42**

ORDINANCES:

NO ORDINANCES TO CONSIDER

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___
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CITY CLERK:

REBECCA HAYES	PRESENT___	ABSENT___
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CITY ATTORNEY:

JAY ROSS	PRESENT___	ABSENT___
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**DECEMBER 16, 2013
CITY COUNCIL MEETING
BUSINESS MEETING
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DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

Council President Fry called the meeting to order at 6:30 p.m.

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE:

Pastor Bart Hare with the Bay Community 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; Kevin Boucher, City Attorney; James White, Fire Chief; Margaret Thigpen, Civic Center Director; David McKelroy, Recreation Director; Richard Johnson, Public Works Director; Adrienne Jones, Community Development Director; Mike Hinson, Finance Director; Tonja Young, Library Director; Captain Scott Taylor, Police Department; Willie Robison, BZA; Larry Cooke, BZA; Dorothy Morrison, Beautification Committee and DRA; Al Guarisco, village Point Foundation; Andy Rutens, Attorney (AMIC) Galloway, Wettermark.

Absent: Vickie Hinman, HR Director; Michael Hoyt, Municipal Judge; Richard Merchant, Building Official; David Carpenter, Police Chief; Jay Ross, City Attorney.

3. APPROVE MINUTES:

December 2, 2013 Council meeting minutes

There being no corrections the December 2, 2013 council meeting minutes stand approved as written.

December 9, 2013 Council Work Session Minutes

There being no corrections the December 9, 2013 Council Work Session minutes stand approved as written.

December 9, 2013 Strategic Plan minutes

There being no corrections the December 9, 2013 Strategic Plan minutes stand approved as written.

4. REPORT OF STANDING COMMITTEES:

A. *FINANCE COMMITTEE* – Conaway

The minutes for the December 9th meeting are in the packet.

Treasurers Report / October 31, 2013 and November 30, 2013

Balance ending October 31, 2013 was \$16,069,377, and the balance ending November 30, 2013 was \$16,449,485.

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Sales and Use Tax Collections / October 31, 2013

Sales and Use Tax collections for October 2013 were \$1,062,861.

Lodging Tax Collections / October 31, 2013

Lodging Tax collections ending October 2013 were \$48,382.05.

B. BUILDINGS & PROPERTY COMMITTEE - Davis

The committee met December 2nd, and the minutes will be in the next packet. They considered three items: 1.) update on the Civic Center energy program; 2.) inventory of city owned buildings and property, and properties named after individuals; 3.) third party organizations the city works with in understanding their by-laws, memberships and council participation.

C. PUBLIC SAFETY COMMITTEE – Rudicell

The next meeting will be January 8, 2014 at 4:30 p.m.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Scott

The minutes for the December 11th meeting are in the packet. There is a proposed ordinance revising the Employee Handbook on the agenda tonight as a 1st read. The committee will be discussing an ordinance amending the current Lodging Tax ordinance and a Community Contribution Guidelines ordinance at the January meeting.

E. PUBLIC WORKS COMMITTEE – LeJeune

The committee met before the council meeting, and the minutes will be in the next packet. There were 20 new residential customers added, and these are new members of the community. The next meeting will be Tuesday, January 21, 2014.

5. REPORTS OF SPECIAL BOARDS & COMMITTEES:

A. Board of Zoning Adjustments – Adrienne Jones

The minutes for the December 5th meeting are in the packet, and there will not meeting in January.

B. Downtown Redevelopment Authority – Conaway

The Authority met on December 23rd, and the next meeting will be January 21, 2014.

C. Industrial Development Board – Davis

The board will not meet in December. The chairman, vice chairman and council liaison are having meetings with other agencies in the industrial development segment such as the Baldwin County Economic Development Alliance, and will be able to report both to the IDB and council at the end of January.

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D. Library Board – Lake

No report.

E. Planning Commission – Scott

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

F. Recreation Board – LeJeune

No report.

G. Utility Board – Fry

The October 30th minutes are in the packet. There will not be a meeting in December. The next meeting will be in January.

6. REPORTS OF OFFICERS:

A. Mayor's Report

Mayor Haygood reminded council that January 6th is the BCS Championship game, and asked if they wanted to consider rescheduling that meeting date.

B. City Attorney's Report

Mr. Boucher requested an Executive Session at the end of the meeting to consider a settlement proposal for Federal Litigation regarding Lamar.

C. Department Head Comments

James White – Fire Chief – reported they had overwhelming support on their Toys for Tots campaign.

Scott Taylor – Captain, Police Department – reported the four new officers have finished their training, and are on the road now as officers.

Margret Thigpen – Civic Center Director - reported there will be a Gospel Concert January 9-11, 2014.

Tonja Young – Library Director – reported Santa will be at the Library Thursday 4:00 – 6:00 p.m.

Richard Johnson – Public Works Director - reported City Hall will be closed December 24th and 25th and the makeup days will be the following Thursday, December 26th, and the same for New Years day, pickup will be following the holiday. There will be no construction in Lake Forest over Christmas.

City Clerk Report – Rebecca Hayes –

1. Motion to change the January 20, 2014 council meeting due to Martin Luther King Day.

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MOTION BY Davis to reschedule the Monday, January 20, 2014 Council Meeting to Tuesday, January 21, 2014 6:30 p.m. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

2. *Motion: Appoint Treasurer*

MOTION BY Councilwoman Conaway to appoint Mr. Mike Hinson, Finance Director, as Treasurer. *Seconded by Councilman Scott.*

MOTION CARRIED UNANIMOUSLY

7. **PUBLIC PARTICIPATION**

Mr. Willie Robison – 560 Stuart Street – encouraged all to get out to vote tomorrow on the replacement for Congressman Joe Bonner.

Mr. Rod Drummond – 367 Ridgewood Drive – spoke regarding the executive session on digital signs and is against signs on US 98, because of traffic congestion.

Mr. Al Guarisco – 1205 Randall Avenue – said ditto for Mr. Drummond’s comments.

MOTION BY Councilman Scott to enter into Executive Session, upon certification by the City Attorney, to consider pending litigation. Time not to exceed 30 minutes. *Seconded by Councilman LeJeune.*

Kevin Boucher, City Attorney, certified that the foregoing stated reason to enter into executive session is appropriate according to the Open Meetings Act.

ROLL CALL VOTE

Conaway	Aye	LeJeune	Aye
Rudicell	Aye	Davis	Aye
Lake	Nay	Fry	Aye
Scott	Aye		

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

MOTION CARRIED

Council entered into Executive Session at 6:50 p.m.

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ORDINANCES:

1ST READ

- a.) **Amend and Reorganize Chapters One and Ten of the City's Employee Handbook. /Ordinance 2013-65**

ORDINANCE 2013-65 WAS MADE 1ST READ

9. COUNCIL COMMENTS:

Councilwoman Conaway asked everyone to remember the reason for the season, and wished everyone a merry Christmas.

Councilman Rudicell said ditto to Mrs. Conaway's comments, and asked everyone to take a few minutes to remember servicemen and women.

Councilman Scott wished everyone a merry Christmas and happy New Year. He thanked the staff for the Christmas parade and for all the employee's hard work. He thanked Public Works for doing a lot of paving at the Bayfront, and he thanked the council for their professionalism.

Councilman LeJeune wished everyone a merry Christmas and a happy New Year.

Councilman Davis wished everyone a merry Christmas and happy New Year. He is thankful for the freedom to participate in the holidays. He said the Watershed Work Group meeting was very informative. He said the new list for best housing market came out and Daphne, Fairhope and Foley were still in the top ten.

Mayor Haygood thanked council for their service last year, and that everyone has taken the best interest of the citizens into account. He believes the settlement with Lamar is the best settlement opportunity. He encouraged everyone to vote tomorrow. He wished everyone a merry Christmas and happy New Year.

Council President Fry wished everyone a merry Christmas and happy New Year. He congratulated Mike Hinson on becoming the Treasurer for the city, and he encouraged everyone to vote tomorrow.

10. ADJOURN:

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

MOTION CARRIED UNANIMOUSLY

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**THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT
7:54 P.M.**

Respectfully submitted by,

Certification of Presiding Officer,

Rebecca A. Hayes,
City Clerk

Randy Fry,
Council President

**City of Daphne
Office of the Mayor**

CERTIFICATE OF APPRECIATION

Presented to

James M. Mathews

WHEREAS, James began his policing career in Daphne, Alabama October 3, 1986 as a patrol officer;

WHEREAS, James was promoted to Detective in December 1989, where he has worked until his retirement on December 31, 2013.

WHEREAS, not only has he served the City of Daphne as a Police Officer he has served the citizens and young adults as someone they can count on – a friend.

WHEREAS, in consideration of James Mathews, the City of Daphne would like to thank him for his twenty-seven years of service and wish him the best in the next season of his life – retirement.

NOW THEREFORE, I, Dane Haygood, as the Mayor thank James for his enthusiasm, energy and tireless dedication for serving all of us in Daphne;

This Certificate of Appreciation is presented by the City of Daphne, Alabama on this 6th day of January, 2014.

Dane Haygood
Mayor

**REPORT
OF
STANDING COMMITTEES**

Buildings & Property Committee Meeting

Monday, December 2, 2013
5:30 PM
Daphne City Hall- Mayor's Conference Room

Committee Minutes **NO QUORUM**

Present: Councilman Joe Davis, Sarah Toulson (Recording Secretary), Councilman Randy Fry, Richard Johnson, Mike Hinson, David McKelroy, Richard Merchant, Margaret Thigpen, Selena Vaughn (Village Point Foundation), Mayor Dane Haygood, Councilman John Lake

Absent: Rick Whitehead, Councilman Pat Rudicell

There was not a quorum of members present, but the committee discussed the following.

1. Public Participation

Chairman Davis opened the floor for public participation at 5:31 pm. He mentioned Selena Vaughn's discussion with the Committee at the November 2013 meeting regarding the Village Point Foundation, and gave her the floor to speak.

Ms. Vaughn told the committee that she would like to discuss the process of getting Village Point Foundation projects and funding approved through the B&P committee. She proposed that the VPF should have a permanent place on the agenda beginning in January, citing the need for collaboration between the VPF and the City Council.

Mr. Fry requested that Ms. Vaughn prepare a list of the VPF's priorities for the committee's consideration.

Additional discussion was held regarding the merits of a Council representative attending VPF meetings versus a VPF member holding a permanent place on the committee's agenda. Though no formal action was taken, the committee was agreeable to a liaison between the two groups.

Old Business

2. Approval of minutes: November 4, 2013

Minutes were reviewed but not approved due to lack of quorum.

3. Resolution for Surplus Property: Mike Hinson

Mr. Mike Hinson presented the proposed Resolution to Declare Certain Property Surplus, but no formal action was taken.

Mr. David McKelroy addressed the committee regarding the proper disposal of unsafe bleachers no longer in use by the City Department of Parks and Recreation. He provided photographs depicting the new replacement bleachers and the bleachers in need of disposal. His question for the committee was whether the bleachers should be sold as surplus or sold for scrap metal.

Mr. Richard Johnson noted that past efforts on behalf of the City to dispose of property by way of salvage were very successful. The committee took no formal action, but a general consensus concluded that the committee would vote to dispose of the bleachers by salvage at the next meeting.

4. Civic Center & Bayfront report (November): Margaret Thigpen

Margaret Thigpen distributed and discussed her reports. November 2013 revenue totaled \$15,835.00, slightly over November 2012 levels. Year to Date revenues stood at \$30,976.50, below figures listed for FY 2012. During the month of November \$11,673.00 was deposited, including one cancellation.

Ms. Thigpen listed a number of upcoming events scheduled at the Civic Center, including the Baldwin County Youth Orchestra on December 9 and the Holiday Baldwin Pops on December 10. Additionally, she mentioned that all but ten days of the month of December are booked at the Civic Center, and two are holidays.

Ms. Thigpen then turned to Bayfront Pavilion, reporting revenues for November totaling \$5,335.00 (a decrease from November 2012 levels), with year-to-date revenues totaling \$13,672.00 (an overall increase from FY 2012).

As an additional update, Ms. Thigpen mentioned that the air wall for the Civic Center would be ready for installation on January 7th or 8th, and would allow for the division of one room into two “break out” rooms for conferences.

5. Building inspection monthly reports (November): Richard Merchant

Richard Merchant reported that nine new construction projects had been started, with 112 permits filed during November. Total job cost was \$9,813,171.12 with permit fees totaling \$63,174.75. He noted that his department noticed a transition in permits trending away from remodeling toward new construction.

6. Update: Civic Center energy program

Mayor Haygood and Mr. Hinson reported that they had recently met with representatives of Syntergy. Both of them feel the City has been overbilled by approximately \$20,000. They are discussing some arrangements with Syntergy to favorably work out this discrepancy, which may include additional discounts and a new contract for city hall. Ms. Thigpen mentioned existing HVAC problems at the Civic Center, and described ways in which Syntergy or a similar company would rectify these concerns.

7. Inventory of buildings and properties with official names

Mr. Richard Johnson addressed the group, stating the requested information was in the process of being gathered. He stated that it would be available to the committee at the next meeting.

Mr. John Lake suggested the addition of any available narrative about the significance of the individual for which a property was named. Mr. Davis requested that Mr. Lake record any histories he remembers about different building names for inclusion.

New Business

8. Third party organizations

Mr. Davis asked Ms. Vaughn to provide the committee with information regarding the VPF, including tax status, membership, charter and by-laws.

The committee discussed third party organizations such as the VPF in general, how to best work with these groups to get out the city's message and use them as a community asset.

9. Any other Buildings & Property business

Mr. Hinson addressed the committee to discuss the issue of the placement of a window in his office door, citing the need for propriety and discretion during private conversations with his employees. He presented cost information and spoke to the availability of funding for projects such as this.

Mr. Davis asked how many similar projects would be requested if this was approved. Mayor Haygood mentioned a few other improvement projects that had already been requested. The committee decided to make a decision on this issue at next month's meeting.

Public Safety Committee

Wednesday, December 11, 2013

Councilman Pat Rudicell
Councilman Randy Fry
Councilman Robin LeJeune
Councilman Ron Scott
Fire Chief James White
Public Works, Melvin McCarley

Police Chief David Carpenter
Captain Scott Taylor
Captain Daniel Bell
Tracy Bishop - Secretary

Committee Members Attending:

Councilman Pat Rudicell, Councilman Ron Scott, Councilman Randy Fry, Councilman Joe Davis, Chief White, Melvin McCarley, Captain Bell.

CALL TO ORDER

Councilman Rudicell **convened** the meeting at 4:30 p.m.

PUBLIC PARTICIPATION – Two residents from Creekwood Subdivision were in attendance concerned about break ins in their neighborhood. Captain Bell let them know that the police department has done quite a bit. They have arrested 4 out of 5 suspects and the 5th one was being interviewed as the meeting was going on. He mentioned that he has had additional patrols in their neighborhood marked cars and unmarked cars. Captain Bell stated that there had been 2 burglaries from September until this date in December. They had 5 breaking and entering vehicles and that the majority of the cars had been unlocked. Councilman Scott had said that he heard that people were going door to door knocking on the doors on Sundays seeing if anyone answered the door. Captain Bell urged the residents to call the police upon hearing dogs bark at unusual hours of the night, etc. Do not hesitate to call when you see or hear something unusual. Let us help you and remember that you never bother us.

Councilman Davis was in attendance concerned about speeding on Pine Run. He stated that the speed trailer has been in place but it only clocks traffic in one direction. Captain Bell stated that it clocks going and coming traffic. Bell also stated that we are still compiling data and doing D-Runs on Pine Run. So far we have worked Pine Run 113 hours, clocked 6,000 cars, written 4 tickets, and issued 4 warnings.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Minutes from November 13, 2013. Councilman LeJeune made a motion to accept the minutes with a second by Councilman Scott. Motion passed.

POLICE DEPARTMENT

- A. **New Business** – Captain Bell went over his stats. Captain Bell stated that we have had three death investigations last month and surpassed that this month. He reinforced the decision to go with the Tahoe's. Bell gets periodic publications and the gist is that large police departments are normally used to test police vehicles. Recently one came out on Tahoe's. Out of all that they tested they chose the Tahoe. Rudicell stated that we were still to address the new radios in January. Bell said that it was not a problem whether it be January, February, or next budget period. Rudicell stated that it would be addressed. Melvin also commented that Public Works still needs about \$20,000 in new radios.

Rudicell told Melvin to be ready to discuss that matter in January. Councilman Scott talked to the Mayor and he wants to look for grants, but we can't look for grants forever. We need a drop dead date. Councilman Fry said this is a priority item. If all other departments are on it, the Police Department needs to be on it also. We pride ourselves on our public safety and effectiveness of our police department. We cannot have communication problems. When we get a look at the budget, I wouldn't be opposed to a lease purchase plan. Councilman Scott stated that if we are going to do the Police Department, we might as well go ahead and finish Public Works. Can we say that we need the system in place by the beginning of hurricane season which is June 1? Is this reasonable? Councilman Fry said April 1st to cover lag time in case you fall behind. Captain Bell stated that was fine, but knowing this radio system is here and that we were intending to migrate and have allowed our current system to degrade to a point of not knowing how much longer it will function and have to put out \$80,000 to make it work. Not pushing, but just to caution that at any minute the existing radio system will crash and we'll have to spend a lot of money to get operational. Councilman Fry said that he doesn't want to spend any money on a system that we are dumping. We need to be ready with a temporary lease or whatever we need to do. Councilman Rudicell said that Mike Hinson said he will have the figures on the 8th of January and we can discuss it at length to go forward in the second or third quarter in the fiscal year. I want to go over it. We should have the money in the budget. Councilman Scott asked Bell if he could have something ready for the Finance committee for the January Meeting. Bell asked if the same packet that he presented to PSC was okay. Scott stated that should be fine. Councilman Fry stated that they need something where they can verify pricing and options. Scott said to get something where he can present it to finance and make a recommendation to the council. Coming out of Finance this is what they recommend so it can get on the agenda at the second meeting in February. Councilman Rudicell stated that it needed to go from this committee to Finance. Councilman Scott said it doesn't have to. Recommendations from this committee are for products and recommendations to expend money out of finance. They are only recommendations and the council can throw them both out. In order to move something, it has to go before both of these committees. Fry stated because it's a big ticket item. Councilman Rudicell said hopefully Mike will have the figures in January to support the finance committee funding. Councilman Davis asked that the turnaround time is. Bell stated programming, GPS, setups. He talked to Hurricane Electronics and all programming is in place and asked we asked them to get this done ahead of time. I will bring the radio packet back to this meeting and then will get it forwarded to Finance. Councilman Fry said he will call the Mayor and let him know what this committee is doing.

FIRE DEPARTMENT

A: New Business –Chief White went over his stats. Chief White mentioned that this is the first anniversary of the death of Dan Castrillo and that the training room at the new Station 1 has been named the Dan Castrillo Training Room. He stated that they had a house fire in Belforest that resulted in a death. The fire department adopted a family through Ecumenical Ministries. The New York Firefighters are to come in town tonight and leave tomorrow morning after breakfast with a big send off. Chief White was asked what the \$12,000 in property loss was and he stated a structure fire. Chief White was asked for a proposal on a ladder truck for 2015 and overtime issues. Fry wanted a dollar amount. Chief said he was waiting for 6 months to pass to get the dollar totals to him. He will bring to PSC when complete.

B. Old Business-

Christ the King signs are adequate. Included in your packet is a detailed map of the school. There are two crossing guards at this school. Bell contacted Christ the King Board President and he finds no

problem other than parents not abiding by school rules. We believe it is covered and satisfied. We have been observing traffic by way of unmarked cars and have observed no problems. Within the last few months we have conducted 16 D-Runs on Dryer Avenue and clocked 22,755 cars. None got tickets or warnings. High speeds are just not there, just a perception. Rudicell asked if he could share this information with the residents of Dryer Avenue and Bell stated sure. Scott said in reference to the Lake Forest Blvd complaints of speeding, we put down rumble strips. They are doing no good and Melvin is to scrape them up with his front end loader

OTHER BUSINESS :

Councilman Scott asked to consider changing all of Main Street to 25 mph. There are many crossings and eating establishments, three schools, churches, parks, City Hall, etc. Councilman Fry stated he was not opposed. Scott asked if it could be discussed at the next meeting.

ADJOURN

There being no further business to discuss, Mr. Fry made a motion to adjourn the meeting at 5:20 p.m. Mr. LeJeune seconded. The next meeting will be Wednesday, January 8, 2013 at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,
Daphne Public Safety Committee



Patrol Division (Capt. Bell/Lt. Hempfleng)	Detective Division: (Capt. Bell/Lt. Beedy)		JAIL: (Capt. Taylor/Lt. Yelding)		Animal Control (Capt. Taylor/Lt. Yelding)	Crimes Reported This Month:
	# New Cases Received:	# Previous Unsolved Cases:	Total Arrestees Received & Processed:	Arrestees by Agency:		
# Complaints	1,031	78	242	242		Arson 0
# Misd. Arrests	68	104	165	165	#Complaints	Burglary - Commercial 19
# Felony Arrests	6	36	BCSO	16	#Follow-ups	Burglary - Residence 2
DUI Arrests	18	8	Spanish Fort PD	49	#Citations	Burglary - Vehicle 8
Alias Warrant Arrests	33	8	Silverhill PD	9	#Warnings	Criminal Mischief 5
Citations	176	0	Troopers	3	#Felines Captured	Disorderly Conduct 1
Close Patrols	150	0	Other Agencies	0	#Canines Captured	Domestic Disturbance 23
Warnings	144				#Other Captured	False Info to Police 0
Motorist Assists	187				#Returned to Owner	Felony Assault 1
Roadway Accidents	72	Warrants:			#Adopted Out	Felony Theft 10
Private Property Accidents	15	Served			#Euthanized - Adoptable	Harassment 3
Traffic Homicide	0	Agency Assists	43		#Euthanized - Unadoptable	Identity Theft 7
		Recalls (Pd Fines)	27			Indecent Exposure 0
		Total Warrants Served	90			Kidnapping 0
DRUG REPORT						Menacing 0
ROUTINE PATROL/SPECIAL OPS		Sex Offender:	3,185	3,185	8 cats transferred to other agencies	Misdemeanor Assault 2
# Misd. Marijuana Arrest	0	New Registration:	Medical Cost	\$1,383.00		Misdemeanor Theft 18
# Felony Marijuana Arrest	0	Contact Verification	Worker Inmate Hours	360		Murder 0
# Controlled Substance Arrest:	1	Total # registered in Daphne				Other Death Investigations 3
# Drug Paraphernalia Arrest	2	DARE:				Public Intoxication 1
Vehicles Searched	46	# Hours Report Writing:				Public Lewdness 0
		# Students Instructed SRO				Receiving Stolen Property 2
Drugs Seized:	1	# Students Instructed DARE				Reckless Endangerment 0
Type:		# Police Reports by SRO				Resisting Arrest 1
Money Seized	0	# Arrest by SRO				Robbery 0
Vehicles Seized	0	CODE ENFORCEMENT:				Sex Crime Investigations 1
		Warnings:				Suicide 0
Commercial Vehicle Inspections	47	Citations				Suicide, attempted 3
		Warning Compliance				Theft of Services 0
		Follow - Up	20			Unauthorized Use of Services 1
			30			Weapon Offenses 1
						White Collar Crimes 2

David Carpenter

CITY OF DAPHNE
FIRE DEPARTMENT MONTHLY REPORT
Report Period: October 2013

	Current:	FY to Date:
Suppression:		
1-Fire/Explosion:	-	-
10-Fire, Other	1	8
11-Structure Fire/Commercial	0	1
11-Structure Fire/Residential	1	17
12-Fire in Mobile Property used as fixed structure	0	1
13-Mobile Property (vehicle) Fire	1	13
14-Natural Vegetation Fire	0	7
15-Outside Rubbish Fire	0	8
16-Special Outside Fire	0	1
17-Cultivated Vegetable Crop Fire	0	0
2-Overpressure Rupture:	0	2
3-Rescue Call and Emergency Medical Service Incidents:	178	1663
4-Hazardous Conditions (No fire):	4	30
5-Service Call:	11	152
6-Good Intent Call:	20	74
7-False Alarm & False Call:	18	259
8-Severe Weather & Natural Disaster:	0	2
9-Other Situation:	0	2
Total Emergency Calls:	234	2223
Monthly Total Calls:	237	2265
Highest:		
	14:00	14:00
Lowest:		
	<1:00	<1:00
Average (Minutes/Seconds) :		
	4:50	4:50
Miscellaneous Reports:		
Training Hours	633.75	2385.87
Property Loss - \$	12,050.00	13566.45
Fire Personnel Injuries by Fire/Civilian Injuries by Fire	0	0
Advance Life Support Rescues	145	1233
Number of Patients Treated	176	2329
Child Passenger Safety Seat Inspections/Installations	7	95
Pre-Plans	78	419
Classes		
	4	11
Persons Attending		
	46	165
Plan Reviews		
	2	24
Final/Certificate of Occupancy		
	0	5
General/Annual Inspections		
	67	467
General/Re-Inspections (Violation Follow-up - Annual)		
	57	95
Business Licenses		
	7	65
All Other/Misc. Activities		
	24	58
Total Activities:	157	814

Authorized by:

James White

I. CALL TO ORDER

Meeting was called to order at 5:07 p.m.

Committee Members Present: Robin LeJeune (Chairman), Councilman John Lake, Councilman Ron Scott, Richard D. Johnson-Public Works Director, Michele T. Hanson-Administrative Assistant, Dorothy Morrison-Daphne Beautification Committee.

Others Present: Mike Hinson-Finance Director; Pat Rudicell, Councilman District 2.

II. PUBLIC PARTICIPATION & CORRESPONDENCE

- A. Richard reviewed the Work Request Report for November 2013. Robin asked about the traffic signal calls. Richard reported that any traffic signal whether it's one of our or the State's, if there is a call, we will fix it or call the State and let them know.
- B. Vehicle/Equipment Maintenance Report for November 2013 was reviewed. Robin asked about the \$6,000 fire repair; Richard stated that this was for replacing the hydraulics for the ladder truck.
- C. Correspondence – No correspondence
- D. Public Participation – No one present to address the committee.

III. OLD BUSINESS

- A. Minutes from November 18, 2013 meeting were reviewed. **Motion by Councilman Lake, seconded by Councilman Scott to approve minutes. Motion carried.**
- B. Mosquito Report – No report
- C. Street Sweeper Reports – Richard stated the issue with the data collection should be fixed and we'll have reports next month. Ron asked if the street sweeper could be run up near the hotels and dress that area up; Richard stated this was on the agenda for the supervisors meeting in the morning.

IV. NEW BUSINESS

A. Proposed Street Resurfacing for 2014

Richard reviewed the plans for the Randall Avenue and the Park/Pollard Road resurfacing. We have 2 accounts (4 cent & 7cent gas tax funds) which can be used for roads. There are funds in the maintenance fund to fix/repair Park Drive/Pollard Road and to resurface Randall. Mayor recommended to use a combination of the maintenance fund and gas tax and start on these two projects. The goal is to have prices back before the Finance Committee meeting in January, then the first read would be the 3rd Monday in January and the 2nd read the first Monday in February and begin shortly after that.

Motion by Councilman Scott, seconded by John Lake to favorably recommend to the Finance Committee to appropriate the funds for these two paving projects. Motion carried.

V. DIRECTOR'S REPORT

A. Cade Contracting, LLC – Overdue Invoices (\$4,125.00)

This is the undeveloped phase of the Renaissance Center. Phase 1 was the Eastern Shore Park, then the Renaissance phase is a totally different entity, but they have the same overlay district and the same ordinance that control them. One of the things involved in that development was they wanted landscaping done on the interstate, but the only way that ALDOT would allow it was if the city did the maintenance and care of the landscaping. A formula was created 9 years ago which estimated the yearly cost for the maintenance. This property owner took ownership 3 payment cycles ago and has yet to make a payment. The other tenants have paid their invoice regularly. The Mayor has asked this committee to make

a recommendation. Richard asked that this committee recommend the City Attorney to write a letter requesting payment or at the very least that a lien be placed on the property to be settled if the property is sold.

Motion by Councilman Scott, seconded by Councilman Lake to have the City Attorney draft a letter to Cade Contracting requesting payment and exercise any legal action that needs to be done to collect this payment. Motion carried.

VI. DAPHNE SOLID WASTE DISPOSAL AUTHORITY

- A. Monthly Equipment Use Report for November 2013 was reviewed.
- B. Monthly Recycle Tonnage Report (Tonnage Comparison) for November 2013 was reviewed, and the tonnage was done a little bit from last year. Goal for next year is to break 2000 tons and December should be a banner month and we should have no problem meeting our goal.
- C. Solid Waste New Customer Report for November 2013 was reviewed. This month we added 25 new customers this month, 20 residential and 5 commercial. He also reminded the committee that Jubilee Ridge will be adding over 100 new residential garbage accounts once it is finished.

Ron stated he has seen our recycle trailers at Belforest and Prodissee Pantry. Richard commented that most of Prodissee Pantry's is cardboard and because of our recycle trailer being there, they have eliminated one of their dumpsters. Ron asked if we have extended the recycling trailer to Spanish Fort; Richard stated we have not, but would like to, however we don't want to hinder areas from annexing into the City of Daphne.

VII. MUSEUM COMMITTEE

- A. Minutes from November 11, 2013 meeting were reviewed.

VIII. BEAUTIFICATION COMMITTEE

- A. Minutes from November 20, 2013 (Trim A Tree) meeting were reviewed. Dorothy stated that the chain link fence at the hotels is looking much better; there are rocks again at 98 and I-10. Hoping to have pricing for the getting our greenhouses operational again, structurally it is good, just need siding and the heating units repaired. The Season's Greeting sign never stays lit for the whole season and it needs to be placed higher on the hill. Richard said that was being repaired today. All the other decorations look fantastic! The Oak Lodge building is looking bad and who could we contact to do something about it. Richard asked Dorothy to contact Richard Merchant in the Building Inspections department. Dorothy asked council members to get residents in their districts to join the committee.

Richard asked the committee to think about the schedule for next year's Christmas Open House and Parade. Do we have it on the same day or separately like this year? He also wants to get all the churches and schools involved and have a float in the parade, especially those who have some type of music. Daphne Utilities did an outstanding job decorating their facility.

IX. ENVIRONMENTAL ADVISORY COMMITTEE

- A. Minutes from the November 18, 2013 were reviewed.

X. ENGINEER'S REPORT

- A. No Report. Richard reported that LF phase 3 will shut down the week of Christmas, even though they are behind. Bayfront Park will be paved the 2nd full week of January.

XI. FUTURE BUSINESS

- A. Next Meeting for January 21, 2013.

XII. ADJOURNMENT

Meeting adjourned at 6:05 PM **Motion made by Councilman Scott, seconded by Councilman Lake to adjourn the meeting. Motion carried.**



CITY OF DAPHNE
PO Box 400
DAPHNE, AL 36526

November 20, 2013

Daphne Beautification Notes

Present: Tomasina Werner, Denise Penry, Michele Hanson, Elaine Maxime, Chris Stanton, Margie Bellue, Dorothy Morrison

District 1

Dorothy Morrison,
Chair
Debbie Strahley

Our Regular December meeting was held on Tree Decorating Day instead of the First Wednesday.....The City Staff meeting was moved to today so Richard, David and the Mayor were unable to attend our meeting.....

District 4

Selena Vaughn
Tomasina Werner

In the Holiday Spirit we rejoiced that ALDOT finally got the fence fixed in the area by the hotelswe will ask Daphne Clean Up Crew to clean the debris that was left including the orange plastic "stuff" we will keep this in house and not wait a year for the state to do it

District 5

David Dueitt
Rebecca Trosclair
Linda Williams

Work request to clean up the debris by I-10 under Hwy 98 by our newly mowed area.....

District 6

Elaine Maxime
Hollie LeJeune

A good conversation was had about the Green Houses and Community Gardens to be ready by spring.....

City Liaisons

Marjorie Bellue
Richard Johnson
Dwayne Coley
David McKelroy
Denise Penry

If we are to EVER have flowers in Daphne we need a working greenhouse for stagingfor want of a better termChris will get numbers for plastic, heaters, irrigation hopefully by Jan to get to Richard to bring back to the Beautification Committee in Feb.....we need numbers to make decisions.....to be ready for spring.....Margorie will need helpwhere????? Does Faulkner or USA have Horticulture classes that need practical experiencean on the job training situation that could work for us both.....Details need to be known so decision can be made.....

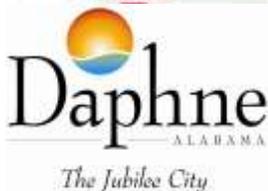
A Community Garden concept has been discussed several times with no decision made.....we need to check with the City Attorney about liability..... look for a place that would have easy access....then a plan.....but need detail for our Feb meeting.....decision by Feb lets go or not.....

Maxine is asking a lady to come to our Jan meeting to discuss Keep Daphne Beautiful.....this is a nationwide program and again we are getting information to move us forward.....she will speak for about 15 minutes

The meeting is Jan 8th..... the 1st is the first Wed we will meet at City Hall in the Conference Room.....please plan to attend.....

Happy Thanksgiving.....Merry ChristmasHappy New Year

D.....



DRAFT Meeting Minutes
Monday, November 18, 2013 - 4:00 PM
City of Daphne - Environmental Advisory Committee
Daphne City Hall – Executive Boardroom

Call to order at 4:05 p.m.

Attendees: B. Webb, C. Pinyerd, R. Johnson, A. Campbell, A. Hosey, J. Peterson, and E. Riser.

Minutes reviewed for the August 26, 2013 meeting. A motion to approve the minutes was made and seconded. Minutes were adopted as distributed.

Old Business

- a. No EPM project updates were noted.
- b. An update on the status of the tree ordinance was provided by R. Johnson. The ordinance is now in council.
- c. A. Campbell questioned whether the EAC could officially (legally) handle illicit discharge appeals. Such appeals are currently handled by the council, but the membership often lacks the technical expertise needed to review and rule on them. There are potential legal issues as appeals must be reviewed and ruled upon by an established board, which the EAC is not. Further discussion on the matter will be tabled for future meetings as clarification from legal council is obtained.

New Business

- a. An informal presentation on the residence times of Mobile Bay was provided by B. Webb. The projector was not operational at the time of the meeting so a formal presentation will be tabled for a future meeting.
- b. B. Webb distributed an information sheet for a recently funded NFWF project focused on D'Olive Watershed. The funding was awarded to Mobile Bay NEP for watershed restoration. This work will likely impact the City of Daphne. A. Campbell was involved in the original submission process and is working closely with Mobile Bay NEP on this matter.
- c. B. Webb provided brief comments about potential RESTORE Act opportunities and encouraged the EAC membership/leadership to start developing comprehensive ideas related to environmental restoration and/or economic development. The EAC may be an appropriate body to help guide the City in the development of projects and plans and the solicitation of stakeholder involvement.
- d. R. Johnson announced that the City was awarded a TAP grant for Gator Alley parking lot and step pool conveyance system. The SPCS will handle stormwater runoff from the Gator Alley parking lot as well as some quantity of discharge from HWY 98. The derelict billboard will also be removed as part of this rehabilitation project. A. Campbell announced that there would be a meeting at City Hall on December 10, 2013 to describe the Joe's Branch project and NFWF funding of the D'Olive Watershed restoration.

Adjourn A motion to adjourn was made and seconded at 4:55 pm.

**REPORT
OF
SPECIAL BOARDS**

DOWNTOWN REDEVELOPMENT AUTHORITY
1705 MAIN STREET • DAPHNE, AL
DECEMBER 4, 2013 • 5:30 P.M.

COMMITTEE MINUTES

1. Call To Order/Roll Call

Casey Zito called the meeting to order at 5:39 p.m..

Members Present: Casey Zito, Doug Bailey, Dayna Oldham, Debbie Strahley, Ken Balme, Patricia Vanderpool

Absent: Dorothy Morrison, Dayna Oldham, Pat Rudicell

Also Present: Sarah Toulson, Recording Secretary, Tommie Conaway

2. Approval of minutes:

Motion: to approve the minutes from the October 24, 2013 meeting. **Moved by Dayna Oldham, second by Doug Bailey. Carried unanimously.**

3. Treasurer's Report: Doug Bailey

Mr. Bailey gave the treasurer's report, stating that the DRA currently had \$91,289.11 after the inclusion of a \$3.00 service charge. Expenses included reimbursement to Dorothy Morrison for expenses incurred to finish the planter box project, lights for the planter boxes, and a reimbursement to Ken Balme for expenses incurred concerning the Jubilee Festival advertisement.

Motion: to reimburse Dorothy Morrison for expenses incurred to place and fill the planter boxes. Moved by Dayna Oldham, second by Debbie Strahley. **Carried unanimously.**

Motion: to accept the treasurer's report as amended. Moved by Patricia Vanderpool, second by Dayna Oldham. **Carried unanimously.**

4. Update: Planter box project

The committee discussed the planter box project and the possibility of extending the project to include a greater number of boxes for the downtown area.

The Light Up Daphne event was discussed. The committee commented positively on the new Christmas tree the DRA had bought for the City Hall front lawn.

5. Update: DRA Website

Ms. Zito reported that the committee would not be able to view progress on the DRA website as planned.

6. Other business

Update: Presentation to City Council

Mr. Ken Balme reported on his presentation to the City Council regarding the DRA's goals and future projects. Councilwoman Conaway praised Ken's efforts and noted that his presentation was well received by the Council.

DRA Goals and Direction

The Committee discussed potential goals and projects for the DRA, noting the following problems with the downtown area:

- Lack of retail/real estate
- Limited bay access
- Lack of quality amenities on the Bay for meetings, receptions

Ms. Vanderpool suggested that each member brainstorm ideas concerning goals and bring them to the next meeting.

Meeting at Southern Napa

The committee discussed holding a meeting at Southern Napa and informally decided to hold such a meeting during warmer weather.

Next meeting January 22nd

The meeting was adjourned at 6:51 pm

To: Office of the City Clerk
From: Adrienne D. Jones,
Community Development Director
Subject: Planning Commission Minutes and Report
Date: December 20, 2013

MEMORANDUM

Attached please find a copy of the approved minutes for the City of Daphne Planning Commission regular meeting of November 21, 2013 and the report of the regular meeting of December 19, 2013 for placement on the Monday, January 6, 2014 City Council agenda for review.

Should you have any questions or comments in this regard, please do not hesitate to call.

ADJ/jv

From the Office of

Adrienne D. Jones,
Community Development Director
P. O. Box 400
Daphne, Alabama 36526
251-621-3184 ph
251-621-3185 fx

The City of Daphne
Planning Commission Minutes
Regular Meeting of November 21, 2013
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 5:00 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Monty Montgomery
Don Terry, Secretary
Ed Kirby, Chairman
Larry Chason, Vice Chairman
Ron Scott, Councilman
Hudson Sandefur
Chief James "Bo" White

Members Absent:

Charles Smith

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Misty Gray, Attorney
Lonnie Jones, Code Enforcement Officer

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

Chairman asked for Commission questions or comments and for a motion for approval of the minutes.

A Motion was made by Mr. Scott and Seconded by Mr. Sandefur for approval of the October 24, 2013 regular meeting minutes. There was no discussion on the motion. The Motion carried. Mr. Terry and Mr. Kirby abstained due to their absence at the meeting.

The first order of business under old business is the election of officers.

Mr. Scott stated for the record, a City Council member he is not eligible to be an officer of the Planning Commission.

Ms. Jones clarified that a non-officio member cannot hold an office of the Planning Commission, those include: Mr. Scott, Mr. Sandefur, and Chief White.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of November 21, 2013
Council Chamber, City Hall - 5:00 P.M.**

Chairman opened the floor for nominations for the Chairman.

Chief White nominated Mr. Kirby and Mr. Sandefur nominated Mr. Chason.

The nominations were closed. The vote carried four to three to elect Mr. Chason as Chairman.

The present Chairman, Mr. Kirby, passed the gavel to Mr. Chason.

Chairman opened the nominations for Vice Chairman.

Mr. Terry nominated Mr. Kirby.

The nominations were closed. With no other nominations, Mr. Kirby is Vice Chairman.

Chairman opened the nominations for Secretary.

Mr. Kirby nominated Mr. Terry.

The nominations were closed. With no other nominations, Mr. Terry is Secretary.

The next order of business is preliminary/final plat review for Malbis Plantation, Inc.

An introductory presentation was given by Mr. Shane Yarbrough, the representative of the Foresite Group, of a two-lot subdivision southwest of the intersection of Alabama Highway 181 and U.S. Highway 90.

Chairman asked for Commission questions or comments. During the discussion, Mr. Sandefur asked if there has been any additional documentation been presented to which Mr. Yarbrough stated there was one minor comment from ALDOT on the plans which have been addressed of which I expect approval momentarily.

Mr. Scott stated that he was in favor of the subdivision at the last meeting, but now cannot support the application until the ALDOT permit is presented.

Mr. Yarbrough asked about Mr. Scott's concerns. Mr. Scott stated the permits have not been issued. Mr. Yarbrough asked is it a requirement that all permits are approved prior to the approval of a subdivision. Chairman stated it is not addressed in our Ordinance, but it is common sense.

Ms. Jones stated typically with a property in the city limits, if a site requires ALDOT approval, we will not issue a site disturbance permit until we get any other documentation, or permits from any other state agency, but I am not sure how Baldwin County handles it.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of November 21, 2013
Council Chamber, City Hall - 5:00 P.M.**

Mr. Yarbrough stated the plat is approved by Baldwin County, subject to the approval of the City of Daphne.

Mr. Kirby stated this is a subdivision of property: we have only dealt with the approval of the highway department and any other entity when dealing with the site plan. Those issues will be addressed prior to site plan approval by Baldwin County.

Chairman stated that is certainly one aspect of the application. He opened the floor to public participation.

Mr. William Scully, attorney for Mr. George Kalasountas, 9563 Malbis Lane, is in favor of the proposed subdivision which would provide significant support for Malbis Plantation and does not believe it will adversely affect the residents on Malbis Lane.

Chairman asked for Commission questions or comments.

Mr. Montgomery asked if Mr. Kalasountas had previously given correspondence to Baldwin County opposing this development and has he changed his mind based on the new leadership of Malbis Plantation. Mr. Scully responded that is correct.

Mrs. Teresa Simmons, 9628 Malbis Lane, spoke in opposition to the pharmacy: it will not provide a unique service because there are currently other drug stores in this area; we want to preserve the rural area, and avoid additional traffic and noise pollution.

Mr. Tommy Malbis, the majority of the stockholders are against this development and asked that the new board have more time to review matters.

Ms. Betty Godwin, 9780 Malbis Lane, spoke in opposition and on behalf of Ms. Monica Reynolds; both are concerned about: additional traffic, flooding, for future balance between commercial and residential areas, and preserving the culture, history, heritage and the uniqueness of Malbis.

Ms. Leeann Lanham, 29240 Vlahos Lane, I would like to request that you give time for ALDOT review first.

Ms. Gertrude Malbis, 9655 Malbis Lane, mentioned how Malbis has deteriorated and noted that the shareholders have elected a non-Greek president for the first time.

Ms. Antonio Cleondis, 29740 State Highway 181, noted this development is crucial to the shareholders to generate revenue because corporation is operating in the red.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of November 21, 2013
Council Chamber, City Hall - 5:00 P.M.**

Mr. Normand McAllister, 9595 Malbis Lane, representative for the homeowners' association of Malbis and Vlahlos Lane, referenced the national historic registry (the property on the east and west side of the highway), referenced Section 4, ALDOT Operations Manual 2013 Minimum Standards, which states an access shall be placed one thousand three hundred and twenty feet from an intersection, referenced the D'Olive Watershed study; the trial; re: the conditional use granted by the Baldwin County Planning Commission in January; and thinks the subdivision does not adhere to any of these regulations and should be denied.

Mr. Jeff Glover, asked the Commission to note the number of families represented here in opposition of the development.

Mr. John Lawler, 804 Commerce Building, attorney for the homeowners' association of Malbis and Vlahlos Lane, proposed the representation of a subdivision which meets the minimum requirements does not entitle the applicant to an approval. He cited court cases where a developer adhered to the minimum requirements, but had an adverse effect on the adjacent property, and as the basis for denial; using planning and zoning to protect the public safety and asserted public safety issues exist and talked about the grandfather status of the access and that this subdivision does not conform to those regulations and should therefore be denied.

Mr. Montgomery asked Mr. Lawler specifics regarding the pending litigation. Mr. Lawler answered: the case is set for trial on January 6, 2014, the homeowners association of Malbis and Vlahos Lane, is asking for the reversal of the conditional use.

Chairman asked for Commission questions or comments.

Mr. George Kalasountas, 9563 Malbis Lane, asked for support of the development.

Ms. Leeann Lanham, 29240 Vlahos Lane, asked the Commission to allow the board time to review matters and to request that the developer present a master plan.

Mr. Kevin Spriggs, 29640 State Highway 181, expressed concern about traffic at this intersection and reiterated the need for a master plan rather piece meal and expect growth along County Road 13 and Alabama Highway 181 to direct more traffic to share access to this intersection and the interstate.

Mr. Yarbrough stated we are only subdividing property and asked if he had met all of the requirements. Chairman stated three things were to be submitted: a master plan, accident reports, an ALDOT permit, and additional issues: traffic concerns, the lawsuit, a new board of directors, the watershed study, and that this subdivision does not adhere to the regulations according to Mr. Lawler.

The City of Daphne
Planning Commission Minutes
Regular Meeting of November 21, 2013
Council Chamber, City Hall - 5:00 P.M.

Ms. Gray considered that Mr. Yarbrough asked for a legal opinion, not a question for the Commission to answer.

Chairman asked for additional comments. None were presented. He closed public participation and asked for Commission questions or comments.

Mr. Kirby asked should we consider public comments and board issues when considering the approval of a subdivision in the extraterritorial planning jurisdiction of Baldwin County.

Ms. Gray stated the Commission is here to consider approval and public participation is a part of that review process.

Chief White commented he cannot support the application until we have all of the permits.

Mr. Terry questioned the zoning of the property.

Mr. Scott stated the property is commercial and was granted a conditional use variance by Baldwin County. As presented, it may fit the technical definition, but as counsel has pointed out there is a reason you have public participation. Mr. Sandefur agreed we are here to just approve a subdivision, but I share the concerns of the public.

Mr. Scott asked if denied what is the time frame to reapply.

Ms. Jones stated the statute does not specify a time frame, but in the motion state the issues to rectify. Ms. Gray reiterated the motion needs to contain the reasons for denial.

A Motion was made by Mr. Scott and Seconded by Mr. Sandefur to deny the preliminary/final plat for Malbis Plantation Subdivision, due to the lack of an ALDOT permit.

During discussion, Ms. Gray mentioned to consider the concerns expressed in public input tonight.

Mr. Scott stated this is a commercial corner and adjacent to B-2, but it would have been beneficial to have a master plan for the development.

Commissioners discussed amending the motion to include resolution pending litigation. Mr. Scott did not support the amendment.

Commissioners discussed amending the motion to include a master plan for the property upon resubmitting and Mr. Scott accepted the amendment to the main motion.

The City of Daphne
Planning Commission Minutes
Regular Meeting of November 21, 2013
Council Chamber, City Hall - 5:00 P.M.

The Motion was amended by Mr. Scott and **Seconded** by Mr. Sandefur *to deny the preliminary/final plat for Malbis Plantation Subdivision, subject to the submission of an ALDOT permit and a master plan for the thirty-seven acre parcel upon resubmittal. There was no further discussion on the motion. The Motion carried. Six members voted in the affirmative and one dissented (Mr. Kirby).*

Ms. Jones asked for clarification on the motion. Chairman stated request the submission of master plan for review.

The first order of business under new business is preliminary/final plat review for the Resubdivision of Lot 2, Honda Property.

An introductory presentation was given by Mr. Stuart Smith, the representative for Hutchinson, Moore & Rauch, of a two-lot subdivision located southeast of the intersection of Randall Avenue and U.S. Highway.

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

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Terry *to grant preliminary/final plat approval to the Resubdivision of Lot 2, Honda Property Subdivision. There was no discussion on the motion. The Motion carried unanimously.*

The next order of business is a public hearing on the proposed revisions to the Sign Provisions.

Ms. Jones gave an introductory presentation and displayed a power point presentation of the purpose and procedures of the public hearing.

Chairman asked for Commission questions or comments and opened the floor to public participation.

Mr. Kevin Spriggs, 29640 State Highway 181, asked for the support of the Commission in adopting the revisions to the Sign Ordinance as a step forward for local businesses.

Mr. John Lake, 110 Paige Circle, requested that the Planning Commission advertise for additional public hearings prior to acting on the revisions so the community has an opportunity to speak prior to presentation to the City Council.

Chairman asked for clarification on the advertising period. Ms. Jones stated it is required by state law that the City Council advertises a public hearing. Ms. Gray concurred.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of November 21, 2013
Council Chamber, City Hall - 5:00 P.M.**

Chairman commented no action will be taken tonight. He closed public participation and asked for Commission questions or comments.

Mr. Terry asked for clarification on Ms. Romanchuk's comments in her email to the Planning Commission. Ms. Jones stated the City Council set a time frame for the task and the Sign Committee could not go past the date prescribed by the Council.

Ms. Jones stated the next meeting is set for December 19, 2013, and we may discuss the items not included in the Sign Committee recommendations so I may incorporate your suggestions into the next draft and explained where to find the ordinance online.

The next order of business is Planning Commission discussion regarding the City Council Strategic Plan.

Ms. Jones asked for additional questions or comments for conveyance to the City Council. Chairman asked if the Strategic Plan will provide an update to the future land use map. I am hoping to amend the existing Comprehensive Plan.

The next order of business is public participation.

Chairman opened the floor to public participation.

Mr. Kevin Spriggs, 29640 State Highway 181, reiterated his previous comments regarding the Sign Ordinance.

Chairman closed public participation and asked for Commission questions or comments.

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

Ms. Gray had no report.

The next order of business is commissioner comments.

Chairman asked for questions or comments from the commissioners.

None were presented.

The next order of business is director's comments.

None were presented.

The City of Daphne
Planning Commission Minutes
Regular Meeting of October 24, 2013
Council Chamber, City Hall - 5:00 P.M.

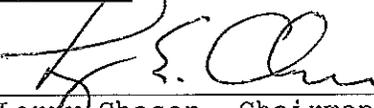
There being no further business, the meeting was adjourned at 6:42 p.m.

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: December 19, 2013



Larry Chason, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF DECEMBER 19, 2013 REPORT
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.



1. CALL TO ORDER DATE OF REPORT: DECEMBER 20, 2013

2. CALL OF ROLL ED KIRBY, LARRY CHASON, RON SCOTT, CHARLES SMITH, HUDSON SANDEFUR

3. APPROVAL OF MINUTES:

 Review of minutes for the regular meeting of November 21, 2013. (APPROVED AS SUBMITTED)

4. NEW BUSINESS:

A. SITE PLAN REVIEW:

1. File SP13-07: (TABLED UNTIL FEBRUARY 27, 2014 MEETING)

 Site: Marino Place

 Zoning(s): *B-1, Local Business*

 Location: East of U.S. Highway 98

 Area: 0.926 Acres ±

 Owner: Montri Marino

 Engineer: Barton & Shumer Engineering - David Shumer

2. File SP13-08: (APPROVED)

 Site: Sunrise Marine of Alabama

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

 Location: Southeast of the intersection of Shriner's Avenue and U.S. Highway 98, Lot 2, Sundowne Subdivision

 Area: 2.91 Acres ±

 Owner: Barry L. Booth, D.M.D and Chunchula Energy Corporation - Celia Wallace

 Developer: Sunrise Marine of Alabama - Philip Foss

 Engineer: Hutchinson, Moore & Rauch - Doug Bailey

B. PRELIMINARY/FINAL PLAT REVIEW:

1. File SDPF13-15: (TABLED UNTIL JANUARY 23, 2014 MEETING)

 Subdivision: Trott

 Zoning(s): *RSF-2, Single Family District, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne*

 Location: Intersection of County Road 54 East and Trott Lane

 Area: 9.7 Acres ±, (4) lots

 Owner: David Trott

 Surveyor: Geo-Surveying - Matt or Jima Kountz

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF DECEMBER 19, 2013 **REPORT**
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

C. ADMINISTRATIVE PRESENTATION:

1. STREET ACCEPTANCE:

File AP13-06: (UNANIMOUS FAVORABLE RECOMMENDATION TO CITY COUNCIL)

Presentation to be given by Adrienne Jones, Director of Community Development or Richard Johnson, Public Works Director, recommending acceptance of the right-of-way located north of Johnson Road, south of Profit Drive. Said right-of-way being named Profit Drive (1,350 linear feet).

2. File AP13-07: (APPROVED)

Presentation to be given by Fred Small, Fast Time Convenience Store, of a mobile food catering establishment located southwest of U.S. Highway 98 and Santa Rosa Avenue.

3. ZONING AND STREET MAP:

File AP13-08: (TABLED UNTIL JANUARY 23, 2014 MEETING)

Presentation to be given by Adrienne Jones, Director of Community Development, City of Daphne Zoning and Street Map updates.

5. PUBLIC PARTICIPATION

6. ATTORNEY'S REPORT

7. COMMISSIONER'S COMMENTS

8. DIRECTOR'S COMMENTS

9. ADJOURNMENT

**REPORT
OF
OFFICERS**

CITY OF DAPHNE SPECIAL EVENTS PERMIT

ORGANIZATION:	<i>S.E.E.D.S.</i>
CONTACT PERSON:	<i>Denise D'Oliveira</i>
ADDRESS:	<i>P.O. Box 460 Daphne, AL 36526</i>
PHONE NUMBER (HOME):	<i>626-9966</i>
PHONE NUMBER (BUSINESS):	<i>656-7333</i>
CELL NUMBER:	<i>605-8777</i>
DATE OF EVENT:	<i>November 1, 2014 / Saturday</i>
TYPE OF EVENT:	<i>Mama Mia Cook Off / Fund Raiser</i>
START TIME:	<i>8:00 A.M.</i>
STOP TIME:	<i>11:00 P.M.</i>
LOCATION OF EVENT:	<i>City Hall Grounds</i>
APPROXIMATE # OF PEOPLE & CARS:	<i>800-900</i>
SPECIAL REQUEST	
DATE APPLIED FOR PERMIT:	<i>November 21, 2013</i>
APPROVAL	
POLICE: Chief David Carpenter:	<i>[Signature]</i>
FIRE: Chief James White	<i>[Signature]</i>
PUBLIC WORKS: Richard Johnson	<i>[Signature]</i>
RECREATION: David McKelroy	<i>[Signature]</i>
SPECIAL INSTRUCTIONS:	
DATE ROUTED:	
NOTIFICATION OF APPROVAL:	

RESOLUTIONS

&

ORDINANCES

RESOLUTION 2014-01

ACCEPTANCE OF RIGHT-OF-WAY LOCATED NORTH OF JOHNSON ROAD, SOUTH OF PROFIT DRIVE

WHEREAS, the City of Daphne has caused to be built a new 1350 linear foot 50-foot wide right of way more particularly described herein that is situated north of Johnson Road and south of Profit Drive; and,

WHEREAS, the City of Daphne Public Works Director certifies that all reports, as well as, all other related documents have been provided stating that said streets and storm water drainage have been installed in conformity with city standards; and,

WHEREAS, the City Council of the City of Daphne, Alabama has received notice that the Planning Commission of the City of Daphne in its regularly scheduled meeting of December 19, 2013 reviewed the proposal for acceptance of said right-of-way and granted favorable recommendation for the acceptance of the same; and,

WHEREAS, the City Council of the City of Daphne believes it is in the best interest of the citizens of the City for the City to accept said permanent right-of-way; and,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, that the below described permanent right-of-way located south of Profit Drive and north of Johnson Road is hereby accepted by the City of Daphne, Alabama as a City right-of-way for public use and maintenance:

DESCRIPTION OF RIGHT-OF-WAY

BEGINNING AT THE SOUTHEAST CORNER OF LOT 14 OF DAPHNE BUSINESS PARK, UNIT 2, AS RECORDED ON SLIDE 1995-B IN THE OFFICE OF THE JUDGE OF PROBATE FOR BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 89°45'06" EAST A DISTANCE OF 47.28 FEET; THENCE RUN SOUTH 01°44'53" WEST A DISTANCE OF 405.30 FEET; THENCE RUN SOUTH 88°15'07" EAST A DISTANCE OF 29.00 FEET; THENCE RUN SOUTH 01°44'53" WEST A DISTANCE OF 26.54 FEET; THENCE RUN SOUTH 13°45'31" WEST A DISTANCE OF 139.83 FEET; THENCE RUN SOUTHERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1030.00 FEET, AN ARC LENGTH OF 367.42 FEET, A CHORD BEARING SOUTH 12°45'27" WEST, AND A CHORD DISTANCE OF 365.48 FEET; THENCE RUN SOUTH 22°58'37" WEST A DISTANCE OF 24.15 FEET; THENCE RUN SOUTHERLY ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 557.45 FEET, AN ARC LENGTH OF 197.03 FEET, A CHORD BEARING SOUTH 12°29'09" WEST, AND A

CHORD DISTANCE OF 196.01 FEET TO THE NORTHWEST CORNER OF LOT 4 OF DAPHMONT SUBDIVISION, UNIT 3, AS RECORDED ON SLIDE 608-B IN THE OFFICE OF THE JUDGE OF PROBATE FOR BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°43'59" WEST A DISTANCE OF 59.80 FEET TO THE NORTHEAST CORNER OF LOT 3 OF SAID DAPHMONT SUBDIVISION UNIT; THENCE RUN NORTHERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 610.27 FEET, AN ARC LENGTH OF 220.79 FEET, A CHORD BEARING NORTH 12°20'28" EAST, AND A CHORD DISTANCE OF 219.59 FEET; THENCE RUN NORTH 22°58'37" EAST A DISTANCE OF 24.15 FEET; THENCE RUN NORTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 970.00 FEET, AN ARC LENGTH OF 359.40 FEET, A CHORD BEARING NORTH 12°21'45" EAST, AND A CHORD DISTANCE OF 357.34 FEET; THENCE RUN NORTH 88°15'07" WEST A DISTANCE OF 21.50 FEET; THENCE RUN NORTH 01°44'53" EAST A DISTANCE OF 16.82 FEET; THENCE RUN NORTH 13°08'50" EAST A DISTANCE OF 108.78 FEET; THENCE RUN NORTH 01°44'53" EAST A DISTANCE OF 429.38 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT 14, DAPHNE BUSINESS PARK; THENCE RUN SOUTH 89°45'23" EAST ALONG SAID SOUTH LINE OF LOT 14 A DISTANCE OF 12.74 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED RIGHT-OF-WAY CONTAINING 1.69 ACRES, MORE OR LESS.

ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF JANUARY 2014.

**THE CITY OF DAPHNE,
AN ALABAMA MUNICIPAL
CORPORATION**

**RANDY FRY,
COUNCIL PRESIDENT
DATE AND TIME SIGNED**

**DANE HAYGOOD,
MAYOR
DATE AND TIME SIGNED:**

ATTEST

**REBECCA A. HAYES,
CITY CLERK**

To: Office of the City Clerk
From: Adrienne D. Jones,
Director of Community Development
Subject: Acceptance of the right-of-way and
maintenance thereof for the extension
of Profit Drive Extension, north of
Johnson Road
Date: December 20, 2013

MEMORANDUM

LOCATION: Profit Drive Extension, north of Johnson Road

RECOMMENDATION: At the Thursday, December 19, 2013, regular meeting of the Daphne Planning Commission, five members were present, and the motion carried unanimously to set forth a **favorable recommendation** for acceptance of the right-of-way.

Attached please find said documentation for placement on the Monday, January 6, 2014 City Council agenda.

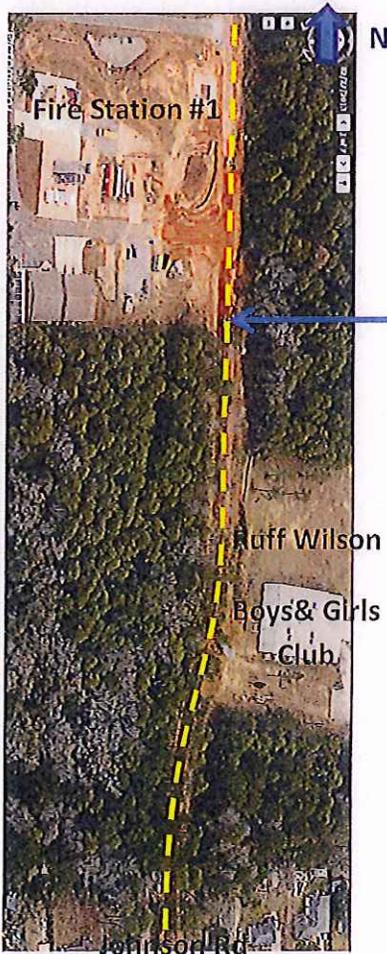
Thank you,
ADJ/jv

cc: file
Richard Johnson, Public Works Director

attachment(s)

1. Community Development Report
2. Memorandum from the Public Works Director
3. Resolution
4. Map of Property

Planning Commission



STREET ACCEPTANCE Profit Drive Extension

SUMMARY TABLE			
Sponsor	R.O.W Name	Linear Feet	Miles
Public Works	Profit Drive Extension	1,350	0.256 miles

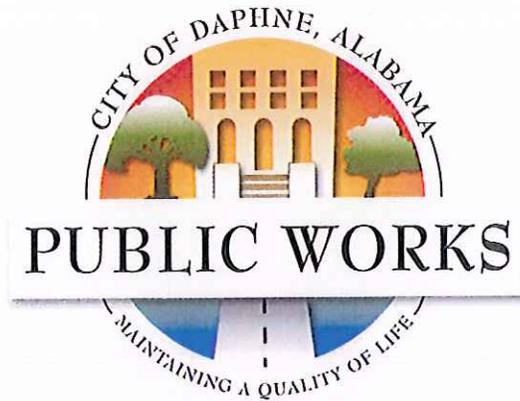
A draft resolution regarding acceptance has been provided for review.

Dane Haygood
Mayor

Rebecca Hayes
City Clerk

Mike Hinson CPA
Finance Director

Richard D. Johnson, P.E.
Director of Public Works



Tommie Conaway
District 1

Pat Rudicell
District 2

John L. Lake
District 3

Randy Fry
District 4

Ronald Scott
District 5

Robin LeJeune
District 6

Joe Davis, III
District 7

To: Honorable Mayor Dane Haygood

Cc: Adrienne Jones – Director of Community Development; City Clerk; File

From: Richard D. Johnson, P.E.
Public Works Director

Richard D.
Johnson, PE

Digitally signed by Richard D. Johnson,
PE
DN: cn=Richard D. Johnson, PE, o=City of
Daphne, ou=Director of Public Works,
email=directorpw@daphneal.com, c=US
Date: 2013.12.04 11:42:25 -06'00'

Date: December 4, 2013

RE: Acceptance of ROW and Maintenance of Profit Drive Extension

In the summer of 2013 the extension of Profit Drive was completed to Johnson Road. This road was improved per the development standards of the City of Daphne. The Project has been closed out and the work has been inspected and accepted by the Project Engineers and the Public Works Director. It will remain under a 24 month material and workmanship warranty from the date of project closeout and acceptance.

I am asking that you make a formal request of the Planning Commission to deliberate on and make recommendation to the City Council to take the following actions related to the extension of Profit Drive:

1. Accept the Rights-Of-Way as described in the provided legal description and site plan/map.
2. Bring into the City road inventory for maintenance.

If I can be of further assistance, do not hesitate to contact me.

Yours,

RDJ

Attachments: R.O.W. legal description & map

CITY OF DAPHNE
RESOLUTION 2013-___

Acceptance of Right-of-Way located north of Johnson Road, south of Profit Drive

Whereas, the City of Daphne has caused to be built a new 1350 linear foot 50-foot wide right of way more particularly described herein that is situated north of Johnson Road and south of Profit Drive; and,

Whereas, the City of Daphne Public Works Director certifies that all reports, as well as, all other related documents have been provided stating that said streets and storm water drainage have been installed in conformity with city standards; and,

Whereas, the City Council of the City of Daphne, Alabama has received notice that the Planning Commission of the City of Daphne in its regularly scheduled meeting of December 19, 2013 reviewed the proposal for acceptance of said right-of-way and granted favorable recommendation for the acceptance of the same; and,

Whereas, the City Council of the City of Daphne believes it is in the best interest of the citizens of the City for the City to accept said permanent right-of-way; and,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, that the below described permanent right-of-way located south of Profit Drive and north of Johnson Road is hereby accepted by the City of Daphne, Alabama as a City right-of-way for public use and maintenance:

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DAPHMONT SUBDIVISION UNIT; THENCE RUN NORTHERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 610.27 FEET, AN ARC LENGTH OF 220.79 FEET, A CHORD BEARING NORTH 12°20'28" EAST, AND A CHORD DISTANCE OF 219.59 FEET; THENCE RUN NORTH 22°58'37" EAST A DISTANCE OF 24.15 FEET; THENCE RUN NORTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 970.00 FEET, AN ARC LENGTH OF 359.40 FEET, A CHORD BEARING NORTH 12°21'45" EAST, AND A CHORD DISTANCE OF 357.34 FEET; THENCE RUN NORTH 88°15'07" WEST A DISTANCE OF 21.50 FEET; THENCE RUN NORTH 01°44'53" EAST A DISTANCE OF 16.82 FEET; THENCE RUN NORTH 13°08'50" EAST A DISTANCE OF 108.78 FEET; THENCE RUN NORTH 01°44'53" EAST A DISTANCE OF 429.38 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT 14, DAPHNE BUSINESS PARK; THENCE RUN SOUTH 89°45'23" EAST ALONG SAID SOUTH LINE OF LOT 14 A DISTANCE OF 12.74 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED RIGHT-OF-WAY CONTAINING 1.69 ACRES, MORE OR LESS.

ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF JANUARY 2014.

**THE CITY OF DAPHNE,
AN ALABAMA MUNICIPAL CORPORATION**

**RANDY FRY,
COUNCIL PRESIDENT
DATE AND TIME SIGNED**

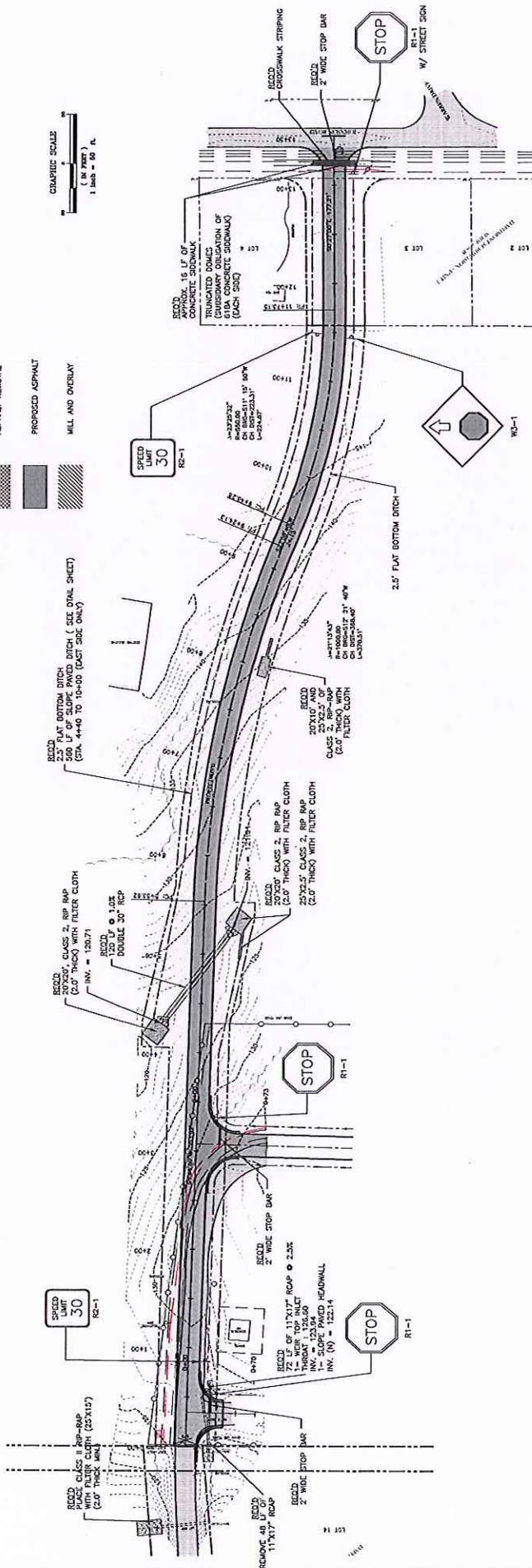
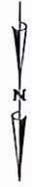
**DANE HAYGOOD,
MAYOR
DATE AND TIME SIGNED:**

ATTEST

**REBECCA A. HAYES,
CITY CLERK**

LEGEND

-  DIGGING ASPHALT PAVEMENT
-  3' CONTOUR
-  1' CONTOUR
-  ASPHALT REMOVAL
-  PROPOSED ASPHALT
-  MILL AND OVERLAY



OVERALL LAYOUT & DRAINAGE PLAN	
PROFIT DRIVE EXTENSION	
CITY OF DAPHNE	
DATE	SCALE
SEPTEMBER 2012	1"=50'
DESIGNED BY	ISSUED BY
JLR	JLR
CHECKED BY	DATE
MM	3 OF 15

3-A1017
02500-3159-1001

HUTCHINSON, MOORE & RAUCH, LLC
ENGINEERS-SURVEYORS
DAPHNE, ALABAMA
TEL (251) 628-2626
FAX (251) 628-0334
daphneengineers.com

3535 MAIN STREET
DAPHNE, ALABAMA
36528

NO.	REVISION	DATE	BY