

**CITY OF DAPHNE**  
**1705 MAIN STREET, DAPHNE, ALABAMA**  
**JANUARY 21, 2014**  
**6:30 P.M.**

**1. CALL TO ORDER**

**2. ROLL CALL / INVOCATION /** Pastor Michael Huntley / Holy Trinity Lutheran Church

**3. APPROVE MINUTES:** Council meeting minutes / December 16, 2013  
Council Work Session minutes / January 13, 2014

**PRESENTATION:** To Yelding Family / Naming Street for Bailey Yelding, Jr.

**PRESENTATION:** First Quarter Beautification Awards: Popeye Louisiana Kitchen and Daphne Utilities

**4. REPORT STANDING COMMITTEES:**

**A. FINANCE COMMITTEE - Conaway**  
Review minutes / January 13<sup>th</sup>

**1.) Ordinances:**

- a.) Park Drive & Pollard Road Paving & Intersection Improvements / **2014-02**
- b.) Appropriation of Funds:
  - i.) Finance Director's Office Door Window Installation / **Ordinance 2014-03**
  - ii.) HVAC / Chiller Maintenance Agreements / **Ordinance 2014-03**
- c.) Appropriations of Funds: Police / Public Works Radio System / **Ordinance 2014-04**

**2.) Resolutions:**

- a.) Bid Award: FD Extrication Equipment / NAFECO, Inc. / **Resolution 2014-06**
- b.) Prepaid Travel / LeAndra Burks / Municipal Magistrate Certification Program / Montgomery, AL / January 31<sup>st</sup>, February 7<sup>th</sup>, 14<sup>th</sup>, 21<sup>st</sup>, 28<sup>th</sup> / \$255 / **Resolution 2014-07**

**3.) Motions:**

To continue the City's Insurance coverage with Robertson Insurance Agency, Inc. for a total annual cost of \$487,956

**4.) Financial Reports:**

- Treasurers Report / December 31, 2013
- Sales & Use Tax Collections / November 30, 2013
- Lodging Tax Collections / November 30, 2013

**B. BUILDINGS & PROPERTY COMMITTEE - Davis**

**C. PUBLIC SAFETY - Rudicell**  
Review minutes / January 8<sup>th</sup>

**D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Scott**  
Review minutes / January 8<sup>th</sup>

- a.) Favorable recommendation for Revision of Employee Handbook / Chapters 1 and 10 / **Ordinance 2014-05**

**E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY – LeJeune**  
Review Daphne Museum minutes / December 9, 2013

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

- A. Board of Zoning Adjustments** – Adrienne Jones
- B. Downtown Redevelopment Authority** – Conaway
- C. Industrial Development Board** – Davis  
**NOMINATION:** Mr. Jeffrey T. Ramsland

**D. Library Board - Lake**  
Review minutes / October 10<sup>th</sup>

**E. Planning Commission** – Scott

**F. Recreation Board - LeJeune**

**G. Utility Board - Fry**

**6. REPORTS OF OFFICERS:**

**A. Mayors Report**

- a.) Parade Permit Shadow / Mardi Gras / March 1, 2014 / Rain Date March 2, 2014
- b.) Parade Permit / Loyal Order of the Fire Truck / Mardi Gras / March 2, 2014
- c.) Parade Permit / S.E.E.D.S. / 10<sup>th</sup> Annual Classic Rock 5 K & 1 Mile Fun Run / March 1, 2014

**B. City Attorney’s Report**

**C. Department Head Comments**

**D. City Clerk Report**

- a.) **MOTION:** Set a Public Hearing Date for February 3, 2014 6:30 p.m. to consider proposed ordinance Establishing Lodging Tax and approve advertisement of hearing

**7. PUBLIC PARTICIPATION:**

**8. RESOLUTIONS & ORDINANCES:**

**RESOLUTIONS:**

- a.) **Declaring Certain Property Surplus / 2001 Crown Vic ...../Resolution 2014-02**
- b.) **Declaring Certain Property Surplus / Bleachers...../Resolution 2014-03**
- c.) **Declaring Certain Property Surplus / GMC Sierra PU / Caterpillar Trackhoe/Excavator...../Resolution 2014-04**
- d.) **Naming Right-of-Way Located North of Johnson Road and South of Profit Drive “Bailey Yelding, Jr. Drive”...../Resolution 2014-05**
- e.) **Bid Award: FD/Extrication Equipment / NAFECO, Inc...../Resolution 2014-06**
- f.) **Prepaid Travel / LeAndra Burks, Court Magistrate / Municipal Magistrate Certification Program / Montgomery, AL...../Resolution 2014-07**

**ORDINANCES:**

**1<sup>ST</sup> READ**

- a.) **Park Drive & Pollard Road Paving & Intersection Improvements. . . . . /Ordinance 2014-02**
  
- b.) **Appropriation of Funds: City Hall Maintenance / Finance  
Director's Office Door Window Installation & HVAC/Chiller  
Maintenance Agreements. . . . . /Ordinance 2014-03**
  
- c.) **Appropriation of Funds: Police & Public Works Radio Equipment /  
Nexedge Radio System. . . . . /Ordinance 2014-04**
  
- d.) **Amend Employee Handbook / Chapters 1 & 10. . . . . /Ordinance 2014-05**

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

**1. CALL TO ORDER:**

Council President Fry called the meeting to order at 6:32 p.m.

**2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE:**

Rabbi Donald Kunstadt with the Springhill Avenue Temple gave the invocation.

**COUNCIL MEMBERS PRESENT:**

Tommie Conaway; Pat Rudicell John Lake; Randy Fry; Ron Scott; Robin LeJeune; Joe Davis.

Also present: Mayor Haygood; Sarah Toulson, Assistant City Clerk; Jay Ross, 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; David Carpenter, Police Department; Ashley Campbell, Environmental Programs Manager; Dorothy Morrison, DRA and Beautification Committee; Kevin Boucher, Attorney, Adams and Reese;

Absent: Michael Hoyt, Municipal Judge; Richard Merchant, Building Official; Rebecca Hayes, City Clerk

**3. APPROVE MINUTES:**

**December 16, 2013 Council meeting minutes**

Councilman John Lake requested that his comments regarding the lawsuit settlement with Lamar be quoted and paraphrased in the minutes. With no further amendments presented, council meeting minutes stand approved as amended.

**PROCLAMATION:** Certificate of Appreciation / Detective James Matthews

Chief David Carpenter thanked Mr. Matthews for his service to the City as a detective and presented Mr. Matthews with his service weapon.

Mayor Haygood read and presented the proclamation to Detective James Matthews, for appreciation of 28 years of service to the City of Daphne.

**4. REPORT OF STANDING COMMITTEES:**

**A. *FINANCE COMMITTEE* – Conaway**

The Finance Committee will meet on Monday, January 13 at 4:00 pm.

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

***B. BUILDINGS & PROPERTY COMMITTEE*** - Davis

The committee met tonight at 5:30 pm, and the minutes of that meeting will be in the next packet.

***C. PUBLIC SAFETY COMMITTEE*** – Rudicell

The next meeting will be Wednesday, January 8<sup>th</sup> at 4:30 p.m. The minutes from the December 11 meeting are in the packet.

***D. CODE ENFORCEMENT/ORDINANCE COMMITTEE*** – Scott

The next meeting will be Wednesday, January 8<sup>th</sup> after the 4:30 pm Public Safety meeting. Council members are encouraged to attend this meeting. The committee will be discussing the proposed Community Contributions Guidelines as well as the proposed Lodging Tax Distribution ordinance and would welcome input.

***E. PUBLIC WORKS COMMITTEE*** – LeJeune

The minutes for the December 16, 2013 meeting are in the packet, along with the December 20 Beautification Committee minutes and the November 18, 2013 Environmental Advisory Committee minutes. The next meeting will be Tuesday, January 21, 2014 at 5:00 pm.

**5. REPORTS OF SPECIAL BOARDS & COMMITTSIONS:**

***A. Board of Zoning Adjustments*** – Adrienne Jones

No report

***B. Downtown Redevelopment Authority*** – Conaway

The December 4, 2013 minutes are in the packet. The next meeting will be January 22, 2014 at 5:30 pm.

***C. Industrial Development Board*** – Davis

The IDB will next meet Monday, January 27 at 6:00 pm. There is currently one opening on the Board, for which the board will be considering nominations and making a recommendation to the Council. Please contact Councilman Joe Davis, Ms. Toni Fassbender, or the City Clerk if you have any suggested nominees in mind.

***D. Library Board*** – Lake

The Library Board will be meeting this Thursday, January 9 at 4:00. They did not meet in December.

***E. Planning Commission*** – Scott

The November 21, 2013 meeting minutes are in the packet. There will be a work session tomorrow, January 7<sup>th</sup> at 5:00 pm in the Executive Conference Room to discuss the Sign

**JANUARY 6, 2014  
CITY COUNCIL MEETING  
BUSINESS MEETING  
1705 MAIN STREET  
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Ordinance proposed revisions. We hope to bring forth a recommendation to the Council after our regular meeting on January 23.

***F. Recreation Board – LeJeune***

The next meeting will be this Wednesday January 8 at 6:30 pm at the Recreation Center.

***G. Utility Board – Fry***

The Utility Board did not meet in December. The next meeting will be Wednesday, January 29<sup>th</sup> at 5:00 pm.

**6. REPORTS OF OFFICERS:**

***A. Mayor's Report***

- a) Mayor Haygood reported to the Council that the City closed on the Williams property on December 31, 2013, after resolving some title concerns.
- b) Parade Permit: SEEDS / Mama Mia Cook Off Fundraiser / November 1, 2014.

**MOTION BY Councilman Scott to approve the Special Event Permit for SEEDS / Mama Mia Cook Off Fundraiser / November 1, 2014 . Seconded by Councilman Davis.**

**MOTION CARRIED UNANIMOUSLY**

***B. City Attorney's Report***

Mr. Ross requested to address the moratorium on off-premise sign permits after Department Head comments.

***C. Department Head Comments***

***Margret Thigpen – Civic Center Director*** - Reported there will be a Gospel Concert January 9-11, 2014, and other upcoming events are listed on the Civic Center website. The Air Wall installation is set to begin on January 7, and paving at Bayfront Pavillion will begin January 13.

***Richard Johnson – Public Works Director*** – Reminded those in attendance to be mindful of the cold weather and reported that the water at many outdoor facilities had been shut off on account of the freezing temperatures.

***City Clerk Report – Sarah Toulson –***

***1. Motion to enact a 90 day moratorium on the issuance of all new off-premise sign permits.***

City Attorney Jay Ross explained the options available to the Council for the enactment of a 90 day moratorium and recommended that the Council pass an ordinance to enact the moratorium.

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

Mr. Ross read Ordinance 2014-01, “An Ordinance Establishing a Temporary Moratorium on Off-Premise Signage” to the Council.

**MOTION BY Councilman Scott to suspend the rules to consider Ordinance 2014-01. *Seconded by Councilman Davis.***

**ROLL CALL VOTE**

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

**MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman Scott to adopt Ordinance 2014-01. *Seconded by Councilman Davis.***

**ROLL CALL VOTE**

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

**MOTION CARRIED UNANIMOUSLY**

**7. PUBLIC PARTICIPATION**

*No one spoke.*

**8. RESOLUTIONS & ORDINANCES:**

**RESOLUTIONS:**

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

**MOTION BY Councilman Scott to waive the reading of Ordinances 2014-01. *Seconded by Councilman Lejeune.***

**MOTION CARRIED UNANIMOUSLY**

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

MOTION BY Councilman Scott to adopt Ordinance 2014-01. *Seconded by Councilman Lejeune.*

MOTION CARRIED UNANIMOUSLY

**ORDINANCES:**

2<sup>ND</sup> READ

- a.) An Ordinance Establishing a Temporary Moratorium on Off-Premise Signage. .... /Ordinance 2014-01

Ordinance 2014-01 was considered under the City Clerk's report.

**9. COUNCIL COMMENTS:**

*Mayor Haygood* wished everyone a Happy New Year and reminded everyone to stay warm.

*Councilman Lake* conveyed his displeasure toward the Council's decision to settle the lawsuit with Lamar and the perceived rush to adopt the new Sign Ordinance changes.

*Councilman Scott* thanked the citizens that voluntarily attended the meeting for their commitment.

*Councilman LeJeune* wished everyone happy New Year.

*Councilman Davis* wished everyone a happy New Year.

*Council President Fry* wished everyone a happy New Year.

**10. ADJOURN:**

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

MOTION CARRIED UNANIMOUSLY

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

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

Respectfully submitted by,

Certification of Presiding Officer,

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Rebecca A. Hayes,  
City Clerk

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Randy Fry,  
Council President

**JANUARY 13, 2014  
CITY COUNCIL WORK SESSION  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

**COUNCIL MEMBERS PRESENT:** Tommie Conaway; Pat Rudicell; John Lake; Randy Fry; Robin LeJeune; Joe Davis.

**ABSENT:** Ron Scott.

Also present: Rebecca Hayes, City Clerk; Jay Ross, City Attorney; Mike Hinson, Finance Director; David McKelroy, Recreation Director; Selena Vaughn, Beautification Committee and Village Point Foundation.

Absent: Mayor Dane Haygood.

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

**1. 2014 VEGETATION MANAGEMENT PLAN FOR THE CITY OF DAPHNE**

Mr. Roberts could not be present for the presentation due to illness. The presentation will be rescheduled for the February work session.

**2. PROPOSED REVISIONS TO LODGING TAX ORDINANCE**

Council discussed the proposed ordinance. Changes are as follows:

1. Section 10 (a) add “to be paid at least quarterly” instead of “paid quarterly”
2. Section 10 (b) add qualifying spending statement for DRA as for IDB
3. Section 13 add Finance Director
4. Section 12 put effective date as April 1, 2014

Consensus of council was to set a Public Hearing at the January 21, 2014 council meeting for February 3, 2014 to consider the ordinance.

**3. PROPOSED COMMUNITY CONTRIBUTION GUIDELINES ORDINANCE**

Council discussed the proposed ordinance. Several of the council members had concerns about the language of the ordinance and who would decide which organizations would receive funds.

Consensus of Council was to send the ordinance back to the Ordinance Committee for review.

Councilman Rudicell mentioned that time is of the essence if they want to use the ordinance for the 2015 budget.

Council requested the City Clerk to check with the surrounding cities to see what their policy is for community contributions, and if they have an internal grant program.

**JANUARY 13, 2014  
CITY COUNCIL WORK SESSION  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

**4. ANYTHING ELSE DEEMED NECESSARY**

Councilman Davis informed the council that he will be meeting with the Postmaster to discuss the problem with the zip code for TimberCreek which is a Spanish Fort zip code 36527. He wants to try to have it changed to the Daphne zip code 36526.

**8. ADJOURN**

There being no further business to discuss the meeting adjourned at 7:27 p.m.

Respectfully submitted by,

Certification of Presiding Officer:

\_\_\_\_\_  
Rebecca A. Hayes,  
City Clerk

\_\_\_\_\_  
Randy Fry,  
Council President

## **BEAUTIFICATION AWARDS**

**Popeye's Louisiana Kitchen**

**1511 U. S. Highway 98**

**General Manager: Mr. Billy Flannigan**

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**Daphne Utilities / Central Service Building**

**8301 Well Road**

**General Manager: Mr. Rob McKelroy**

**REPORT  
OF  
STANDING COMMITTEES**

**CITY OF DAPHNE  
FINANCE COMMITTEE MINUTES  
JANUARY 13, 2014  
4:00 P.M.**

**I. CALL TO ORDER/ROLL CALL**

The meeting was called to order at 4:02 p.m. Present were Councilman Joe Davis, Councilman Ron Scott, Finance Director Mike Hinson, Senior Accountant Suz anne Henson, Accounting Technician Sue Moody and Revenue Officer Angie Phillips. Councilman John Lake arrived at 4:24p.m.

Also in attendance were Police Captain Danny Bell, Civic Center Director Margaret Thigpen, Public Works Director Richard Johnson, Fire Chief James White, and Council President Randy Fry. Councilman Pat Rudicell arrived at 5:00p.m..

**II. PUBLIC PARTICIPATION**

Annual Insurance Renewal: Robertson Insurance Agency, Inc., Mr. Robbie Robertson

Mr. Robertson provided a handout summarizing the City's insurance coverage and he reviewed the Insurance Renewal Policies as follows:

- Comprehensive General Liability
- Public Official Liability
- Law Enforcement Liability
- Automobile
- Equipment
- Boardwalk Coverage and Highway 98 Streetlight Coverage

Mr. Robertson noted he submits a list of all property, vehicles, and equipment insured and a Loss Report for the year to the City. Mr. Robertson discussed the changes in coverage over the last year and his process for obtaining the best market proposals/coverage. Mrs. Henson noted that the 2014-2015 policy year is the third year of the three year commitment allowing a 2 ½ % discount off the renewal premium. Mrs. Henson noted she had prepared a comparative report on budgeted insurance premiums for Fiscal Year 2013 and premiums paid for Years 2010-2013 was provided for review. Mrs. Henson noted the FY14 total premium, \$487,956 increased \$28,625 over FY13's premium, \$459,331. (Total budgeted for 2014 \$528,470.) Mrs. Henson noted the budget amount is higher than the current proposal due to additions made throughout the year as well as some other miscellaneous policies included (*BayFront Flood, Museum,...*).

***Motion by Mr. Davis to continue the City's Insurance coverage with Robertson Insurance Agency, Inc. as presented for a total annual cost of \$487,956. Seconded by Mr. Scott . Motion carried.***

**III. HUMAN RESOURCES BUSINESS**

**A. Update on Human Resources Department Activity**

Mrs. Vickie Hinman reviewed the Human Resource Report that was included in the Finance Committee packet.

**Positions**

Administrative Technician (Police)  
Mechanical Equipt. Supv.  
Corrections Officer (2)  
Police Officer (2)  
PT S.A.I.L. Site Driver  
SWW.

**Status**

Interviewing  
Interviewing  
DOH: 1/9/2014  
Written and Physical Agility test  
Interviewing  
Interviewing

**No Safety meeting in December. The next Safety Committee meeting on January 22, 2014**

HR projects/meetings:

- Employee Personnel Handbook revisions submitted to Ordinance Committee 1/8/2014 and posted for 10 days
- Oral Board interviews for Police Officer positions on 1/24/2014
- W2's due Jan. 31. Waiting on upgrades in Munis

Mrs. Henson noted that she had contacted Munis again to verify when the Year End W-2/1099 upgrade would be available. Mrs. Henson noted that later version's upgrades were already releases and noted that is a benefit of being on current releases. Mr. Hinson noted a Munis Upgrade is planned in the near future.

**IV. CURRENT BUSINESS**

**A. Financial Reports**

1. Treasurer's Report: December 2013

Mr. Hinson reviewed the Treasurer's Report. Mr. Hinson noted he had updated the report to segregate the Total Unrestricted Funds from the Restricted Funds. Mr. Hinson noted the report shows a comparison with last month's balance and the previous year's comparison for the month of December. The December report showing Total City Funds in the amount of \$16,843,053 was up from November's total of \$16,468,987.

2. Sales and Use Taxes: November 2013

Mrs. Henson noted that November's sales tax collections, \$1,061,121.86 were up approximately \$32,725.11 from budget, \$1,028,397 and \$49,307.90 from FY13 collections for October.

3. Lodging Tax Collections, November 2013

The Lodging Tax Report was reviewed, November's collections were \$43,912.92 which was down from October's collection, \$48,382.05 but in line with FY13's collection for October, \$43,459.48.

4. Report: New Business Licenses – December 2013

Mrs. Angie Phillips presented an updated Business License report. Mrs. Phillips listed the new businesses by location. Mrs. Phillips explained that some businesses are paying some 2013 license fees when they pay for their 2014 Business License so the Revenue department is in the process of updating their database. Mrs. Phillips noted next month's report will be more comparative since January is the annual renewal month and several payments reflect receipts for two different license years.

5. Bills Paid Reports – December 2013

The Bills Paid Report was reviewed with various questions being asked concerning Legal fees breakdown, seat upholstery, ect... Mrs. Henson noted the summary report was included in the packet and that a detailed report was left in the Council workroom for Council's review.

**B. PrePaid Travel:**

1. LeAndra Burks, Court Magistrate, 2014 Municipal Magistrates' Certification Program, Certification, Alabama Judicial College, January 31<sup>st</sup>, February 7<sup>th</sup>, 14<sup>th</sup>, 21<sup>st</sup>, & 28<sup>th</sup>, 2014, Montgomery, AL - \$255

A Prepaid Travel Request for Mrs. LeAndra Burks, Court Magistrate for Magistrate Certification was presented in the packet.

***Motion by Mr. Scott to recommend Council approve prepaid travel advance in the amount of \$255 for Mrs. LeAndra Burks to attend the 2014 Municipal Magistrates' Certification Program in Montgomery, AL. Seconded by Mr. Davis . Motion carried.***

**C. Appropriation Request: (Ordinance)**

1. Police & Public Works Radio Equipment – Nexedge Radio System (to be purchased off State Bid Contract)

Captain Danny Bell discussed the Police Department's outdated radio equipment. Captain Bell noted that the current radio system is over 20 years old and the technology is over 30 years old. Captain Bell stated that they had been researching to see if a grant was available to update the radio system but none has been found. Mr Scott stated that in the Public Safety meeting it was discussed that the current system does not connect with the Sheriff's or other outside agencies radio systems. Mr. Lake discussed using Tower Lease revenues. Mr. Scott and Mr. Hinson noted these revenues are a part of the General Fund revenue collections therefore an appropriation would need to be from the General Fund. Captain Bell noted the total quote for the radio system is \$247,182 from Hurricane Electronics, Inc. through the State Bid contract.

**Motion by Mr. Scott to recommend Council appropriate \$247,182 from the General Fund to purchase a new Radio Equipment for Police and Public Works from the State Bid Contract. Seconded by Mr. Davis . Motion carried.**

2. Finance Director Office Door – Window installation - \$500 / City Hall HVAC / Chiller Maintenance Agreement - \$16,500

The recommendation from Buildings and Property Committee to install glass in the Finance Director's door was discussed (\$500). Mrs. Conaway asked about a previous Finance meeting where discussion was made that additional monies would be needed for City Hall Building Maintenance. Mrs. Henson noted that an additional appropriation was previously discussed and the plan was to bring that back before the Finance Committee near mid-year to better confirm what monies would be needed. Mrs. Henson noted the additional monies were for two maintenance agreements for the City Hall mechanical equipment (HVAC/ Chiller) that would come due later in the year. Mrs. Henson noted the amount for the two agreements is \$16,500. Mrs. Conaway then noted that the total appropriation to cover the door and the maintenance agreements would be \$17,000.

**Motion by Ms. Scott to recommend Council to appropriate \$17,000 from the General Fund for City Hall Building Maintenance : Finance Director's Office Door Window Installation & HVAC/Chiller Maintenance Agreements. Seconded by Mr. Davis. Motion carried.**

3. Park Drive & Pollard Road Paving & Intersection Improvements - \$53,498

Mr. Johnson discussed the Park Drive & Pollard Road project and that the Four Cent Gas Tax funds were recommended for funding in the Public Works Committee meeting. Mr. Johnson noted the project total is \$53,498 included City purchased asphalt of \$30,668. Mr. Johnson noted that he would be bringing the quote for the Randall Avenue resurfacing project to the next Finance meeting as he was still obtaining quotes for this project.

**Motion by Ms. Scott to recommend Council to appropriate \$53,498 from the Four Cent Gas Tax Fund for Park Drive & Pollard Road Paving & Intersection Improvements. Seconded by Mr. Lake. Motion carried.**

**D. Bids:**

- 2014-D-FD/EXTRICATION EQUIPMENT

Chief White reviewed the Extrication Equipment bid and stated the recommendation is to award to NAFECO Inc. the sole bidder at the negotiated price of \$24,505 for the complete unit. Mrs. Henson noted that according to state bid law when there is only one bidder the City can negotiate the bid. The Fire Department negotiated with NAFECO and they matched the GSA pricing at \$24,505, reduced

from their original bid of \$25,000. Chief White stated that the Volunteer Fire Department agreed to purchase an additional unit so that all the Fire Stations will have the Extrication equipment.

***Motion by Mr. Scott to adopt a resolution to award the FD/EXTRICATION EQUIPMENT bid to NAFECO, Inc. for the negotiated cost of \$24,505. Seconded by Mr. Davis. Motion carried.***

**E. Summary for Sale of Surplus Equipment/Vehicles: Sales ending 12/13/13**

Mrs. Henson noted that the summary sheet reflects surplus equipment sold online through govdeals.com for October-December, 2013. The total collection for the three pieces of equipment was \$10,111.18.

**V. OLD BUSINESS**

**VI. ADJOURN**

The meeting was adjourned at 5:07p.m.

**RENEWAL RECOMMENDATION  
FOR  
THE CITY OF DAPHNE  
2014 – 2015**

**JOHN A. ROBERTSON INSURANCE  
AGENCY, INC.  
POST OFFICE BOX 1048  
FAIRHOPE AL 36533  
(251) 928-2163  
ROBBIE ROBERTSON, AGENT**

**I. COMPREHENSIVE GENERAL LIABILITY**

**A. LIMIT**

1. \$5,000,000 Per Occurrence
2. \$5,000,000 Products and Completed Operations Aggregate
3. \$5,000 Premises Medical Payments
4. \$100,000 Damage to Premises Rented To You
5. No Aggregate

**B. COVERAGE**

1. Premises and Operations
2. Products and Completed Operations
3. Personal and Advertising Injury
4. Occurrence Form
5. \$1,000 Deductible
6. Non-Auditable Policy

**II. PUBLIC OFFICIAL LIABILITY**

**A. LIMIT**

1. \$5,000,000 Per Occurrence
2. \$5,000,000 Aggregate Limit

**B. COVERAGE**

1. Occurrence Form
2. \$1,000 Deductible
3. Employee Related Lawsuits - Included

**III. LAW ENFORCEMENT LIABILITY**

**A. LIMIT**

1. \$5,000,000 Per Occurrence
2. No Aggregate Limit

**B. COVERAGE**

1. Occurrence Form
2. \$1,000 Deductible

**IV. EMPLOYEE BENEFIT LIABILITY**

**A. LIMIT**

1. \$5,000,000 Per Occurrence
2. \$5,000,000 Aggregate Limits

**V. VEHICLE COVERAGE**

**A. LIMIT**

1. \$1,000,000 Combined Single Limits Bodily Injury and Property Damage
2. \$40,000 Uninsured Motorists
3. \$1,000,000 Hired and Non-Owned Automobile Liability
4. Comprehensive – As Per Schedule
5. Collision – As Per Schedule

**B. COVERAGE**

1. 191 Vehicles

**VI. INLAND MARINE COVERAGE**

**A. LIMIT**

1. \$5,046,183

**B. COVERAGE**

1. All Risk Form
2. \$1000 Deductible - Data Processing Equipment and Copiers
3. \$1000 Deductible - All Scheduled Equipment

**VII. PROPERTY COVERAGE**

**A. LIMIT**

1. \$50,529,324

**B. COVERAGE**

1. Special Form - Including Theft
2. Replacement Cost Valuation
3. \$5,000 Per Occurrence Deductible, All Peril Except:
4. Wind and Hail Deductible – 5%

**VIII. BOARDWALK COVERAGE and HIGHWAY 98 STREETLIGHT  
COVERAGE**

**A. LIMITS**

1. \$2,201,893

**B. COVERAGE**

1. Special Form
2. Replacement Cost Valuation
3. \$1,000 Per Occurrence Deductible
4. Policy Excludes Wind and Hail

**PREMIUM SUMMARY**      2/2014 - 2/2015  
\* 3<sup>rd</sup> Year of 3 year Commitment - 2 1/2 % Discount on Renewal Premium

<b>COMPREHENSIVE GENERAL LIABILITY</b>	<b>\$144,128</b>
<i>Company – Alabama Municipal Insurance Corp.</i>	
<b>PUBLIC OFFICIALS LIABILITY (Included Above)</b>	
<i>Company – Alabama Municipal Insurance Corp.</i>	
<b>LAW ENFORCEMENT LIABILITY (Included Above)</b>	
<i>Company – Alabama Municipal Insurance Corp.</i>	
<b>COMMERCIAL AUTOMOBILE</b>	<b>\$136,822</b>
<i>Company – Employers Mutual Companies</i>	
<b>EQUIPMENT</b>	<b>\$28,958</b>
<i>Company – Employers Mutual Companies</i>	
<b>PROPERTY</b>	<b>\$163,432</b>
<i>Company – Employers Mutual Companies</i>	
<b>BOARDWALKS AND STREETLIGHTS</b>	<b>\$14,616</b>
<i>Company – Employers Mutual Companies</i>	
	<hr/>
	<b>\$ 487,956</b>

FY13 - PREMIUM SUMMARY 2/2013-2/2014

<b>COMPREHENSIVE GENERAL LIABILITY</b>	<b>\$141,423</b>
<i>Company - Alabama Municipal Insurance Corp.</i>	
<b>PUBLIC OFFICIALS LIABILITY (Included Above)</b>	
<i>Company - Alabama Municipal Insurance Corp.</i>	
<b>LAW ENFORCEMENT LIABILITY (Included Above)</b>	
<i>Company - Alabama Municipal Insurance Corp.</i>	
<b>COMMERCIAL AUTOMOBILE</b>	<b>\$120,926</b>
<i>Company - Employers Mutual Companies</i>	
<b>EQUIPMENT</b>	<b>\$27,101</b>
<i>Company - Employers Mutual Companies</i>	
<b>PROPERTY</b>	<b>\$157,089</b>
<i>Company - Employers Mutual Companies</i>	
<b>BOARDWALKS AND STREETLIGHTS</b>	<b>\$12,792</b>
<i>Company -- Employers Mutual Companies</i>	
	<b>\$ 459,331</b>

Previous  
Year's  
Premium

## Insurance Premiums: 5 Year Comparison - Fiscal Year Summary

<u>Org #</u>	<u>Object</u>	<u>Object</u>	Budget <u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>	<u>2010</u>
123400	53543	ERRORS & OMISSIONS	7,350	6,307	6,282	6,282	7,426
142521	53544	PROFESSIONAL LIABILITY	46,500	43,864	43,483	41,497	43,146
123400;764542; 786000; 786500	53545	PROPERTY/LIABILITY	334,325	313,133	286,716	274,471	249,696
	53546	VEHICLE INSURANCE	140,295	130,051	115,787	118,105	123,812
<b>TOTAL</b>			<b>528,470</b>	<b>493,355</b>	<b>452,268</b>	<b>440,355</b>	<b>424,080</b>

**Dane Haygood**  
Mayor

**Vickie Hinman**  
Human Resources Director



*The Jubilee City*

**Sherree Hilburn**  
Payroll and Benefits Coordinator

**Sandi Cushway**  
Human Resources Assistant

January 10, 2014

**HUMAN RESOURCES DEPARTMENT**  
**ACTIVITY REPORT**

**Positions**

Administrative Technician (Police)  
Mechanical Equipt. Supv.  
Corrections Officer (2)  
Police Officer (2)  
PT S.A.I.L. Site Driver  
SWW.

**Status**

Interviewing  
Interviewing  
DOH: 1/9/2014  
Written and Physical Agility test  
Interviewing  
Interviewing

**No Safety meeting in December**

**Next Safety Committee meeting on January 22, 2014**

HR projects/meetings:

- Employee Personnel Handbook revisions submitted to Ordinance Committee 1/8/2014 and posted for 10 days
- Oral Board interviews for Police Officer positions on 1/24/2014
- W2's due Jan. 31. Waiting on upgrades in Munis

Human Resources Department  
P.O. Box 400 Daphne, Alabama 36526  
Phone: (251) 621-3075 • Fax: (251) 621-4506

## TREASURER'S REPORT

As of December 31, 2013

Account Type/Title	Bank / Brokerage	Balance this Month 12/31/13	Balance last Month 11/30/13	Increase (Decrease) from last Month	Balance Last Year Dec 2012	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	Compass Bank1	\$ 5,031,597	\$ 4,590,278	\$ 441,319		
INVESTMENT FUND	Raymond James	5,120,724	5,159,256	(38,532)		
AGENCY FUNDS (Municipal Court)	Compass Bank2	74,151	121,188	(47,037)		
<b>Total Unrestricted Funds</b>		<b>10,226,472</b>	<b>9,870,722</b>	<b>355,750</b>	<b>\$ 8,496,774</b>	<b>\$ 1,729,698</b>
				☺		
<b>SPECIAL REVENUE FUNDS</b>						
MUNICIPAL COURT	Compass Bank1	-	(56,201)	56,201		
SELF INSURANCE	Compass Bank1	21,189	32,071	(10,882)		
FLEX SPENDING	Compass Bank1	998	1,351	(353)		
4 CENT GAS TAX	PNC Bank1	127,740	122,956	4,784		
7 CENT GAS TAX	PNC Bank2	418,424	412,452	5,972		
TREE & FLOWER	Compass Bank1	11,200	-	11,200		
SAIL SITE	PNC3/Compass1	849	(9,226)	10,075		
BP OIL SPILL	Compass Bank1	426,768	426,768	-		
FEDERAL DRUG FORFEITURES	Compass Bank1	49,078	49,078	-		
LOCAL DRUG FORFEITURES	Compass Bank1	10,730	9,787	943		
LIBRARY	Compass Bank1	28,486	30,042	(1,556)		
CONCESSION STAND	Compass Bank1	(6,243)	(4,567)	(1,676)		
COURT TRAINING & EQUIPMENT	Compass Bank2	24,641	24,719	(78)		
COURT JUDICIAL ADMINISTRATIVE	Compass Bank2	54,516	52,472	2,044		
COURT CORRECTION	Compass Bank2	210,019	208,451	1,568		
LODGING TAX	Compass Bank1	926,976	965,280	(38,304)		
RENAISSANCE CENTER	Compass Bank1	11,443	11,062	381		
CREDIT CARD DONATION ACCT	Compass Bank3	221	500	(279)		
		<u>2,317,035</u>	<u>2,276,995</u>	<u>40,040</u>	2,815,164	(498,129)
<b>CAPITAL PROJECT FUNDS</b>						
CAPITAL RESERVE	Wells Fargo Bank1	1,518,084	1,518,070	14		
2012 CONSTRUCTION	Regions Bank	741,909	763,659	(21,750)		
		<u>2,259,993</u>	<u>2,281,729</u>	<u>(21,736)</u>	3,902,545	(1,642,552)
<b>DEBT SERVICE FUNDS</b>						
DEBT SERVICE	Wells Fargo Bank2	2,039,553	2,039,541	12	2,799,353	(759,800)
<b>Total Restricted Funds</b>		<b>6,616,581</b>	<b>6,598,265</b>	<b>18,316</b>	<b>9,517,062</b>	<b>(2,900,481)</b>
<b>Total City Funds</b>		<b>\$ 16,843,053</b>	<b>\$ 16,468,987</b>	<b>\$ 374,066</b>	<b>\$ 18,013,836</b>	<b>\$ (1,170,783)</b>

# of Months of UNRESTRICTED Cash to cover monthly  
Operating Expenses & Debt Service

4.6

4.5

4.0

# SALES & USE TAXES

## ACTUAL COLLECTIONS

	2010	2011	2012	2013	2014	Actual-2014	Budget	Monthly Variance	YTD Variance	% of Budget
October	764,641.13	800,512.03	864,727.27	1,019,065.37	1,062,861.14	1,062,861.14	1,031,207	31,654.56	31,654.56	3.07%
November	761,955.37	819,834.09	845,342.45	1,011,813.96	1,061,121.86	1,061,121.86	1,028,397	32,725.11	32,725.11	3.18%
December	1,004,037.20	1,121,383.45	1,165,135.62	1,266,051.50	-	-	1,364,761	-	-	0.00%
January	723,504.28	817,230.14	809,785.59	895,717.19	-	-	969,137	-	-	0.00%
February	733,335.60	840,768.01	845,101.34	1,004,349.50	-	-	1,033,479	-	-	0.00%
March	916,657.55	976,181.39	1,018,721.43	1,181,007.55	-	-	1,220,063	-	-	0.00%
April	809,588.73	916,536.59	911,438.60	1,039,769.87	-	-	1,101,677	-	-	0.00%
May	862,254.54	889,945.33	911,839.30	1,098,548.05	-	-	1,114,196	-	-	0.00%
June	887,262.68	946,206.78	1,114,149.53	1,097,507.32	-	-	1,213,130	-	-	0.00%
July	839,192.33	902,457.24	1,010,193.08	1,065,215.02	-	-	1,143,981	-	-	0.00%
August	790,713.80	871,437.04	1,021,267.76	1,110,126.44	-	-	1,153,572	-	-	0.00%
September	841,035.40	863,630.36	1,004,661.04	1,058,958.43	-	-	1,125,482	-	-	0.00%
<b>Totals</b>	<b>9,934,178.61</b>	<b>10,766,122.45</b>	<b>11,522,363.01</b>	<b>12,848,130.20</b>	<b>2,123,983.00</b>	<b>2,123,983.00</b>	<b>13,499,081</b>	<b>64,379.67</b>		

## FY 2014 BUDGET/ACTUAL COMPARISONS

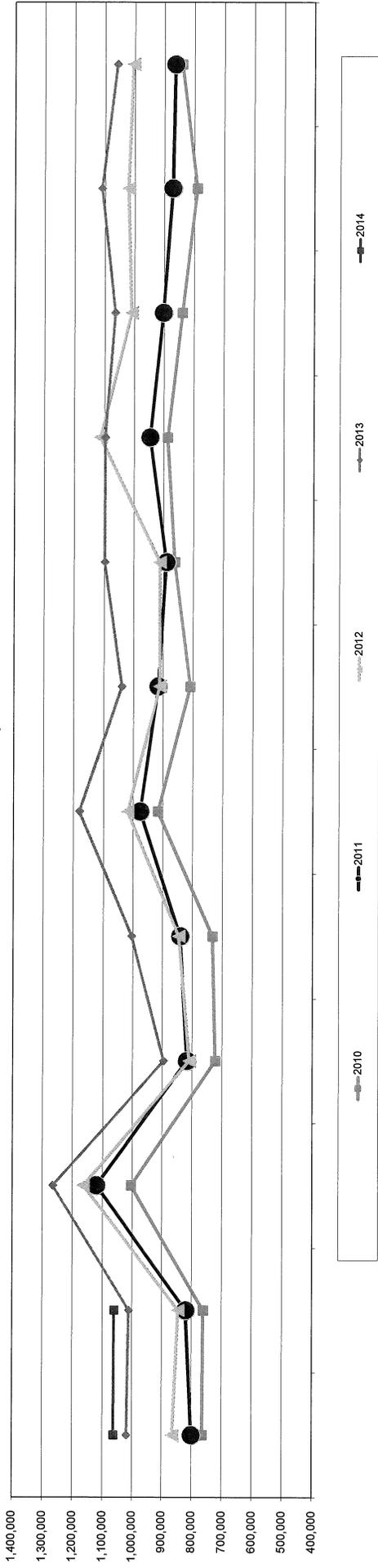
## FISCAL YEAR COMPARISONS

Change	2010-2011		2011-2012		2012-2013		2013-2014		Percent Change	
	2010-2011	2011-2012	2011-2012	2012-2013	2012-2013	2013-2014	2010-2011	2011-2012	2012-2013	2013-2014
October	35,870.90	64,215.24	154,338.10	43,795.77	4.69%	8.02%	17.85%	4.30%	17.85%	4.30%
November	57,878.72	25,508.36	166,471.51	49,307.90	7.60%	3.11%	19.69%	4.87%	19.69%	4.87%
December	117,346.25	43,752.17	100,915.88	-	11.69%	3.90%	8.66%	-	8.66%	-
January	93,725.86	(7,444.55)	85,931.60	-	12.95%	-0.91%	10.61%	-	10.61%	-
February	107,432.41	4,333.33	159,248.16	-	14.65%	0.52%	18.84%	-	18.84%	-
March	59,523.84	42,540.04	162,286.12	-	6.49%	4.36%	15.93%	-	15.93%	-
April	106,947.86	(5,097.99)	128,331.27	-	13.21%	-0.56%	14.08%	-	14.08%	-
May	27,690.79	21,893.97	186,708.75	-	3.21%	2.46%	20.48%	-	20.48%	-
June	58,944.10	167,942.75	(16,642.21)	-	6.64%	17.75%	-1.49%	-	-1.49%	-
July	63,264.91	107,735.84	55,021.94	-	7.54%	11.94%	5.45%	-	5.45%	-
August	80,723.24	149,830.72	88,858.68	-	10.21%	17.19%	8.70%	-	8.70%	-
September	22,594.96	141,030.68	54,297.39	-	2.69%	16.33%	5.40%	-	5.40%	-
<b>Annual \$ Change</b>	<b>831,943.84</b>	<b>756,240.56</b>	<b>1,325,767.19</b>	<b>93,103.67</b>	<b>8.37%</b>	<b>7.02%</b>	<b>11.51%</b>	<b>0.72%</b>		

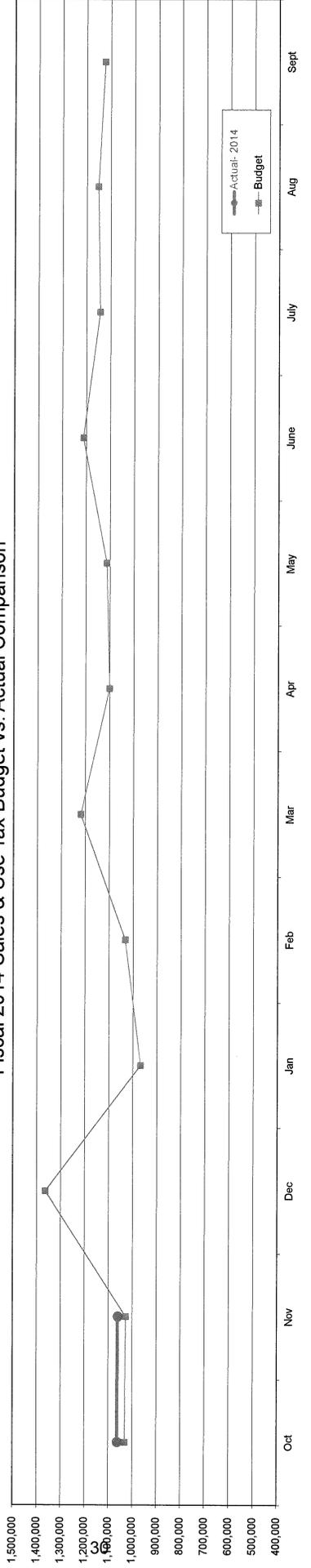
TOTAL collections: FY 13	12,848,130
TOTAL est. bdgt coll: FY 14	13,499,081
Budgeted Dollar Variance 13 & 14	650,951
Budgeted Percent Variance 13&14	5.07%

TOTAL collections thru: 12/13	2,123,983
Budgeted thru: 11/13	1,031,207
Actual Coll>(<)Budget, 11/13	1,092,776
% Over/(Under) Budget, 11/13	105.97%

### Sales & Use Tax Comparisons



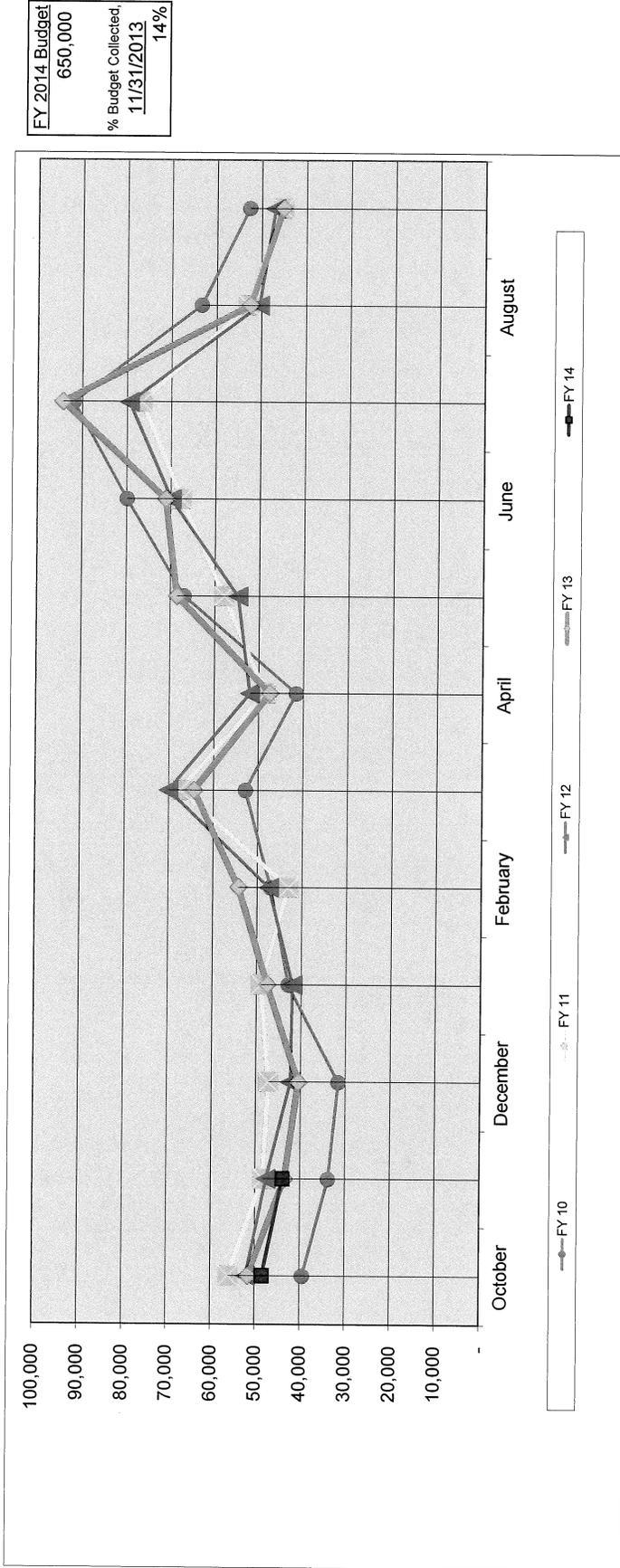
### Fiscal 2014 Sales & Use Tax Budget vs. Actual Comparison



### Monthly Lodging Tax Collections

	FY 10	FY 11	FY 12	FY 13	FY 14
Oct	39,405.56	56,001.39	52,002.53	51,578.40	48,382.05
Nov	33,763.37	48,329.73	47,568.08	43,459.48	43,912.92
Dec	31,571.38	47,210.56	42,279.22	40,495.14	
Jan	42,883.70	49,006.12	41,917.34	47,548.01	
Feb	46,998.32	43,052.68	47,346.50	54,207.03	
Mar	52,771.52	67,422.43	70,058.33	64,325.47	
Apr	41,531.05	48,487.83	51,939.06	47,434.55	
May	66,820.96	57,880.48	54,740.45	68,448.49	
Jun	79,822.84	67,544.77	69,822.91	71,090.69	
Jul	91,906.47	76,631.86	79,417.80	94,310.47	
Aug	63,323.58	52,820.33	50,417.73	52,427.99	
Sept	52,662.79	45,216.75	46,968.89	45,148.35	
Total	643,461.54	659,604.93	654,478.84	680,474.07	92,294.97

Ord 1997-28 adopted December 8, 1997 incr levy from 3% to 4%.



# BUSINESS LICENSE ACTIVITY - DECEMBER 2013

NEW BUSINESS LICENSES (BY TYPE)		
NAICS	ACTIVITY	QTY
11	Agriculture, Forestry, Fishing and Hunting	
21	Mining, Quarrying, and Oil & Gas Extraction	
22	Utilities	
23	Construction	8
31-33	Manufacturing	
42	Wholesale Trade	1
44-45	Retail Trade	1
48-49	Transportation and Warehousing	
51	Information	
52	Finance and Insurance	2
53	Real Estate, and Rental & Leasing	
54	Professional, Scientific, and Technical Services	
55	Management of Companies & Enterprises	
56	Administrative, Support, Waste Mgmt, and Remediation Services	1
61	Educational Services	
62	Health Care and Social Assistance	
71	Arts, Entertainment, and Recreation	1
72	Accommodation and Food Services	
81	Other Services (not elsewhere specified, such as personal care)	1
<b>TOTAL NEW BUSINESS LICENSES (BY TYPE)</b>		<b>15</b>

NEW BUSINESS LICENSES (BY LOCATION)	
<b>Daphne (physical location)*</b>	<b>2</b>
Daphne (no physical location)	0
Baldwin County	6
Mobile County	3
In State (not including Baldwin/Mobile counties)	2
Out of State	2
<b>TOTAL NEW BUSINESS LICENSES (BY LOCATION)</b>	<b>15</b>

*NEW BUSINESSES LOCATED IN DAPHNE		
NAICS	NAME & ADDRESS	
44	Compound Care Plus LLC (pharmacy) 2901 SW 149th Ave.	1
52	Alabama Benefits Counselor (ins. agency) 1203 HWY 98, 3B	1
<b>*TOTAL NEW BUSINESSES LOCATED IN DAPHNE</b>		<b>2</b>

CLOSED BUSINESSES LOCATED IN DAPHNE	
NAICS	NAME & ADDRESS
<b>TOTAL CLOSED BUSINESSES LOCATED IN DAPHNE</b>	
<b>0</b>	

NET GAIN/(LOSS) BUSINESSES LOCATED IN DAPHNE	
<b>2</b>	

BUSINESS LICENSE COUNT through 11/30/2013	
Issued THIS MONTH:	
NEW Licenses	34
RENEWAL Licenses	73
PRIOR YEAR Licenses	5
<b>Total Issued THIS MONTH</b>	<b>112</b>
<b>Total Issued THIS MONTH - PREVIOUS YEAR</b>	<b>46</b>
<b>Net Gain/(Loss) Current VS Previous Yr MONTH</b>	<b>66</b>
	<b>144%</b>
<b>Total Issued YTD</b>	<b>4,159</b>
<b>Total Issued YTD - PREVIOUS YEAR</b>	<b>3,753</b>
<b>Net Gain/(Loss) Current VS Previous Yr YTD</b>	<b>406</b>
	<b>11%</b>

**RESOLUTION 2014-  
PREPAID TRAVEL**

**BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA  
HEREBY AUTHORIZES THE FOLLOWING:**

Prepaid travel expenses are approved for the purpose and amount indicated below for the following:

***LeAndra Burks, Court Magistrate, 2014 Municipal Magistrates' Certification  
Program, Alabama Judicial College, January 31st, February 7th, 14th, 21st, &  
28th, 2014, Montgomery, AL - \$255***

A complete expense summary with receipts will be submitted and approved by the Mayor upon return from the above.

**APPROVED AND ADOPTED BY THE CITY COUNCIL, CITY OF DAPHNE, ALABAMA on  
this \_\_\_\_\_ day of \_\_\_\_\_, 2014.**

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

<b>PREPAID TRAVEL REQUEST FORM</b>	
EMPLOYEE NAME / TITLE	LeAndra Burks/Magistrate
DEPARTMENT	Municipal Court
DATES OF TRAVEL	January 31 <sup>st</sup> , February 7 <sup>th</sup> , February 14 <sup>th</sup> , February 21 <sup>st</sup> , February 28 <sup>th</sup>
SCHOOL/ORGANIZATION	Alabama Judicial College
LOCATION FOR TRAINING: CITY / STATE	Montgomery, Al
REGISTRATION FEE	\$250.00 (already paid)
LODGING	\$ 109.87/ night
TOTAL ADVANCE REQUESTED (\$51 x # OF DAYS)	\$ 255.00

A complete Expense Report with itemized receipts must be submitted within one week of return. The employee understands that proper itemized receipts must be submitted for all monies expended. Any remaining balance must be reimbursed to the City or this amount will be included as taxable income on the employee's W-2.

Employee Signature 

 Department Head Approval     
 Vendor # \_\_\_\_\_     
 Dept Org # 122200     
 Object # 52211     
 Proj# \_\_\_\_\_

**\*PREPAID TRAVEL IS APPROVED BY THE FINANCE COMMITTEE THEN COUNCIL – PLEASE SUBMIT IN TIME TO ALLOW SUFFICIENT TIME FOR THESE APPROVALS.**

**\*ATTACH A COPY OF THE BROCHURE/REGISTRATION FORM FOR TRAINING EVENT ATTENDING - THE ATTACHED COPY SHOULD DISPLAY PURPOSE, DATES, AND COST OF TRAINING EVENT.**



ADMINISTRATIVE OFFICE OF COURTS  
300 Dexter Avenue  
Montgomery, Alabama 36104-3741  
(334) 954-5000

MEMORANDUM

TO: Municipal Court Clerks  
FROM: Joy Evans, UJS Magistrate Program  
DATE: December 18, 2013  
RE: 2014 Municipal Magistrates' Certification Program Orientation Sessions

This memorandum serves as notice that the Municipal Magistrates' Certification Program Orientation Sessions are scheduled for the following dates:

Orientation Part 1A&2A	Friday, January 31	Orientation Part 1B& 2B	Friday, July 11
Orientation Part 3A	Friday, February 7	Orientation Part 3B	Friday, July 18
Orientation Part 4A	Friday, February 14	Orientation Part 4B	Friday, July 25
Orientation Part 5A	Friday, February 21	Orientation Part 5B	Friday, August 1
Orientation Part 6A	Friday, February 28	Orientation Part 6B	Friday, August 8

You may choose between Session A or B. But, you must register for all six classes at one time. The registration fee to register for all six (6) classes is **\$250.00** per attendee. Persons registering on or after the deadline (**Sessions A - January 17, 2014 or Sessions B - June 27, 2014**) will be charged an additional **\$10.00**. Checks should be made payable to the Alabama Judicial College Education Fund or AJCEF. No refunds will be given for cancellations made after the deadline. No substitution in participants may be made. We cannot accept purchase orders for registration fees.

This memorandum also serves as notice that the Municipal Magistrate Maintenance Classes are scheduled for the following dates: Friday, June 6, 2014 (**registration deadline May 23<sup>rd</sup>**) and Friday, December 5, 2014 (**registration deadline November 21<sup>st</sup>**).

You must complete a separate registration form for each attendee. If your municipality is sending a check for more than one participant, please include the names of each individual the check is for. A receipt will be generated for each individual participant, and will have the name of the municipality on the receipt itself if applicable.

The classes will be held in the mezzanine classroom. **Registration begins at 8:30 am. Class begins promptly at 9:00 am.** Participants will be given access to park in the RSA parking deck located between Hull Street and Decatur Street (behind and to the left of the Judicial Building). Upon receipt of your registration form parking instructions which include a map that directs you to the Decatur Street entrance, along with the parking code(s) you need to access the parking deck, will be emailed to you. AOC has been given access to park on levels 3 and 4 only.

**Registration forms for the orientations and the maintenance classes are attached.** If you have any questions concerning these conferences, please contact Joy Evans at 1.866.954.9411, ext. 5014.

## **Public Safety Committee**

*Wednesday, January 8, 2014*

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, Councilman Robin LeJeune, Chief White, Melvin McCarley, Captain Bell.

### **POLICE DEPARTMENT**

-  **A. New Business** – Councilman Rudicell said an approval was needed from this committee to Finance on the Nexedge radio system. Councilman Scott made a motion and Councilman Fry seconded the motion. Motion passed. Councilman Rudicell stated he'd like to pay cash after seeing the report from Mike Hinson. Captain Bell stated that the prices had gone down a little bit and he was getting together a new price list so it would be accurate when given to Finance. Chief Carpenter stated that the YTD Jail Totals should be changed to reflect 429. He reviewed the stats and D-Runs. He mentioned that Jason Lazzari had been promoted to Detective and they were in the process of testing for the patrol vacancy. New officer Brad Chandler will be going to Anniston next week to begin Police Academy.

### **FIRE DEPARTMENT**

- A: New Business** –Chief White went over his stats. He mentioned that the FD had received a \$5,000 donation from Malbis Plantation Foundation. With this donation they are upgrading their extrication equipment. He also stated they adopted a family for Christmas and helped deliver toys.
- A. Old Business-**

### **OTHER BUSINESS:**

### **ADJOURN**

There being no further business to discuss, Mr. Scott made a motion to adjourn the meeting at 5:15 p.m. Mr. Fry seconded. The next meeting will be Wednesday, February 12, 2014 at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,  
Daphne Public Safety Committee

## Suzanne Henson

---

**From:** Daniel Bell <dbell@daphnepolice.org>  
**Sent:** Friday, January 10, 2014 1:21 PM  
**To:** Suzanne Henson; Mike Hinson  
**Cc:** Tracy Bishop  
**Subject:** Nexedge radio project Quote for PD and PW  
**Attachments:** Nexedge Radio Project Quote for PD,PW 1-10-2014.pdf

Suzanne

Sorry for the delay. We had some fine tuning needed to that quote but I wanted it as accurate as possible given the project costs. Additionally, we added Public Works to the overall project quote. This is the updated quotes as of today. I had hoped to update my initial letter to go along with this but I did not want to delay this information any further.

Please call me if you have any questions 680-5519. Thanks.

*Daniel Bell  
Captain  
Field Operations  
Daphne Police Department  
1502 U.S. Highway 98 Daphne Al. 36526  
Phone: 251-621-2834  
Fax: 251-621- 3597*



**Hurricane Electronics, Inc.**

Phone: 251-476-4000

Fax: 251-479-8638

201 West Lee Street

Mobile, AL 36611

**Quote**No.: **17622**

Date: 1/10/2014

Prepared for:  
 Danny Bell (251) 621-3095  
 Daphne, The City Of  
 P.O. Box 400  
 Daphne, AL 36526 U.S.A.

Prepared by: Mike Farrell  
 Account No.: 2196  
 Phone: (251) 621-9000

Quantity	Item ID	Description	UOM	Sell	Total
<b>Hand Held Radios</b>					
16	V4-BA2KB3B	Breeze Headset/NX300/Remote Flat PTT	EA	\$136.00	\$2,176.00
<b>NX-300G with Integrated GPS / Full DTMF Keypad</b>					
99	NX-300K4	UHF DIGITAL PORTABLE 12KEY 400	Eac	\$550.50	\$54,499.50
<b>Antenna is a Hybrid with UHF/GPS Bands</b>					
99	KRA-27M	UHF WHIP ANTENNA	EA	\$12.50	\$1,237.50
198	KNB-47L	1950 mAh, Li-ion battery - requires KSC-32/326K charger	EA	\$78.75	\$15,592.50
99	KSC-32	Rapid Access Charger	EA	\$52.50	\$5,197.50
4	KMB-23	Six Unit Charger Adapter for the KSC-16/20/24/25/32 chargers (chargers not included)	EA	\$143.25	\$573.00
99	KBH-8DS	Leather swivel belt loop with portable D-Ring attachment	EA	\$19.73	\$1,953.27
99	KMC-41M	MIL-SPEC, IP54/55 Noise-canceling Speaker Mic [Intrinsically Safe Approved Accessory] [MSHA Approved Accessory]	EA	\$72.38	\$7,165.62
<b>Mobile Radios</b>					
57	NX-800K	450-520 MHz 30W, 512 CH / 128 Zone Includes: KMC-35 Mic., DC Cable, Mounting bracket	EAC	\$543.75	\$30,993.75
54	87818	Ant, 450-512 Low Profile	EAC	\$40.84	\$2,205.36
54	20666	NMO 3/4" mount, UHF/M	EAC	\$16.54	\$893.16
54	KES-5	External speaker, 40W max input	EA	\$45.94	\$2,480.76
54	KAP-2	Horn Alert/P.A. Relay Option	EA	\$47.25	\$2,551.50
54	C-EB25-T81-1P	CONSOLE BRACKET FOR KENWOOD NX800	EA	\$30.24	\$1,632.96
<b>Control Stations</b>					
18	NX-800K	450-520 MHz 30W, 512 CH / 128 Zone Includes: KMC-35 Mic., DC Cable, Mounting bracket	EAC	\$543.75	\$9,787.50
15	30034	450-470 Port. Ant./UHF,6"	EAC	\$18.57	\$278.55
15	59517	UHF/F - UHF/M Angle Adapt	EAC	\$7.04	\$105.60
3	53682	450-460 3dB Fiberglass	EAC	\$185.25	\$555.75
3	44093	Heavy Duty SnapIn Wall Mt	EAC	\$30.69	\$92.07
	GC8312				

**Quote**  
**No.: 17622**  
**Date: 1/10/2014**

Quantity	Item ID	Description	UOM	Sell	Total
3	448680	1 1/4" x 5' Pre-Gal. Mast	EAC	\$15.80	\$47.40
3	53970	Bulkhead Arrestor, N/F	EAC	\$65.55	\$196.65
3	372288	6' RG8 Jumper NM UM	EAC	\$30.35	\$91.05
3	392850	100' LMR400 Jumper NM NF	EAC	\$200.00	\$600.00
<b>AVL Option</b>					
1	LCD Montitor Wall Mount	LCD Monitor Max 50" with Wall Mount accessories	EA	\$1,200.00	\$1,200.00
1	NX-800K	450-520 MHz 30W, 512 CH / 128 Zone Includes: KMC-35 Mic., DC Cable, Mounting bracket	EAC	\$543.75	\$543.75
1	DELLCPU	Dell Desktop computer w/ 19" Monitor	EA	\$1,099.00	\$1,099.00
1	50401	22 Amp Power Supply	EAC	\$120.00	\$120.00
1	30034	450-470 Port. Ant./UHF,6"	EAC	\$18.57	\$18.57
1	59517	UHF/F - UHF/M Angle Adapt	EAC	\$7.04	\$7.04
<b>Miscellaneous Items</b>					
20	415525	5' CAT5e RJ45 Patch Blue	EAC	\$1.55	\$31.00
1.00	LABORITEM	Technical/Installation Labor	HR	\$20,400.00	\$20,400.00
<b>Public Works</b>					
24	NX-300K2	UHF DIGITAL PORTABLE NOKEY400 (includes; BELTCLIP); PURCHASE BATTERY, CHARGER, ANTENNA SEPERATELY	EAC	\$513.00	\$12,312.00
24	KRA-27M	UHF whip antenna 440-490 MHz	EA	\$12.50	\$300.00
48	KNB-47L	1950 mAh, Li-ion battery - requires KSC-32/326K charger	EA	\$78.75	\$3,780.00
24	KSC-32	Rapid rate single charger for KNB-31A/32N/33L/41NC/43L/47L/48L/50NC/54N	EA	\$52.50	\$1,260.00
24	KBH-8DS	Leather swivel belt loop with portable D-Ring attachment	EA	\$19.73	\$473.52
24	KMC-41M	MIL-SPEC, IP54/55 Noise-canceling Speaker Mic [Intrinsically Safe Approved Accessory] [MSHA Approved Accessory]	EA	\$72.38	\$1,737.12
10	NX-800K	UHF DIGITAL MOBILE 30W 450-520 Includes: KMC-35 Mic., DC Cable, Mounting bracket	EAC	\$543.75	\$5,437.50
10	490405	450-470 Antenna w/ Spring	EAC	\$36.21	\$362.10
10	20666	NMO 3/4" mount, UHF/M	EAC	\$16.54	\$165.40
6	Mobile Adapter Kits	Mobile Adapter Kits	EA	\$156.00	\$936.00

**Quote**

No.: **17622**

Date: 1/10/2014

---

**Your Price:** \$191,089.95

Freight: \$400.00

**SubTotal:** \$191,489.95

**Total:** \$191,489.95

Prices are firm until 2/9/2014      Terms: Net 30

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**Quoted by:** Mike Farrell, mfarrell@twowayradio.net

**Date:** 1/10/2014

**Accepted by:** \_\_\_\_\_

**Date:** \_\_\_\_\_

+ 55,692.00  
Total \$ 247,181.95

**Hurricane Electronics, Inc.**

Phone: 251-476-4000  
 Fax: 251-479-8638  
 201 West Lee Street  
 Mobile, AL 36611

**Quote**

No.: **17623**  
 Date: 1/10/2014

Prepared for:  
 Daniel Bell  
 Daphne, The City Of  
 P.O. Box 400  
 Daphne, AL 36526 U.S.A.

Prepared by: Mike Farrell  
 Account No.: 2196  
 Phone: (251) 621-9000

Quantity	Item ID	Description	UOM	Sell	Total
<b>Programming Kit</b>					
57	GPS-200KEN	GPS/AVL Modem	EA	\$349.00	\$19,893.00
54	ANT-02	GPS Antenna	EA	\$66.00	\$3,564.00
57	TRK-240-Cable-KEN	Radio Interface Cable	EA	\$55.00	\$3,135.00
<b>Tracking Device</b>					
1	TRK-PGMR	Hardware Programmer	EA	\$200.00	\$200.00
1	CDsoft-1	Program Software	EA	\$125.00	\$125.00
<b>Tracking / Fleet Management Software</b>					
1	Power Trak3/ WS	Single Computer Software License 20 Veh	EA	\$2,399.00	\$2,399.00
8	MOB-20	Upgrade Vehicle Capacity blocks 20	EA	\$389.00	\$3,112.00
1	PT Support	Online install/ Config/Training 12 Months Upgrades Included	EA	\$599.00	\$599.00
<b>Options</b>					
1	Trak-Control	Integration to CAD	EA	\$2,800.00	\$2,800.00
1	PT3-Map Plus	Navteq premium map data	EA	\$1,600.00	\$1,600.00
1	INSTALL KIT-SMALL	Auxillary Input Wire/ Materials	EA	\$1,100.00	\$1,100.00
1.00	LABORITEM	Technical/Installation Labor	HR	\$17,000.00	\$17,000.00

**Your Price:**           \$55,527.00

Freight: \$165.00

**SubTotal:** **\$55,692.00**

**Total:**           \$55,692.00

Prices are firm until 2/9/2014      Terms: Net 30

**Quoted by:** Mike Farrell, mfarrell@twowayradio.net

**Date:** 1/10/2014

**Accepted by:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## Suzanne Henson

---

**From:** Sarah Toulson  
**Sent:** Tuesday, January 07, 2014 1:37 PM  
**To:** Suzanne Henson  
**Subject:** B&P Motions

Suzanne,

Here are the motions that concern you for the Finance Committee meeting from Buildings and Property's January 6 meeting:

**Motion:** Mr. Rudicell moved to favorably recommend the three Resolutions to Declare Certain Personal Property Surplus and Authorize the Mayor to Dispose of Such Property to the City Council for approval, and was seconded by Mr. Fry. **The Motion carried unanimously.**

**Motion:** Mr. Fry moved to favorably recommend to the Council an appropriation not to exceed \$500 for the adjustment of the Finance Director's office door, and was seconded by Mr. Rudicell. **The Motion carried unanimously.**

Randy would like to get Mike's door on the agenda for the next Council Meeting if at all possible.

If there is anything else you need from me, please let me know.

Kind Regards,

Sarah Toulson  
Assistant City Clerk  
City of Daphne, Alabama

P. O. Box 400  
1705 Main Street  
Daphne, AL 36526  
251-621-9000  
251-621-3538 FAX  
[assistantcityclerk@daphneal.com](mailto:assistantcityclerk@daphneal.com)

visit our website at  
[www.daphneal.com](http://www.daphneal.com)

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Dane Haygood  
Mayor  
  
Rebecca Hayes  
City Clerk  
  
Mike Hinson, CPA  
Finance Director/Treasurer  
  
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

## Memorandum

**To:** Councilwoman Tommie Conaway - Chairman, Finance Committee  
**Thru:** The Honorable Mayor Dane Haygood  
**From:** Richard D. Johnson, P.E.; Public Works Director   
**CC:** Finance; File  
**Date:** January 10, 2014  
**Re:** 2014 PW-022 Park Drive & Pollard Road Paving and Intersection Improvements Project

Mr. Mayor:

Based upon the quote tabulations from January 9, 2014 it is my recommendation to award the contract to American Asphalt, Inc. for the above referenced project. They submitted the qualifying low price quote.

I am further recommending the following appropriations be made from the 4-cent Gas Tax Fund:

• 100% of the construction cost of resurfacing & improvements (AAI):	\$ 22,830.00
• Cost of asphalt by City under bid price (MAC):	\$ 30,668.00
Total:	\$ 53,498.00

Yours,

RDJ

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 3<sup>rd</sup> Monday in January and the 2<sup>nd</sup> 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

PUBLIC WORKS DEPARTMENT  
 QUOTE TALLY SHEET  
 CAPITAL  
 IMPROVEMENT PROJECTS



**Project: 2014 PW-022 PARK DRIVE AND POLLARD ROAD RESURFACING**

Contractor:													
ITEM #	DESCRIPTION	UNIT	QTY	American Asphalt		Ammons & Blackman		R&S Paving & Grading		Asphalt Services Inc			
				UNIT PRICE	QUOTE	UNIT PRICE	QUOTE	UNIT PRICE	QUOTE	UNIT PRICE	QUOTE		
1	Bituminous Concrete Wearing Surface, 1.25" (135#/SY) Compacted Thickness (424A)	Ton	522	Provided by the City								Provided by the City	
2	Asphalt Milling (1" Maximum)	SY	1060	\$4.50	\$4,770.00	\$3.50	\$3,710.00	\$3.00	\$3,180.00	\$2.75	\$2,915.00		
3	Asphalt Laydown - Bituminous Concrete Wearing Surface, 1.25" (135#/SY) Compacted Thickness (424A)	SY	7800	\$1.00	\$7,800.00	\$1.05	\$8,190.00	\$1.25	\$9,750.00	\$1.85	\$14,430.00		
4	Tack Coat - (405-A) 0.05 Gal/SY	GAL	390	\$4.00	\$1,560.00	\$6.00	\$2,340.00	\$4.50	\$1,755.00	\$5.00	\$1,950.00		
5	Solid White, Class 1, Type A, Traffic Stripe, 5" Wide (701-A)	MI	1.06	\$900.00	\$954.00	\$735.00	\$779.10	\$1,250.00	\$1,325.00	\$1,600.00	\$1,696.00		
6	Solid Yellow (Double on mainline), Class 1, Type A, Traffic Stripe, 5" Wide (701-A)	MI	1.06	\$900.00	\$954.00	\$1,470.00	\$1,558.20	\$1,250.00	\$1,325.00	\$1,750.00	\$1,855.00		
7	Traffic Control Markings (Chevrons), Yellow, Class 2, Type A	SF	740	\$3.00	\$2,220.00	\$5.25	\$3,885.00	\$5.25	\$3,885.00	\$8.00	\$5,920.00		
8	Reflective Pavement Markers, Class 1, Type B	EA	48	\$6.50	\$312.00	\$10.50	\$504.00	\$7.00	\$336.00	\$7.00	\$336.00		
9	Reflective Pavement Markers, Class 2, Type C	EA	40	\$6.50	\$260.00	\$10.50	\$420.00	\$7.00	\$280.00	\$7.00	\$280.00		
10	Temporary Traffic Control	LS	1	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00	\$2,000.00	\$2,000.00	\$3,000.00	\$3,000.00		
11	Mobilization/Demobilization	LS	1	\$2,500.00	\$2,500.00	\$1,200.00	\$1,200.00	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00		
				Quote Total:		<b>\$22,830.00</b>		<b>\$26,836.00</b>		<b>\$34,882.00</b>			

**City of Daphne Fire Department  
MEMORANDUM**

**Date:** January 8, 2014

**To:** Suzanne Henson

**From:** J. White 

**Subject:** Fire Department Extrication Equipment Bid

---

After reviewing the only submitted bid, that of NAFECO Inc., we have determined that they have met all advertised bid specifications. We request that this bid be accepted at the negotiated price of \$24,505.00.

Subject: Daphne Holmatro bid  
From: Phil Bryars (phil.bryars@nafeco.com)  
To: khanak864@yahoo.com; ronald.woodall@nafeco.com;  
Date: Wednesday, January 8, 2014 4:03 PM

Chief Hanak,

Thank you for allowing NAFECO the opportunity to bid on your Holmatro Rescue Tools. NAFECO will match the GSA pricing you received of \$24,505.00. Thank you for your business. Let me know if you have any questions.

Phil Bryars Jr.  
NAFECO  
Sales Representative  
South AL/FL Panhandle  
Corporate Office  
1515 West Moulton Street  
Decatur AL. 35601  
Phone: 1.800.628.6233  
Cell: 251.422.7684  
Fax: 256.355.0852  
Email: phil.bryars@nafeco.com  
Website: www.nafeco.com  
Facebook: <https://www.facebook.com/phil.bryars>

**CITY OF DAPHNE**

**BID OPENING MINUTES  
BID DOCUMENT NO: 2014-D-FD/EXTRACATION EQUIPMENT  
JANUARY 6, 2014  
11:30 A.M.  
CITY HALL**

Those present were as follows:

Ms. Suzânnne Henson                      Sr. Accountant  
Battalion Chief Andy Ray              Fire Department

7 bid invitations were mailed/picked up , 2 sealed bids were received.

Chief Hanson opened the bid presented and the bids were read aloud as follows:

<u>VENDOR</u>	<u>TOTAL UNIT COST</u>
Sunbelt Fire	No Bid
NAFECO ( <i>Original Bid - \$25,000</i> ) /	<b>Negotiated Bid - \$24,505</b>
<i>(Pump-\$7,232 / Spreader-\$7040 / Cutter-\$5,660 / Ram &amp; Support - \$3,468 / Hose - \$800 x 2)</i>	



\_\_\_\_\_  
Suzânnne Henson, Sr. Accountant



## Public Safety Committee

*Wednesday, January 8, 2014*

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, Councilman Robin LeJeune, Chief White, Melvin McCarley, Captain Bell.

### **CALL TO ORDER**

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

**PUBLIC PARTICIPATION** – Derek Wolstenholme was in attendance with the principal of Christ the King as well as one of their school crossing guards in reference to speeding on Dryer Avenue in the school zone. They wanted to know our interpretation of the last traffic survey conducted? Captain Bell stated that it was addressed at the last meeting and that compared to all other schools, Christ the King has more personnel and signs. He stated that the police department also did morning and evening D-Runs and assessments in unmarked vehicles. Mr. Wolstenholme asked why the flashing light was down at Van Avenue and Main St. Melvin explained that someone hit it with their vehicle and knocked it down. Mr. Wolstenholme asked if the light could be moved more north toward the school? Captain Bell said he didn't see it to be an issue. Melvin stated that it needed to be near a light police for power source. Mr. Wolstenholme said they have a high number of pedestrians there at the church/school and thought it not too much to ask to make the school zone 15 mph at the Dryer Avenue crossing. Bell asked was it his suggestion to lower it all around the school? Wolstenholme said that would be great, but from 6<sup>th</sup> St on Dryer to Main St. especially and also suggested a speed hump. Councilman Rudicell asked Charlotte Keith (crossing guard) is she had any suggestions. She stated that a 15 mph school zone would help and crossing at intervals. Rudicell asked that Bell find out if any other schools in the county have 15 mph school zones and get that data for the next meeting. The principal for CTK asked the committee to take into account that they have two dismissal areas and that the Dryer Avenue crossing alone sees 100-200 crossers daily. Captain Bell asked if they had changed their policy on pick-up and drop-offs. The principal stated they still have the same two areas that they have always had. Councilman Fry made the suggestion of making 6<sup>th</sup>/Dryer Avenue a 4-way stop. Captain Bell will look at the situation and make a recommendation to council. Making it a 4-way stop or changing the zone to 15 mph. Chief White sees no problem in that area. Chief Carpenter said that making it a 4-way stop would be his recommendation. Mr. Wolstenholme doesn't think the 4-way stop will slow down traffic in the school zone. Councilman Rudicell stated that we would try the 4-way stop first. Councilman Fry made a motion to make 6<sup>th</sup> and Dryer Avenue a 4-way stop. Councilman LeJeune seconded the motion and the motion passed. Melvin stated he may be able to complete this task tomorrow. Mr. Wolstenholme also asked for the traffic counter to be put down and Melvin will take care of that also. Councilman Fry also asked that the speed trailer be put on Dryer in the middle of the school zone and that the flashing light on Main Street that was knocked down be reinstalled one pole north of where it was originally. Melvin will look into that and all data from the traffic counter and speed trailer will be available at the March meeting.

Councilman Scott asked the committee to also change speed limits from Johnson Rd to Santa Rosa

Avenue to 25 mph. Chief Carpenter stated we have had no enforcement issues. Captain asked that he be allowed to use the speed trailer and counter first to see if there really is a problem. He will study it further.

#### **APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Minutes from December 11, 2013. Councilman LeJeune asked that the minutes be amended. He was not at the prior meeting and was listed as making a motion to approve minutes. Also Councilman Fry asked to change under Public Participation the name Creekwood Subdivision to Creekside Subdivision. Chief White asked to make a change under his report last month. The fire in Belforest resulted in no deaths. Councilman Rudicell made a motion to approve the minutes with changes. Councilman Scott seconded the motion. Motion passed.

#### **POLICE DEPARTMENT**

- A. New Business** – Councilman Rudicell said an approval was needed from this committee to Finance on the Nexedge radio system. Councilman Scott made a motion and Councilman Fry seconded the motion. Motion passed. Councilman Rudicell stated he'd like to pay cash after seeing the report from Mike Hinson. Captain Bell stated that the prices had gone down a little bit and he was getting together a new price list so it would be accurate when given to Finance. Chief Carpenter stated that the YTD Jail Totals should be changed to reflect 429. He reviewed the stats and D-Runs. He mentioned that Jason Lazzari had been promoted to Detective and they were in the process of testing for the patrol vacancy. New officer Brad Chandler will be going to Anniston next week to begin Police Academy.

#### **FIRE DEPARTMENT**

- A: New Business** –Chief White went over his stats. He mentioned that the FD had received a \$5,000 donation from Malbis Plantation Foundation. With this donation they are upgrading their extrication equipment. He also stated they adopted a family for Christmas and helped deliver toys.

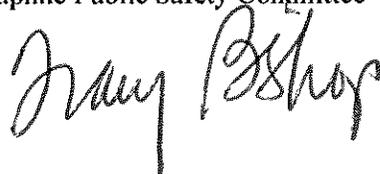
- A. Old Business-**

#### **OTHER BUSINESS:**

#### **ADJOURN**

There being no further business to discuss, Mr. Scott made a motion to adjourn the meeting at 5:15 p.m. Mr. Fry seconded. The next meeting will be Wednesday, February 12, 2014 at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,  
Daphne Public Safety Committee



Patrol Division	Detective Division: (Capt. Bell/Lt. Beedy)		JAIL: (Capt. Taylor/Lt. Yelding)		Animal Control (Capt. Taylor/Lt. Yelding)		Crimes Reported This Month:
(Capt. Bell/Lt. Hempfleng)							
# Complaints	1,157	# New Cases Received: 44	Total Arrestees Received & Processed: 187	YTD			Arson 0
# Misd. Arrests	49	# Previous Unsolved Cases: 117	Arrestees by Agency:	429			Burglary - Commercial 4
# Felony Arrests	7	# Cases Solved: 38	Daphne PD	278			Burglary - Residence 9
DUI Arrests	10	Resulting in Total Arrests: 3	BCSO	30			Burglary - Vehicle 7
Alias Warrant Arrests	24	Felonies: 3	Spanish Fort PD	95			Criminal Mischief 3
Citations	145	Misdemeanors: 0	Silverhill PD	18			Disorderly Conduct 0
Close Patrols	251	Houses Searched 0	Troopers	8			Domestic Disturbance 9
Warnings	164		Other Agencies	0			False Info to Police 1
Motolist Assists	168						Felony Assault 1
Roadway Accidents	71	Warrants: 27					Felony Theft 10
Private Property Accidents	12	Served 2					Harassment 2
Traffic Homicide	0	Agency Assists 2	Highest	37			Identity Theft 0
		Recalls (Pd Fines) 15	Lowest	24			Indecent Exposure 1
		Total Warrants Served 44					Kidnapping 0
<b>DRUG REPORT</b>			Meals Served	2,609			Menacing 0
<b>ROUTINE PATROL/SPECIAL OPS</b>			Medical Cost	\$1,886.00			Misdemeanor Assault 1
# Misd. Marijuana Arrest	3	Sex Offender: 0	Worker Inmate Hours	154			Misdemeanor Theft 15
# Felony Marijuana Arrest	0	New Registration: 2					Murder 0
# Controlled Substance Arrest	2	Contact Verification 4					Other Death Investigations 0
# Drug Paraphernalia Arrest	2	Total # registered in Daphne 4					Public Intoxication 2
Vehicles Searched	30	<b>DARE:</b>					Public Lewdness 0
		# Hours Report Writing: 6					Receiving Stolen Property 0
		# Students Instructed SRO 640					Reckless Endangerment 0
Drugs Seized:	4	# Students Instructed DARE 600					Resisting Arrest 2
Type:	0	# Police Reports by SRO 3					Robbery 2
Money Seized	0	# Arrest by SRO 3					Sex Crime Investigations 0
Vehicles Seized							Suicide 0
		<b>CODE ENFORCEMENT:</b>					Suicide, attempted 0
Commercial Vehicle Inspections	22	Warnings: 6					Theft of Services 0
		Citations 2					Unauthorized Use of Services 0
		Warning Compliance 25					Weapon Offenses 3
		Follow - Up 47					White Collar Crimes 7

*David Carpenter*

**CITY OF DAPHNE**  
**FIRE DEPARTMENT MONTHLY REPORT**  
**Report Period: November 2013**

	Current:	FY to Date:
<b>Suppression:</b>		
<b>1-Fire/Explosion:</b>	-	-
10-Fire, Other	0	8
11-Structure Fire/Commercial	0	1
11-Structure Fire/Residential	4	21
12-Fire in Mobile Property used as fixed structure	2	3
13-Mobile Property (vehicle) Fire	1	14
14-Natural Vegetation Fire	3	10
15-Outside Rubbish Fire	0	8
16-Special Outside Fire	1	2
17-Cultivated Vegetable Crop Fire	0	0
<b>2-Overpressure Rupture:</b>	0	2
<b>3-Rescue Call and Emergency Medical Service Incidents:</b>	140	1803
<b>4-Hazardous Conditions (No fire):</b>	5	35
<b>5-Service Call:</b>	13	165
<b>6-Good Intent Call:</b>	13	87
<b>7-False Alarm &amp; False Call:</b>	20	279
<b>8-Severe Weather &amp; Natural Disaster:</b>	0	2
<b>9-Other Situation:</b>	0	2
<b>Total Emergency Calls:</b>	<b>202</b>	<b>2425</b>
<b>Monthly Total Calls:</b>	<b>213</b>	<b>2478</b>
<b>Highest:</b>		
	14:00	14:00
<b>Lowest:</b>		
	<1:00	<1:00
<b>Average (Minutes/Seconds) :</b>		
	5:14	5:14
<b>Miscellaneous Reports:</b>		
<b>Training Hours</b>	573.50	2959.37
<b>Property Loss - \$</b>	49,015	62581.45
<b>Fire Personnel Injuries by Fire/Civillian Injuries by Fire</b>	0	0
<b>Advance Life Support Rescues</b>	103	1336
<b>Number of Patients Treated</b>	144	2473
<b>Child Passenger Safety Seat Inspections/Installations</b>	6	101
<b>Pre-Plans</b>	79	498
<b>Classes</b>		
	2	13
<b>Persons Attending</b>	34	199
<b>Plan Reviews</b>		
	5	29
<b>Final/Certificate of Occupancy</b>	2	7
<b>General/Annual Inspections</b>	63	530
<b>General/Re-Inspections (Violation Follow-up - Annual)</b>	7	102
<b>Business Licenses</b>	8	73
<b>All Other/Misc. Activities</b>	41	99
<b>Total Activities:</b>	<b>126</b>	<b>840</b>

Authorized by:

*James White*

**Code Enforcement / Ordinance Committee**

*Wednesday, January 8, 2014*

*1705 Main Street*

*Daphne, AL*

*5:30 p.m.*

*Councilman Ron Scott, Chairman*

*Councilman Robin LeJeune*

*Councilman Pat Rudicell*

*Councilman Randy Fry*

**I. CALL TO ORDER / ROLL CALL:**

Chairman Scott called the meeting to order at 5:20 p.m.

**MEMBERS PRESENT:** Pat Rudicell; Ron Scott; Robin LeJeune, Randy Fry.

Also present: Sarah Toulson, recording secretary; Kevin Boucher, Attorney; Mike Hinson, Finance Director; Vickie Hinman, HR Director; Scott Hetrick, Attorney; Councilman Joe Davis

**II. APPROVE MINUTES / December 11, 2013**

**Motion by Councilman Fry to approve the December 11, 2013 minutes. Seconded by Councilman LeJeune.**

**Motion Carried Unanimously**

**III. PUBLIC PARTICIPATION**

No one spoke.

**IV. ORDINANCE REVIEW**

**a) Proposed Revisions to Employee Handbook / Chapters 1 & 10**

The committee reviewed the memorandum by Attorney Scott Hetrick outlining the most recent changes made to the ordinance. The committee was in agreement with the revisions to the Employee Handbook.

**Motion by Councilman Lejeune to send the ordinance revising Chapters 1 & 10 of the Employee Handbook with a favorable recommendation to the City Council for consideration. Seconded by Councilman Rudicell.**

**Motion Carried Unanimously**

**b.) Proposed Community Contribution Guidelines Ordinance**

The committee was in agreement with the Community Contributions Guidelines as written.

**Motion by Councilman Lejeune to send the ordinance establishing Community Contribution Guidelines with a favorable recommendation to the City Council for consideration. Seconded by Councilman Rudicell.**

**Motion Carried Unanimously**

**c.) Proposed Revisions to the Lodging Tax Ordinance**

The committee discussed the ordinance and the consensus of the committee was as follows:

1. The Downtown Redevelopment Authority will receive five (5) percent of the lodging tax funds.
2. The Industrial Development Board will receive thirteen (13) percent of the lodging tax funds.
3. Thirty-two (32) percent will be set aside for the acquisition and maintenance of Bayfront property.
4. Delete “which is approximately \$160,000 a year” under Section 10(c).

**Motion by Councilman Lejeune to send the proposed Ordinance Revising the Lodging Tax with a favorable recommendation to the City Council for consideration. Seconded by Councilman Fry.**

<b>AYE</b> Fry, Lejeune, Scott	<b>NAY</b> Rudicell	<b>MOTION CARRIED</b>
--------------------------------	---------------------	-----------------------

Councilman Joe Davis addressed the committee, providing a handout and speaking to his thoughts on the distribution of Lodging Tax funds.

**V. OTHER BUSINESS**

No other business to consider.

**VIII. NEXT MEETING**

The next meeting will be February 12, 2014

**IX. ADJOURN**

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

**Motion Carried Unanimously**

There being no further business to discuss the meeting adjourned at 6:14 p.m.

Respectfully submitted

---

Sarah F. Toulson, Acting Recording Secretary

**DAPHNE MUSEUM MINUTES**  
**DECEMBER 9, 2013**

**ATTENDEES:** *Arva Brown, Ken Balme, Penny Taylor, Helen Baroco, Camilla Butler, Zadia Pace, Lee Swetman, Doris Allegri, Al Guarisco, Mickey Boykin, Emily Hammond, Lucy Cunningham, Dooley Berry, Scott Berry, and Jeanne Nelson*

**CALL TO ORDER:** *Meeting called to order by President, Ken Balme.*

**MINUTES:** *The minutes of November 11, 2013, were approved as presented.*

**TREASURER'S REPORT:** *The Treasurer's Report for period 10-31-13 thru 11-30-13 showed a beginning Balance of \$6,111.80, with one \$50.00 debit, leaving an ending balance of \$6,061.80.*

*Petty Cash: \$27.68.*

**VOLUNTEER ASSIGNMENTS:** *On target with one exception: There are five Sundays in December. Need a volunteer for that Sunday, December 29<sup>th</sup>. Al agreed to open the museum on the 4<sup>th</sup> Sunday, and Mickey will open on the 5<sup>th</sup> Sunday.*

**COMMITTEE REPORTS:**

- **Telephone:** *Camilla reported that all members were contacted. She advised that Polly's husband was not doing well.*
- **Exhibits/Events:** *Penny has displayed an exhibit of various museum artifacts and articles for sale by the museum in a display case in the Daphne Public Library. The exhibit will remain through December*
- **Publicity:** *No report.*
- **Cemetery:** *Lee announced he had identified 26 tombs of veterans in the cemetery. He placed flags on all.*
- **Special Tours:** *No Report.*
- **Archives:** *Ken reported that he and Penny had attended a meeting in Montgomery where they met a state archivist. They were given a tour of the Alabama State Archives Building. The archivist told them that all material could be digitized and Ken will be in touch with her. He discussed archival plans with the group. Mickey announced that she had left all written material concerning a visit to the museum by Carol Ellis, archivist for University of South Alabama, who issued an invitation to visit the South Alabama archives. This invitation was accepted and, at a later date, Archive Committee members Lee Swetman, Betty Baker, Al Guarisco, and Mickey Boykin, together with two Daphne Library employees, visited the archives where they were given hands-on lessons on how to protect and preserve photographs and other documents. Following the lessons, they lunched in the school cafeteria.*

**UNFINISHED/OLD BUSINESS:**

- **Daphne Pottery Access:** *No report.*
- **Grant Application:** *Ken announced that he was awaiting the \$500.00 award he received for a grant that he had applied for. He stated, though, that the \$500.00 had to be matched by the museum. He further stated that work hours on the archiving project would be considered for the match.*
- **WiFi:** *Working.*

**NEW BUSINESS:**

- *Dooley announced that she had been approached by state master gardener about writing a history of Daphne and Baldwin County for presentation in April to be held at Daphne Civic Center. Any visitors who are not affiliated with the master gardener program will be charged a fee to attend.*
- *Announcements: The next regular meeting will be January 13, 2014.*
- *Adjournment: There being no further business, the meeting was adjourned for refreshments supplied by the volunteers in celebration of Christmas. Lee had previously put up the Christmas tree and several volunteers proceeded to decorate it following the celebration.*

*Respectfully submitted*

*Mickey Boykin, Secretary*



**REPORT  
OF  
SPECIAL BOARDS**

# **NOMINATION FOR IDB**

## **Jeffrey T. Ramsland**

7910 Creekbank Drive  
Daphne, Alabama 36526  
(251) 625-2421

### **Education**

MBA with concentration in management – Lake Forest Graduate School of Management, Lake Forest, Illinois

BA with majors in Psychology and Social Work – Wartburg College, Waverly, Iowa

### **Employment History**

2006-Present – Retired

2009-Present – Adjunct professor – Huntingdon College, Daphne, Alabama. Part-time instructor for business management classes.

2003-2006 – Executive Director – Sylacauga Chamber of Commerce, Sylacauga, Alabama. Managed all activities of membership organization to enhance business, industry, tourism and quality of life within the Sylacauga area. Served as non-voting member of the Industrial Development Board.

1993-2002 – Human Resources Manager/Corporate Safety Director – American Color Graphics, Sylacauga, Alabama. Managed all areas of human resources including recruitment, training, benefits, safety, and maintaining union-free status.

1990-1992 – Corporate Human Resources Manager – Gehl Corporation, West Bend, Wisconsin. Managed all aspects of human resources for corporate office and satellite plant locations.

1988-1990 – Corporate Human Resources Manager – Marathon Electric Manufacturing Corporation, Wausau, Wisconsin. Managed all aspects of human resources for corporate office.

1985-1988 – Industrial Relations Manager – Norplex/Oak, a Division of Allied Signal Corporation, LaCrosse, Wisconsin. Managed plant human resources and labor relations including contract negotiations with United Auto Workers and Teamsters groups.

1981-1985 – Industrial Relations Manager – American Air Filter/ Allis-Chalmers, Zion, Illinois. Managed plant human resources, labor relations and safety.

1978-1981 – Service Supervisor – Manpower Temporary Services, Gurnee, Illinois

1974-1977 – Behavior Science Specialist – U.S. Army 3<sup>rd</sup> Infantry Division, Wurzburg and Schweinfurt, Germany. Provided out-patient mental health counseling.

1973-1974 – Child Care Worker – Bremwood Lutheran Children's Home, Waverly, Iowa

## Library Board - Meeting Minutes

October, 2013 (FY 2014)

### In Attendance:

Library Director Tonja Young; Board Chair Andre LaPalme; Library Board Members Jim Morris, Nancy Volovecky, Jim Bodman; Friends President Karen Kyzar; Council Liaisons John Lake and Pat Rudicell.

### 1) Call to Order:

Meeting called to order at 4:05 pm.

### 2) Old Business:

Motion was made by Jim Morris to approve the August minutes. Motion was seconded by Nancy. Motion passed.

Jim Bodman asked about the discussion of a previous employee at the September meeting. Andre stated that the issue he had been asked to bring forward had been discussed with the Board members that were present at that meeting along with Tonja, Human Resources and the City Attorney. Tonja stated that for further information, they should speak with HR.

### 3) Library Report:

Library Report:

- The Library has adopted an improved Dress Code
- New Circulation Supervisor has started work: Christy Morris
- New Children's Librarian slated to start shortly
- Advertisements for 2 NEW part time employees approved by the Mayor and Council out to the public today
- Some in-house procedure changes to follow Mayor's call for Excellent Customer Service
- Several staff members attended multiple free seminars on customer service offered to the city by Faulkner State Junior College at no charge
- All staff attended a paid webinar by ALA on customer service issues
- Bookmark contest was a huge success; winners posted shortly

- New Computer Classes include: Beginning Computer, Using the Library Website and Facebook page, Downloading Digital Ebooks, Intro to Ancestry, Intro to Mango, Alabama Virtual Library, and Career Cruising.
- Special YA activities: Author Talk, Poise and Dress for Success
- Tonja attending both State and County meetings this month

**4) Board Discussion:**

John Lake discussed the Board, City Budget, Library Fund, etc.

**5) Citizen Participation:**

Karen announced Book Sale brought in \$1070 plus another \$90 for the silent auction items.

Pat announced the Veteran's Day event at Veterans Point at 10 am on the 11<sup>th</sup> of November.

Various members discussed suggestions for annual history series.

**6) New Business:**

None.

**7) Adjourn:**

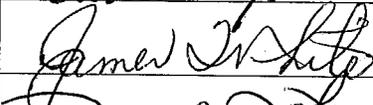
Motion was made to adjourn at 4:46 pm.

Respectfully submitted by T. Young, Oct. 15, 2013; revised Nov. 18, 2013

**REPORT  
OF  
OFFICERS**

# CITY OF DAPHNE

## PARADE PERMIT

<b>ORGANIZATION:</b>	<i>Shadow Barons</i>
<b>CONTACT PERSON:</b> <b>ADDRESS:</b>	<i>Damon Henderson P.O. Box 2770 Daphne, AL 36526</i>
<b>PHONE NUMBER: (HOME)</b> <b>PHONE NUMBER: (BUSINESS)</b> <b>CELL NUMBER:</b>	<i>533-4263 405-5012</i>
<b>DATE OF PARADE:</b>	<i>March 1, 2013<del>7</del> / Saturday / Rain Date March 2, 2013<del>7</del> / Sunday</i>
<b>TYPE OF PARADE:</b>	<i>Mardi Gras</i>
<b>ROUTE TO BE TRAVELED:</b>	<i>From Civic Center down Main St. - turn @College Ave. - down to 6<sup>th</sup> St. - turn right on Belrose Ave. - to Main Street - turn left &amp; back to Civic Center</i>
<b>APPROXIMATE # OF PEOPLE &amp; CARS:</b>	<i>25 Units (cars, trucks or by itself) 600 people (includes marching bands, riders, security &amp; other)</i>
<b>ASSEMBLY TIME:</b>	<i>4:30 P.M.</i>
<b>START TIME:</b>	<i>6:45 P.M.</i>
<b>STOP TIME:</b>	<i>8:00 P.M.</i>
<b>ASSEMBLY AREA/STREET:</b>	<i>Civic Center</i>
<b>SPECIAL REQUESTS:</b>	
<b>DATE APPLIED FOR PERMIT:</b>	<i>January 10, 2014</i>
<b>APPROVAL</b>	
<b>POLICE: David Carpenter:</b>	
<b>FIRE: James White:</b>	
<b>PUBLIC WORKS: Richard Johnson:</b>	
<b>CITY COUNCIL: January 21, 2014</b>	
<b>DATE ROUTED:</b>	<i>January 10, 2014</i>
<b>NOTIFICATION OF APPROVAL:</b>	
<b>RECEIVED PROOF OF INSURANCE:</b> <b>RECEIVED PARADE PERMIT FEE:</b>	<i>October 21, 2013 January 10, 2014</i>

*CITY OF DAPHNE  
PARADE PERMIT*

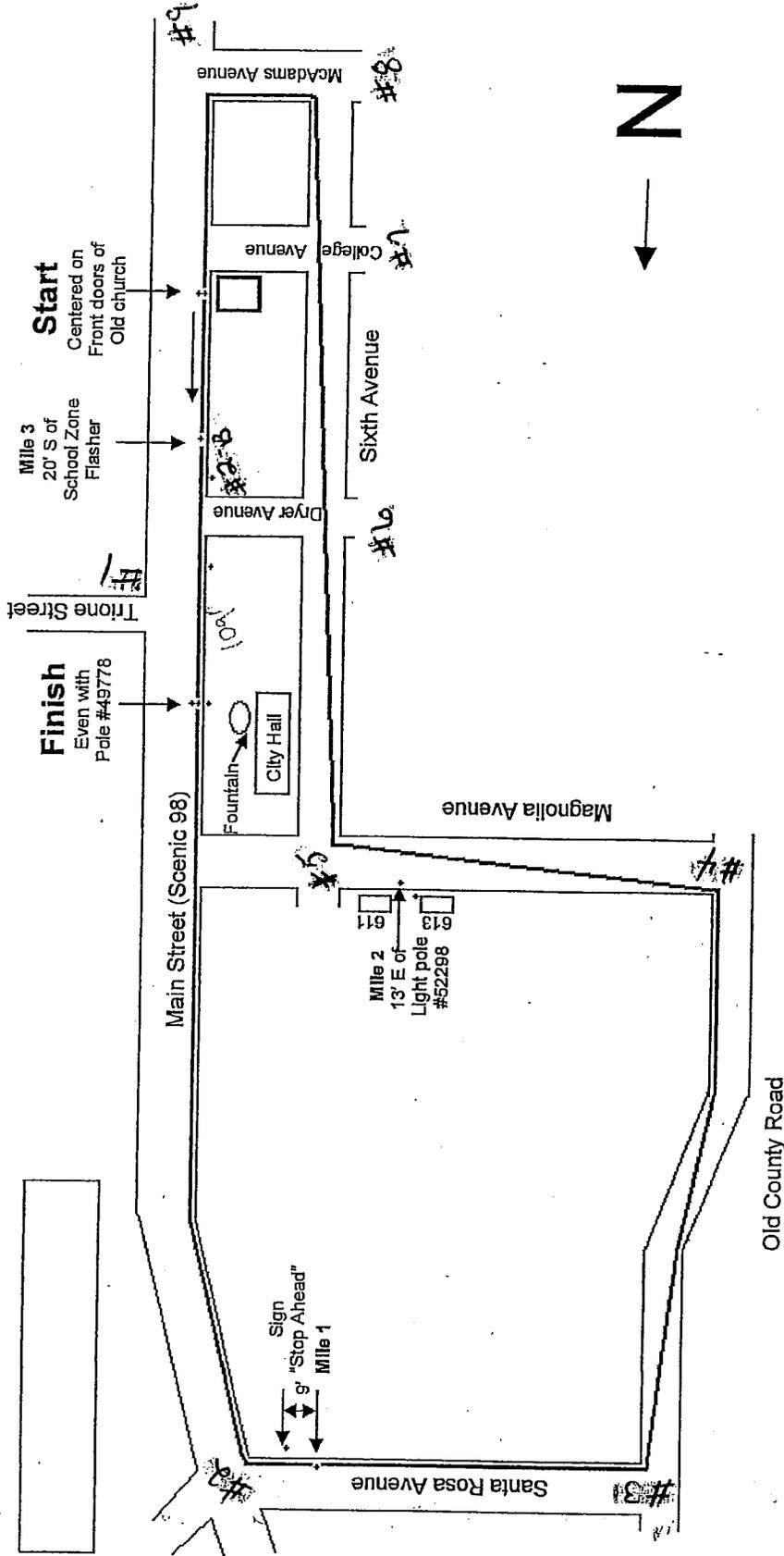
<b>ORGANIZATION:</b>	<i>Loyal Order of the Fire Truck</i>
<b>CONTACT PERSON:</b>	<i>Melvin McCarty</i>
<b>ADDRESS:</b>	<i>City of Daphne</i>
<b>PHONE NUMBER (HOME):</b> <b>PHONE NUMBER (BUSINESS):</b> <b>CELL NUMBER:</b>	<i>621-3182</i>
<b>TYPE OF PARADE:</b>	<i>Mardi Gras</i>
<b>DATE OF PARADE:</b>	<i>March 2<sup>nd</sup> / Sunday 2014</i>
<b>ROUTE TO BE TRAVELED:</b>	<i>Begin at Mayday Park then proceed south on Captain O'Neal Dr. to Maxwell Ave. then north on Main St. to Santa Rosa Ave. then proceed south on Old County Road towards College Avenue for disbanding</i>
<b>APPROXIMATE # OF PEOPLE &amp; CARS:</b>	<i>50 vehicles / 200 people</i>
<b>START TIME:</b>	<i>1:59 p.m.</i>
<b>STOP TIME:</b>	<i>4:00 p.m.</i>
<b>ASSEMBLY AREA/STREET:</b>	<i>May Day Park</i>
<b>ASSEMBLY TIME:</b>	<i>12:00 Noon</i>
<b>SPECIAL REQUEST:</b>	
<b>APPROVAL</b>	
<b>POLICE: Chief David Carpenter:</b>	<i>[Signature]</i>
<b>FIRE: Chief James White:</b>	<i>[Signature]</i>
<b>PUBLIC WORKS: Richard Johnson:</b>	<i>[Signature]</i>
<b>CITY COUNCIL: January 21, 2014</b>	<i>[Signature]</i>
<b>SPECIAL INSTRUCTIONS:</b>	
<b>DATE ROUTED:</b>	<i>January 15, 2014</i>
<b>NOTIFICATION OF APPROVAL:</b>	

**CITY OF DAPHNE  
PARADE PERMIT**

<b>ORGANIZATION:</b>	<i>S.E.E.D.S.</i>
<b>CONTACT PERSON:</b>	<i>Denise D'Oliveira</i>
<b>ADDRESS:</b>	<i>P.O. Box 460 Daphne, AL 36526</i>
<b>PHONE NUMBER (HOME):</b>	<i>626-9966</i>
<b>PHONE NUMBER (BUSINESS):</b>	<i>656-7333</i>
<b>CELL NUMBER:</b>	<i>605-8777</i>
<b>E-MAIL ADDRESS:</b>	
<b>TYPE OF PARADE:</b>	<i>10<sup>th</sup> Annual Classic Rock 5K Race and 1-Mile Fun Run</i>
<b>DATE OF PARADE:</b>	<i>March 1, 2014 - Saturday</i>
<b>ROUTE TO BE TRAVELED:</b>	<i>See Attached Maps</i>
<b>APPROXIMATE # OF PEOPLE &amp; CARS:</b>	<i>1,500</i>
<b>START TIME:</b>	<i>8:00 A.M. / 5K * 9:00 A.M. / 1-Mile Fun Run</i>
<b>STOP TIME:</b>	<i>11:30 A.M.</i>
<b>ASSEMBLY AREA/STREET:</b>	<i>City Hall Grounds</i>
<b>ASSEMBLY TIME:</b>	<i>5:30 A.M.</i>
<b>SPECIAL INSTRUCTIONS:</b>	<i>We would greatly appreciate the same support provided previously by Public Works, Police, Fire &amp; Recreation Departments</i>
<b>DATE APPLIED:</b>	
<b>APPROVAL</b>	
<b>POLICE:</b> Chief David Carpenter	<i>David Carpenter</i>
<b>FIRE:</b> Chief James White	<i>James White</i>
<b>PUBLIC WORKS:</b> Richard Johnson	<i>Richard D Johnson</i>
<b>RECREATION :</b> David McKelroy	<i>David McKelroy</i>
<b>CITY COUNCIL APPROVAL:</b> 1-21-14	
<b>SPECIAL INSTRUCTIONS:</b>	
<b>DATE ROUTED:</b>	
<b>NOTIFICATION</b>	

# SEEDS 5K II

Daphne, Alabama



No Diagrams to Scale

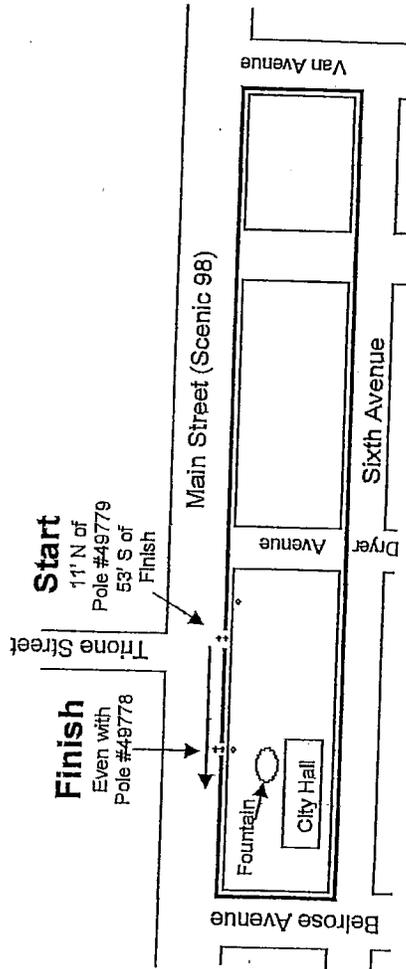
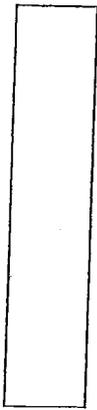
Splits: Marked with green paint.  
Locations are given explicitly on map.

Start and Finish marked with  
green paint

Measured by Jon Bowle (Daphne, AL 251-209-0887)  
jrbowle@gmail.com  
17 January 2010  
Calibrated on AL08007JD  
Race contact: Denise D'Oliveira (251-605-8777)

# SEEDS 1 Mile II

Daphne, Alabama



**No Diagrams to Scale**

Splits: Marked with green paint.  
Locations are given explicitly on map.

**Start and Finish marked with  
green paint**

Measured by Jon Bowie (Daphne, AL 251-209-0887)  
inbowie@gmail.com  
17 January 2010  
Calibrated on AL08007JD  
Race contact: Denise D'Oliveira (251-605-8777)

**SET DATE FOR PUBLIC HEARING**

**FEBRUARY 3, 2014**

**TO CONSIDER:**

- 1. Ordinance Imposing Lodging Taxes**

**CITY OF DAPHNE**

**ORDINANCE NO. 2014-\_\_\_\_\_**

---

**AN ORDINANCE TO IMPOSE LODGING TAXES**

---

**WHEREAS**, the City Council of the City of Daphne has determined that consolidating the existing lodging tax ordinances, which are currently in effect, is necessary to effectuate and implement more efficient means within the City of Daphne;

**WHEREAS**, the City Council deems that a lodging tax and the following allocations for the purpose of bay front property debt service, future acquisition, development and maintenance of bay front property, industrial development, downtown redevelopment, and ground related capital for recreation, are in the best interest of the citizens of the City of Daphne.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA:**

**SECTION 1. DEFINITIONS**

Unless the context clearly indicates a different meaning, the words, terms and phrases used in this Ordinance shall have the following respective meanings:

"City" shall mean the City of Daphne in the State of Alabama.

"Finance Director" shall mean the finance director duly hired by the Mayor.

"Revenue Officer" shall mean the revenue officer of the City.

"Person" shall mean any person, firm, corporation, partnership, association, administrator, trustee, or other fiduciary.

"Transient" shall mean a person to whom rooms or lodging are rented for a period of less than 180 continuous days.

"Fiscal year" shall mean the period commencing on October 1 of any calendar year and ending on September 30 of the then next succeeding calendar year.

**SECTION 2. LEVY OF LODGING TAX**

There is hereby levied and imposed, in addition to all other taxes of every kind now imposed by law, a privilege or license tax upon every person engaging within the City in:

- (a) The business of renting or furnishing any rooms, lodgings, or accommodations to transients in any hotel, motel, inn, tourist camp, tourist cabin, or any other place in which rooms or lodgings are regularly furnished to transients for a consideration, said tax to be in an amount equal to six percent (6%) of the charge for such rooms, lodgings, or accommodations, including the charge for use or rental of personal property and services furnished in such rooms; provided, however, that charges for property sold or services furnished which are required to be included in the computation of the tax levied by Alabama Sales Tax Statutes, shall not be included in computing the tax herein levied; or
- (b) The business of renting or furnishing space for accommodation of trailers for a consideration, said tax to be in an amount equal to six percent (6%) of the charge for such trailer space; provided, however, that charges made by persons in the business of renting trailer space for use of washing machines, electric power, garbage collection, water supply, and other such charges shall not be included in the measure of said tax, but only the charge for trailer space proper shall be so included.

The tax herein levied shall not apply to rooms, lodgings, or accommodations supplied for a period of 180 continuous days or more in any place; nor to any additional exemptions stated in ALA CODE § 40-26-1.

### **SECTION 3. DUE DATE OF TAXES AND MONTHLY REPORTS**

The taxes levied under the provisions of this Ordinance, except as otherwise provided, shall be due and payable in monthly installments on or before the 20th day of the month next succeeding the month in which the tax accrues. On or before the 20th day of each month every person on whom the taxes herein levied are imposed, shall render to the Revenue Officer on a form prescribed by the Revenue Officer, a true and correct statement showing the gross proceeds of the business subject to said tax for the then next preceding month, together with such other information as the Revenue Officer may demand and require, and at the time of making such monthly report the taxpayer shall compute the taxes due and shall pay to the Revenue Officer the amount of taxes shown to be due.

### **SECTION 4. CREDIT COLLECTIONS**

Any person subject to the taxes herein levied who conducts business on a credit basis may defer reporting credit rental and charges until after their collection, and in the event so defers reporting them, they shall thereafter include in each monthly report all credit collections made during the then proceeding month and shall pay the amount of taxes measured thereby at the time of filing such report.

**SECTION 5. MAINTENANCE OF RECORDS**

It shall be the duty of every person engaging or continuing in any business subject to the taxes herein levied to keep and preserve suitable records of the gross proceeds of such business and such other books or accounts as may be necessary to determine the amount of tax for which he/she is liable under the provisions of this Ordinance. Such records shall be kept and preserved for a period of two (2) years and shall be open for examination at any time by the Revenue Officer or other duly authorized representative of the City.

**SECTION 6. OATHS**

The monthly reports herein required to be made are not required to be made on oath; but the annual returns provided for in Section 5 hereof shall be sworn to by the taxpayer or his agent before some officer authorized to administer oaths; and any false statement of a material fact made with intent to defraud shall constitute perjury, and upon conviction thereof the person so convicted shall be punishable as provided by law.

**SECTION 7. VIOLATION OF THIS ORDINANCE**

Any person subject to the provisions of this Ordinance who fails for any reason to make the reports as herein required, or who fails to keep the records as herein required, shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$25.00 nor more than \$100.00 for each offense. Each month of such failure shall constitute a separate offense.

Any person subject to the provision of this Ordinance who willfully refuses to make the reports herein required or who refuses to permit the examination of his or its records by the Revenue Officer, or other duly authorized agent of the City, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$50.00 nor more than \$100.00 for each offense, and in addition may be imprisoned in the municipal jail for a period not to exceed six (6) months. Each month of failure to make such report shall constitute a separate offense, and each refusal of a written demand of the Revenue Officer to examine, inspect or audit such records shall constitute a separate offense.

**SECTION 8. PENALTY AND INTEREST**

Any person who fails to properly and timely file any return required hereunder on or before the date prescribed shall be assessed a penalty pursuant to ALA CODE § 40-2A-11a, (as amended) , which at the time of the adoption of this Ordinance, is equal to the greater of ten percent (10%) of the tax due or \$50.00. Such penalty shall be assessed and collected as part of the tax.

Any person who fails to fully and timely pay any tax required hereunder on or before the date prescribed shall be assessed a penalty pursuant to ALA CODE § 40-2A-11b, (as amended), which at the time of the adoption of this ordinance, is equal to ten percent (10%) of the unpaid tax amount. Such penalty shall be assessed and collected as part of the tax.

Any person who fails to fully and timely pay any tax required hereunder on or before the date prescribed shall be assessed interest equal to one percent (1%) per month or any part thereof.

The lodging taxes which are collected are hereby divided as follows:

- (a) Thirteen percent (13%) shall be paid at least quarterly and used for the purpose of providing funding to the Industrial Development Board for the action items, implementation of strategies, and tactics included in the then current Strategic Economic Development Plan as approved and adopted by the City Council.
- (b) Five percent (5%) shall be paid at least quarterly and used for the action items, implementation of strategies and purpose of providing funding for the Downtown Redevelopment Authority as approved by the City Council.
- (c) Thirty-two percent (32%) shall be used for the purpose of continued bay front uses such as acquisitions, development, and maintenance along with the service of debt incurred through the acquisition of bay front property.
- (d) The remainder of the lodging tax proceeds shall be used for the purpose of ground related capital for recreation, which does not include such items as trucks or the maintenance of fields.

**SECTION 10. SEVERABILITY**

If any section, subsection, clause, provision or part of this Ordinance shall be held to be invalid or unconstitutional in a court of competent jurisdiction, such holding or holding shall not affect any other section, subsection, clause, provision or part of this Ordinance which is in itself and of itself valid and constitutional.

**SECTION 11. EFFECTIVE DATE**

This Ordinance shall take effect and be in force effective April 1, 2014 subject to publication as required by law.

**SECTION 12. INFORMATION MAY NOT BE DIVULGED**

It shall be unlawful for any person connected with the administration of this Ordinance to divulge any information obtained by him/her in the course of inspection and examination of the books of account, invoices, bank statements, sales tax records, state and federal income tax records, or other reports and memoranda or the taxpayer made pursuant to the provisions hereof, except to the Mayor, the City Council, the Finance Director, the Revenue Officer, the City Attorney, and those representatives connected with the administration of this Code, or pursuant to court order or judicial process.

Ordinance Nos. 1995-15, 1997-28, 2000-25, 2000-34, 2009-28, 2009-55, 2010-09 2012-48 are hereby repealed in their entirety. All other City Ordinances or parts thereof in conflict with the provision of this Ordinance, in so far as they conflict, are hereby repealed.

**ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE  
CITY OF DAPHNE, ALABAMA ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

**CITY OF DAPHNE**

\_\_\_\_\_  
**DANE HAYGOOD, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**REBECCA A. HAYES, CITY CLERK**

PLEASE Publish in the Bulletin Legal Section on Friday,  
January 24, 2014

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Daphne will hold a Public Hearing on February 3, 2014 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance on Imposing Lodging Taxes as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE**

**ORDINANCE NO. 2014-**

**AN ORDINANCE TO IMPOSE LODGING TAXES**

**WHEREAS**, the City Council of the City of Daphne has determined that consolidating the existing lodging tax ordinances, which are currently in effect, is necessary to effectuate and implement more efficient means within the City of Daphne;

**WHEREAS**, the City Council deems that a lodging tax and the following allocations for the purpose of bay front property debt service, future acquisition, development and maintenance of bay front property, industrial development, downtown redevelopment, and ground related capital for recreation, are in the best interest of the citizens of the City of Daphne.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA:**

**SECTION 1. DEFINITIONS**

Unless the context clearly indicates a different meaning, the words, terms and phrases used in this Ordinance shall have the following respective meanings:

"City" shall mean the City of Daphne in the State of Alabama.

"Finance Director" shall mean the finance director duly hired by the Mayor.

"Revenue Officer" shall mean the revenue officer of the City.

PLEASE Publish in the Bulletin Legal Section on Friday,  
January 31, 2014

NOTICE OF PUBLIC HEARING

Notice is hereby given a second time, the first was given January 24, 2014, that the City Council of the City of Daphne will hold a Public Hearing on February 3, 2014 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance on Imposing Lodging Taxes as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE**

**ORDINANCE NO. 2014-**

**AN ORDINANCE TO IMPOSE LODGING TAXES**

**WHEREAS**, the City Council of the City of Daphne has determined that consolidating the existing lodging tax ordinances, which are currently in effect, is necessary to effectuate and implement more efficient means within the City of Daphne;

**WHEREAS**, the City Council deems that a lodging tax and the following allocations for the purpose of bay front property debt service, future acquisition, development and maintenance of bay front property, industrial development, downtown redevelopment, and ground related capital for recreation, are in the best interest of the citizens of the City of Daphne.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA:**

**SECTION 1. DEFINITIONS**

Unless the context clearly indicates a different meaning, the words, terms and phrases used in this Ordinance shall have the following respective meanings:

"City" shall mean the City of Daphne in the State of Alabama.

"Finance Director" shall mean the finance director duly hired by the Mayor.

"Revenue Officer" shall mean the revenue officer of the City.

**RESOLUTIONS**

**&**

**ORDINANCES**

## RESOLUTION 2013 - 02

### A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING THE MAYOR TO DISPOSE OF SUCH PROPERTY

**WHEREAS**, the Department Heads of the City of Daphne have determined that the items listed below are no longer required for public or municipal purposes; and

**WHEREAS**, the items listed below are recommended for disposal.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Daphne that

- 1- The property listed below is hereby declared to be surplus property, and

Dept	Veh/Eq#	Description	VIN
Patrol	401	2001 FORD CROWN VIC	2FAFP71W01X180414

- 2- The Mayor is authorized to advertise and accept bids through Govdeals.com as contracted for the sale of such personal property, and

- 3- The Mayor is authorized to sell said property to the highest bidder and deposit any and all proceeds to the General Fund. The Mayor is further authorized to direct the disposition of any property which is not claimed by any bidder.

**ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Dane Haygood, Mayor

**ATTEST:**

\_\_\_\_\_  
Rebecca A. Hayes, City Clerk

## RESOLUTION 2014 - 03

### A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING DISPOSITION

**WHEREAS**, the Recreation Department of the City of Daphne has determined that ten 15' Bleachers at Lott Park can no longer be used due to safety concerns for public and municipal purposes; and

**WHEREAS**, the 10 Bleachers at Lott Park are recommended for disposal.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Daphne that the Bleachers listed below are no longer safe; and

1. Six - 15' five row & Four - 15' ten row aluminum bleachers are hereby declared to be surplus property; and
2. The Mayor is authorized to direct the disposition of this equipment through cutting up the metal to sell as scrap metal.

**ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Dane Haygood, Mayor

**ATTEST:**

\_\_\_\_\_  
Rebecca A. Hayes, City Clerk

# RESOLUTION 2014 - 04

## A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING THE MAYOR TO DISPOSE OF SUCH PROPERTY

**WHEREAS**, the Department Heads of the City of Daphne have determined that the items listed below are no longer required for public or municipal purposes; and

**WHEREAS**, the items listed below are recommended for disposal.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Daphne that

- 1- The property listed below is hereby declared to be surplus property, and

DEPT	EQ/VEH#	DESCRIPTION	VIN
Grounds	95	1998 GMC SIERRA PU	1GDKC34J6WF058166
Street	59	1994 CATERPILLAR TRACKHOE/EXCAVATOR 315L	06YM00838

- 2- The Mayor is authorized to advertise and accept bids through Govdeals.com as contracted for the sale of such personal property, and

- 3- The Mayor is authorized to sell said property to the highest bidder and deposit any and all proceeds to the General Fund. The Mayor is further authorized to direct the disposition of any property which is not claimed by any bidder.

**ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

**CITY OF DAPHNE**

**RESOLUTION 2014-05**

---

**NAMING RIGHT-OF-WAY LOCATED  
NORTH OF JOHNSON ROAD  
AND SOUTH OF PROFIT DRIVE  
“BAILEY YELDING, JR. DRIVE”**

---

**WHEREAS**, the Mayor and City Council of the City of Daphne, Alabama wish to recognize Bailey Yelding, Jr.’s accomplishments and service to the City of Daphne; and

**WHEREAS**, the Mayor and City Council would like to honor his memory by naming the right-of-way located north of Johnson Road and south of Profit Drive “Bailey Yelding, Jr. Drive”; and

**WHEREAS**, Resolution 2014-01 accepted as permanent the right-of-way located south of Profit Drive and north of Johnson Road, as described in Exhibits A & B; and

**WHEREAS**, the Mayor and City Council of the City of Daphne believes it is in the best interest of the citizens of the City of Daphne for the city to name the right-of-way located north of Johnson Road and south of Profit Drive “Bailey Yelding, Jr. Drive”.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** that the right-of-way located north of Johnson Road and south of Profit Drive described in Exhibits A & B be named “Bailey Yelding, Jr. Drive”.

**ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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**Dane Haygood,  
Mayor**

**ATTEST:**

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**Rebecca A. Hayes,  
City Clerk**

**CITY OF DAPHNE**

**RESOLUTION 2014-05**

---

**TO RENAME A PORTION OF PROFIT DRIVE  
"BAILEY YELDING, JR. DRIVE"**

---

**WHEREAS**, the Mayor and City Council of the City of Daphne, Alabama wish to recognize Bailey Yelding, Jr.'s accomplishments and service to the City of Daphne; and

**WHEREAS**, the Mayor and City Council would like to honor his memory by renaming a portion of Profit Drive "Bailey Yelding, Jr. Drive"; and

**WHEREAS**, Resolution 2014-01 accepted as permanent Right-of-Way the portion of Profit Drive located south of Profit Drive and north of Johnson Road, as described in Exhibits A & B; and

**WHEREAS**, the Mayor and City Council of the City of Daphne believes it is in the best interest of the citizens of the City of Daphne for the city to rename a portion of Profit Drive "Bailey Yelding, Jr. Drive".

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** that the portion of Profit Drive described in Exhibits A & B be renamed "Bailey Yelding, Jr. Drive".

**ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

---

**Dane Haygood,  
Mayor**

**ATTEST:**

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**Rebecca A. Hayes,  
City Clerk**

**EXHIBIT "A"**

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.



**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

**RESOLUTION 2014-01  
ACCEPTANCE OF R-O-W  
N. OF JOHNSON ROAD &  
S. OF PROFIT DRIVE**

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 6<sup>th</sup> DAY OF JANUARY 2014.**

**CITY OF DAPHNE  
AN ALABAMA MUNICIPAL  
CORPORATION**

  
\_\_\_\_\_  
**DANE HAYGOOD,  
MAYOR**

**ATTEST:**

  
\_\_\_\_\_  
**REBECCA A. HAYES,  
CITY CLERK**

**RESOLUTION NO. 2014-06  
2014-D-FD/EXTRICATION EQUIPMENT**

**WHEREAS**, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

**WHEREAS**, The City of Daphne acknowledges that the cost for the EXTRICATION EQUIPMENT will exceed this amount; and

**WHEREAS**, Only one bid was received and therefore it can be negotiated; and

**WHEREAS**, Staff has reviewed the negotiated bid for the FD/EXTRICATION EQUIPMENT and determined that the bid as presented is reasonable; and

**WHEREAS**, Staff recommends the negotiated bid for the FD/EXTRICATION EQUIPMENT be awarded to NAFECO, Inc.

**NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE**, hereby accept the negotiated bid of NAFECO, Inc. for unit cost listed as attached herein and made a part hereof (total unit cost of \$24,505) as specified in BID SPECIFICATION NO: 2014-D-FD/EXTRICATION EQUIPMENT.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS** \_\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

**RESOLUTION 2014-07  
PREPAID TRAVEL**

**BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA  
HEREBY AUTHORIZES THE FOLLOWING:**

Prepaid travel expenses are approved for the purpose and amount indicated below for the following:

***LeAndra Burks, Court Magistrate, 2014 Municipal Magistrates' Certification Program, Alabama Judicial College, January 31st, February 7th, 14th, 21st, & 28th, 2014, Montgomery, AL - \$255***

A complete expense summary with receipts will be submitted and approved by the Mayor upon return from the above.

**APPROVED AND ADOPTED BY THE CITY COUNCIL, CITY OF DAPHNE, ALABAMA on  
this \_\_\_\_\_ day of \_\_\_\_\_, 2014.**

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

**ORDINANCE 2014-02**

**Park Drive & Pollard Road and Paving & Intersection Improvements**

**WHEREAS**, Ordinance 2013-50 approved and adopted the Fiscal Year 2014 Budget on September 23, 2013; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2014 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2014 budget; and

**WHEREAS**, Park Drive & Pollard Road needs paving and intersection improvements; and

**WHEREAS**, staff requested quotes for the project; and

**WHEREAS**, quotes were received for the project with American Asphalt, Inc being the low quote for construction being \$22,830 and materials purchased by the City - \$30,668 for a total project cost of \$53,498 (*engineering done in-house*).

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$53,498 from the Four Cents Gas Tax Fund and made a part of the Fiscal Year 2014 budget for the Park Drive & Pollard Road Paving and Intersection Improvements project.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

**ORDINANCE 2014-03**

**City Hall Building Maintenance Appropriation: Finance Director's Office  
Door Window Installation & HVAC/Chiller Maintenance Agreements**

**WHEREAS**, Ordinance 2013-50 approved and adopted the Fiscal Year 2014 Budget on September 23, 2013; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2014 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2014 budget; and

**WHEREAS**, a window needs to be installed in the Finance Director's door to make the office more functional for meetings; and

**WHEREAS**, due to the need to keep City Hall Building, HVAC system, Chiller, and mechanical equipment functional for City Hall operations equipment repairs and maintenance contracts are also required.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, that funds in the amount of \$17,000 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2014 budget for the maintenance required for the City Hall building.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
**Dane Haygood , Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

**ORDINANCE 2014-04**

**Police & Public Works Radio Equipment: Nexedge Radio System**

**WHEREAS**, Ordinance 2013-50 approved and adopted the Fiscal Year 2014 Budget on September 23, 2013; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2014 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2014 budget; and

**WHEREAS**, the current police radio equipment is over 20 years old and the technology is over 30 years old; and

**WHEREAS**, this radio system no longer connects to the Sheriff's Department or other outside agencies radio systems in the area; and

**WHEREAS**, the Police department and Public Works department need to replace their current radio equipment; and

**WHEREAS**, the radio equipment is available for purchase through a State Bid Contract with Hurricane Electronics, Inc..

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2014 Budget is hereby amended to include a General Fund appropriation in the amount of \$247,182 for the replacement of the Police & Public Works department's radio equipment.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

**CITY OF DAPHNE  
ORDINANCE NO. 2013-05**

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**AN ORDINANCE TO AMEND AND REORGANIZE CHAPTERS  
ONE AND TEN OF THE  
CITY'S EMPLOYEE HANDBOOK**

---

**WHEREAS**, the City Council of the City of Daphne, after due consideration believes that certain revisions to Chapters One and Ten of the City of Daphne Employee Handbook are necessary for the proper administration of said Handbook and the policies contained therein;

**WHEREAS**, revisions to Chapters One and Ten of the Employee Handbook will enable the City to more easily facilitate and administer policies in those chapters in order to benefit the health, safety, and welfare of its employees;

**WHEREAS**, revisions to Chapters One and Ten of the Employee Handbook are also necessary to integrate policies adopted or revised by Ordinances 2005-56, 2012-62 and 2013-26, and further revisions of Ordinance 2005-56 are necessary as part of the integration;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:**

**SECTION I: REVISION TO CHAPTER 1**

That all Sections of Chapter One of the Employee Handbook be and are hereby revised as follows:

**CHAPTER 1**

**EMPLOYMENT PRACTICES**

**1.1. GENERAL PROVISIONS RELATED TO POLICIES AND PROCEDURES**

Purpose. It is the intent and purpose of these personnel policies and procedures to establish guidelines for personnel actions within the city which will facilitate recruitment, selection and retention of qualified employees; enhance effective and efficient employee performance in providing services for the citizens of the City of Daphne; and enable city employees to derive satisfaction in their work.

Pronouns. The pronouns “he, his, him” and other similar pronouns by which the male gender is normally distinguished are used at times to refer to both male or female individuals for purposes of convenience or to avoid awkward phrasing.

Contract Disclaimer. Nothing contained herein will be construed as creating any contract of employment between the City of Daphne and any individual or to restrict the right of the city to:(a) refuse or discontinue employment and/or prohibit the future service of any person when it is considered to be in the best interest of the city;(b) decrease proportionately the compensation of all employees when determined to be necessary; or (c) use independent contractors for performance of work or rendering of services. Normally, continuation of employment with the City of Daphne will be contingent upon an individual's job performance, the need for his position, or the availability of financial resources to fund his position. However, nothing contained herein shall be construed as preventing the removal of any individual from employment with the city now or in the future, so long as such removal meets the intent of these policies and procedures.

Scope of Policies and Procedures. These policies and procedures apply to "employees" of the city. An "employee" includes an individual who is employed by the city (other than a temporary individual obtained through a temporary service organization) and is paid from city controlled funds and who is actively working or on authorized leave of absence from the city and whose position is being held for him pending his return. The following categories of individuals are not considered "employees" of the City of Daphne subject to these personnel policies and procedures: (a) elected officials; (b) members of appointed commissions and committees; (c) attorneys and similar individuals employed in their professional capacity; (d) judges of any court; (e) independent contractors under contract with the city; and (f) students or interns assigned to the city as part of a curriculum of study in which said students or interns are engaged; and other similar categories of individuals as exempted by the city council.

Amendment or Supplementation. The mayor is responsible for the development and submission to the city council for approval such amended rules, regulations, procedures and plans as may be necessary to effectively operate the city personnel system. Such amendments will become effective only after approval by majority vote of the city council.

Operational Guidelines. The provisions contained herein are not intended to include all the guidelines which may be necessary at the operational level. Therefore, they may be supplemented by such operational guidelines as approved by the mayor to ensure efficient and effective operations at the department level. However, no such guidelines may be in conflict with the basic policies and procedures contained herein.

Responsibility for Personnel Administration. The mayor is responsible for overall operation of the city personnel system, including all adopted personnel policies and procedures. The city human resources director is responsible for day-to-day operation of the city personnel system and for providing assistance to the mayor, department heads, supervisory personnel, and employees as needed to ensure that the intent of the city's personnel ordinance is met. The mayor may delegate to department heads or other individuals, at his discretion, responsibility for selected administrative tasks required by these guidelines. Department heads and supervisory personnel are responsible for proper support and administration of the approved personnel system. City employees are responsible for acquainting themselves with these and any other city personnel policies and procedures and for complying with them.

Appointing Authority. When used in these policies and procedures, this term means the mayor and city council in the case of unclassified employees; or the mayor, or other individuals designated by the mayor as established in the city's personnel system for classified, part-time, and temporary employees.

Department Head. When used in these policies and procedures, this term means an employee of the city charged with the responsibility of managing and administering activities and resources to include personnel within a defined and organized department of city government as approved by the city council.

Disciplining Individual. When used in these policies and procedures, this term means an appointing authority or department head, as designated in these policies, who is charged with the responsibility of administering discipline pursuant to these policies.

## **1.2. DISCRIMINATION & HARASSMENT PREVENTION POLICY**

Commitment to Equal Employment Opportunities. The city recognizes and appreciates each employee's work and contribution to the city's success, and the city believes that all employees are to be treated fairly and with respect. The city provides equal employment opportunities and equal treatment in all aspects of employment to all employees and all applicants for employment without regard to race, color, religion, sex/gender, (including pregnancy, childbirth and other related medical conditions), national origin, age, physical and/or mental disability, political affiliation, and/or military obligation (except where age, sex, or physical/mental ability constitute a bona fide occupational qualification). The city is committed to making reasonable accommodations to ensure equal employment opportunities for qualified disabled individuals. Violation of this policy shall not be permitted and shall be treated as a Group Two (2) offense, with disciplinary action up to and including termination.

Harassment Forbidden. The City of Daphne expects all employees, including department managers and supervisors, to respect the feelings of fellow employees and to treat co-employees in a courteous and professional manner. The city shall not tolerate any form of harassment in the workplace. Specifically forbidden is harassment due to a person's race, color, religion, sex/gender, (including pregnancy, childbirth and other related medical conditions), national origin, age, physical and/or mental disability, political affiliation, and/or military obligation. Certain examples of prohibited harassment include, but are not limited to: offensive, insulting or demeaning remarks, gestures, jokes, pranks, slurs, graffiti, emails, pictures, cartoons and the like, or statements or comments that reflect upon stereotypes. Harassment of city employees is strictly forbidden and shall be treated as a Group Two (2) offense, with disciplinary action up to and including termination.

Sexual Harassment Forbidden. The City of Daphne requires all employees to maintain a professional workplace that is free of sexual harassment. Sexual harassment is generally defined as a continuing pattern of unwelcome sexual advances, request for sexual favors, or physical contact of a sexual nature under any of the following conditions: (i) submission to such conduct is perceived to be a condition of employment; (ii) submission, or refusal, is perceived to be used, or might be used, as the basis of an employment decision which affects the individual; (iii) the conduct unreasonably interferes with the individual's job performance or creates a work

environment that is intimidating, hostile, or offensive; or (iv) the conduct interferes with non-employees. The City of Daphne expressly prohibits any verbal or physical conduct of a sexual nature that could contribute to a hostile or offensive workplace for any employee, whether committed by a department manager, supervisor, employee, any other persons so employed with the city, or individuals who are not employed by the city who come into contact with city employees. Some examples of prohibited conduct include the following:

- The use of profane or vulgar language;
- Unwelcome sexual flirtations, sexual advances or sexual propositions;
- Sexually oriented or suggestive jokes or comments;
- Comments implied about a person's body or sex life;
- Sexually degrading words, including sexual slang used to describe any person;
- Any physical contact of a sexual nature, including unwelcome or inappropriate touching, pinching, patting, grabbing and/or hugging;
- The display, reproduction or transmission of sexually explicit and/or sexually suggestive images, objects, or cartoons in or about the workplace;
- Sexually suggestive or vulgar graffiti, including words and/or drawings;
- A department manager or supervisor's comments suggesting that an employee will suffer employment consequences such as demotion, discharge or denial of a pay raise if such employee does not agree to certain demands or if the employee complains about such offenses of sexual behavior or other forms of harassment;
- Comments suggesting that the employee will receive favorable treatment in exchange for sexual favors.

Department managers, supervisors, and co-employees shall not threaten or insinuate that an employee's refusal to submit to sexual advances or any other form of sexual harassment will adversely affect the employee's continued employment, pay, benefits, working conditions or job opportunities. Similarly, department managers and supervisors shall not state or imply, expressly or otherwise, that submission to sexual advances or any other form of sexual harassment will in any way enhance an employee's employment opportunities, hours, pay, benefits and/or other terms or conditions of employment or advancement of employment. No department manager or supervisor has any authority to take any adverse action against an employee, including discharge, demotion or reducing the employee's work hours, benefits or pay because the employee refuses or has refused to submit to any sexual advances or any other form of sexual harassment. Similarly, no department manager or supervisor shall have any authority to provide an employee preferential treatment because the employee consents to the submission of sexual advances or any other form of sexual harassment. Sexual harassment of city employees is strictly forbidden and shall result in disciplinary action up to and including termination and shall otherwise be treated as a Group Two (2) offense.

Retaliation Forbidden. The City of Daphne encourages all employees of the city to immediately come forward if such employee has a discrimination or harassment complaint and the city does expressly affirm that no adverse action shall or may be taken or allowed against any employee who, in good faith, reports discrimination or harassment in the workplace. Retaliation against the employee shall be grounds for discipline and shall be considered a Group Two (2) offense.

EEO/Harassment/Retaliation Complaint Procedure. An employee must promptly report directly to the human resources director any observed or any known incidences of discrimination, harassment and/or retaliation to ensure that the city can promptly investigate, and if appropriate, take prompt and effective action. It is considered inappropriate and insufficient for an employee to report or complain only to a manager or supervisor. If a complaint involves the human resources director, then the employee shall promptly report said complaint to the mayor. All managers and supervisors shall have a responsibility to address any observed or reported harassment, discrimination or retaliation and shall immediately stop such misconduct if such occurs in their presence. All managers and supervisors shall have the responsibility to report observed or reported harassment, discrimination or retaliation to the human resources director, even if no employee initiates a complaint. Failure to do so may result in disciplinary action, which shall be considered a Group Two (2) offense.

Investigation. If the discrimination or harassment complaint involves the mayor, it will be forwarded to the city council for investigation and action. If the discrimination or harassment complaint involves a member of the council, it will be forwarded to the mayor for presentation to the council for action. In such cases, the council will appoint a council member or members to investigate the complaint. The human resources director will thoroughly investigate all other complaints. The complaining employee may be required to prepare a written report detailing the alleged allegation and to sign the report. To the extent practical, investigations will be confidential with extreme and due regard for the sensitive nature of such complaint. After completing an investigation, the human resources director or the mayor or council designee will determine if the complaint is valid.

Remedial Action. Prompt and appropriate remedial or disciplinary action up to and including discharge will be taken against the person or persons engaged in misconduct, depending upon the severity of the violation. If appropriate, the city has the discretion to provide counseling services, referrals and medical assistance for employees. Employees who have reported violations of this policy will be notified, subject to confidentiality, of how their reports were investigated and what actions were taken, within thirty (30) calendar days of the filing of said complaint.

Appeal of Findings and Action. The complainant or the accused employee may appeal the findings or remedial action imposed in accordance with the procedures established in Chapter 8 of this Employee Handbook, if he believes that the complaint has not been satisfactorily resolved or if he believes the discipline imposed is too severe.

### **1.3. DRUG AND ALCOHOL POLICY**

Purpose. The welfare and success of the city depends upon the physical and psychological health of its employees. The abuse of drugs or alcohol poses a serious threat to both the city and its employees. It is the responsibility of both the city and its employees to maintain a safe, healthful and efficient drug-free working environment.

Prohibited Activities. An employee's possession, manufacture, use, sale, or purchase of alcohol, unauthorized drugs, or illegal drugs on city premises or while on city business (unless while performing the duties associated with one's job) is prohibited. An employee must not report for

work or work under the influence of any drugs or alcohol which impairs judgment, performance, or behavior.

Testing. The city has a number of jobs which present special safety considerations to employees and to the public. These considerations include the use of moving machinery, operation of vehicles, handling of chemicals, law enforcement, fire suppression and other similar activities. The city may require that any employee involved in such activities may be tested periodically on a random basis for the use of drugs and/or alcohol. The city may also require that other employees be tested when there is reasonable cause to suspect that they may be violating the city's policy against drug/alcohol use. An employee with positive test results may be found disqualified to work in such job and may be subject to discipline, to include separation unless the positive test results are due to medication prescribed by a medical authority.

Pre-employment Testing. The city may also establish procedures to test prospective employees for the use of drugs as part of their pre-employment medical examinations. In such situations, positive test results will be considered in employment decisions and may result in a decision that the applicant is unqualified for employment.

Prescription Medicine Reporting Responsibility. Each employee is responsible for promptly reporting to his immediate supervisor any use of prescribed medication which may affect the employee's judgment, performance, or behavior.

Enforcement and Discipline. The city will establish and append to these policies and procedures those guidelines necessary to enforce this policy effectively. Any employee who violates this policy or those guidelines or refuses to cooperate with the City's attempt to enforce this policy or those guidelines will be subject to discipline, to include separation.

#### **1.4. POLITICAL ACTIVITY POLICY**

Not To Affect Employment. No individual will be appointed, promoted, demoted, dismissed, or otherwise harassed because of his political opinions or affiliations.

Improper Use of Influence. No individual connected with the city will use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to affect employment, promotion, increase in pay, or other advantages in employment for any individual for the purpose of influencing his vote, political action, or any other consideration.

Participation Rights. No law enforcement officer, firefighter, peace officer, or any other person in the employment of the City of Daphne, when off duty, out of uniform, and acting as a private citizen, shall be denied the right to participate in political activities to the same extent as any other citizen of the State of Alabama. These policies and procedures must not be interpreted or enforce in any way as to interfere with or inhibit any city employee's right to vote in any municipal, county, state or national election.

On-the-Job Political Activity Prohibited. Employees must refrain from engaging in political activities during an employee's working time. Working time is for work and should be spent performing job assignments and duties. The City expressly prohibits employees from soliciting

financial contributions, distributing political literature, wearing political buttons or similar insignia during an employee's working time. The City also prohibits employees from distributing political literature or material in working areas at any time or in non-working areas while the employee distributing the literature or material or the employee who is the intended recipient is supposed to be working.

Use of City Resources for Political Activity Prohibited. Employees must not use any City funds, property, or time, for any political activities. Employees are prohibited from using the City's electronic media and equipment (such as, electronic mail, Internet, voice-mail, telephones, computers, or other related equipment) for the purpose of soliciting others for political activities or for preparing, duplicating, or distributing political literature or materials to other employees or non-employees.

Political Activity While in Uniform Prohibited. Uniformed officers and employees are prohibited from wearing City-issued uniforms while engaging in any political activities, whether on or off duty, or during working or non-working time.

City Political Office Candidates. Any City of Daphne employee who qualifies to seek any elective political office with the City of Daphne must take a leave of absence from the date the employee qualifies to run for office until the date on which the election results are certified or the employee is no longer a candidate or there are no other candidates on the ballot. This leave of absence is unpaid, except the employee may use available unused paid vacation leave. A City of Daphne employee elected to a political office with the City shall immediately submit a notice of resignation from employment with the City. Violation of this subsection by the employee shall be considered a "voluntary quit" and/or grounds for immediate discharge.

Other Government Political Office Candidates. Any City employee who qualifies to seek any elective political office with any federal, state, or other local government may engage in election-related or candidacy-related activities only on personal time before or after scheduled work or on the employee's scheduled days off (including holidays) or during a pre-approved leave. If an employee desires to engage in election-related or candidacy-related activities during working time or on scheduled work days, the employee must first obtain approval for a leave of absence. Any leave of absence is unpaid, except the employee may use available unused paid vacation leave. Violation of this subsection by the employee shall be considered a "voluntary quit" and/or grounds for immediate discharge.

Other Off-Duty Political Activity. The Mayor may require an employee to take leave without pay during the term of off-duty non-elective political activity, appointment or other party or non-partisan assignment if, in the judgment of Mayor, the conduct might interfere with the employee's work or cause harm to the programs or other activities of the City.

Reporting Violations. Any employee who witnesses or experiences a violation of this policy must immediately report the incident to the mayor or the human resources director for investigation and implementation of any necessary remedial action.

Discipline. Any employee who violates this policy will be subject to discipline, to include separation.

## **1.5. WORKPLACE VIOLENCE POLICY**

Prohibited Activities. The city does not tolerate unjustified acts of violence committed by or against city employees and strictly prohibits employees from making threats of, or engaging in, violent behavior except in cases of legitimate self-defense or defense of others or as part of law enforcement or public safety duties. Workplace violence includes unjustified actions or words that endanger or harm another employee or result in other employees having a reasonable belief that they are in danger. It can occur inside or outside the workplace. Such threats include threats by employees, by customers, vendors, solicitors or other members of the public and fears of being stalked and/or attacked in the workplace. Threats of violence may also include a co-worker discussing violence toward himself in the form of a suicidal plan. Workplace violence also includes the following unjustified actions:

- Intentionally injuring another employee or person;
- Expressly or implicitly threatening physical injury to another person or employee;
- Otherwise engaging in behavior that creates reasonable fear of physical injury to another person or employee or that subjects another individual to severe or extreme emotional distress or mental anguish;
- Brandishing, or using a firearm, knife or other weapon while on city premises or engaging in city business, or threatening to use or utilizing any other object as a weapon;
- Threatening to damage, or intentionally damaging, real or personal property;
- Committing injurious acts motivated by, or related to, domestic violence or sexual harassment.

Reporting Responsibilities. If an employee feels threatened or in danger of violent behavior, or believes a co-worker is in danger or has been threatened or is making suicidal self-threatening comments, he must immediately advise his supervisor and/or department manager and then promptly report the threat to the human resources director. It may also be necessary to contact the Daphne Police Department. All threats of, or actual violence, both direct and indirect, shall be reported as soon as possible, and no later than twenty four (24) hours after occurrence. When reporting a threat of violence, the employee should be as specific in detail as possible. Employees are also encouraged to review the procedures entitled **Security Measures in Case of Workplace Violence** for additional information on how to respond to a crisis situation.

Investigation and Remedial Action. The city shall thoroughly investigate all complaints and violations of workplace violence. The complaining employee may be required to prepare a written report describing the alleged violation and will be required to sign the report. If, after completing the investigation, the human resources director and/or mayor determine that a complaint is valid, the human resources director and/or mayor shall take prompt disciplinary action, up to and including discharge against the employee or employees engaged in the misconduct, depending upon the severity of the violation. Non-employees engaged in violent acts on the city's premises will be reported to law enforcement for consideration of prosecution. Employees who have reported violations of this policy shall be notified by the human resources department, subject to confidentiality, of the status of their report, and that it was investigated

and what actions were taken by the city, within thirty (30) calendar days of the complaint. The city will actively intervene at any indication of possible hostility or a violent situation.

Victim Assistance. The city is committed to the safety and well-being of its employees, and for this reason, the city may provide, through the health insurance provider, counseling services, referrals and/or medical assistance for employees who have been victims of violence, as well as employees who are in need of help in dealing with personal or work related problems that generate anger, hostilities, or self-harm ideas.

## **1. 6. PRIVATELY-OWNED FIREARMS & AMMUNITION IN THE WORKPLACE**

Definitions. The following terms used in this policy are defined as follows:

*Firearm* – This term will have the same meaning as the term is defined in Alabama Code §13A-8-1(4), and in 18 U.S.C. §§926B(e), as those statutes currently exist or are later amended.

*Ammunition* – Any propellant used in firearms or ammunition including but not limited to bullets, fixed cartridge ammunition, shotgun shells, individual components of fixed cartridge ammunition, or projectiles for muzzle-loading firearms

*Pistol* - A firearm with a barrel of less than 12 inches in length.

*Long Gun* - A firearm with a barrel of 12 or more inches in length (*e.g.*, a shotgun or rifle).

*Qualified Police Officer* - A police officer employed by the City who is in compliance with the Police Department’s “Firearms Policy” (SOP 4.11), as such policy currently exists or is later amended, and who meets the definition of “qualified law enforcement officer” as defined by 18 U.S.C. §§926B(c), as such statute currently exists or is later amended.

Carrying of a Firearm On Duty. Except for qualified police officers, the City prohibits all employees, including those with a concealed weapons permit or hunting license, from carrying privately-owned firearms or ammunition while on duty on the City’s facilities, while on duty in City-owned vehicles, while in any part of City facilities not open to the general public, or while engaged in work duties on or off City property. Qualified police officers may carry privately-owned firearms in these areas and at these times as authorized by the Police Department “Firearms Policy” (SOP 4.11) as such policy currently exists or is later amended, and as authorized by 18 U.S.C. §§926B, as such statute currently exists or is later amended.

This policy does not alter or limit the rights and responsibilities of an employee as a citizen to transport or store lawfully-possessed firearms or ammunition on City property while the employee is off duty and not engaged in work activities. The same regulations applicable to all citizens coming onto City property with firearms and ammunition apply to employees who are off duty and not engaged in work activities.

Transportation of Firearms & Ammunition upon City Employee Parking Lots. While an employee is at work or engaged in work duties, the City does not restrict the transportation or storage of a lawfully possessed, privately-owned firearm or ammunition in an employee’s

privately-owned motor vehicle while the vehicle is parked or operated in a City parking area or where the vehicle is otherwise permitted to be upon City property subject to the following:

The ownership, possession, or use of the firearm or ammunition must not otherwise be prohibited by state or federal law.

An employee previously convicted of a crime of violence, or who has documented prior workplace incidents involving the threat of physical injury or which resulted in physical injury, or who is subject to a domestic violence court order, may not transport, store, or possess a prohibited firearm on City property.

An employee possessing a valid concealed weapons permit or an employee who is a qualified police officer may store or keep a lawfully possessed, privately-owned pistol or a long gun and/or ammunition in his or her locked personal vehicle.

An employee possessing a valid Alabama hunting license may, during hunting season, store or keep a lawfully possessed, privately-owned unloaded long gun (not a pistol) which is legal for hunting and/or ammunition in his or her locked personal vehicle.

To reduce the likelihood of theft and to prevent the display or viewing of the firearm or ammunition as be construed as a threat or intimidation, employees must take the following precautions. If a vehicle is attended by the employee, the firearm or ammunition must be kept from ordinary observation within the vehicle as well as to those outside the vehicle. For an unattended vehicle, the firearm or ammunition must be kept from ordinary observation and locked within the interior of the vehicle (or otherwise secured in locked compartment/container which is located in the interior of the vehicle or is permanently affixed to the vehicle).

Firearm & Ammunition Policy Inspection & Discipline. If the City believes any employee presents a risk of harm to himself or others, the City may ask the employee whether he has a firearm or ammunition in his vehicle or otherwise upon City property. If the employee's response indicates the possibility that firearms or ammunition is present on City property, the City may take further action to ensure the employee is in compliance with the above provisions. If the employee is not in compliance, the City at its discretion may discipline the employee up to an including separation from employment.

### **1.7. ACCESS TO CITY PREMISES AND WORK SITES**

Persons who are not employees of the city will not be permitted to come on, or remain on, city premises except for city related reasons. Access to city premises and work sites for the purpose of making solicitations or posting/distributing cards, literature, notices or other material of any kind is specifically denied unless approved in writing beforehand by the human resources director. The presence of any unauthorized person(s) on city premises or work sites must be reported immediately by employees to their department heads.

### **1.8. RESIDENCY REQUIREMENTS**

Residency within the city's service area will not be required unless, in the judgment of the mayor or city council, the employee's job requires that he live within such area. However, all employees will be expected to carry out the duties and responsibilities of their job. This may require that an employee live within a reasonable distance of his work station. This determination will be made as needed.

### **1. 9. EMPLOYEE REFERENCE INQUIRIES**

All personal, telephone, and written inquiries from individuals regarding employment, personal references, or other personal information concerning current or former employees must be referred to the human resources director.

### **1.10. ANTI-NEPOTISM POLICY**

No individual will be employed by the city, if he would be subjected to administrative or supervisory control by a member of his immediate family. For this purpose, immediate family will be interpreted to include an individual's spouse, parent, child, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, and the like relationship of the individual's spouse. An individual who was currently employed in such situation in 1994 at the time of adoption of this provision remains exempted from its restriction. If such relationship is created between two employees after they are employed, one of the employees may be transferred to another position, as determined by the mayor, if the mayor determines that a conflict or the appearance of a conflict might occur. If a transfer is not possible, the mayor may direct that one of the employees resign. If the employee does not resign, the mayor will initiate action to dismiss one of them.

### **1.11. MOONLIGHTING**

Employment with the City of Daphne will be considered by all unclassified and classified employees as their primary jobs. Therefore, such employees may not commit themselves to second jobs that might conflict with the city's demand on their availability for work or reflect unfavorably upon the city. If an employee engages in a second job that conflicts with his employment with the city, the mayor may direct the employee to terminate the second job. If he refuses, the mayor may terminate the employee. Such termination will be in accordance with the provisions of these policies and procedures.

### **1.12. ATTIRE**

All employees are expected to dress appropriately for work. The mayor will set an appropriate dress standard, to include wearing uniforms when required, for all employees. In setting this standard the following will be considered: (a) nature of the work; (b) safety considerations; (c) nature of the employee's public contact; (d) prevailing practices of other workers in similar jobs; and (e) type of image the city wishes to project. The dress standards for women will be, to the extent that it is practical, comparable with that for men. When a work uniform is provided an employee, it will not be worn if the employee works for gain at outside work, unless approved by the employee's department head. A city provided uniform will not be worn by an employee in any situation that would reflect unfavorably upon the city.

### **1.13. SMOKING POLICY STATEMENT**

The city recognizes the need for employees to work in an environment free of tobacco smoke. The city also respects the rights of those employees who choose to smoke to make such personal decisions without interference, as long as they do not interfere with the rights of other employees. However, the city urges those employees who smoke to contact an appropriate association, such as the American Lung Association, to obtain information about smoking cessation programs.

### **1.14. VEHICLE AND EQUIPMENT USAGE PROVISIONS**

City vehicles and equipment shall not be used to do private work. Driving city vehicles after work hours will be limited to those employees assigned to on-call duty. Individuals who are not on official city business will not be transported in city vehicles, since they are not covered by the city's insurance.

### **1.15. SOCIAL MEDIA POLICY**

Definitions. "Social media activity" includes, includes all types of postings on the Internet, including but not limited to, postings on social networking sites, (such as Facebook, MySpace or LinkedIn); blogs and other on-line journals and diaries; bulletin boards and chat rooms; microblogging, such as Twitter®; and postings of video or audio on media-sharing sites, such as YouTube®. "Social media activity" also includes permitting, or failing to remove, posts by others where the employee can control the content of postings, such as on a personal page or blog.

Application. Employees who engage in social media activity should be aware that their postings, even if done off premises and while off duty, could have an adverse effect on the City's interests. To reduce that risk, the city has adopted this Policy which is applicable to all City employees and to all social media activity of such employees even if the activity is done off duty, while using personal electronic resources, and whether or not the employee posts anonymously or using a pseudonym. Employees who are expressly authorized to engage in social media activity on the City's behalf are required to comply with separate guidelines. In the event an area is not covered specifically by this policy, the City relies on the professionalism and judgment of its employees to ensure that social media activity is used appropriately.

Guidelines and Prohibitions. All social media activity will be subject to all City policies, rules, regulations, and guidelines. In addition, the City adopts these specific guidelines and prohibitions:

- The City prohibits employees from engaging in social media activity while on duty during working time, which excludes meal breaks or other break periods when employees are not expected to be working.
- The City prohibits employees from engaging in social media activity utilizing any of the City's electronic resources, unless specifically authorized in writing by the City.

- The City prohibits employees from texting or other social media activity while driving on City business or while driving any City vehicle, whether the employee is on duty or off duty.
- Supervisory employees must not gain access to the restricted social media page of a subordinate (for example, by sending or accepting a “friend” request) unless there is a valid City business purpose for doing so. Any such access to a subordinate’s restricted social media page should be limited to that which is necessary to accomplish the City’s business purpose. Any employee may reject, without fear of retaliation, any request from any other employee, or manager, or supervisor that, if accepted, would permit access to a restricted social media page (such as a “friend” or “like” or connection request).
- Employees are prohibited from acting as or purporting to act as a spokesperson on behalf of the City or posting comments as a representative of or purporting to be a representative of the City without express written authorization. Employees must make clear to their readers that the views expressed in any posting are their views alone and do not reflect the views of the City.
- Employees are prohibited from disclosing information of the City that is confidential and/or proprietary when engaging in social media activity.
- Employees are prohibited from posting images or videos of other employees/co-workers taken or made while the employee/co-worker is working or otherwise in their employment capacity.
- Employees are prohibited from posting any nonpublic, confidential, and/or proprietary images of any City premises and property.
- While engaged in social media activity, employees are prohibited from displaying the City of Daphne logo or letterhead or using materials belonging to the City, including promotional and marketing materials, without express written permission or authorization.
- Employees are prohibited from using use a City-issued email address to register for any social media account or site, or as an identifier needed to participate in any social media activity, or otherwise while engaging in social media activity for non-business purposes; provided, however, employees may reference the City as their employer and include contact information (including City-issued email addresses) on social and professional networking sites only, such as LinkedIn.

Enforcement. The City may view and monitor any employee’s publicly-accessible website, web blog, or other social media forum for which the employee is responsible at any time. The City will, in its discretion, review social media activity to the fullest extent permitted by applicable law. If an employee engages in social media activity in violation of this Policy anonymously or using a pseudonym, the City will, in appropriate circumstances, take steps to determine the employee’s identity. Employees will be held accountable for engaging in social media activity that violates this Policy. Failure to comply with this Policy may result in disciplinary action up to and including, termination of employment. The City also reserves the right to report

suspected unlawful conduct to appropriate law enforcement authorities and take any other available legal remedy.

## **SECTION II: REVISION TO CHAPTER 10**

That all Sections of Chapter Ten of the Employee Handbook be and are hereby revised as follows:

### **CHAPTER 10**

### **COMPENSATION AND BENEFITS**

#### **10.1. GENERAL PROVISIONS**

General. The city will, so far as financially practical, provide its employees fair and equitable compensation that will be established and maintained in accordance with the guidelines of this chapter. An employee's compensation will be comprised of his wages and city provided benefits.

Responsibility. The mayor is responsible for ensuring that every employee's pay and benefits, as provided for herein, are established and maintained fairly, equitably, and consistently within the intent of these guidelines. The mayor will periodically review and evaluate the effectiveness of the city's compensation system and recommend needed changes to the city council for approval.

Deviations Not Authorized. Deviations from the city's approved compensation plan will not be authorized. If warranted, the compensation plan will be changed as required.

No Pay Advances. It is the city's policy to refuse all requests for pay advances.

Payroll Deductions. Normally, the city will make payroll deductions from each employee's pay only as required by law and as necessary to pay the employee's portion of his employee benefits. However, an interested employee should check with the human resources director to determine if the city will approve an item for withholding from his pay. With respect to absences from work, the city will deduct pay from an exempt employee's salary under the following limited circumstances: (i) one or more full day absences for personal reasons; (ii) one or more full day absences for illness, injury or sickness (after exhausting any paid sick leave); (iii) one or more full day disciplinary suspensions; and (iv) partial or full day absences during an approved leave covered by our *Family and Medical Leaves of Absence (FMLA) Policy*. Except for partial day intermittent medical leave absences, the city will not deduct pay from an exempt employee's salary if the employee has a partial day absence. If an exempt employee believes the city made an incorrect or improper salary deduction, the employee must promptly report the deduction to the human resources director for investigation. If the deduction from an exempt employee's salary was improper or incorrect, the city will reimburse the employee for the deducted pay.

Entry Level Pay for Temporary Employees. The level of pay for temporary employees will be established by the mayor and the city council based upon the content of the job at the time the position is authorized at an hourly rate which is equal to or greater than the minimum hourly wage required by the FLSA.

## **10.2. JOB DESCRIPTIONS**

Each unclassified, classified, and part-time service job will have a written job description. . The approved job description will identify the representative duties and tasks, along with the job-related knowledge, skills and abilities that are required for proper performance of the job. The approved job description will be used by the human resources director and the mayor to assign a pay grade level in the Pay Scale. When a new job is established or a substantial change is made to an existing job in the unclassified, classified, or part-time service, the human resources director will prepare a new/revised job description, in coordination with the appropriate department head.

## **10.3. EMPLOYEE ANNIVERSARY DATE**

Establishment. Each unclassified, classified, and part-time employee will have an anniversary date established based on his date of employment. The purpose of the employee anniversary date is to establish a point from which all employee personnel decisions that are based on years of service can be based. An employee's anniversary date will be used to determine his eligibility for longevity pay increases, benefits, and other areas, which are related to an employee's years of service.

Break in Service. If an individual is separated and subsequently re-employed as an unclassified, classified, or part-time employee, his new employment date will be established as his anniversary date. But if such break is less than ninety (90) calendar days, his employment date will not change. If an employee is placed in leave without pay status for more than ninety (90) calendar days, his anniversary date will be adjusted to reflect his break in service.

## **10.4. PAY PERIOD**

Generally. The city has established a bi-weekly pay period for all employees. All pay earned during the pay period will be paid to the employee on the Wednesday following the end of the pay period. If this day is an official holiday, the last work day before the holiday will be observed as the pay day.

Beginning Point and Length of Pay Period. The bi-weekly pay period for all city employees except fire fighters begins on Thursday at 6:00 a.m. and runs for fourteen (14) consecutive twenty-four (24) hour days. The bi-weekly pay period for fire fighters begins on Thursday at 7:00 a.m. and runs for fourteen (14) consecutive twenty-four (24) hour days.

## **10.5. CALL-IN DUTY PAY**

Call-in-Duty. Every employee is expected to respond to requests to work from his supervisor, even without pre-arrangement. Department heads will establish written procedures for notifying employees to report for duty in a call-in situation. Non-exempt employees who respond to

requests from their department head to work at a time other than their scheduled work hours will be considered to be in a call-in status. Exempt employees who are required to work outside their normal work schedule will not be considered to be in a call-in status.

Call-in Duty Pay. A non-exempt employee who is in a call-in status will be paid during the call-in pursuant to the following guidelines:

Travel time spent on reporting to a call-in will be considered as work time for purposes of this policy. The employee in a call-in status will be paid for the time he works during a call-in and the reporting-in travel time. If the length of time the employee actually works during a particular call-in including reporting-in travel time is less than two (2) hours, he will be paid for two (2) hours for the first two call-in's within each 24 hour period. If an employee is called in again during the same 24-hour period, only the actual time spent working including the reporting-in travel time will be paid, even if such total time for the call-in is less than two hours.

Only that time actually worked after arriving for the call-in will be used in determining the total hours worked for the purpose of calculating overtime pay. Stated otherwise, time paid for travel and the time "rounded up" to two hours will not count towards the overtime pay calculation.

If the employee is called-in prior to the starting time of his regularly scheduled work day and continues working through his starting time, he will be paid for all time worked and will not be paid for travel time or otherwise be eligible to receive call-in pay.

If the employee continues working through his normally scheduled quitting time, he will be paid for all time worked and will not be paid for travel time or otherwise be eligible to receive call-in pay.

#### **10.6. EMERGENCY DUTY PAY**

Additional Emergency Duty Overtime Pay For Exempt Employees. In the event of a state of emergency affecting the City of Daphne as declared by Federal, State, County, or City government and ratified by the Mayor of the City of Daphne and/or such other competent authority, the Mayor may utilize exempt employees to aid the City's emergency response during extended work hours beyond the employees' usual schedules. In the event of such a declared state of emergency, beginning when such state of emergency is declared and ending when such state of emergency is lifted, exempt employees will be paid additional emergency duty overtime compensation for hours worked in response to the emergency over 40 in the seven-day workweek. The rate of pay for this additional emergency duty overtime compensation will be equal to one and one-half (1<sup>1/2</sup>) times the exempt employee's "calculated hourly rate" which will be determined by dividing the exempt employee's annual salary by 2080.

Emergency-Related Administrative Pay For Non-Exempt Employees. In the event the mayor declares a local State of Emergency affecting the City of Daphne, and due to emergency conditions non-exempt employees are unable to report for work or are required to arrive at work late or to depart work early, the mayor may in his discretion direct that non-exempt employees so affected be paid emergency-related administrative pay at the employee's regular rate of pay for the time the non-exempt employee is not working due to the emergency. Payment of

emergency-related administrative pay will not be counted as *hours worked* in the calculation of hours eligible for overtime compensation.

### **10.7. PAY SCALE**

Overview. The city has an established Pay Scale containing 25 Steps which applies to positions in the unclassified, classified, and part-time services. The Pay Scale is available for review by employees in the human resources department.

Pay Rates. Employee pay rates are set on the Pay Scale at an hourly rate, which is the regular rate of pay for an hourly-paid non-exempt employee in the position. Employees who are assigned to jobs that have been determined to be exempt from the overtime provisions of the FLSA and such other non-exempt employees who have been designated by the mayor as salaried employees will be paid a salary each pay period. Such salary will be based upon the hours that the employee is normally expected to work during the pay period and the approved hourly rate of pay for his job as determined from the Pay Scale. Normally, this will be forty (40) hours, however, in those situations where an employee is expected to work more or fewer hours per pay period his salary will be based upon the expected hours of work.

### **10.8. COST OF LIVING ADJUSTMENTS**

In order to combat the Pay Scale becoming outdated and non-competitive with other employment opportunities and to slow the advancement of employees to the maximum pay step, the Mayor and City Council shall utilize Cost of Living Adjustment (“COLA”) to amend the Pay Scale as the means to provide salary increases to all employees.

A COLA may be approved with the adoption of the annual budget, or at any other such time as the Council may determine appropriate and necessary. Any approved and adopted COLA shall be applied uniformly to all job grades and steps and the Pay Scale shall be adjusted accordingly. Enactment of a COLA shall not have an effect on the grade or step of employees but shall alter the pay of each step for all grades as specified in the adopted COLA.

The primary method of implementing said salary increases shall be accomplished through a COLA approved with the adoption of the budget. Said COLA for Salary Increases shall not be limited to being adopted as part of the budget process but may be approved and adopted at any such time as the Mayor and City Council may determine it appropriate and necessary. Any approved and adopted COLA shall be applied uniformly to all job grades and steps and the Pay Scale shall be adjusted accordingly, but may be implemented as a percentage based increase or an increase in a fixed amount that is applied to all pay grades and steps within the Pay Scale.

### **10.9. MERIT-BASED PAY INCREASES**

Individual employee pay scale step increases shall be limited to performance or merit based pay increases. Employees are from time to time evaluated on their job performance. A Department Head may request a merit based step increase for employees demonstrating exceptional job performance. Merit increases shall be awarded to employees in the form of a one-step pay increase.

Funding for the one-step merit pay increases shall be subject to appropriated funds in the annual budget, as adopted or amended from time to time by the City Council. The annual budget shall include a line item to provide allocation, if any, for one-step merit pay increases. The allocation amount, number of requests, and performance demonstrated by the employee shall be among the factors considered in awarding merit-based increases. Upon the award of a merit step increase by the Mayor, funding to cover the increase in salary for the award shall be transferred from the one-step merit pay allocation to the corresponding city department's personnel budget.

Documentation of approved merit step increases shall be forwarded to the Human Resource Director for inclusion in the employee's file. Such documentation shall include the basis upon which the merit pay increase is awarded.

#### **10.10.ENTRY LEVEL PAY FOR NEWLY-HIRED AND PROMOTED EMPLOYEES.**

General Rule – New Hires. The entry-level rate of pay for a new salaried or hourly employee in the unclassified, classified, or part-time service will be established at the minimum level of pay for the employee's job as authorized in the Pay Scale. But in order to ensure adequate opportunity for performance based salary advancement for all employees, including exceptional situations, the entry pay grade for an employee shall not exceed a Step Sixteen.

General Rule - Promotions. When an employee is promoted to another job, the default pay will be established at the entry level of the new pay grade. In the event the entry level of pay for the new pay grade is less than the pay associated with a four-step increase from the previous position, the pay established shall be the first step in the new pay grade greater than a four-step increase from the previous position.

Exceptional Circumstances – Higher Pay Rate. The city recognizes that there are hiring and promotion situations which require additional pay considerations beyond what is normally allowed. When these situations occur it will be the appointing authority's responsibility to document the applicant's or employee's qualifications and any other exceptional circumstances surrounding the hiring or promotion decision. The Mayor can review the information and decide if the pay step recommendation is appropriate. The Mayor shall have the final authority to approve entry-level pay for newly-hired or promoted employees not to exceed a Step Twelve, with no further action required by the City Council, provided that funds are available in the City's personnel budget. An appropriation by the City Council shall be required should adequate funds not be available. Should the pay requirements further exceed the maximum step for which the Mayor can approve, the Mayor may request the City Council to review the qualifications for step placement between Step Twelve and Step Sixteen.

Exceptional Circumstances – Lower Pay Rate. If the appointing authority determines that a newly-hired or promoted employee does not fully meet the job-related qualifications (including required certification and licensure) for his job, he may approve a lower entry level of up to four (4) steps below the minimum level that is established for the job. When an employee's entry level pay is established at below the minimum level established for his job, his appointing authority will provide him written notification of the conditions and time frame which he has to meet the required job standards. Such notice will also inform the employee that if he does not meet the established conditions, he may be separated or returned to the original job, if available.

Documentation. All circumstances outlined and included herein shall be fully documented and provided to Human Resources for inclusion in personnel files.

#### **10.11. PAY LEVEL AFTER OTHER REASSIGNMENTS**

Transfer. When an employee is transferred to another job, his pay will remain the same as before his reassignment. However, any adjustments that are required due to a change in the hours that a salaried employee is expected to work during the pay period will be made.

Demotion. When an employee is demoted to a new job, his pay will be established at the same relative position in the pay range of the pay grade for his new job that it was in the pay range of the job he held prior to his demotion. Such pay will be at least two (2) steps below the pay he received prior to the demotion. However, under no circumstances will a demoted employee's pay exceed the maximum level of pay or be less than the minimum level of pay authorized for the pay grade of his new job.

Return to Old or Comparable Job Before Completing Probationary Period. If a promoted employee is returned to his old job, or a comparable job, prior to completing a required probationary period, his pay will be returned to the pay it was prior to his promotion. However, the employee's pay will be increased or decreased to reflect any general adjustments applied to other employees that would have otherwise affected his pay.

#### **10.12. PAY LEVEL AFTER LEAVE WITHOUT PAY ABSENCE**

An employee who returns to work after a leave without pay will have his pay established at the same level of pay he was paid prior to the leave without pay, if he is placed in a job in the same pay grade level that he previously held. If he is placed in a job of a lower pay level than he previously held, his pay will be adjusted to the same relative place in the range for his new job as it was in his old pay range. However, the employee will receive any general pay adjustments provided to other employees while he was in a leave without pay status to which he would have been otherwise entitled.

#### **10.13. PAY RATE FOR CERTAIN REHIRED FORMER EMPLOYEES.**

If a former unclassified, classified or part-time employee who left the city in good standing is rehired to a vacant position in the unclassified, classified, or part-time service after a break in service of less than 180 days, the Department Head may request to the mayor that the pay of the employee be established at the same relative rate in the pay range of the pay grade level for the job as it was before the employee's break in service.

#### **10.14. EMPLOYEE GROUP INSURANCE BENEFITS**

Overview. The city provides life insurance, health insurance, and disability insurance coverage for all unclassified and classified employees under the employee group insurance program as part of their overall compensation. In addition, a covered employee's dependents may also be eligible for health insurance coverage. The actual entitlement and eligibility requirements for each benefit will be in accordance with the criteria established for such benefits. Additional

information may be found in the city's benefit manual that is provided each eligible employee. If an employee has a specific question about a particular benefit, he should contact the human resources director. The information presented herein is general in nature and is presented to provide employees with an overview of such benefits. Eligibility requirements and benefits associated with each insurance plan are explicitly defined in legal documents, including insurance contracts, official plan texts, and trust agreements which are on file in the human resources director's office. Should any question ever arise about the nature and extent of a plan's benefits, the formal language of the plan document will govern.

Costs. The cost associated with the employee's coverage is paid by the city as part of the employee's compensation package. The cost associated with a dependent's coverage will be paid by the employee. The premium costs associated with the employee group insurance program will be determined on a periodic basis in accordance with the terms of the specific insurance contract. The costs (if any) associated with an employee's coverage under any of the specific plans (life, health, disability) will be determined by city council annually.

Continuation Coverage. In some situations, an individual or his dependents may be eligible to continue his insurance during a leave of absence or upon separation in accordance with federal law and the provisions of the applicable policy. Such coverage and the cost associated thereof will be in accordance with the provisions of the applicable policy.

#### **10.15. ON-THE-JOB INJURY/ILLNESS BENEFITS**

Overview. If an employee is injured on the job or develops an illness directly related to employment with the city which causes the employee to be unable to perform job duties, the employee may be eligible for worker's compensation in the form of a weekly wage replacement benefit. The amount and duration of this weekly benefit is established by law. If an employee is injured on the job or develops an illness directly related to employment with the city, the city also will pay for covered medical expenses relating to the illness or injury as provided by law. Benefits and eligibility in each case will be determined in accordance with the criteria specified in Title 25 of the Code of Alabama. No employee will receive any city-provided compensation while he is receiving or eligible to receive worker's compensation wage-replacement benefits, except as provided in the Sick Leave Policy in Chapter 9.

Reporting Requirements. All job-related injuries or illnesses must be reported immediately by an employee through his supervisor to his department head. In addition, a written report will be completed by the employee and his supervisor and submitted in accordance with the guidelines established by the human resources director. Failure to do so may result in loss, or delay, of receipt of any authorized benefits. If deemed necessary, the department head may require the employee to see a city approved doctor at the city's expense.

Loss of Eligibility/Disciplinary Consequences. Workers' compensation benefits and payment for covered medical expenses are not available if the injury or illness is caused by the employee's willful misconduct, by the employee's willful failure or refusal to use a safety device, or by the employee's intoxication or impairment by alcohol or illegal drugs. Any falsification or misrepresentation of information concerning an accident, injury or illness also may cause a loss of these benefits, and is also grounds for discipline, up to and including discharge.

**SECTION III: REPEALER**

That any Ordinance, or parts thereof, heretofore adopted by the City Council of Daphne, Alabama, which is in conflict with this Ordinance be and is hereby repealed to the extent of such conflict.

**SECTION IV: SEVERABILITY**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**SECTION V: EFFECTIVE DATE**

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

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**RON SCOTT  
CITY COUNCIL PRESIDENT**

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**DANE HAYGOOD  
MAYOR**

**ATTEST:**

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**REBECCA HAYES  
CITY CLERK**