

**CITY OF DAPHNE
CITY COUNCIL MEETING AGENDA
1705 MAIN STREET, DAPHNE, ALABAMA
NOVEMBER 2, 2015
6:30 P.M.**

1. CALL TO ORDER

2. ROLL CALL

INVOCATION / Pastor Brad McClain / Chaplain for Daphne Police Department

PLEDGE OF ALLEGIANCE

ELECT NEW OFFICERS

3. APPROVE MINUTES: Council Meeting Minutes / October 9, 2015

INTERVIEWS FOR DISTRICT #7 SEAT

1. Mr. J. Ernest Scarbrough

2. Mrs. Angela Phillips

PRESENTATION: Certificate of Appreciation and Thanks by the Beautification Committee to Rebecca Trosclair

PROCLAMATION: America Recycles Day / November 15, 2015

4. REPORTS OF STANDING COMMITTEES:

A. FINANCE COMMITTEE – Fry

B. BUILDINGS & PROPERTY COMMITTEE - Lake

C. PUBLIC SAFETY - Rudicell

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Scott
Review minutes / October 19th

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY – LeJeune

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones

B. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway
Review minutes / October 28th

C. INDUSTRIAL DEVELOPMENT BOARD –

D. LIBRARY BOARD - Lake

E. PLANNING COMMISSION – Scott

F. RECREATION BOARD – LeJeune

G. UTILITY BOARD – Fry
Review minutes / September 30th

6. MAYOR’S REPORT

7. CITY ATTORNEY’S REPORT

8. DEPARTMENT HEAD’S REPORT

9. CITY CLERK’S REPORT

- a.) ABC License / Rock N Roll Sushi / 020 – Restaurant Retail Liquor
- b.) Certificate of Appreciation from ARSEA / John Lake

10. PUBLIC PARTICIPATION

11. RESOLUTIONS AND ORDINANCES:

RESOLUTIONS:

- a.) Resolution 2015-67Set a Public Hearing Date to Consider Adopting the 2015 Supplement of the 2005 Edition of the Codification of Ordinances for the City of Daphne, Alabama
- b.) Resolution 2015-68.....Bid Award: Tiawasee Creek Stream Restoration / North State Environmental, Inc.

ORDINANCES:

2ND READ

- a.) Ordinance 2015-58..... Appropriation of Funds: Lake Forest Land Acquisitions / 5 Lots
- b.) Ordinance 2015-59.....Appropriation of Funds: Master Plan for Bayfront / Village Point Park Preserve Amphitheater & Facility
- c.) Ordinance 2015-60..... Appropriation of Funds: Turning Lanes at Sehoj Blvd. & Longue Vue Blvd.
- d.) Ordinance 2015-61..... Appropriation of Funds: CR 13 & Hwy 64 Roundabout Lights
- e.) Ordinance 2015-62.....Pre-Zone Property Located Southwest of Holy Cross Circle and Holy Cross Drive / John W. West / B-1, Local Business
- f.) Ordinance 2015-63.....Annexation / Property Located Southwest of Holy Cross Circle and Holy Cross Drive / John W. West
- g.) Ordinance 2015-64.....Rezone Property Located One Quarter Mile South of the Intersection of County Road 64 and Pollard Road / Cadence Bank / PUD, Planned Unit Development
- h.) Ordinance 2015-65.....Pre-Zone Property Located One Quarter Mile South of the Intersection of County Road 64 and Pollard Road / Cadence Bank / PUD, Planned Unit Development

- i.) Ordinance 2015-66.....Annexation / Property Located One Quarter Mile South of the Intersection of County Road 64 and Pollard Road / Cadence Bank**
- j.) Ordinance 2015-67.....Revision to the City of Daphne Land Use and Development Ordinance / Revision of the Zoning Map**
- k.) Ordinance 2015-68.....Adopting the FY2016 Capital & Personnel Budget**

12. COUNCIL COMMENTS

13. ADJOURN

**CITY OF DAPHNE
CITY COUNCIL**

ROLL CALL

CITY COUNCIL:

| | | |
|----------------------------------|---------------------|--------------------|
| COUNCILMAN RUDICELL | PRESENT ____ | ABSENT ____ |
| COUNCILMAN LAKE | PRESENT ____ | ABSENT ____ |
| COUNCILMAN FRY | PRESENT ____ | ABSENT ____ |
| COUNCILMAN SCOTT | PRESENT ____ | ABSENT ____ |
| COUNCILMAN LEJEUNE | PRESENT ____ | ABSENT ____ |
| COUNCIL PRESIDENT CONAWAY | PRESENT ____ | ABSENT ____ |

MAYOR:

| | | |
|----------------------|---------------------|--------------------|
| MAYOR HAYGOOD | PRESENT ____ | ABSENT ____ |
|----------------------|---------------------|--------------------|

CITY CLERK:

| | | |
|----------------------|---------------------|--------------------|
| REBECCA HAYES | PRESENT ____ | ABSENT ____ |
|----------------------|---------------------|--------------------|

CITY ATTORNEY:

| | | |
|-----------------|---------------------|--------------------|
| JAY ROSS | PRESENT ____ | ABSENT ____ |
|-----------------|---------------------|--------------------|

**OCTOBER 19, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Conaway called the meeting to order at 6:30 p.m.

2. ROLL CALL

COUNCIL MEMBERS PRESENT: Tommie Conaway; Pat Rudicell; John Lake; Randy Fry; Ron Scott; Robin LeJeune.

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Jay Ross, City Attorney; Michael Berson, Attorney; James White, Fire Chief; David Carpenter, Police Chief; David McKelroy, Recreation Director; Kelli Kichler, Finance Director/Treasurer; Adrienne Jones, Planning Director; Richard Johnson, Public Works Director; Tonja Young, Library Director; Dorothy Morrison, DRA/Beautification Committee; Willie Robison, BZA; Larry Cooke, BZA; Don Ouellette, Environmental Advisory Committee; Tomasina Werner, Beautification Committee; Al Guarisco, Village Point Foundation.

Absent: Margaret Thigpen, Civic Center Director; Vickie Hinman, HR Director; Richard Merchant, Building Official.

INVOCATION/PLEDGE OF ALLEGIANCE:

Reverend Charles Jackson with Macedonia Missionary Baptist Church gave the invocation.

3. APPROVE MINUTES:

September 21, 2015 Council Meeting Minutes

There being no corrections the September 21, 2015 council meeting minutes stand approved.

October 12, 2015 Council Work Session Minutes

There being no corrections the October 12, 2015 council meeting minutes stand approved.

Amend September 28, 2015 Special Called Council Meeting Minutes

An amended motion by Councilman Rudicell in the September 28, 2015 Special Called Council meeting minutes was amended to read “ MOTION BY Councilman Rudicell to amend the motion to have the contingency before appropriating the funds that Thomas Hospital will annex the Free Standing Emergency Department into the City of Daphne.” The September 28, 2015 Special Called Council meeting minutes stand amended.

PUBLIC HEARINGS:

a.) *Pre-zone:*

Present zoning:

John W. West

RSF-4, Two Family District, Baldwin County District 16, in the extra-territorial planning jurisdiction of Daphne

Proposed zoning:

B-1, Local Business, City of Daphne

Location:

Southwest of Holy Cross Circle and Holy Cross Drive

Recommendation:

Unanimous favorable

b.) *Annexation:*

Location:

John W. West

Southwest of Holy Cross Circle and Holy Cross Drive

**OCTOBER 19, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Recommendation: Unanimous favorable

Mrs. Adrienne Jones and Mr. Jack West gave the presentation for the pre-zoning and annexation. Mr. West asked that this property be added to the Olde Towne District map.

Council President Conaway opened the Public Hearing at 6:35 p.m.

No one spoke for or against the proposed pre-zoning or annexation

Council President Conaway closed the Public Hearing at 6:36 p.m.

c.) Zoning Amendment Cadence Bank
Present zoning: R-4, High Density Multi-Family Residential District, City of Daphne
Proposed Pre-zoning: PUD, Planned Unit Development District, City of Daphne
Location: One quarter mile south of the intersection of County Road 64 and Pollard Road
Recommendation: Unanimous favorable

d.) Pre-zoning: Cadence Bank
Present zoning: RSF-2, Single Family District, Baldwin County District 15, in the extra-territorial planning jurisdiction
Proposed Pre-zoning: PUD, Planned Unit Development, District, City of Daphne
Location: One quarter mile south of the intersection of County Road 64 and Pollard Road
Recommendation: Unanimous favorable

e.) Annexation: Cadence Bank
Location: One quarter mile south of the intersection of County Road 64 and Pollard Road
Recommendation: Unanimous favorable

Mrs. Adrienne Jones and Mr. Steve Pumphrey gave the presentation for the rezoning, pre-zoning and annexation.

Council President Conaway opened the Public Hearing at 6:47 p.m.

No one spoke for or against the rezoning, pre-zoning or annexation.

Council President Conaway closed the Public Hearing at 6:47 p.m.

**OCTOBER 19, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

f.) *Revisions to the Land Use and Development Ordinance / Zoning Map*
Recommendation Favorable

Mrs. Adrienne Jones gave the presentation saying these are zoning changes made during the last six months.

Council President Conaway opened the Public Hearing at 6:48 p.m.

No one spoke for or against the revision to the Land Use and Development Ordinance / Zoning Map.

Council President Conaway closed the Public Hearing at 6:48 p.m.

4. REPORT OF STANDING COMMITTEES:

A. *FINANCE COMMITTEE* – Fry

The minutes for the October 12th meeting are in the packet.

Treasurers Report / September 2015

As of September, 2015 Total Unrestricted Funds - \$10,664,208 and Total City Funds - \$18,574,773

Sales and Use Tax Collections / August 2015

\$1,148,891 was collected for August 2015:

- YTD Variance over Budget – (\$1,994)
- YTD Percent change from last year's collections + 2.8 %

Lodging Tax Collections / August 2015

Collections for August 2015 were \$90,758 which is down (\$2,975) from August's 2014's collections of \$93,733:

- YTD Variance over Budget: \$ 51,453
- YTD Percentage change from last year's collections: 19.1 %

These figures will be filed for audit.

B. *BUILDINGS & PROPERTY COMMITTEE* –

The minutes for the October 5th meeting are in the packet.

C. *PUBLIC SAFETY COMMITTEE* – Rudicell

The committee met this afternoon and discussed street crossing signs. The next meeting will be November 16th at 4:30 p.m.

D. *CODE ENFORCEMENT/ORDINANCE COMMITTEE* – Scott

The committee met this afternoon and discussed four items some were passed on to be on a future agenda. The next meeting will be November 16th at 5:30 p.m.

**OCTOBER 19, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

E. PUBLIC WORKS COMMITTEE – LeJeune

The minutes from the last meeting will be in the next council packet. The next meeting will be November 2nd at 5:30 p.m.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Adrienne Jones

The next meeting will be November 5th at 6:00 p.m. with one item on the agenda.

B. Downtown Redevelopment Authority – Conaway

The next meeting will be October 28th at 5:30 p.m.

C. Industrial Development Board – Davis

No report.

D. Library Board – Lake

Resignation of Andre LaPalme

**MOTION BY Councilman Lake to accept the resignation of Andre LaPalme from the Library Board.
*Seconded by Councilman Rudicell.***

MOTION CARRIED UNANIMOUSLY

Councilman Scott said they discussed having a policy for appointments and reappointments to committees and boards and asked that the reappointment be postponed until a policy is established.

E. Planning Commission – Scott

The minutes for the August 27th meeting are in the packet along with the staff report for the September 24th meeting. The next meeting is Thursday at 5:00 p.m.

F. Recreation Board – LeJeune

The Park Team met last week, and they finalized a lot of things. The final plans will be coming in a couple of weeks. They will have the final numbers for the November work session, and then it will be in the council's hands. He said they will hold off on the reappointments to the board until a policy is set. The members will still remain on the board until reappointed or a replacement is appointed.

G. Utility Board – Fry

The next meeting will be September 28th at 5:00 p.m.

OCTOBER 19, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

6. MAYOR'S REPORT

MOTION BY Councilman Scott Authorize the Mayor to sign the revised Memorandum of Agreement with ALDOT detailing the responsibilities of the Alabama Department of Transportation and the City regarding the removal and disposal of storm debris from ALDOT maintained rights-of-way / roadways. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

7. CITY ATTORNEY REPORT:

Mr. Ross requested council to have an executive session at the end of the meeting to discuss an AG Opinion, pending litigation and economic development (real estate) which will take about 15 minutes. He said council may want to come out of the session to vote on a matter. On the second issue regarding council saying what authority a position answers to he said at the last meeting council meeting the mayor said he would agree to put the position where council wants it to be, however, the council can say they will fund this position if the mayor puts it here, other than that council cannot direct the mayor in how he runs the daily operation of the city including the organizational chart, but council could fund the position contingent upon the mayor assenting to the position being under the Public Works Director. The mayor agrees he will put the position where council wants it to be.

8. DEPARTMENT HEAD COMMENTS:

David Carpenter – Police Chief – mentioned the city had its first homicide in two and a half years. It was a domestic incident.

Richard Johnson – Public Works Director – reported the Turkey Trot Run is Saturday and will be running map three which starts at city hall. It starts at 9:00 a.m., and it is a big event. Last year they had about 800 runners for the event.

David McKelroy – Recreation Director - reported the final Brown Bag by the Bay will be this week and next week. He also gave the sports schedule.

Tonja Young – Library Director – said that she will miss Andre LaPalme, and that he did a great job. In the future he would like to be considered again as a board member.

**OCTOBER 19, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

9. CITY CLERK REPORT:

- a.) Appoint NLC Voting Delegate

MOTION BY Councilman Rudicell to appoint Councilman Lake as the voting delegate to the National League of Cities Conference being held November 4-7, 2015 in Nashville, TN. *Seconded by Councilman Scott.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to appoint Councilman Rudicell as the 2nd Alternate voting delegate to the National League of Cities Conference being held November 4-7, 2015 in Nashville, TN. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

- b.) Interviews for District #7 Vacancy

MOTION BY Councilman Scott to interview the applicants for the District #7 seat at the November 2nd council meeting. *Seconded by Councilman Fry.*

MOTION CARRIED UNANIMOUSLY

10. PUBLIC PARTICIPATION

No one spoke.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) **Resolution 2015-64** CR 13 Sidewalk / Whispering Pines Road to Champions Way / ALDOT Agreement
- b.) **Resolution 2015-65** Donated Property on Blakely River / By Blakely River LLC (Managed by Russell Steiner)
- c.) **Resolution 2015-66** Setup New Bank Account / Online Credit Card Payments

MOTION BY Councilman Scott to wave the reading of Resolutions 2015-64, 2015-65 and 2015-66. *Seconded by Councilman Fry.*

MOTION CARRIED UNANIMOUSLY

**OCTOBER 19, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

MOTION BY Councilman Scott to adopt Resolution 2015-64 *Seconded by Councilman Fry.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2015-65. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2015-66. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

ORDINANCES:

- a.) **Ordinance 2015-58.** Appropriation of Funds: Lake Forest Land Acquisitions / 5 Lots
- b.) **Ordinance 2015-59.** Appropriation of Funds: Master Plan for Bayfront / Village Point Park Preserve Amphitheater & Facility
- c.) **Ordinance 2015-60.** Appropriation of Funds: Turning Lanes at Sehoj Blvd. & Longue Vue Blvd.
- d.) **Ordinance 2015-61.** Appropriation of Funds: CR 13 & Hwy 64 Roundabout Lights
- e.) **Ordinance 2015-62.** Pre-Zone Property Located Southwest of Holy Cross Circle and Holy Cross Drive / John W. West / B-1, Local Business
- f.) **Ordinance 2015-63.** Annexation / Property Located Southwest of Holy Cross Circle and Holy Cross Drive / John W. West
- g.) **Ordinance 2015-64.** Rezone Property Located One Quarter Mile South of the Intersection of County Road 64 and Pollard Road / Cadence Bank / PUD, Planned Unit Development
- h.) **Ordinance 2015-65.** Pre-Zone Property Located One Quarter Mile South of the Intersection of County Road 64 and Pollard Road / Cadence Bank / PUD, Planned Unit Development
- i.) **Ordinance 2015-66.** Annexation / Property Located One Quarter Mile South of the Intersection of County Road 64 and Pollard Road / Cadence Bank

**OCTOBER 19, 2015
 CITY COUNCIL MEETING
 REGULAR BUSINESS MEETING
 1705 MAIN STREET
 DAPHNE, AL
 6:30 P.M.**

j.) **Ordinance 2015-67**.....Revision to the City of Daphne Land Use and Development Ordinance /
 Revision of the Zoning Map

k.) **Ordinance 2015-68**.....Adopting the FY2016 Capital & Personnel Budget

ORDINANCES 2015-58, 2015-59, 2015-60, 2015-61, 2015-62, 2015-63, 2015-64, 2015-65, 2015-66, 2015-67 and 2015-68 ARE A 1ST READ.

12. COUNCIL COMMENTS

Councilman Scott said in reference to Resolution 2015-64 that it is something that has been desired for a long time that there will be a sidewalk from the high school all the way down to Daphne East, and with the sidewalk on Whispering Pines the city will be connected all the way to downtown.

Councilman Rudicell reported there will be a Veterans Day program on November 8th at 2:00 p.m. which is the Sunday before Veterans Day.

Councilman Lake said that sidewalks are important to walkability in the city. He thanked the Police Department for the handling of traffic for Mr. Bolar’s funeral.

Councilman Fry said the sidewalk is a 80%/20% match funded by ALDOT. He thanked the people who were involved with this grant.

MOTION BY Councilman Fry to enter into Executive Session to discuss an AG Opinion, pending litigation and economic development (real estate) which would take about 15 minutes. *Seconded by Councilman Rudicell.*

The City Attorney certified that the above stated reason for entering into Executive Session is permissible according to the Open Meetings Act.

ROLL CALL VOTE

| | | | |
|-----------------|------------|----------------|------------|
| Rudicell | Aye | Scott | Aye |
| Lake | Aye | LeJeune | Aye |
| Fry | Aye | Conaway | Aye |

MOTION CARRIED UNANIMOUSLY

Council entered into Executive Session at 7:30 p.m.

Council returned from Executive Session at 7:40 p.m.

OCTOBER 19, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

MOTION BY Councilman Lake to create a resolution to request an Attorney General's Opinion regarding the Woodmen of the World property. *Seconded by Councilman Rudicell.*

ROLL CALL VOTE

| | | | |
|----------|-----|---------|-----|
| Rudicell | Aye | Scott | Nay |
| Lake | Aye | LeJeune | Nay |
| Fry | Nay | Conaway | Nay |

AYE Rudicell, Lake

NAY Fry, Scott, LeJeune, Conaway

MOTION FAILED

13. ADJOURN:

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

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:42 P.M.

Respectfully submitted by,

Certification of Presiding Officer

Rebecca A. Hayes,
City Clerk

Tommie Conaway,
Council President

J. Ernest Scarbrough

30342 Crepe Myrtle Court
Daphne, AL 36527

Cell: 251-232-6695
scarbroughonline@gmail.com

Objective:

Support and strengthen the social and economic goals of the City of Daphne Alabama while serving as the City Council Member for District 7.

Education:

MBA, University of Alabama, 2002

Southern Methodist University: began work on my MBA, 1997

University of London: Studied International Marketing, 1987

BBA, University of South Alabama, 1987

Professional Experience:

Business Broker

Sunbelt Business Brokers Daphne, Alabama January 2014 – Present

- Lead clients through the process of business sales and acquisitions
- Closed (4) acquisitions within a twelve month time frame
- Prepare business valuations for prospective clients and third party requests
- Obtained a real estate license
- Secured multiple business and commercial property listings

President

Wise Technology, LLC Fairhope, Alabama January 2014 – Present

- Identified the need for a fleet maintenance program in public education and directed Wise Technology programmers to create a new web based solution.
- Selected key resellers for the “Wise Transportation” program in CA, TX and OK.
- Obtained annual contracts for “Wise Transportation” in multiple school districts
- Opened opportunities for Wise Technology in the largest school district in AL
- Procured a contract with Mobile County for a customized student transfer portal.
- Contracted with a web based emergency response solution company to market in AL.
- Mobile County School District selected the emergency response app for all schools.

President

Teachers 'N Tools, Inc Mobile, Alabama

August 1998 – December 2013

- Partnered with an Internet curriculum publisher to secure the first online textbook adoption in Alabama; achieved revenue growth of 135%
- Expanded online textbook adoption process to Mississippi.
- Negotiated new contracts with key publishers creating stability and terms favoring Teachers 'N Tools, Inc.
- Increased geographic coverage by adding sales representatives in Louisiana and NJ.
- Responsible for growing sales revenue and maintaining a high gross margin.
- Enhanced profitability by reducing SG&A expenses.
- Hosted customer functions and presented product information to large groups.
- Implemented an automated bulk mailing system and inside sales program.
- Published a product designed to enrich our Test Taking Tools product line.
- Negotiated the sale of Teachers 'N Tools, Inc. and assisted the new management during the transition.

Sales Manager

Occidental Chemical Corp. Houston, TX

May 1997 – July 1998

- Led a sales team from \$250 million to \$330 million in sales revenue.
- Won the Galaxy Award for the Southwest Region.
- Created a target account program and focused on product training for my sales representatives.

Marketing Manager

Occidental Chemical Corp. Dallas, TX
1997

August 1995 – April

- Responsible for marketing Ethylene Glycol production through our domestic and International sales force.
- Created standard procedures for maintaining a product swap with a Saudi Arabian corporation saving approximately \$1 million each year in freight costs.
- Established contracts with select customers to purchase off-spec product at regular intervals on a formula based pricing mechanism. This created a consistent outlet for the material and ensured profitability on it for OxyChem.

Sales Representative

Occidental Chemical Corp. Danbury, CT

March 1991 – July 1995

- Corporate Account responsibility included Duracell, Champion International, Uniroyal, Penzoil, Ciba and Olin.
- Grew this mature market by increasing our volume through local distributors enabling one account to win the National OxyLinks Award.
- Created a performance evaluation tool designed to fairly appraise a sales representatives efforts.

Sales Representative

Occidental Chemical Corp. Dallas, TX
1991

February 1988 – February

- Won the Galaxy Award for sales achievement.
- Grew territory from \$12 million to \$20 million.

Leadership and Recognition

- Selected to be on the University of Alabama's Business School Board of Visitors
- Participated in the University of Alabama's Executive MBA Advisory Board
- Presented with the "Service Above Self" award from Rotary
- Recognized as a "Paul Harris Fellow" in Rotary
- Won Workforce Developer of the Year award from Iota Lambda Sigma for Career and Technical Education
- Won the Stuart Mott Award from Alabama's 21st Century Community Learning Center Association
- Past President of Library and Media Professionals Association
- Recognized as Luidia's number one reseller in the Nation
- Recognized as Skills Bank number one reseller in the Nation
- Orchard Software; number three reseller in the Nation
- Key presenter at Superintendent and Technology conferences

Professional Memberships and other Associations

- Rotarian
- Member of the Gulf Coast Angel Network
- Member of the American Business Brokers Association
- Previous member of SFEEF "Spanish Fort Education and Enrichment Foundation"
- Licensed Real Estate Agent
- Private Pilot and AOPA Member
- ABI - Accredited Business Intermediary
- Member of Spanish Fort United Methodist Church
- University of South Alabama Alumni
- University of Alabama Alumni

Personal Interests

- Family
- Flying
- Hunting
- Reading
- * Golf
- * Fishing
- * Exercising
- * Boating

References

Bill Barnhill – President of Omega Properties – 251-802-0719

Randy Davis – Representative House District 96 – 251-709-5619

Robbie Owen – Principal at Rockwell Elementary in Baldwin County – 251-232-9008

William Bruce – President Business Sales & Acquisitions, LLC – 251-990-5934

David Akridge – Technology Director/Mobile County School District – 251-599-3145

Charlie Ebert – Ebert Insurance Agency Baldwin County – 251-747-5770

Beth Drew – Assistant Superintendent Escambia County – 251-294-1123

Jerry Nowlin – Owner of Jubilee Flooring – 251-605-3988

Angela L. Phillips
10398 Papas Street
Daphne, Alabama 36526
Home/Fax: 251-625-4830
Cellular: 251-232-0788
paphillips05@bellsouth.net



PROFESSIONAL EXPERIENCE

Bookkeeper, Spanish Fort High School

06/2014 - Present

- Perform all bookkeeping functions needed for budgetary control, revenue, general ledger, accounts payable, and accounts receivable.
- Maintain financial records for all funds to include academics, athletics, fine arts, general, grants, state allocations, and student organizations.
- Provide customer service to staff, students and general public.
- Provide training to staff related to accounting policies and procedures.
- Ensure compliance with local and state accounting guidelines and ethics laws.
- Prepare and analyze financial statements, income statements, and accountability and cost reports to reflect school's financial condition.

Revenue Officer, City of Daphne

08/2013 – 06/2014

- Administered the collection of the City's sales and use type taxes, as well as the collection and issuance of business licenses.
- Ensured taxpayer compliance with ordinances, codes, and laws.
- Provided customer service and resolution to taxpayer issues.
- Managed and evaluated department employees, budget, and purchasing.
- Created and implemented department policies and procedures, and partnered with other departments to increase efficiency.
- Presented research, reports and ordinances to elected officials.

Owner, Client Based Accounting & Business Consulting Services

01/1998 – 08/2013

- Provided QuickBooks set up/maintenance, banking, collections and payroll services.
- Managed employee benefits, insurance policies, leases/purchases, and website content.
- Prepared budgets, cash flow projections, financial statements, and tax filings/reports.
- Developed advertising, branding, marketing, growth and development plans.
- Provided conflict resolution, contract negotiations, correspondence, and transcription s.
- Established human resource, office and practice management policies and procedures to increase employee retention and productivity.

Owner, Client Based Organizing and Decorating Services

01/1998 – 06/2005

- Created/taught "Living a Simple Lifestyle: Decluttering Your Space, Paper & Time" course through the *University of South Alabama's Department of Continuing Education*.
- Organized and decorated homes and businesses, and arranged subcontractor services.

- Office Manager/Bookkeeper, Alston Refrigeration Co., Inc.* 06/1987 – 12/1998
- Oversaw accounts payable/receivable, banking, budgeting, collections, general ledger, hiring/terminations, insurance, payroll, purchasing, reconciliations, and tax reporting.
 - Independently obtained MS Office and QuickBooks training, then set up/computerized the company's manual accounting/office procedures.

VOLUNTEER/COMMUNITY SERVICE EXPERIENCE

- Board Member, PTA (Baldwin & Mobile County Schools)* 12 years
- Positions held include President, Vice President, Treasurer, Teacher Appreciation Chair, Hospitality Chair, Field Day Chair, Reflections Chair

- Board Member, Eastern Shore Parents Aquatic Foundation, Inc. (Daphne, AL)* 7 years
- Positions held include President and Treasurer; Performed duties of Programs Director, Marketing & Communications Chair, Fundraising Chair, Website Manager, and Online Registration Administrator

- Board Member, Jr. Chamber of Commerce's Mobile Azalea Trail & Festival* 6 years
- Positions held include VP of Publicity, VP of Ways & Means, and first female to serve as Court Chair, President, and Chair of the Board

- Member, Baldwin County Education Coalition's Parent Leadership Team* 2 years
- School Representative

- Member, Baldwin County Board of Education's Calendar Planning Committee* 2 years
- Parent Representative

Class Manager, Jazzercise (Daphne, AL) 2 years

EDUCATION

University of South Alabama, B.S. Secondary Education – Language Arts Composite

Ben C. Rain High School, Honors Diploma

References available upon request

CERTIFICATE

OF APPRECIATION

to Thank

Rebecca Trosclair

for five years of dedication as Chair of the
Beautification Award

Dorothy Morrison
CHAIR OF BEAUTIFICATION
COMMITTEE

 Daphne


DAPHNE MAYOR

November 2, 2015

Daphne, Alabama

PROCLAMATION

AMERICA RECYCLES DAY

November 15, 2015

WHEREAS: The City of Daphne recognizes the importance of protecting and preserving our natural resources and adopting conscientious habits that will improve our daily lives and bring about a cleaner, safer and more sustainable environment; and

WHEREAS: Although there has been a significant increase in the amount of recycling in Daphne to date, we must continue to focus on other initiatives, including waste reduction, composting, the reuse of products and materials and purchasing recycled products; and

WHEREAS: By encouraging businesses, state agencies, nonprofit organizations, schools and individuals to celebrate America Recycles Day 2015, we can further promote recycling as an environmentally efficient and economically smart habit; and

WHEREAS: City and community leaders can work together to recycle waste and develop innovative ways to manage our resources more sustainably, and they can also help foster greater awareness of the need to expand collection programs by promoting the benefits to businesses that invest in recycling; and

WHEREAS: Recycling not only preserves our environment by conserving precious resources and reducing our carbon footprint, but it also contributes to job creation and economic development. It is important that all Daphne citizens learn more about the many recycled and recyclable products available to them as consumers.

NOW THEREFORE, the Mayor and the City Council of the City of Daphne, Alabama do hereby proclaim *November 15, 2015* as "***AMERICA RECYCLES DAY IN DAPHNE***" and encourage all citizens to learn more about the recycling options available throughout Daphne and its corporate limits.




Dane Haygood, Mayor

ATTEST:


Rebecca A. Hayes, City Clerk

CODE ENFORCMENT/ORDINANCE COMMITTEE

*Wednesday, October 19, 2015
City Hall Executive Conference Room
1705 Main Street
Daphne, AL
5:30 P.M.*

*Councilman Ron Scott, Chairman
Councilman Randy Fry
Councilman Pat Rudicell*

*Councilwoman Tommie Conway
Councilman John Lake
Councilman Robin LeJeune*

I. CALL TO ORDER/ROLL CALL

The chairman declared a quorum was present and called the meeting to order at 5:30 p.m.

Members Present: Ron Scott; Pat Rudicell; Randy Fry; Robin LeJeune arrived at 5:50 p.m.; Tommie Conaway; John Lake.

Also Present: Rebecca Hayes, City Clerk / recording secretary; Jay Ross, City Attorney; Michael Berson, Attorney; Matt Creel, Code Enforcement Officer; Victoria Phelps; Herbie Cole.

II. APPROVE MINUTES / September 21, 2015

There were no corrections to the September 21, 2015 minutes and stand approved as written.

III. PUBLIC PARTICIPATION

Ms. Victoria Phelps with the Lake Forest Property Owners Association reported they are working on “No Parking in Median” signs, and they will be coming in soon. They are also working on vision clutter, and thanked Matt Creel for working with Home Depot to get rid of trash, and she said that they have a lot of garage sales and that Matt collects signs if they are not down after the sale.

IV. ORDINANCE REVIEW/DISCUSSION

a.) Discuss: Resolution 2003-30 / Written Policy for the Use of City Owned Vehicles For Commuting

The committee discussed having the city logo on city vehicles along with their unit number. They also discussed who could ride in city vehicles since the Police Department has been allowed to take their children to school in their vehicle, and spouses have gone to conferences with the employee, and what is the city’s liability in this case.

Consensus was for to check with the insurance company to see what is covered under the city’s policy, and to check with other cities to see what their policy is on non-employees riding in city vehicles.

When the city attorney has finished the ordinance it will be on an agenda. He will send to council and department heads for feedback first.

b.) Discuss: Policy on appointing and reappointing committee and board members

The committee discussed advertising when a term expires if they not interested in being reappointed. They would like a data base to know 60 days before the expiration of any member of a committee or board.

Consensus was to compile the by-laws for each committee, and compile a list of members with expiration dates or no expiration date for the November meeting.

c.) Discuss: Resolution to set a Public Hearing for the Codification of Ordinances / and Ordinance adopting the codification

Consensus was to have the resolution on the November 2nd agenda.

d.) Discuss: Ordinance 2008-67 / Require Hotel Registration and Retention of Registration Records

Consensus was to wait and see what develops, and when there is a problem.

V. OTHER BUSINESS

No other business to discuss.

VI. NEXT MEETING / November 16, 2015

VII. ADJOURN

MOTION BY Councilman LeJeune to adjourn. Seconded by Councilman Rudicell.

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS THE MEETING ADJOURNED AT 6:30 P.M.

DOWNTOWN REDEVELOPMENT AUTHORITY
1705 MAIN STREET, DAPHNE, AL
October 28 , 2015

COMMITTEE MINUTES

Members Present: Casey Zito (*arrived at 5:50 p.m.*), Ken Balme, Debbie Strahley, Dayna Oldham, Doug Bailey

Absent: Dorothy Morrison, Patricia Vanderpool.

Also Present: Rebecca Hayes (Recording Secretary)

Vice Chairman Ken Balme called the meeting to order at 5:45 p.m.

1. Public Participation

No Public Participation

2. Approval of Minutes

Motion by Dayna Oldham to approve the minutes from the September 23, 2015 meeting as written. **Second by Debbie Strahley.**

Motion Carried unanimously.

3. Treasurer's Report

Doug Bailey reviewed the Treasurer's report, stating the balance for DRA funds currently stand at \$178,271.87.

Motion by Dayna Oldham to accept the October 28, 2015 Treasurer's Report with a balance of \$178,271.87. **Seconded by Debbie Strahley.**

Motion carried unanimously.

4. Bicycle Racks

Debbie gave a report on the unveiling of the bicycle racks held at Centennial Park saying it was a great turnout. The Slow Bicycle Society attended. Heiko Einfeld posted pictures on the chambers website as did the Trail Blazers and the Slow Bicycle Society. Everyone was complimentary of the racks.

5. Christmas Lighting Contest

The members agreed to scratch the Christmas Lighting Contest for this year for lack of interest by the city's Christmas committee.

6.

6. Website

Discussion was held on the slowness of getting the website up and running. Doug said he would get in touch with Sarah Toulson regarding finishing up with the website.

7. New Business

Discussion was held regarding the terms of members.

Motion by Dayna to accept the terms of members as listed below, and according to the incorporation papers the four (4) year terms on reappointment will go to six year terms. Seconded by Doug Bailey.

| Member | Appointment | Term & Expiration |
|---------------------|--------------------|------------------------------|
| Casey Zito | April 5, 2010 | April 5, 2016 (6 years) |
| Doug Bailey | March 1, 2010 | March 1, 2016 (6 years) |
| Ken Balme | September 7, 2010 | September 7, 2016 (6 years) |
| Danya Oldham | October 17, 2011 | October 7, 2015 (4 years) |
| Patricia Vanderpool | August 6, 2012 | August 6, 2016 (4 years) |
| Dorothy Morrison | November 19, 2012 | November 19, 2016 (4 years) |
| Debbie Strahley | June 3, 2013 | June 3, 2017 (4 years) |

Motion carried unanimously

7. Other Business Deemed Necessary

Discussion was held on the need for a Downtown Merchants Association. There was an association way back started by Debbie Crigler and Rhonda Brinsfield, but when they stopped being a part of it the association just died.

The members discussed participating in Small Business Day on November 28th.

Doug mentioned that Christ the King is moving forward with plans for a football field and the Immaculata Center. The center will have rooms available for rent.

With no other business to consider, the meeting was adjourned at 6:40 p.m.

Next Meeting: December 2, 2015 at 5:30pm



Accepted by:

Robert Segalla
Chairman, Daphne Utilities

APPROVED MINUTES

Utilities Board Meeting

Daphne Utilities Central Services Facility ♦ September 30, 2015 ♦ 5:00 p.m.

I. Call to Order

The regular September 2015 Board meeting for the Utilities Board of the City of Daphne was held on September 30, 2015 at 5:01 p.m. and called to order by Chairman Robert Segalla, proceeded by the Roll Call:

II. Roll Call

Members Present: Robert Segalla, Chairman
Randy Fry, Vice Chairman
Dane Haygood, Mayor
Billy Mayhand, Secretary/Treasurer
Selena Vaughn

Others Absent:

Others Present: Tony Hoffman – Board Attorney
Danny Lyndall – General Manager
Van Baggett – Operations Manager
Teresa Logiotatos – Finance Manager
Lori May-Wilson – Executive Assistant
Tim Patton – Volkert & Associates
Melinda Immel – Volkert & Associates
Ray Moore – HMR
Robbie Strom – HMR

Others Absent: Jerry Speegle – Board Attorney
Drew Klumpp – Administrative Services Manager

III. Pledge of Allegiance

The Chairman led the Board and meeting attendees in the Pledge of Allegiance.

IV. Approval of Minutes

A. Utilities Board Minutes from August 26, 2015:

The Chairman inquired if there were any corrections recommended for the submitted Minutes for the August 26, 2015, Utilities Board meeting.

MOTION BY Billy Mayhand to approve the submitted Minutes for August 26, 2015; **Seconded by** Randy Fry.

AYE: FRY, HAYGOOD, MAYHAND, SEGALLA, VAUGHN

NAY:

ABSENT:

ABSTAIN: MOTION CARRIED

V. OLD BUSINESS – No old business.

VI. NEW BUSINESS –

A. Vote on Proposed Budget (BOARD ACTION: Approve)

The Chairman called for a Motion for Approval on the submitted Proposed FY16 Budget previously discussed at the work session provided there are no concerns.

***MOTION BY Randy Fry to Approve the submitted Proposed FY16 Budget;
Secoded by Billy Mayhand.***

AYE: Fry, Haygood, Mayhand, Segalla, Vaughn NAY: ABSENT: ABSTAIN: MOTION CARRIED

B. Election of Board Officers (BOARD ACTION: Motion)

1. **Chairman**
2. **Vice Chairman**
3. **Secretary/Treasurer**

The Chairman called for nominations for Board Officer position of Chairman.

***MOTION BY Randy Fry to nominate Bob Segalla as Chairman.
Secoded by Billy Mayhand***

AYE: Fry, Haygood, Mayhand, Vaughn NAY: ABSENT: ABSTAIN: Segalla MOTION CARRIED

The Chairman called for nominations for Board Officer position of Vice Chairman.

***MOTION BY Billy Mayhand to nominate Randy Fry as Vice Chairman.
Secoded by Mayor Dane Haygood.***

AYE: Haygood, Mayhand, Segalla, Vaughn NAY: ABSENT: ABSTAIN: Fry MOTION CARRIED

The Chairman called for nominations for Board Officer position of Secretary/Treasurer.

MOTION BY Mayor Dane Haygood to nominate Billy Mayhand as Secretary/Treasurer.

AYE: Fry, Haygood, Segalla, Vaughn NAY: ABSENT: ABSTAIN: Mayhand MOTION CARRIED

VII. BOARD ATTORNEY'S REPORT

Mr. Hoffman updated the Board on the recent court appeals and answered questions.

VIII. FINANCIAL REPORT

Teresa Logiotatos gave a brief update of the end of the year finances, highlighted the Cash Flow Report for the Board to be mindful in the coming year, reviewed the check register, and answered questions from the Board. After questions from the Board, Mr. Lyndall summarized the recent scam

that occurred to some of Daphne Utilities' customer that was reported on the news and advised the Board of the policies and procedures that are in place when dealing with customers that are delinquent.

IX. GENERAL MANAGER'S REPORT

A. GM Report

Danny Lyndall advised the Board of the artistic achievements of Accounting Technician, Tonya Whigham who will have her painting displayed in the Birmingham Public Library for the remainder of the month. He then advised the Board of the upcoming Daphne Utilities Family Fun Day at the Eastern Shore Center.

B. Operations Report

Van Baggett had no additional comments to add to his report but was available to answer questions from the Board.

C. Engineering & Consulting Reports

Melinda Immel from Volkert updated the Board on the completion and close-out of the Ridgewood Lift Station project and offered to answer any questions from the Board.

Ray Moore from HMR had nothing to add to his report and offered to answer questions from the Board members.

X. BOARD ACTION – Previously addressed under “New Business”.

XI. PUBLIC PARTICIPATION – None.

XII. BOARD COMMENTS – Selena Vaughn commented on the finished median in Lake Forest and suggested that Daphne Utilities be mindful of not parking on the median. Mayor Haygood thanked the Chairman for his continue good service, credited Councilman Fry and Mr. Mayhand for volunteering their leadership roles on Daphne Utilities Board, and also appreciated the staff for the meticulous work put into the budget. Mr. Fry also gave appreciation for the detailed efforts put into the budget of the organization. Mr. Mayhand also gave kudos for all the staff. Chairman Segalla thanked the employees.

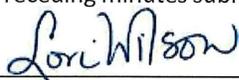
XIII. ADJOURNMENT

MOTION BY *Billy Mayhand to adjourn; Seconded by Randy Fry.*

AYE: *Fry, Haygood, Mayhand, Segalla; Vaughn* **NAY:** **ABSENT:** **ABSTAIN:** **MOTION CARRIED**

The meeting adjourned at 5:21pm.

Preceding minutes submitted to the Daphne Utilities Board by:


Lori Wilson, Executive Assistant, Daphne Utilities

Rock N Roll
Sushi

CASE NO. 2015-7

ABC LICENSE ROUTING

DATE RECEIVED BY REVENUE DIV. 10/22/15 (initial) CAC

DATE FORWARDED TO POLICE DEPT. 10/22/15 CAC

DATE RECEIVED BY POLICE DEPT. 10-22-15 JH

DATE: APPROVED DISAPPROVED

POLICE DEPT SIGNATURE [Signature]

DATE RETURNED TO REVENUE DIV. 10-23-15 JH

DATE FORWARDED TO CITY CLERK _____

DATE RECEIVED BY CITY CLERK 10-23-15 JH

SCHEDULED DATE ON AGENDA 11-02-15 JH

Council Action: APPROVED DISAPPROVED TABLED

COMMENTS: _____

Rescheduled for Council Agenda Date: _____

Council Action: APPROVED DISAPPROVED TABLED

COMMENTS: _____

DATE RETURNED TO REVENUE DIV.: _____

DATE RETURNED TO TAXPAYER _____
OR TO ABC FIELD OFFICE _____ (per taxpayer request)

Please Review & For Back to
Revenue at 626-6904.
Thank you.



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
 ALCOHOL LICENSE APPLICATION
Confirmation Number: 20151022090856522



Type License: 020 - RESTAURANT RETAIL LIQUOR **State:** \$300.00 **County:** \$400.00

Type License: **State:** **County:**

Trade Name: ROCK N ROLL SUSHI **Filing Fee:** \$50.00

Applicant: ROCK N ROLL SUSHI LLC **Transfer Fee:**

Location Address: 6850 US HWY 90; SUITE 07A DAPHNE, AL 36526

Mailing Address: 8336 WILLOW TRACE LOOP W WILMER, AL 36587

County: BALDWIN **Tobacco sales:** NO **Tobacco Vending Machines:**

Type Ownership: LLC

Book, Page, or Document info: BK LR 7287 PAGE 471

Date Incorporated: 07/29/2015 **State incorporated:** AL **County Incorporated:** MOBILE

Date of Authority: 07/29/2015 **Alabama State Sales Tax ID:** R009278893

Name: **Title:** **Date and Place of Birth:** **Residence Address:**

| | | | |
|--------------------------------------|--------|--------------------------|--|
| MITCHELL LEE STOKELY 7270473 - AL | MEMBER | 01/07/1985 MOBILE, AL | 8336 WILLOW TRACE LOOP W WILMER, AL 36587 |
| | | | |
| | | | |

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: MITCH STOKELY

Business Phone: 251-454-2221

Fax:

Home Phone: 251-753-8794

Cell Phone: 251-753-8794

E-mail: MSTOKELY88@YAHOO.COM

PREVIOUS LICENSE INFORMATION:

Trade Name:

Applicant:

Previous License Number(s)

License 1:

License 2:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
 ALCOHOL LICENSE APPLICATION
Confirmation Number: 20151022090856522



If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
 Name of Property owner/lessor and phone number: **JUBILEE SQUARE LLC 251-341-5777**
 What is lessors primary business? **REAL ESTATE**
 Is lessor involved in any way with the alcoholic beverage business? **NO**
 Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **YES**
 Is the business used to habitually and principally provide food to the public? **YES**
 Does the establishment have restroom facilities? **YES**
 Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

Will the business be operated primarily as a package store? **NO**
 Building Dimensions Square Footage: **2387** Display Square Footage:
 Building seating capacity: **71** Does Licensed premises include a patio area? **NO**
 License Structure: **ONE STORY** License covers: **OTHER**
 Location is within: **CITY LIMITS** Police protection: **CITY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

| Name: | Violation & Date: | Arresting Agency: | Disposition: |
|-------|-------------------|-------------------|--------------|
| | | | |
| | | | |
| | | | |



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
 ALCOHOL LICENSE APPLICATION
Confirmation Number: 20151022090856522



Initial each

Signature page

MM.S.
MM.S.

In reference to law violations, I attest to the truthfulness of the responses given within the application.

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

MM.S.

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

MM.S.

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

MM.S.

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

MM.S.

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

MM.S.

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

MM.S.

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

MM.S.

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): *Mitchell Stokely*

Signature of Applicant: *[Handwritten Signature]*

Notary Name (print): Betty G. Dean

Notary Signature: *Betty G. Dean*

Commission expires: 01/13/2019

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
 ALCOHOL LICENSE APPLICATION
Confirmation Number: 20151022090856522



Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted?

Agent's Initials:

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

Special Retail

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

License Covers: PORTION OF SHOPPING CENTER

Receipt Confirmation Page

Receipt Confirmation Number: **20151022090856522**
Application Payment Confirmation Number: 21485486

| Payment Summary | |
|-----------------------------------|----------------|
| Payment Item | Fee |
| Application Fee for License 020 | \$50.00 |
| Total Amount to be Charged | \$50.00 |

License Payment Confirmation Number:

| Payment Summary | | | |
|-----------------------------------|-----------------|-----------------|-----------------|
| Payment Item | County Fee | State Fee | Total Fee |
| 020 - RESTAURANT RETAIL LIQUOR | \$400.00 | \$300.00 | \$700.00 |
| | | | \$0.00 |
| Total Amount to be Charged | \$400.00 | \$300.00 | \$700.00 |

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 020 - RESTAURANT RETAIL LIQUOR
License Type 2:
License County: BALDWIN
Business Type: LLC
Trade Name: **ROCK N ROLL SUSHI**
Applicant Name: **ROCK N ROLL SUSHI LLC**
Location Address: 6850 US HWY 90; SUITE 07A
DAPHNE, AL 36526
Mailing Address: 8336 WILLOW TRACE LOOP W
WILMER, AL 36587
Contact Person: MITCH STOKELY
Contact Home Phone: 251-753-8794
Contact Business Phone: 251-454-2221
Contact Fax:
Contact Cell Phone: 251-753-8794
Contact Email Address:
Contact Web Address:

Certificate of Appreciation

This certificate is presented to the

City of Daphne

in recognition of
funding the 2014 Retiree Bonus

for the 33 retirees who spent their careers in service to the citizens of Daphne.



ARSEA/APEAL President



ARSEA/APEAL Executive Director



RESOLUTION NO. 2015-67

**SET A PUBLIC HEARING DATE TO CONSIDER ADOPTING THE 2015
SUPPLEMENT OF THE 2005 EDITION
OF THE CODIFICATION OF ORDINANCES
FOR THE CITY OF DAPHNE, ALABAMA**

WHEREAS, the Municipal Code Corporation will be publishing future supplements to the 2005 Edition of the Codification of Ordinances; and

WHEREAS, Section 11-45-8 (c) provides for the adoption of codes in book form upon compliance with the requirements of such Section.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

- 1.) That a public hearing shall be held on November 16, 2015 concerning the adoption of an Ordinance to adopt the 2015 Supplement of 2005 Edition of the Codification of Ordinances, and amendments thereto.
- 2.) That this resolution shall be published once a week for two consecutive weeks prior to said hearing.
- 3.) That three copies of said Code shall be filed for not less that fifteen (15) days prior to the holding of the public hearing for use and examination by the public in the Office of the City Clerk.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2015.

**DANE HAYGOOD,
MAYOR**

ATTEST:

**REBECCA A. HAYES
CITY CLERK**

CITY OF DAPHNE

RESOLUTION 2015-68

BID AWARD - 2016-A-TIAWASEE CREEK STREAM RESTORATION

WHEREAS, the City of Daphne is required under section 39-1-1(E) of the Code of Alabama to secure competitive bids for public works contracts in excess of \$ 50,000; and

WHEREAS, the City of Daphne acknowledges that TIAWASEE CREEK STREAM RESTORATION will exceed \$50,000; and

WHEREAS, the City of Daphne has received Coastal Impact Assistance Program (CIAP) sub grants from the Baldwin County Commission and the State of Alabama for Restoration of an Unnamed Tributary to Tiawasee Creek; and

WHEREAS, the City of Daphne has also received National Fish and Wildlife Foundation (NFWF) grant from the Mobile Bay National Estuary Program (MBNEP) for Restoration of an Unnamed Tributary to Tiawasee Creek; and

WHEREAS, the City of Daphne did receive and review bids for the TIAWASEE CREEK STREAM RESTORATION and has determined that the bid as presented is reasonable; and

WHEREAS, staff recommends the bid for TIAWASEE CREEK STREAM RESTORATION be awarded to North State Environmental, 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 bid from North State Environmental, Inc. in the amount of \$997,483.64 as specified in BID SPECIFICATION NO. **2016-A-TIAWASEE CREEK STREAM RESTORATION**.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this ____ day of _____, 2015.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

October 27, 2015

Mayor Dane Haygood
City of Daphne
P.O. Box 400
Daphne, Alabama 36526

RE: 2016-A-TIAWASEE CREEK STREAM STABILIZATION
FOR THE CITY OF DAPHNE
GMC PROJECT NUMER EMOB15A002

Mayor Haygood:

Goodwyn, Mills & Cawood, Inc. has reviewed the bids submitted for the referenced project received by 11:30 a.m., Friday, October 23, 2015.

The lowest responsive bidder was North State Environmental, Inc. from Winston-Salem, NC. This contractor is licensed and in good standing with the Alabama Licensing Board for General Contractors. Goodwyn, Mills & Cawood, Inc. recommends award of the contract to North State Environmental, Inc. in the amount of \$997,483.64. We have enclosed a bid tabulation for your files.

If the award is made, please sign the four (4) copies of the Notice of Award and return all copies to our office for further processing as soon as possible.

Should you have any questions, please do not hesitate to call.

Sincerely,



Galen J. Thackston, PE

Enclosure

CC: Mr. Darrell Westmoreland, Vice President, North State Environmental, Inc.
Ms. Cara Stallman, Grant Management, LLC

TABULATION OF BIDS
2016-A-TIAWASEE CREEK STREAM STABILIZATION
FOR THE CITY OF DAPHNE, ALABAMA
GMC PROJECT NO. EMOB15A002
BID OPENING: FRIDAY, OCTOBER 23, 2015 @ 11:30 A.M.

| <u>Item</u> | <u>Qty.</u> | <u>Unit</u> | <u>Description</u> | <u>North State Environmental Winston Salem, NC</u> | <u>Southern Excavating Summerdale, AL</u> |
|-------------|-------------|-------------|---------------------------------|--|---|
| | | | | <u>Unit Price</u> | <u>Unit Price</u> |
| 1 | 1 | LS | MOBILIZATION | \$ 64,799.51 | \$ 56,500.00 |
| 2 | 1 | LS | CONSTRUCTION STAKEOUT | \$8,835.94 | \$15,000.00 |
| 3 | 3.3 | AC | CLEARING AND GRUBBING | \$10,025.39 | \$11,000.00 |
| 4 | 1 | LS | CONSTRUCTION ACCESS ROADS | \$26,361.99 | \$147,000.00 |
| 5 | 8,461 | CY | GRADING | \$12.67 | \$11.00 |
| 6 | 5,001 | CY | EXCAVATION OF FILL MATERIAL | \$14.44 | \$7.00 |
| 7 | 4 | EA | ROCK CROSS VANE | \$11,765.60 | \$23,730.00 |
| 8 | 15 | EA | ROCK J-HOOK | \$9,225.39 | \$14,285.00 |
| 9 | 7 | EA | CONSTRUCTED BOULDER RIFFLE | \$12,895.24 | \$21,500.00 |
| 10 | 6 | EA | WETLAND LOG SILLS | \$2,333.73 | \$1,100.00 |
| 11 | 9 | EA | LOG DROP STRUCTURE | \$3,476.63 | \$2,900.00 |
| 12 | 2 | EA | AUGMENTED RIFFLE | \$2,157.99 | \$5,000.00 |
| 13 | 2,800 | LF | FLOODPLAIN LOG SILL | \$19.69 | \$23.45 |
| 14 | 440 | TN | FLOODPLAIN ROCK SILL | \$111.81 | \$200.00 |
| 15 | 1 | LS | TEMPORARY CONSTRUCTION ENTRANCE | \$4,595.83 | \$9,800.00 |
| 16 | 900 | LF | SILT FENCE | \$4.00 | \$5.65 |
| 17 | 3.4 | AC | TEMPORARY/SUPPLEMENTAL SEEDING | \$1,088.45 | \$1,200.00 |
| 18 | 3.4 | AC | MULCH | \$870.76 | \$765.00 |
| 19 | 15,500 | SY | COIR FIBER MAT | \$5.26 | \$4.15 |
| 20 | 6 | EA | PUMP AROUND OPERATION | \$5,901.51 | \$3,300.00 |
| 21 | 3.4 | AC | PERMANENT SEEDING | \$2,642.51 | \$1,475.00 |
| 22 | 1 | LS | VEGETATION | \$103,002.39 | \$110,000.00 |
| 23 | 1 | LS | AS-BUILT SURVEY | \$10,642.62 | \$4,500.00 |
| 24 | 1 | LS | STORMWATER ALLOWANCE | \$915.00 | \$915.00 |
| | | | | \$ 997,483.64 | \$ 1,265,054.00 |

To the best of our knowledge these bids are accurately tabulated and were accepted in accordance with applicable regulations.


 Galen J. Thankston, PE, Alabama License No. 21637

Tiawassee Restoration Project

As of 9/8/2015

Through Pay Request #4

| | <u>Budget</u> | <u>Requested Thru Pay Request #4</u> | <u>Estimated Amounts Remaining</u> | <u>Estimated Unobligated Balance</u> |
|-----------------------|-------------------|--|--|--|
| State CIAP | | | | |
| Engineering | 25,000.00 | 25,000.00 | 0.00 | 0.00 |
| Hydrological Modeling | 50,000.00 | 50,000.00 | 0.00 | 0.00 |
| Construction | 175,000.00 | 0.00 | 175,000.00 | 175,000.00 |
| Total | 250,000.00 | 75,000.00 | 175,000.00 | 175,000.00 |

Baldwin County CIAP

| | | | | |
|--------------|-------------------|-------------|-------------------|-------------------|
| Construction | 250,000.00 | 0.00 | 250,000.00 | 250,000.00 |
| Total | 250,000.00 | 0.00 | 250,000.00 | 250,000.00 |

NFWF

| | | | | |
|--|-------------------|------------------|-------------------|-------------------|
| Engineering | 142,875.00 | 29,748.50 | 113,126.50 | 0.00 |
| ADEM Stormwater permit | 3,810.00 | 0.00 | 3,810.00 | 0.00 |
| Hydrological Modeling | 20,000.00 | 10,000.00 | 10,000.00 | 0.00 |
| Construction (includes \$120 K of matching funds for ADEM 319) | 383,315.00 | 0.00 | 383,315.00 | 383,315.00 |
| Total | 550,000.00 | 39,748.50 | 510,251.50 | 383,315.00 |

ADEM

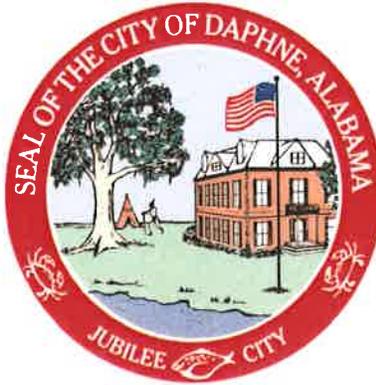
| | | | | |
|--------------|-------------------|-------------|-------------------|-------------------|
| Construction | 180,000.00 | 0.00 | 180,000.00 | 180,000.00 |
| Total | 180,000.00 | 0.00 | 180,000.00 | 180,000.00 |

Total Budget Details

| | |
|-----------------------------|---------------------|
| Engineering | 167,875.00 |
| Stormwater Permitting | 3,810.00 |
| Hydrological Modeling | 70,000.00 |
| Construction | 988,315.00 |
| Total Project Budget | 1,230,000.00 |

In the spreadsheet above:

- (1) Engineering fees are estimates and may increase due to higher construction bids. This is a budget number only.
- (2) ADEM grant has not been awarded yet.
- (3) State CIAP and County CIAP grants will need to be drawn down first
- (4) \$120,000 of NFWF Construction will be used to match ADEM 319 grant



Memorandum

To: City Council
From: Ashley Campbell, Richard Johnson & BJ Eringman
Date: October 28, 2015

Re: Tiawasee Creek Stream Restoration Bid Award

Council,

Based upon the bid tabulations provided by the Project Engineer, GMC, on October 27, 2015, it is our recommendation to award the North State Environmental for the Tiawasee Creek CIAP/NFWF/ADEM Stream Restoration. They are the qualifying low bidder.

- Tiawasee Creek Stream Restoration award in the amount of \$997,483.64

Richard Johnson *RJpc*

BJ Eringman *W. Eringman*

Ashley Campbell *Ashley Campbell*





October 28, 2015

Memorandum

To: Suzanne Henson, Senior Accountant
City of Daphne

From: Cara Stallman, Grant Administrator

I have reviewed the bid tabulation and bid recommendation award letter provided by Goodwyn Mills and Cawood, Inc. and recommend the City of Daphne award the bid to the lowest responsible bidder - North State Environmental, Inc. for \$997,483.64.

If you have any questions, please let feel free to contact me.

Telephone (251) 375.6630
7525 Assunta Court Suite A & B (physical)
PO Box 1512 (mailing)
Fairhope, AL 36532

ORDINANCE 2015-58
Lake Forest Property Acquisition: Five (5) Lots

WHEREAS, Ordinance 2015-55 approved adopted the Fiscal Year 2016 Budget on October 5, 2015; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2016 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2016 budget; and

WHEREAS, the City in an effort to be a good steward of the natural resources attempts to protect and/or restore impacted areas in D'Olive Watershed ; and

WHEREAS, the purchase of the parcels listed below will assist the City in these efforts;

- 1). **Lot 105, Unit 12-PPIN 66568, 101 Creekside Drive, Lake Forest**-Owner: Friday Construction- The Greenwood Drive culvert was built on the lot after a hurricane. The lot is adjacent to the creek
- 2). **Lot 154, Unit 10-PPIN 66601, 203 Bradbury Circle, Lake Forest**- Owner: Friday Construction- This lot has a road (created by adjacent lot owners) through the middle of it to an accepted City Street.
- 3). **Lot 5, Unit 18-PPIN 66896, 263 Rolling Hill Circle, Lake Forest**- Owner: Friday Construction – This parcel is adjacent to the City’s current FEMA road project and is a drainage conveyance to Tiawasee Creek.
- 4). **Lot 38 Unit 12, PPIN 66563, 128 Greenwood Drive, Lake Forest**- Owner: Friday Construction- This lot has the southwest half of the Greenwood Drive culvert on it which would give the City northern access to Park Drive property and is included in the City’s CIAPNFWF ~\$1,200,000.00 stream restoration project.
- 5). **Lot 39 Unit 12-PPIN 48716, 130 Greenwood Drive, Lake Forest**- Owner: James Ward- This lot includes a portion of the greenwood culvert and would create a northern access to the Park Drive property. This parcel is included in the City’s CIAPNFWF ~\$1,200,000.00 stream restoration project.

WHEREAS, the acquisition and subsequent protection and/or restoration of these properties will assist in protecting and restoring the water quality and habitat of D'Olive Creek and Mobile Bay;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2016 Budget is hereby amended to include an appropriation in the amount of **\$27,000** from the General Fund, and;

- 1). The acquisition of the above for mentioned parcels for \$22,000 and title search, appraisal, taxes, legal and associated cost with closing (\$5,000).
- 2). The Voting rights for this lot for all matters associated with business and/or covenant matters of the Lake Forest Property Owners Association shall be given by proxy to the Board of Directors of the Lake Forest Property Owners Association.
- 3). All associated fees from the Property Owner’s Association for these lots shall be waived and the City will remain exempt from these fees.
- 4). Authorize the Mayor and/or the City Attorney to negotiate the purchase of said property for the City and the Mayor to execute all related agreements.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2015.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Friday Construction-Owner of Lots-

1. Lot 105 Unit 12-PPIN 66568, 101 Creekside Drive, Lake Forest –A huge culvert was built on the lot after Danny. It is not buildable.

2. Lot 154 Unit 10-203-PPIN 66601, 203 Bradbury Circle, Lake Forest- This lot has a road through the middle of the lot to a City Road. The road was created by adjacent lot owners about 20 years ago.

3. Lot 5 Unit 18- PPIN 66896, 263 Rolling Hill Circle, Lake Forest- FEMA Project improvement are adjacent to lot. The lot is very wet. City water does drain into lot. Lot heavily impacted by stormwater.

4. Lot 38 Unit 12, PPIN 66563, 128 Greenwood Drive, Lake Forest-This lot has half of the Greenwood culvert on it. This is the lot that I would like to purchase that will connect the City's property from Park Drive to Lake Forest. This lot is included in the CIAPNFWF \$1,000,000.00 grant project. **LFPOA Approved waiver of transfer fee this summer...**

Total for 4 Lots \$17,500.00

James Ward- Owner-

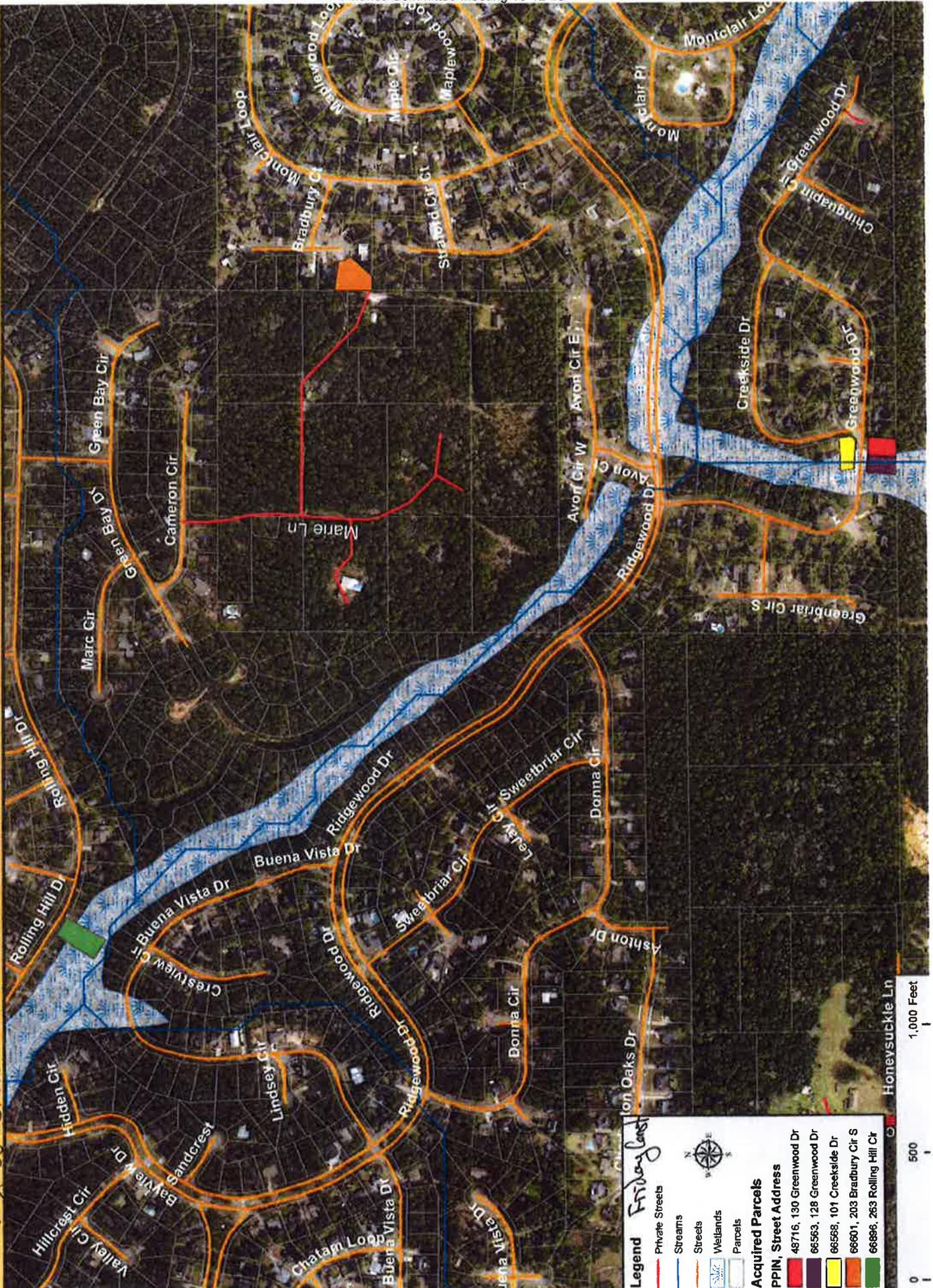
1. Lot 39 Unit 12-PPIN 48716, 130 Greenwood Drive- James Ward 251-626-7025. This lot has half of the greenwood culvert on it. This is the lot that I would like to purchase that will connect the City's property from Park Drive to Lake Forest. This lot is included in the CIAPNFWF \$1,000,000.00 grant project.

Total for lot 39 \$4500.00

Total Appropriation \$22,000.00

Lana Acquisition Parcel Location

Friday Land



Legend *Friday Land*

- Private Streets
- Streams
- Streets
- Wetlands
- Parcels

Acquired Parcels

| PPIN, Street Address |
|-----------------------------|
| 48716, 130 Greenwood Dr |
| 66583, 128 Greenwood Dr |
| 66588, 101 Creekside Dr |
| 66601, 203 Bradbury Cir S |
| 66896, 263 Rolling Hill Cir |

ORDINANCE 2015-59

BAYFRONT FACILITY & AMPHITHEATER: MASTER PLANNING & PRE-DESIGN APPROPRIATION

WHEREAS, Ordinance 2015-55 approved adopted the Fiscal Year 2016 Budget on October 5, 2015; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2016 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2016 budget; and

WHEREAS, Ordinance 2012-48 sets forth an allocation of Lodging Tax proceeds that may be used for certain recreational grounds capital items; and

WHEREAS, the Bayfront Facility & Amphitheater project meets such recreational grounds capital criteria; and

WHEREAS, the engineers Preble-Rish and Goodwyn Mills have been selected by Council to provide services and oversee the following segments of the project:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2016 Budget is hereby amended to include an appropriation from the Lodging Tax Fund for the Master Planning and Pre-Design Daphne of the Bayfront Facilities and Amphitheater in the amount of \$6,000.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this ___ day of _____, 2015.

Dane Haygood, Mayor

Attest:

Rebecca A. Hayes, City Clerk

ORDINANCE 2015-60

Project: STPOA-0215 Ref#100064573-Intersection Improvements: Turning Lanes at Sehoy Boulevard and Longue Vue Drive

WHEREAS, Ordinance 2015-55 approved adopted the Fiscal Year 2016 Budget on October 5, 2015; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2016 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2016 budget; and

WHEREAS, the City of Daphne is a member Government of the Eastern Shore Metropolitan Planning Organization (MPO); and

WHEREAS, the Eastern Shore MPO was formed in June 2012 and has three years to allocate MPO Surface Transportation Project funds through the adoption of the 2040 Long Range Transportation Plan and FY16-19 Transportation Improvement Program (TIP); and

WHEREAS, the City of Daphne submitted and was approved for a project to install Intersection Improvements on County Road 13 at Sehoy Blvd. and Longue Vue Drive (CR 13 Intersection Improvement Project) for inclusion in the FY 2016-2019 Transportation Improvement Program; and

WHEREAS, the estimated project cost is \$338,770 and requires a 20% local match of \$67,754.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that

- 1). funds in the amount of **\$67,754 from the Seven Cent Gas Tax Fund** are appropriated and made a part of the Fiscal Year 2016 budget for the City's 20% match for the project herein described.
- 2). the Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate in such project.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this ____ day of _____, 2015.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Dane Haygood
Mayor



Richard D. Johnson, PE
Public Works Director

Memorandum

To: Councilman Randy Fry - Chairman, Finance Committee
Thru: Kelli Kichler, Finance Director
From: Richard D. Johnson, P.E.; Public Works Director
CC: Volkert Engineers; Mayor Dane Haygood; Finance, File
Date: October 6, 2015
Re: *Project No. TAPAA-TA15(940) – County Road 13 – Sidewalk (Whispering Pines to Champions Way), City of Daphne*

Richard D. Johnson, PE

Digitally signed by Richard D. Johnson, PE
DN: cn=Richard D. Johnson, PE, o=City of Daphne, ou=Division of Public Works, email=rjohnson@daphneal.com, c=US
Date: 2015.10.06 14:15:56 -0500'

Mr. Chairman:

I am requesting that the attached resolution (within the ALDOT Agreement) concerning the above reference project be recommended to the full Council for consideration.

I further recommend the following appropriations be made:

- Project Survey, Engineering, Design & Letting Fees \$ 42,500.00*
Volkert, Inc.

Appropriation Required: \$ 42,500.00*

**Based on the established Professional Engineering Service Agreement for Grade, Drainage, Base & Pave (GDBP) projects between \$250k-\$500k (project estimate \$500k) 8.5% of construction cost.*

Public Works Department
26435 Public Works Road P.O. Box 400 Daphne, Alabama 36526
Phone: (251) 621-3182 Fax: (251) 621-3189



Robert Bentley
GOVERNOR

ALABAMA DEPARTMENT OF TRANSPORTATION

SOUTHWEST REGION
OFFICE OF REGION ENGINEER
1701 I-65 WEST SERVICE ROAD NORTH
MOBILE, ALABAMA 36618-1109
TELEPHONE: (251) 470-8200
FAX: (251) 473-3624



John R. Cooper
TRANSPORTATION DIRECTOR

October 2, 2015

The Honorable Dane Haygood
Mayor, City of Daphne
P.O. Box 400
Daphne, Alabama 36526

Dear Mayor Haygood:

**RE: Project No. TAPAA-TA15(940)
County Road 13 Sidewalks
City of Daphne
Baldwin County**

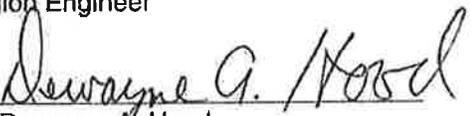
Attached please find the original agreement between the City and the State on the above-referenced project. Please review the agreement. If it is acceptable to you, execute and return to this office.

A resolution is also enclosed which will need to be certified in order to authorize you to sign the agreement. **The city's seal must be affixed to both the resolution and the signed agreement.**

If you have any questions regarding this matter, please contact Mr. Dewayne A. Hood at (251) 470-8253.

Sincerely,

Vincent E. Calametti, P.E.
Region Engineer

By: 
Dewayne A. Hood
Transportation Administrator
Special Projects

VEC/DAH/dah
Attachment
c: File

**AGREEMENT
FOR A TRANSPORTATION ALTERNATIVES PROJECT
BETWEEN THE STATE OF ALABAMA AND
THE CITY OF DAPHNE**

Baldwin County

County Road 13 Sidewalks

Project No. TAPAA-TA15(940)

PART ONE (1): INTRODUCTION

This Agreement is made and entered into by and between the State of Alabama (acting by and through the Alabama Department of Transportation), hereinafter referred to as STATE; and the City of Daphne, Alabama, hereinafter referred to as SPONSOR, in cooperation with the U. S. Department of Transportation, Federal Highway Administration, hereinafter referred to as FHWA, and

WHEREAS, legislation enacted by the U. S. Congress authorizing the establishment of a Transportation Alternatives Program, and

WHEREAS, said legislation requires that two percent of the “Moving Ahead for Progress in the 21st Century Act” or the “MAP-21” funds be available for transportation alternatives activities, and

WHEREAS, transportation alternatives activities are defined as...

1. Construction of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian lighting, downtown streetscape (combination of sidewalks, pedestrian lighting and landscaping), and other transportation projects to achieve compliance with the Americans with Disabilities Act of 1990.
2. Construction of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs.

3. Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.
4. Construction of turnouts, overlooks, and viewing areas.
5. Community improvement activities, including-
 - i. inventory, control, or removal of outdoor advertising;
 - ii. historic preservation and rehabilitation of historic transportation facilities;
 - iii. vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control; and
 - iv. archaeological activities relating to impacts from implementation of a transportation project eligible under Title 23.
6. Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to-
 - i. address storm water management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff.
 - ii. reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.

WHEREAS, the SPONSOR developed a project application, including the document relating thereto, which was subsequently submitted to the STATE and approved, and

WHEREAS, it is in the public interest for the STATE and the SPONSOR to participate in a transportation alternatives program, as reflected by such project application.

NOW, THEREFORE, the parties hereto do hereby agree as follows:

PART TWO (2): PROJECT PROVISIONS

- A. Project Description:** The SPONSOR will undertake a transportation alternatives project in accordance with this Agreement, plans approved by the STATE and the requirements, provisions, terms, and conditions of the project application, including the documents relating thereto, developed by the SPONSOR and approved by the STATE. This application, including the documents relating thereto, is of record in the Alabama Department of Transportation and is hereby incorporated in and made a part of this Agreement by reference. It is understood by the SPONSOR that failure to carry out the project in accordance with the Agreement, approved plans and the project application,

including documents related thereto, may result in the loss of federal funding for the project.

- B. Time Limit:** This project will commence upon execution of this Agreement and upon written authorization to proceed from the STATE directed to the SPONSOR. The SPONSOR shall have no more than two (2) years from the date of execution of this agreement to have the project authorized for construction, or to begin right-of-way acquisition, or to commence other eligible activities in accordance with the scope of work approved by the STATE. If this stipulation is not met, the STATE will notify the SPONSOR in writing that the project is terminated.

- C. Project Funding:** It is expressly understood that federal funds for this project will be provided from Transportation Alternatives Program funds as authorized under MAP-21 and the STATE will not be liable for any funding. It is further understood that this is a cost reimbursement program and no federal funds will be provided to the SPONSOR prior to accomplishment of work for which reimbursement is requested. Cost for the project will be financed, when eligible for federal participation, on the basis of 80 percent federal transportation alternatives funds and 20 percent SPONSOR funds, not to exceed a maximum sum of \$399,966.40 in federal funds. The estimated cost and participation by the various parties is as follows:

| | <u>Total Estimated Cost</u> | <u>Estimated Federal Funds</u> | <u>Estimated Sponsor Funds</u> | <u>Estimated State Funds</u> |
|---|-------------------------------------|--|--|--------------------------------------|
| Construction (Including Professional Fees For Construction Engineering and Inspection) | \$499,958.00 | \$399,966.40 | \$99,991.60 | \$0 |
| Total | \$499,958.00 | \$399,966.40 | \$99,991.60 | \$0 |

Plans for constructing improvements under this project will be developed by or for the SPONSOR at no expense to the STATE or FHWA. Construction of improvements under this agreement will be by contract in keeping with applicable competitive bid laws.

Necessary engineering and inspection during construction will be performed by or for the SPONSOR and will be paid for with project funds. Any cost incurred by the SPONSOR relating to this project which is determined to be ineligible for reimbursement by the FHWA or in excess of the limiting amount previously stated will be borne and paid by the SPONSOR with no liability of the STATE for any such cost.

D. Project Budget: The SPONSOR will develop and submit to the STATE for approval a project budget. This budget will be in such form and detail as may be required by the STATE. As a minimum, all major work activities will be described and an estimated cost and source of funds will be indicated for each activity. Space will be provided for approval by the Region Engineer and date of such approval. All cost for which the SPONSOR seeks reimbursement must be included in a budget approved by the STATE in order to be considered for reimbursement. Budget adjustments may be necessary and may be allowed, subject to the approval of the STATE in writing, in order to successfully carry out the project. However, under no circumstances will the SPONSOR be reimbursed for expenditures over and beyond the amount approved by the STATE.

E. Ownership of Property: All work accomplished under the provisions of this agreement will be accomplished on property owned by or which will be acquired by the SPONSOR (in accordance with the provisions of 23 CFR Part 635 and 49 CFR Part 24) at no expense to the STATE. This should be shown on the "City and Other Local Public Agency Certification for Physical Construction" form (ROW Certification). Any exceptions to this requirement must be approved by the STATE in writing prior to incurring costs for which reimbursement is requested by the SPONSOR. In cases where

property is leased, the terms of the lease will not be less than the expected life of the improvements.

- F. Acquisition of Property:** Acquisition of real property by the SPONSOR as a part of this project will conform to and be in accordance with the provisions of the Federal Uniform Relocation Assistance & Real Property Acquisition Policies Act (49 CFR 24, Subpart B), all federal environmental laws, and all other applicable state and federal laws.
- G. Relocation of Utilities:** The SPONSOR will relocate any utilities in conflict with the project improvements without cost to the STATE or FHWA.
- H. Protection of Interest:** No change in use or ownership of real property acquired or improved with funds provided under the terms of this agreement will be permitted without prior written approval from the STATE and FHWA. The STATE and FHWA will be credited on a prorata share any revenues received by the SPONSOR from the sale or lease of property, which is the site of the federally funded project.
- I. Purchase of Project Equipment and/or Services:** The purchase of project equipment and/or services financed in whole or in part pursuant to this Agreement will be in accordance with applicable state and federal laws, rules, regulations, and procedures, including state competitive bidding requirements applicable to counties and municipalities in the State of Alabama when the purchase is made by any such entity. The SPONSOR will, when authorized by the STATE, solicit bids and make awards for construction and/or services pursuant to this agreement. The SPONSOR will not solicit bids until the entire bid package (plans, specifications, estimates, etc.) has been reviewed and approved by the STATE. Following receipt of bids, the SPONSOR will provide all bids to the STATE with a recommendation for award. The SPONSOR will not award the contract until it has received written approval from the STATE.

- J. Invoicing:** The SPONSOR will, when appropriate, submit invoices to the STATE for reimbursement for work performed by or for the SPONSOR in carrying out the terms of this agreement. Requests for reimbursement will be made on forms provided by the STATE and will be submitted through the Region Engineer for payment. The SPONSOR may bill the STATE not more often than once per month for the funds due for work performed under this Agreement. Invoices for payment will be submitted in accordance with state law and will indicate that the payment is due, true, correct, unpaid, and the invoice will be notarized. The cost allowable is the cost defined in 41 CFR Subpart 1-15.7 of the Federal Procurement Regulations and will include direct and indirect cost incurred in carrying out the project as shown in the approved application and the documents related thereto. Invoices for any work performed by the SPONSOR under the terms of this agreement will be submitted within twelve (12) months after the completion and acceptance by the STATE for the work. Any invoices submitted after this twelve-month period will not be eligible for payment.
- K. Maintenance:** Upon completion and acceptance of the work by the STATE, the SPONSOR will assume full responsibility for the project work and will maintain the project work for a reasonable life expectancy.
- L. Contracts under this Agreement:** The SPONSOR will not assign any portion of the work to be performed under this Agreement or execute any contract, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this Agreement, without the prior written approval of the STATE.
- M. Records and Reports:**
1. Establishment and Maintenance of Accounting Records: The SPONSOR will establish and maintain, in accordance with requirements established by the

STATE, separate accounts for the project, either independently or separately within its existing system, to be known as the Project Account. The cost accounting system must be adequate and acceptable to the STATE as determined by the auditor of the Alabama Department of Transportation.

2. Documentation of Project Cost: All charges to the Project Account will be supported by properly executed invoices, contracts, or vouchers, as applicable, evidencing in proper detail the nature and propriety of the charges, in accordance with the requirements of the STATE.
3. Checks, Orders and Vouchers: All checks, invoices, contracts, vouchers, orders or other accounting documents pertaining in whole or in part to the project will be clearly identified, readily accessible and to the maximum extent feasible, kept separate and apart from all other such documents.
4. Reports: The SPONSOR will report to the STATE the progress of the project in such manner as the STATE may require. The SPONSOR will also provide the STATE any information requested by the STATE regarding the project.
5. Financial Statements: The SPONSOR will submit to the STATE, at such time as the STATE may require, such financial statements, data, records, contracts and other documents and items of any respect related to the project as may be requested by the STATE.
6. Right of Access to Records: The STATE will have full access to and right to examine all project records at all times, and all records of any nature which in any manner relate to the project or to this Agreement in any way.

N. **Regulations**: The STATE hereby obligates the SPONSOR to comply with all state and federal laws, rules, regulations, and procedures applicable to this Agreement. The

STATE, upon request, will furnish to the SPONSOR a copy of any and all applicable state and federal laws, rules, regulations, and procedures.

- (1) Any user fee or charge to the public for access to any property or services provided through the funds made available under this agreement, if not prohibited by a federal, state or local law, must be applied for the maintenance and long term upkeep of the transportation alternatives project authorized by this agreement.
- (2) The SPONSOR agrees that in the event it is determined the user fees have not been applied to long term upkeep of the transportation alternatives project, that federal funds expended on this project must be refunded to the FHWA and the SPONSOR will reimburse and pay to the STATE a sum of money equal to the total amount of federal funds expended under this agreement.

- O. Point of Contact:** The applicable or appropriate region office of the Alabama Department of Transportation will be the lead agency for the STATE relative to the work under this agreement and will be the point of contact for the SPONSOR.

PART THREE (3): MISCELLANEOUS PROVISIONS

- A. SPONSOR to Indemnify:** The SPONSOR will be responsible at all times for this project and all of the work performed under this Agreement and especially the SPONSOR will protect, defend, indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, the officials, officers, employees, in both their official and individual capacities, and agents of each, from and against any and all claims, actions, damages, loss, liabilities, including attorney's fees and expenses whatsoever or any amount paid in compromise thereof arising out of or in connection with the performance of the work under this Agreement and this project and from and against these at any time arising out of or in connection with the performed work and project. By entering into this agreement, the SPONSOR is not an agent of the State, its officers,

employees, agents or assigns. The SPONSOR is an independent entity from the State and nothing in this agreement creates an agency relationship between the parties.

- B. Federal Immigration Law:** By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.
- C. Audit and Inspection:** The SPONSOR will permit the STATE, the Comptroller General of the United States, and the Secretary of the USDOT, or either of them or their respective authorized representatives, to inspect, at any time, any and all vehicles and equipment utilized or used in performance of the project; records of all transportation services rendered by the SPONSOR in the use of such vehicles and equipment; and any and all data and records which in any way relate to the project or to the accomplishment of the project. The SPONSOR will also permit the above noted persons to audit the books, records and accounts of the SPONSOR pertaining to the project at any and all times, and the SPONSOR will give its full cooperation to those persons or their authorized representatives, as applicable.
- D. Audit Requirements:** The SPONSOR will comply with all audit requirements set forth in the Federal Office of Management and Budget (OMB) circular A-128 or A-133 whichever is applicable.
- E. Termination:** In the event the SPONSOR fails at any time, in any manner, to comply with any provision, requirement, term or condition of this Agreement, such failure will constitute a default by the SPONSOR under this Agreement. Any such default or defaults not corrected by the SPONSOR within thirty (30) days following receipt of

written notice from the STATE by certified or registered mail of such default or defaults, will be deemed a breach by the SPONSOR of this Agreement, and the right on the part of the STATE to terminate the Agreement by giving ten (10) days written notice of termination. A waiver by the STATE of a default or defaults by the SPONSOR will not constitute a waiver of subsequent default or defaults by the SPONSOR. In addition, if funding for this project is terminated by FHWA, the STATE will have the right to terminate this Agreement by giving ten (10) days written notice of termination. Said notice will be mailed by certified or registered mail.

- F. Retention of Records:** The SPONSOR will retain all books, records, and other documents relative to this Agreement for a minimum of three (3) years after project termination, expiration of federal interest, or close out, and the STATE, the Comptroller General of the United States, and the Secretary of the USDOT, or either of them or their respective authorized representatives, will have full access to, and right to examine any of said materials at all reasonable times during said period.
- G. Performance:** The SPONSOR will commence, carry on, and complete the project with all practical dispatch, in a sound, economical, and efficient manner.
- H. Equal Employment Opportunity:** The SPONSOR will not discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin. The SPONSOR will take affirmative action to insure that applicants for employment are employed, and that employees are treated during their employment, without regard to their race, religion, color, sex, or national origin. Such actions will include, but not be limited to the following: employment; upgrading; demotion; transfer; recruitment; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Furthermore, the STATE and the Secretary of the USDOT, or either of them or their respective authorized representatives,

will have full access to, and right to examine any and all SPONSOR materials for the purpose of monitoring the SPONSOR'S compliance with the provisions of this section.

- I. **Title VI – Civil Rights Act of 1964:** The SPONSOR will comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000(d.)et seq.), the regulations of USDOT issued thereunder (49 CFR, Subtitle A, Part 21), and the assurance by the SPONSOR pursuant thereto. Furthermore, the STATE and the Secretary of the USDOT, or either of them or their respective authorized representatives, will have full access to, and right to examine any and all SPONSOR materials which will permit them to monitor the SPONSOR for compliance with the provisions of this section.
- J. **Prohibited Interest:** No member, officer, or employee of the SPONSOR during their tenure of employment, and for one year thereafter shall have any interest, direct or indirect, in this Agreement or the proceeds, profits, or benefits therefrom.
- K. **Americans with Disabilities Act:** The SPONSOR will comply with all requirements of The Americans with Disabilities Act of 1990 (ADA).
- L. **Arbitration:** Following the utilization of voluntary alternative dispute resolution, if any dispute should remain, then the decision of the Transportation Director regarding the matter in issue or dispute shall be final and conclusive of all parties.
- M. **Permission to Start Work:** The SPONSOR will not proceed with the project work until the STATE gives written authorization for the SPONSOR to proceed.
- N. **Restrictions on Lobbying:** The prospective participant/recipient, by causing the execution of and the submission of this Federal contract, grant, loan, cooperative agreement, or other instrument as might be applicable under 31 U. S. C. §1352 and the person signing same for and on behalf of the prospective participant/recipient that:
 - (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the prospective participant/recipient as mentioned above, to any person for

influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, an officer or employee of any Federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, or other instrument as might be applicable under 31 U.S.C. § 1352, the prospective participant/recipient shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The prospective participant/recipient also agrees by submitting this Federal contract, grant, loan, cooperative agreement or other instrument as might be applicable under 31 U.S.C. § 1352, that the prospective participant/recipient shall require that the language of this certification be included in all lower tier subcontracts, and that all such subrecipients shall certify and disclose accordingly.

O. Other Applicable Regulations: The SPONSOR will comply with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act, 42 U.S.C. § 1857(h) as amended by 42 U.S.C. § 7401, et seq., Section 508 of the Federal

Water Pollution Control Act, 33 U.S.C. § 1368, Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15).

- P. **Subcontracts:** The SPONSOR will not enter into any subcontract without prior written consent of the STATE and will include in all subcontracts entered into pursuant to this Agreement all of the above clauses as required by the STATE.
- Q. **Exhibits M and N** are hereby attached to and made a part of this Agreement.
- R. **Agreement Change:** The terms of this Agreement may be modified by supplemental agreement duly executed by the parties hereto.
- S. **Drug Free Workplace Act of 1988:** The SPONSOR assures the STATE that it publishes a statement notifying employees of the policies in support of a drug free workplace; and establishes an ongoing drug-free awareness program.
- T. **7/24th Law:** Nothing shall be construed under the terms of this Agreement by the SPONSOR or the STATE that shall cause any conflict with Section 23-1-63, Code of Alabama, 1975.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by those officers, officials and persons duly authorized to execute same, and the Agreement is deemed to be dated and to be effective on the date hereinafter stated as the date of its approval by the Governor of Alabama.

ATTEST:

City of Daphne, Alabama

By: _____
City Clerk (Signature)

By: _____
As Mayor (Signature)

Type Name of Clerk

Type Name of Mayor

This agreement has been legally reviewed and approved as to form and content.

By: _____
Jim R. Ippolito, Jr.
Chief Counsel
Alabama Department of Transportation

RECOMMENDED FOR APPROVAL:

Vincent E. Calametti, P. E., Region Engineer

Robert J. Jilla
Multimodal Transportation Engineer

Ronald L. Baldwin, P. E.
Chief Engineer

STATE OF ALABAMA, ACTING BY AND THROUGH
THE ALABAMA DEPARTMENT OF TRANSPORTATION

John R. Cooper, Transportation Director

The foregoing Agreement is hereby executed in the name of the State of Alabama and signed by the Governor on this _____ day of _____, 20__.

Robert Bentley
Governor, State of Alabama

CONSULTANT 3/19/90
REVISED 7/18/90
REVISED 6/16/11

EXHIBIT M

CERTIFICATION FOR FEDERAL-AID CONTRACTS: LOBBYING

This certification is applicable to the instrument to which it is attached whether attached directly or indirectly with other attachments to such instrument.

The prospective participant/recipient, by causing the signing of and the submission of this Federal contract, grant, loan, cooperative AGREEMENT, or other instrument as might be applicable under Section 1352, Title 31, U. S. Code, and the person signing same for and on behalf of the prospective participant/recipient each respectively certify that to the best of the knowledge and belief of the prospective participant or recipient and of the person signing for and on behalf of the prospective participant/recipient, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the prospective participant/recipient or the person signing on behalf of the prospective participant/recipient as mentioned above, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, or other instrument as might be applicable under Section 1352, Title 31, U. S. Code, the prospective participant/recipient shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant/recipient also agrees by submitting this Federal contract, grant, loan, cooperative agreement or other instrument as might be applicable under Section 1352, Title 31, U. S. Code, that the prospective participant/recipient shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

CONSULTANT 2/15/95
REVISED 5/30/02

EXHIBIT N

REVISED 6/16/11

FUNDS SHALL NOT BE CONSTITUTED AS A DEBT

It is agreed that the terms and commitments contained herein shall not be constituted as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this AGREEMENT shall contravene any statute or Constitutional provision of amendment, either now in effect or which may, during the course of this AGREEMENT, be enacted, then the conflicting provision in the AGREEMENT shall be deemed null and void.

In any controversy concerning contract terms, or on a question of fact in connection with the work covered by this project, including compensation for such work, the decision of the Transportation Director regarding the matter in issue or dispute shall be final and conclusive on all parties.

For any and all disputes arising under the terms of this contract, the parties hereto agree, in compliance with the recommendations of the Governor and Attorney General, when considering settlement of such disputes, to consider using appropriate forms of non-binding alternative dispute resolution.

TERMINATION DUE TO INSUFFICIENT FUNDS

- a. If the agreement term is to exceed more than one fiscal year, then said agreement is subject to termination in the event that funds should not be appropriated for the continued payment of the agreement in subsequent fiscal years.
- b. In the event of proration of the fund from which payment under this AGREEMENT is to be made, agreement will be subject to termination.

NO GOVERNMENT OBLIGATION TO THIRD PARTY CONTRACTORS

The STATE and CONSULTANT acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying contract, absent the express written consent by the Federal Government, the Federal Government is not a party to this contract and shall not be subject to any obligations of or liabilities to the STATE, CONSULTANT, or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.

The CONSULTANT agrees to include the above clause in each subcontract financed in whole or in part with Federal assistance provided to FHWA. It is further agreed that the clause shall not be modified, except to identify the subcontractor who will be subject to its provisions.

Dane Haygood
Mayor



Richard D. Johnson, PE
Public Works Director

Memorandum

To: Councilman Randy Fry - Chairman, Finance Committee
Thru: Kelli Kichler, Finance Director
From: Richard D. Johnson, P.E.; Public Works Director
CC: Preble-Rish Engineers; Mayor Dane Haygood; Finance; File
Date: October 6, 2015
Re: *Project No. STPOA-0215 Project Ref Number 100064573 - Intersection Improvements – Turning Lanes at Sehoy Blvd and Longue Vue Blvd in the City of Daphne*

Richard D. Johnson, PE

Digitally signed by Richard D. Johnson, PE
DN: cn=Richard D. Johnson, PE, o=City of Daphne, ou=Division of Public Works, email=rjohnson@daphneal.com, c=US
Date: 2015.10.06 14:56:20 -05'00'

Mr. Chairman:

The required ALDOT Agreements have been fully executed and returned to the City for the above referenced project. We have permission to begin the design phase of the project. I recommend the following appropriations be made:

- Project Survey, Engineering, Design & Letting Fees \$ 25,850.00*
Preble-Rish Engineers

| | |
|-------------------------|----------------|
| Engineering Total: | \$ 25,850.00 |
| City Match (20%): | \$ 5,170.00 |
| MPO Match (80%): | (\$ 20,680.00) |
| Appropriation Required: | \$ 5,170.00 |

+ 62,584.00

67,754.00 20%

**Based on the established Professional Engineering Service Agreement for Grade, Drainage, Base & Pave (GDBP) projects (project estimate \$272k) 9.5% of construction cost.*

Public Works Department
26435 Public Works Road P.O. Box 400 Daphne, Alabama 36526
Phone: (251) 621-3182 Fax: (251) 621-3189

CONSTRUCTION COST ESTIMATE

Project: *County Road 13 Turn Lanes @ Sehay & French Settlement*



| ITEM # | DESCRIPTION | UNIT | QTY | UNIT PRICE | AMOUNT |
|---------------------------------|---|------|--------|--------------|----------------------|
| 1 | CONCRETE REMOVAL (206-A) | LS | 1 | \$ 1,500.00 | \$ 1,500.00 |
| 2 | ASPHALT SAW CUTTING (E.P.) | LF | 500 | \$ 5.00 | \$ 2,500.00 |
| 3 | UNCLASSIFIED EXCAVATION (210-A) | CY | 720 | \$ 6.50 | \$ 4,680.00 |
| 4 | GRANULAR SOIL BASE COURSE, TYPE A, ROAD MIXED, MIN 4" COMPACTED THICKNESS (FROM STOCKPILES) (301-A) | SY | 2,362 | \$ 2.20 | \$ 5,196.40 |
| 5 | CRUSHED AGGREGATE BASE, TYPE B, PLANT MIXED, 6" COMPACTED THICKNESS (301-A) | SY | 2,600 | \$ 22.00 | \$ 57,200.00 |
| 6 | TACK COAT (0.05 GALLONS PER SY) (405-A) | GAL | 120 | \$ 5.00 | \$ 600.00 |
| 7 | MILLING/PLANING EXISTING PAVEMENT (1.5" DEEP - MAX) (408-A) | SY | 116 | \$ 7.50 | \$ 870.00 |
| 8 | BITUMINOUS CONCRETE WEARING SURFACE LAYER, 3/4" MAX AGGREGATE SIZE, ESAL RANGE B, (165#/SY) (429-A) | TON | 391 | \$ 88.00 | \$ 34,408.00 |
| 9 | BITUMINOUS CONCRETE BINDER LAYER, 3/4" MAX AGGREGATE SIZE, ESAL RANGE B, (220#/SY) (429-B) | TON | 286 | \$ 90.00 | \$ 25,740.00 |
| 10 | TOPSOIL, 4" COMPACTED THICKNESS (650-A) | CY | 223 | \$ 13.25 | \$ 2,954.75 |
| 11 | SOLID SODDING (654-A) | SY | 1,338 | \$ 5.00 | \$ 6,690.00 |
| 12 | SOLID WHITE, CLASS 2, TYPE A, TRAFFIC STRIPE, 5" WIDE (701-A) | MILE | 0.72 | \$ 5,000.00 | \$ 3,600.00 |
| 13 | DOTTED WHITE, CLASS 2, TYPE A, TRAFFIC STRIPE, 5" WIDE (701-B) | MILE | 0.04 | \$ 5,000.00 | \$ 200.00 |
| 14 | SOLID YELLOW (DOUBLE), CLASS 2, TYPE A, TRAFFIC STRIPE, 5" WIDE (701-A) | MILE | 0.34 | \$ 5,000.00 | \$ 1,700.00 |
| 15 | TRAFFIC CONTROL MARKINGS (CHEVRONS), YELLOW, CLASS 2, TYPE A (703-A) | SF | 700.00 | \$ 7.50 | \$ 5,250.00 |
| 16 | TRAFFIC CONTROL MARKINGS (STOP BAR), WHITE, CLASS 2, TYPE A (703-A) | SF | 48.00 | \$ 7.50 | \$ 360.00 |
| 17 | TRAFFIC CONTROL MARKINGS (CHANNEL LINE), WHITE, CLASS 2, TYPE A (703-A) | SF | 267.00 | \$ 7.50 | \$ 2,002.50 |
| 18 | TRAFFIC CONTROL LEGENDS (ARROW), WHITE, CLASS 2, TYPE A (703-B) | SF | 102 | \$ 7.50 | \$ 765.00 |
| 19 | TRAFFIC CONTROL LEGENDS (ONLY), WHITE, CLASS 2, TYPE A, (703-B) | SF | 100 | \$ 7.50 | \$ 750.00 |
| 20 | REFLECTIVE PAVEMENT MARKERS, CLASS A-H, TYPE 1-B (705-A) | EA | 430 | \$ 5.00 | \$ 2,150.00 |
| 21 | REFLECTIVE PAVEMENT MARKERS, CLASS A-H, TYPE 2-E (705-A) | EA | 300 | \$ 5.00 | \$ 1,500.00 |
| 22 | REFLECTIVE PAVEMENT MARKERS, CLASS A-H, TYPE 2-E (705-A) | EA | 287 | \$ 6.00 | \$ 1,722.00 |
| 23 | CONCRETE CURB, TYPE M-2 (623-B) | LF | 250 | \$ 17.50 | \$ 4,375.00 |
| 24 | CONCRETE CURB, TYPE M-3 (623-B) | LF | 250 | \$ 17.50 | \$ 4,375.00 |
| 25 | 22"x13" RCAP (DOUBLE) (531-A) | LF | 800 | \$ 60.00 | \$ 48,000.00 |
| 26 | GRATE TOP INLET (621-C) | EA | 2 | \$ 4,000.00 | \$ 8,000.00 |
| 27 | JUNCTION BOX (621-A) | EA | 2 | \$ 3,500.00 | \$ 7,000.00 |
| 28 | CONCRETE SLOPE PAVED HEADWALLS (22"x13") | EA | 2 | \$ 750.00 | \$ 1,500.00 |
| 29 | MOBILIZATION (600-A) (7.0% of Const.) | LS | 1 | \$ 16,491.21 | \$ 16,491.21 |
| 29 | EROSION CONTROL (2.5% of Const.) | LS | 1 | \$ 5,889.72 | \$ 5,889.72 |
| 30 | TRAFFIC CONTROL (740-A) (6.0% of Const.) | LS | 1 | \$ 14,135.32 | \$ 14,135.32 |
| TOTAL CONSTRUCTION COST: | | | | | \$ 272,104.89 |

| Professional Services Calculations | | | | | |
|--|--|------|----------|-------------|--------------------|
| Item # | Description | Unit | Quantity | Unit Price | Amount |
| 1 | Engineering Survey & Design (9.5% of Const.) | Each | 1 | \$25,849.96 | \$25,849.96 |
| 2 | Material Testing (2.5% of Construction) | Each | 1 | \$6,802.62 | \$6,802.62 |
| 3 | Engineering - CE&I (12.5% of Construction) | Each | 1 | \$34,013.11 | \$34,013.11 |
| Estimated Professional Service Cost | | | | | \$66,665.70 |

| | |
|--|---------------------|
| Estimated Total Cost | \$312,920.62 |
| Estimated Total Cost to the City (20%) | \$62,584.12 |
| Estimated Total Cost to the ESMPO (80%) | \$250,336.50 |

Handwritten: \$5,170 = 67,754

Resolution 2015-46

Support of MPO Surface Transportation Funds to Install Intersection Improvements on County Road 13 at Sehoj Boulevard and Longue Vue Drive

WHEREAS, the City of Daphne is a member Government of the Eastern Shore Metropolitan Planning Organization (MPO) which is the organization designated by the Governor of the State of Alabama as being responsible, together with the State of Alabama, for implementing the applicable provisions of 23 USC 134 and 135 (amended by MAP-21 Sections 1201 and 1202, July 2012); 42 USC 2000d-1, 7401; 23 CFR 450 and 500; 40 CFR 51 and 93; and

WHEREAS, the Eastern Shore MPO was formed in June 2012 and has three years to allocate MPO Surface Transportation Project funds through the adoption of the 2040 Long Range Transportation Plan and FY16-19 Transportation Improvement Program (TIP); and

WHEREAS, the City of Daphne has submitted a project to install Intersection Improvements on County Road 13 at Sehoj Blvd. and Longue Vue Dr. (**CR 13 Intersection Improvement Project**) for inclusion in the FY 2016-2019 Transportation Improvement Program; and

WHEREAS, the CR 13 Intersection Improvement Project has been submitted for funding through MPO Surface Transportation Funds which require a twenty percent (20%) local match; and

WHEREAS, the CR 13 Intersection Improvement Project has an estimated cost of \$338,770 with an estimated local match of \$67,765 (20%) to be provided by the City of Daphne; and

*x.20 = \$67,754
20%*

WHEREAS, the Eastern Shore Metropolitan Planning Organization Policy Board will consider approving the use of MPO Surface Transportation Funds to fund CR 13 Intersection Improvement Project at their July 22, 2015 Board Meeting;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Daphne that:

- 1.) The City of Daphne supports the funding of the CR 13 Intersection Improvement Project through MPO Surface Transportation Funds; and
- 2.) The Mayor and the Director of Public Works are hereby authorized to execute all agreements, contracts and documents for CR 13 Intersection Improvement Project funded through MPO Surface Transportation Funds; and
- 3.) If approved and awarded MPO Surface Transportation Funds for the CR 13 Intersection Improvement Project, the City will appropriate funds for the project equal to 20% of the survey, design, construction and CE&I (Total Project) cost in addition to 100% of all related utility relocations, and Right of Way acquisition costs, if any.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 20TH DAY OF JULY 2015.



DANE HAYGOOD, MAYOR

ATTEST:



Rebecca A. Hayes, City Clerk

Sehoy Property Owners Association

P.O. Box 2631

Daphne, AL 36526

sehoypoa@yahoo.com

To Whom It May Concern:

The Sehoy POA and Neighborhood would like to request turn lanes on Hwy. 13 into the entrance of our neighborhood. Sehoy was built in 2000/ 2001 and is currently has 254 homes. Our neighborhood is located on Hwy. 13 between Daphne Middle School and Daphne High School. Hwy. 13 is one of the busiest roads in Daphne due to school, home, business and connection traffic from Hwy. 90 and Interstate 10. Due to the projected rise of business and home developments in our city in the next few years, traffic will continue to be a problem.

We currently have one Elementary school bus that serves only our neighborhood and one Middle/ High school bus. This does not account for the car traffic each morning and afternoon as people head to and from work.

In the past year, there have been several automobile wrecks due to the traffic that "backs up" from the middle school and continues past our neighborhood entrance. The traffic also backs up coming from North while one is waiting to turn left into the neighborhood.

Tiawasse Trace neighborhood has had a northbound turn lane for several years and recently received a southbound turning lane. Our neighborhood is larger and serves more homeowners. Our neighborhood is also closer to the middle school and causes traffic to back up in front of the Assisted Living Home, Brennity.

Please let us know how we need to address and correct this problem. It is our understanding that the discussion of turn lanes on Hwy. 13 has been ongoing for several years. We feel this is a need and discussion that needs to be addressed considering the potential growth of our city and for the safety of the citizens.

Thank you for this consideration.

Sehoy POA
Phillip Wilbourn
Per Kurt R. Myer
Vice President

President: Phillip Wilbourn
850-485-2233



EASTERN SHORE MPO PROJECT SUBMITTAL FORM

FOR SUBMITTING A PROPOSED PROJECT FOR INCLUSION IN THE LONG RANGE TRANSPORTATION PLAN (LRTP)
OR TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

Date: 06-03-2015 **Point of Contact:** Richard D. Johnson

Address: City of Daphne; P.O. Box 400; Daphne, AL 36526

Phone: 251-621-3182 **Email:** rjohnson@daphneal.com

This Project was Recommended by (check one): Citizen Working or Living within MPO Area
 Advisory Committee Member Public Official Other _____

Please provide the following information about the proposed project:

Project Description and Location (include termini description, if road improvement)

County Road 13 - Intersection Improvements at the entrances of Sehoj (Sehoj Blvd) and French Settlement (Longue Vue Blvd)

Subdivisions. Project consists of widening the roadbed to accomodate left turn and right turn deceleration lanes. Work will entail piping of open ditches, drainage, curbing, shoulder/base/pavement build up, asphalt overlayment, striping/markings, topsoil and sod.

The project lies within Sections 9 and 10, Township 5 South, Range 2 East, in the City of Daphne, Baldwin County, Alabama.

Reason for Proposed Project (Purpose and Need):

County Road 13 (Urban Collector) is a major north south link for students and work commuters. The lack of turn lanes at the entrances of these subdivisions creates stacking during peak hrs. Turn lanes will decrease travel times and improve roadway capacity & safety.

Project Length (if applicable):

1550 linear feet or 0.3 Miles

Bicycle and Pedestrian or ADA Upgrades:

Subject roadway is currently under consideration for FY2015 TAP Grant for multi-use pathway - full ADA compliance.

Roadway Classification (if applicable):

Urban Collector

Project Sponsor (i.e. Responsible Local Government):

City of Daphne

Percent (%) Local Match:

20%

Match Source:

Capital Reserves and/or General Fund

Environmental Justice Issues or Concerns:

None

For Internal (MPO or Project Sponsor) Use Only

| Scope of Work: | Cost Estimate: |
|---|---------------------|
| Preliminary Engineering: (Survey & Design) plus Geo-Technical Investigation (9.5%) | \$25,849.96 |
| Right-of-Way: None Required | \$0.00 |
| Utilities: No conflicts anticipated | \$0.00 |
| Construction: Construction: \$272,104.89 Testing & CE&I (15%) \$ 40,815.73 | \$312,920.62 |
| TOTAL COST: | \$338,770.58 |

Project Map:

See Attached

For Internal (MPO or Project Sponsor Use Only)

Potential Funding Sources:

- | | |
|----------|----------|
| 1. _____ | 2. _____ |
| 3. _____ | 4. _____ |
| 5. _____ | 6. _____ |
| 7. _____ | 8. _____ |

Bicycle and Pedestrian Advisory Committee Recommendation:

- | | |
|--|---|
| <input type="checkbox"/> Recommend approval of the project as submitted for inclusion in the Visionary List of the LRTP | <input type="checkbox"/> Recommend approval of the project as submitted for inclusion in the Financially Constrained List of the LRTP |
| <input type="checkbox"/> Recommend approval of the project as submitted for inclusion in the TIP _____ | <input type="checkbox"/> Recommend the Policy Board not approve the project |
| <input type="checkbox"/> Recommend the Policy Board postpone taking any action on the proposed project to give time for further review or to change the project scope: _____ | Votes: _____ |
| _____ | Chair or Vice Chair Signature _____ Date _____ |

Citizens Advisory Committee Recommendation:

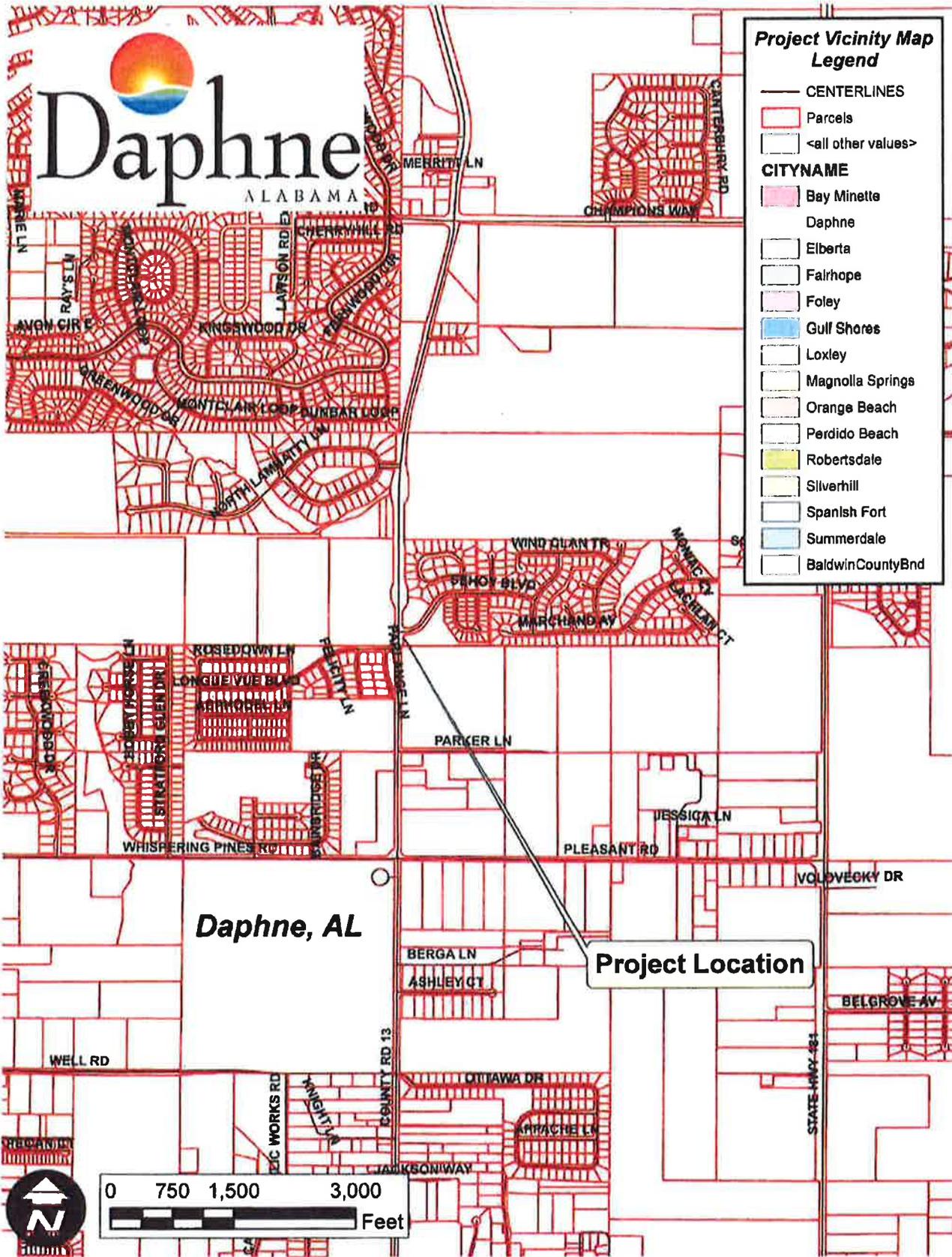
- | | |
|--|---|
| <input type="checkbox"/> Recommend approval of the project as submitted for inclusion in the Visionary List of the LRTP | <input type="checkbox"/> Recommend approval of the project as submitted for inclusion in the Financially Constrained List of the LRTP |
| <input type="checkbox"/> Recommend approval of the project as submitted for inclusion in the TIP _____ | <input type="checkbox"/> Recommend the Policy Board not approve the project |
| <input type="checkbox"/> Recommend the Policy Board postpone taking any action on the proposed project to give time for further review or to change the project scope: _____ | Votes: _____ |
| _____ | Chair or Vice Chair Signature _____ Date _____ |

Technical Advisory Committee Recommendation:

- | | |
|--|---|
| <input type="checkbox"/> Recommend approval of the project as submitted for inclusion in the Visionary List of the LRTP | <input type="checkbox"/> Recommend approval of the project as submitted for inclusion in the Financially Constrained List of the LRTP |
| <input type="checkbox"/> Recommend approval of the project as submitted for inclusion in the TIP _____ | <input type="checkbox"/> Recommend the Policy Board not approve the project |
| <input type="checkbox"/> Recommend the Policy Board postpone taking any action on the proposed project to give time for further review or to change the project scope: _____ | Votes: _____ |
| _____ | Chair or Vice Chair Signature _____ Date _____ |

Policy Board Action:

- | | |
|---|---|
| <input type="checkbox"/> Approve the project as submitted for inclusion in the Visionary List of the LRTP | <input type="checkbox"/> Approve the project as submitted for inclusion in the Financially Constrained List of the LRTP |
| <input type="checkbox"/> Approve the project as submitted for inclusion in the TIP _____ | <input type="checkbox"/> Choose not to approve the project |
| <input type="checkbox"/> Postpone taking any action on the proposed project to give time for further review or to change the project scope: _____ | Votes: _____ |
| _____ | Resolution Number: _____ |
| _____ | |



ORDINANCE 2015-61

Project: County Road 13 and Highway 64 Roundabout Lights

WHEREAS, Ordinance 2015-55 approved adopted the Fiscal Year 2016 Budget on October 5, 2015; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2016 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2016 budget; and

WHEREAS, lighting is needed for safe passage on the roundabout at CR13 and HWY 64; and

WHEREAS, the cost of the lights are \$14,350.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that

- 1). funds in the amount of **\$14,350 from the Seven Cent Gas Tax Fund** are appropriated and made a part of the Fiscal Year 2016 budget for the Roundabout lights at County Road 13 and Highway 64.
- 2). the Mayor and Public Works Director are hereby authorized to execute any and all documents required in order for the City of Daphne to complete such project.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this ____ day of _____, 2015.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Richard D. Johnson, P.E.

From: Stephen Tirador <stirador@rivierautilities.com>
Sent: Thursday, October 01, 2015 1:03 PM
To: Richard D. Johnson, P.E.
Cc: William Eringman; Kelli Kichler, CPA
Subject: RE: CR 13/64 Roundabout Lights

Yes. We actually just got some LED "Cobra head" lights that are the equivalent of a 250W that we already offer. The price for these would be \$1300 per pole and \$16/Month. So you would be saving \$4/month per fixture. Let me know if you want to go ahead with those. Thanks

LED - INCREASE IN COST 11 x \$300.00
 = \$3,300.00

COST SAVINGS 11 x \$4.00 = \$44.00/MO
 OR \$528.00/YR

Stephen Tirador
 Electrical Engineer
 Riviera Utilities
 Office: (251) 626-5000 Ext: 3412
 Cell: (251) 424-0002

RETURN ON INVESTMENT $\frac{\$3,300.00}{\$528.00/YR}$
 = 6 YRS 3 MO



LIFE CYCLE OF LIGHTS 10-15 YRS

RECOMMEND LED - \$14,350.00

From: Richard D. Johnson, P.E. [<mailto:rjohnson@daphneal.com>]
Sent: Thursday, October 01, 2015 7:32 AM
To: Stephen Tirador
Cc: William Eringman; Kelli Kichler, CPA
Subject: RE: CR 13/64 Roundabout Lights

Stephen:

Thank you I got it. It will go before Council for appropriation starting this month. I should be able to issue you authorization the first Tuesday in November.

On the lamp fixture themselves is there a LED option? I would rather pay more up front for the fixture for overall lifecycle electrical savings. Everything I read says LED use half or less electricity than traditional ballast & bulbs. \$10 a month forever is a lot more economical than \$20 a month forever. Can you offer any alternative fixture and electrical/maintenance cost options?

Please let me know.

Richard D. Johnson, P.E.

From: Stephen Tirador <stirador@rivierautilities.com>
Sent: Wednesday, September 30, 2015 3:03 PM
To: Richard D. Johnson, P.E.
Subject: CR 13/64 Roundabout Lights
Attachments: 20150930_144135.jpg; SELEC-EDBiz15093015160.pdf

Richard,

Attached is a picture of the fixture for the lights around the roundabout. The pole is a satin finish aluminum with a frangible base. There are 11 of these poles we have to set. They will be \$1,000 per pole to install. The monthly fee for these 11 lights will be \$20/month. There is also one light going on the existing concrete pole. This light will \$50 to install and will be \$13/month. I've attached the invoice for this. Let me know if you have any questions. Thanks

Stephen Tirador

Electrical Engineer
Riviera Utilities
Office: (251) 626-5000 Ext: 3412
Cell: (251) 424-0002





Riviera Utilities

Western Division Electric
700 Whispering Pines Road
Daphne, Alabama 36526

PHONE (251) 626-5000
FAX (251) 626-5993

File Copy

SOLD TO: CITY OF DAPHNE

PO BOX 400
DAPHNE AL 36526

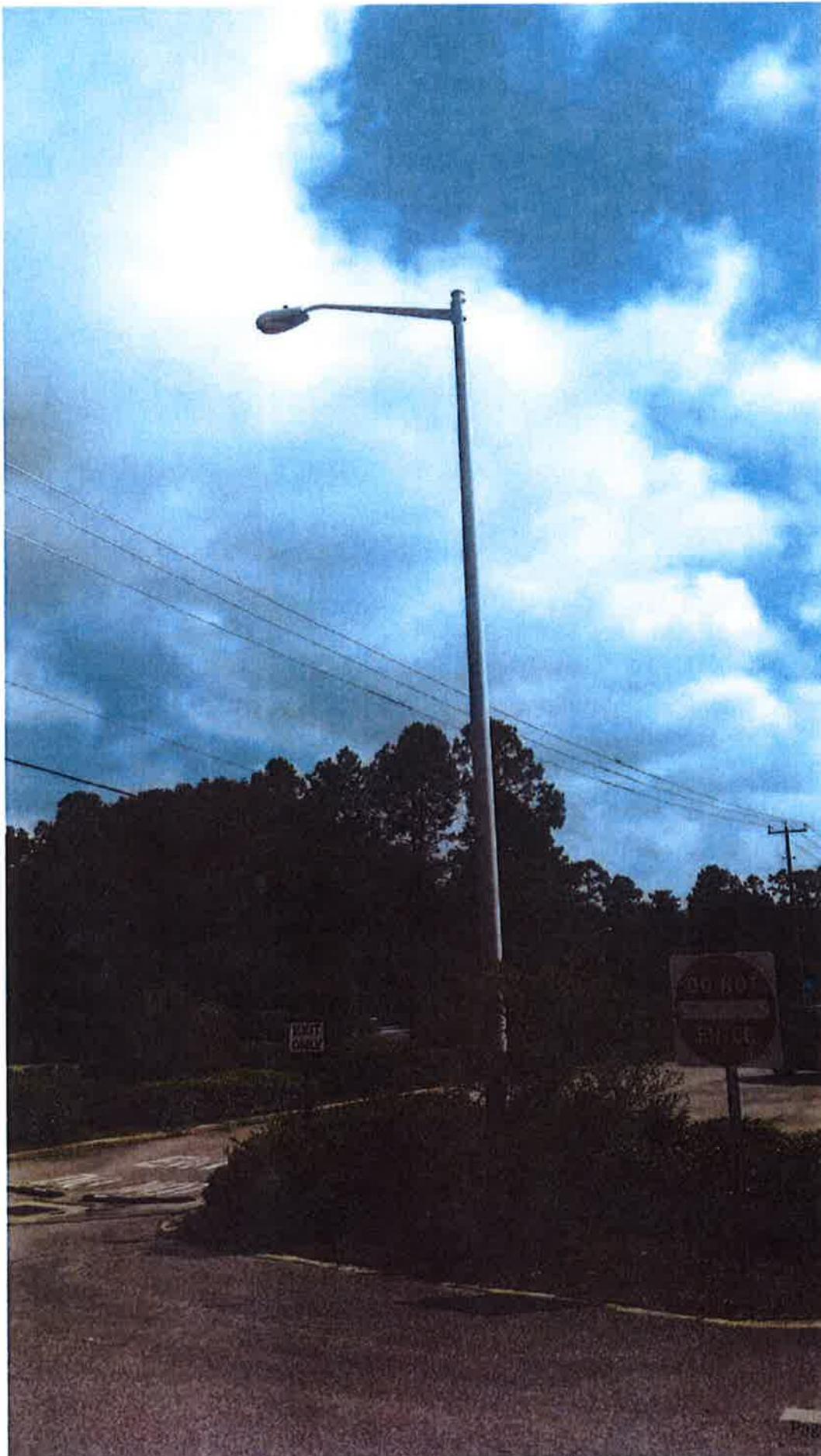
COMMENTS: ROUNDABOUT LIGHTS AT CR13/64

INVOICE DATE: 9/30/2015

INVOICE NUMBER: WDELEC -2015-0004416

| QUANTITY | DESCRIPTION | UNIT PRICE | AMOUNT |
|----------|---------------------|------------|-----------|
| 11 EA | DECORATIVE LIGHTING | 1,000.00 | 11,000.00 |
| 1 EA | DECORATIVE LIGHTING | 50.00 | 50.00 |
| TOTAL | | | 11,050.00 |

QUESTIONS CONCERNING THIS INVOICE?
CALL: STEPHEN TIRADOR
Ext: 0000



12

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2015-62**

**Ordinance to Pre-Zone Property Located
Southwest of Holy Cross Circle and Holy Cross Drive
John W. West**

WHEREAS, John W. West as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property be pre-zoned from RSF-4, Two Family District, Baldwin County District 16, in the extraterritorial planning jurisdiction of the City of Daphne, to B-1, Local Business District, City of Daphne; and

WHEREAS, said real property is Southwest of Holy Cross Circle and Holy Cross Drive, and more particularly described as follows:

Legal Description for Pre-zone:

Lot 5 of a subdivision showing part of the Issac Austin Properties as recorded in Map Book 4, page 232, in the office of the Judge of Probate of Baldwin County, Alabama, which lies in Section 30, Township 5, South, Range 2 East, containing 0.17 acres, more or less.

Lot 9, of an irregular subdivision of the Issac Austin Properties, in the office of the Judge of Probate of Baldwin County, Alabama, which lies in Section 30, Township 5 South, Range 2 East, containing 0.14 acres, more or less.

WHEREAS, at the regular Planning Commission meeting on August 27, 2015, the Commission considered said request and set forth a unanimous favorable recommendation; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on October 19, 2015; and,

WHEREAS, the City Council of the City of Daphne after due consideration and upon consideration of the notes of the Planning Commission, deemed that said application for pre-zoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama; and

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

SECTION I: ZONING

That above described real property is hereby pre-zoned from RSF-4, Two Family District, Baldwin County District 16, in the extraterritorial planning jurisdiction of the City of Daphne, to B-1, Local Business District, City of Daphne, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

SECTION II: REPEALER.

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION III: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

SECTION IV: EFFECTIVE AND EXPIRATION DATE.

This Ordinance, and in particular the pre-zoning shall take effect after the date of its approval by the City Council of the City of Daphne and publication as required by law. Pursuant to Code of Alabama (1975) Section 11-52-85, the zoning of the property, shall become effective upon the date the territory is annexed into the corporate limits, if any portion of the territory is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law then this pre-zoning shall be null and void.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS day of , 2015.

Dane Haygood,
Mayor

ATTEST:

Rebecca A. Hayes,
City Clerk

**JOHN W. WEST
PREZONING REQUEST
LOT 5 AND 9 OF THE ISSAC AUSTIN PROPERTIES SUBDIVISION
SOUTHEAST OF MAIN STREET AND HOLY CROSS DRIVE**

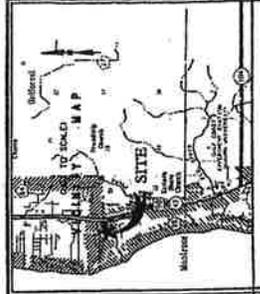
EXHIBIT A

**STATE OF ALABAMA
COUNTY OF BALDWIN**

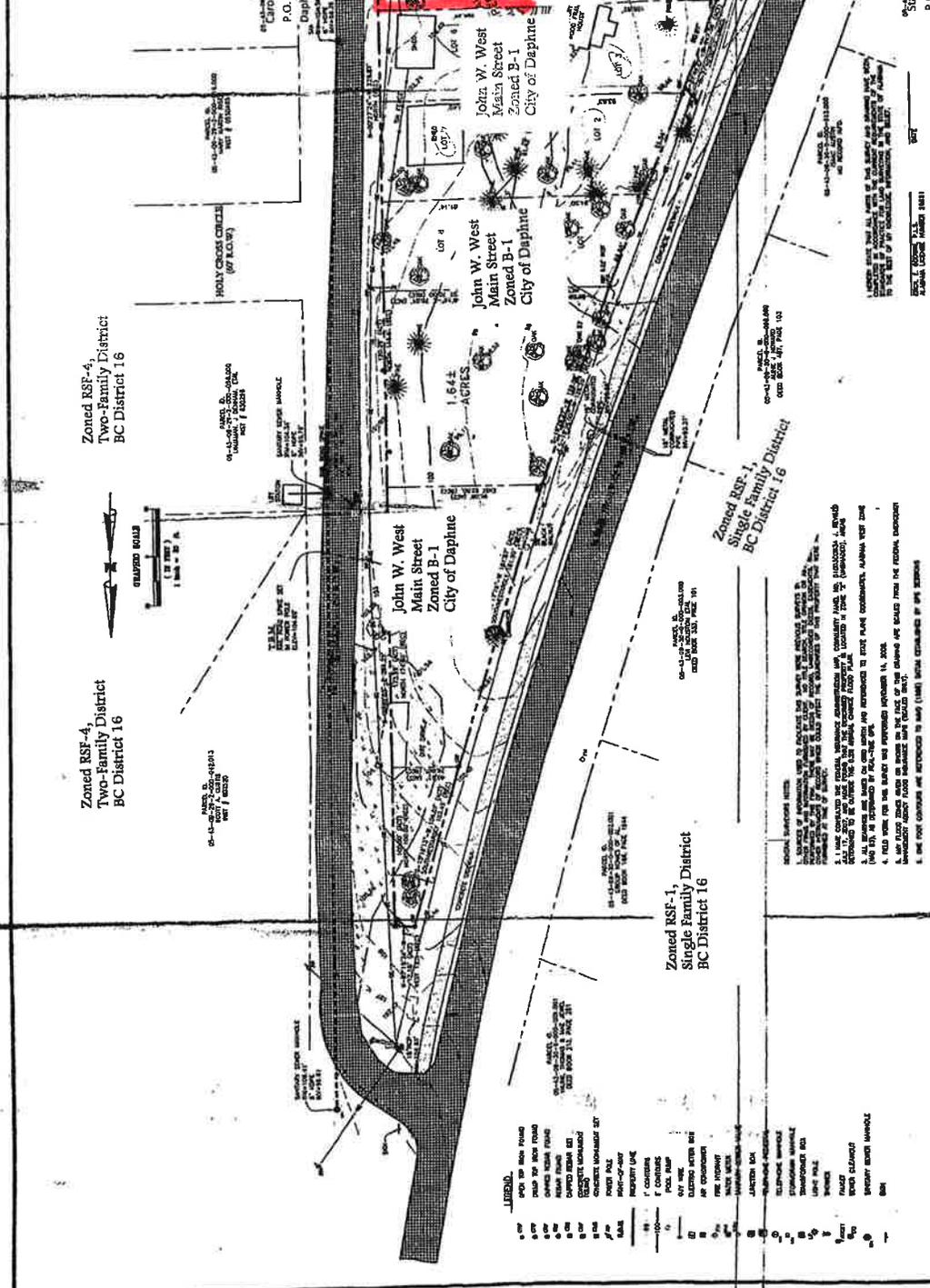
DESCRIPTIONS OF PROPERTY TO BE PRE-ZONED TO B-1, LOCAL BUSINESS:

Lot 5 of a subdivision showing part of the Issac Austin Properties as recorded in Map Book 4, page 232, in the office of the Judge of Probate of Baldwin County, Alabama, which lies in Section 30, Township 5, South, Range 2 East, containing 0.17 acres, more or less.

Lot 9, of an irregular subdivision of the Issac Austin Properties, in the office of the Judge of Probate of Baldwin County, Alabama, which lies in Section 30, Township 5 South, Range 2 East, containing 0.14 acres, more or less.



Williams, Albert Jr Etal Phillip
 c/o Carolyn Montgomery
 P.O. Box 2682
 Daphne, AL 36526



ANNEX 2
 Starting Charles H. In Eux. 157
 P.O. Box 635
 AL 36509

BOUNDARY AND TOPOGRAPHIC SURVEY
 SECTION 30, TOWNSHIP 5 SOUTH RANGE 2 EAST
 JACK WEST

LOOK FOR THE
 1-1-20
 1-1-20

ANNEX 1
 ENGINEERS/SURVEYORS
 LAND PLANNERS

HUTCHINSON, MOORE & RAUGH, LLC
 2639 MAIN STREET
 DAPHNE, ALABAMA
 36526

ANNEX 3
 ENGINEERS/SURVEYORS
 LAND PLANNERS

- LEGEND**
- 1-10' WIDE SIDE ROAD
 - 1-15' WIDE SIDE ROAD
 - 1-20' WIDE SIDE ROAD
 - 1-25' WIDE SIDE ROAD
 - 1-30' WIDE SIDE ROAD
 - 1-35' WIDE SIDE ROAD
 - 1-40' WIDE SIDE ROAD
 - 1-45' WIDE SIDE ROAD
 - 1-50' WIDE SIDE ROAD
 - 1-55' WIDE SIDE ROAD
 - 1-60' WIDE SIDE ROAD
 - 1-65' WIDE SIDE ROAD
 - 1-70' WIDE SIDE ROAD
 - 1-75' WIDE SIDE ROAD
 - 1-80' WIDE SIDE ROAD
 - 1-85' WIDE SIDE ROAD
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 - 1-165' WIDE SIDE ROAD
 - 1-170' WIDE SIDE ROAD
 - 1-175' WIDE SIDE ROAD
 - 1-180' WIDE SIDE ROAD
 - 1-185' WIDE SIDE ROAD
 - 1-190' WIDE SIDE ROAD
 - 1-195' WIDE SIDE ROAD
 - 1-200' WIDE SIDE ROAD

Zoning & Annexation Display
 Exhibit "A"

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2015-63**

**ORDINANCE TO ANNEX PROPERTY CONTIGUOUS
TO THE CORPORATE LIMITS OF THE CITY OF DAPHNE**

**Property Located Southwest of Holy Cross Circle and Holy Cross Drive
John W. West**

WHEREAS, on the 16th of April, 2015, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

WHEREAS, said petition did contain the signatures of all owners of the described territory, and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

WHEREAS, after proper publication, a public hearing was held by the City Council on October 19, 2015 concerning the petition for annexation; and

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on August 27, 2015, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation and said property; and

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

SECTION ONE: ANNEXATION

The City Council of the City of Daphne, Alabama finds that and declares as the legislative body of the City of Daphne, Alabama that it is in the best interest of the citizens of the City of Daphne, Alabama and the citizens of the affected area, to bring the territory described in Section Two of this Ordinance into the City of Daphne, Alabama, and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, et seq., Code of Alabama, 1975; effective on publication as required by Section 11-42-21, Code of Alabama 1975, as amended.

SECTION TWO: DESCRIPTION OF TERRITORY

The boundary lines of the City of Daphne, Alabama, be, and the same are hereby altered or rearranged so as to include all the territory hereto before encompassed by the corporate limits of the City of Daphne, Alabama and in addition thereto the following described property, to-wit:

Legal Description for Annexation:

Lot 5 of a subdivision showing part of the Issac Austin Properties as recorded in Map Book 4, page 232, in the office of the Judge of Probate of Baldwin County, Alabama, which lies in Section 30, Township 5, South, Range 2 East, containing 0.17 acres, more or less.

Lot 9, of an irregular subdivision of the Issac Austin Properties, in the office of the Judge of Probate of Baldwin County, Alabama, which lies in Section 30, Township 5 South, Range 2 East, containing 0.14 acres, more or less.

SECTION THREE: MAP OF PROPERTY

The property hereby annexed into the City of Daphne, Alabama is set forth and described in Exhibit "A" and attached hereto a map of the property (*Exhibit "B"*) showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this ordinance.

SECTION FOUR: PUBLICATION

This Ordinance shall be published as required by Section 11-42-21 Code of Alabama 1975, as amended, and the property described herein shall be annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama as required by Section 11-42-21, Code of Alabama 1975, as amended.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS THE _____ DAY OF _____, 2015.

Dane Haygood,
Mayor

ATTEST:

Rebecca A. Hayes,
City Clerk

**JOHN W. WEST
ANNEXATION REQUEST
LOT 5 AND 9 OF THE ISSAC AUSTIN PROPERTIES SUBDIVISION
SOUTHEAST OF MAIN STREET AND HOLY CROSS DRIVE**

EXHIBIT A

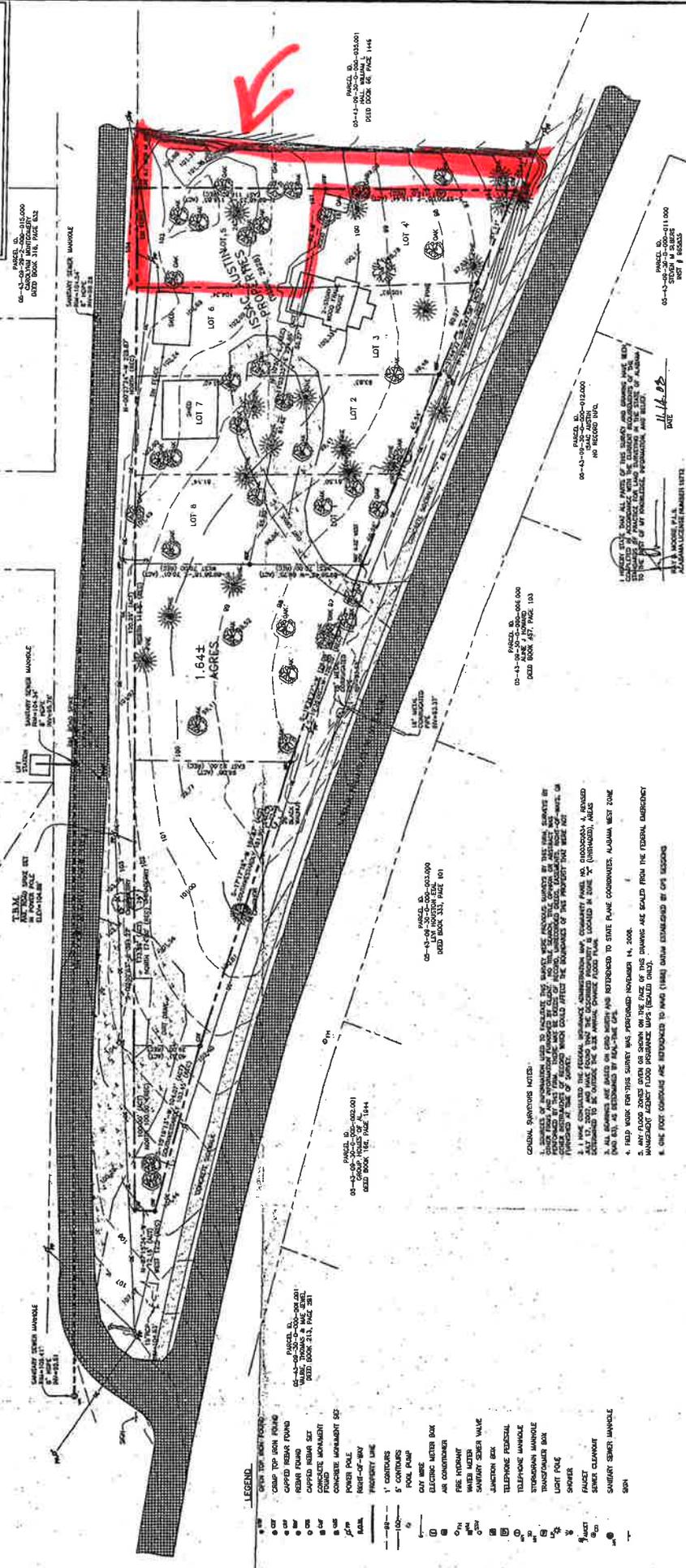
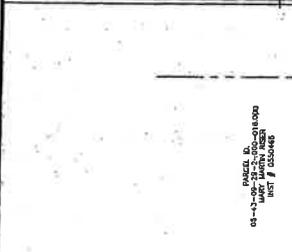
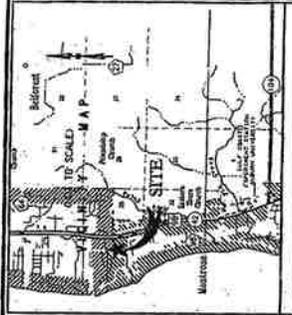
**STATE OF ALABAMA
COUNTY OF BALDWIN**

DESCRIPTIONS OF PROPERTY TO BE ANNEXED AS B-1, LOCAL BUSINESS:

Lot 5 of a subdivision showing part of the Issac Austin Properties as recorded in Map Book 4, page 232, in the office of the Judge of Probate of Baldwin County, Alabama, which lies in Section 30, Township 5, South, Range 2 East, containing 0.17 acres, more or less.

Lot 9, of an irregular subdivision of the Issac Austin Properties, in the office of the Judge of Probate of Baldwin County, Alabama, which lies in Section 30, Township 5 South, Range 2 East, containing 0.14 acres, more or less.

EXHIBIT "B"



BOUNDARY AND TOPOGRAPHIC SURVEY
SECTION 30, TOWNSHIP 5 SOUTH RANGE 2 EAST
JACK WEST

DATE: NOVEMBER 14, 2008
 DRAWN BY: DCC
 CHECKED BY: EGG
 SHEET: 1 OF 1

1. ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN EXAMINED AND FOUND TO BE CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.
 2. I HAVE NOT BEEN ADVISED OF ANY CHANGES TO THE DATA ON WHICH THIS SURVEY WAS BASED.
 3. I HAVE NOT BEEN ADVISED OF ANY CHANGES TO THE DATA ON WHICH THIS SURVEY WAS BASED.
 4. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE ALABAMA SURVEYING ACT AND THE RULES AND REGULATIONS OF THE ALABAMA SURVEYING BOARD.
 5. THE DATE OF THIS SURVEY IS REFERENCED TO STATE PLANE COORDINATES, ALABAMA WEST ZONE (NAD 83).

HUTCHINSON, MOORE & RAUCH, LLC
 ENGINEERS & SURVEYORS
 LAND PLANNERS
 2039 MAIN STREET
 DAPHNE, ALABAMA 36526
 TEL: (251) 526-3826
 FAX: (251) 526-6534
 dapping@hmr-engineers.com

11/14/08

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2015-64**

**Ordinance to Rezone Property Located
One Quarter Mile South of the Intersection of County Road 64 and Pollard Road
Cadence Bank**

WHEREAS, Cadence Bank as the owner of certain real property located within the City of Daphne, Alabama, has requested that said property be rezoned from R-4, High Density Multi-Family Residential District to PUD, Planned Unit Development District; and,

WHEREAS, said rea l property is located one quarter mile south of the intersection of County Road 64 and Pollard Road, and more particularly described as follows:

LEGAL DESCRIPTION FOR 6.19 ACRES

BEGINNING AT A 1/2 INCH CAPPED REBAR (LS #10675) AT THE NORTHWEST CORNER OT LOT 1 OF BOLAR VIEW SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 1532-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 01 DEGREES 04 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF POLLARD ROAD, A DISTANCE OF 328.91 FEET TO A 2 INCH CRIMP TOP IRON PIPE; THENCE RUN SOUTH 88 DEGREES 58 MINUTES 56 SECONDS EAST, A DISTANCE OF 163.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 00 DEGREES 49 MINUTES 24 SECONDS WEST, A DISTANCE OF 107.87 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 89 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 200.79 FEET TO A 1/2 INCH CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 45 MINUTES 29 SECONDS WEST, A DISTANCE OF 119.64 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 88 DEGREES 52 MINUTES 30 SECONDS EAST, A DISTANCE OF 251.28 FEET TO A 1/2 INCH CAPPED REBAR (CA-0756-LS); THENCE RUN NORTH 01 DEGREES 42 MINUTES 21 SECONDS EAST, A DISTANCE OF 619.00 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS); THENCE RUN NORTH 61 DEGREES 24 MINUTES 06 SECONDS WEST, A DISTANCE OF 69.56 FEET TO A 1/2 INCH REBAR; THENCE RUN NORTH 88 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 253.23 FEET TO 1/2 INCH CAPPED REBAR (CA-0951-LS); THENCE RUN SOUTH 36 DEGREES 03 MINUTES 26 SECONDS EAST, A DISTANCE OF 22.95 FEET TO A 1/2 INCH CAPPED REBAR (CA-0393-LS); THENCE RUN SOUTH 63 DEGREES 07 MINUTES 11 SECONDS WEST, A DISTANCE OF 167.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN NORTH 88 DEGREES 43 MINUTES 18 SECONDS WEST, A DISTANCE OF 174.49 FEET TO THE POINT OF BEGINNING.

LESS AND ACCEPT LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

TRACT CONTAINS 6.19 ACRES, MORE OR LESS, AND LIES IN SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

WHEREAS, at the City of Daphne Planning Commission meeting on August 27, 2015 the Commission considered said request and set forth a unanimous favorable recommendation to the City Council of the City of Daphne that said property be rezoned; and,

WHEREAS, due notice of said proposed rezoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on October 19, 2015; and,

WHEREAS, the City Council of the City of Daphne after due consideration and upon consideration of the recommendation of the Planning Commission, and the public hearing deemed that said application for rezoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama.

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

SECTION I: ZONING

That above described real property is hereby rezoned from R-4, High Density Multi-Family Residential District to PUD, Planned Unit Development District, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

SECTION III: REPEALER.

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION IV: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

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 after publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2015.

Dane Haygood,
Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

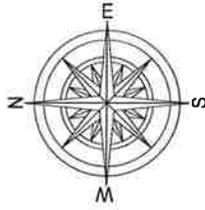
EXHIBIT A

LEGAL DESCRIPTION FOR 6.19 ACRES

BEGINNING AT A 1/2 INCH CAPPED REBAR (LS #10675) AT THE NORTHWEST CORNER OT LOT 1 OF BOLAR VIEW SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 1532-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 01 DEGREES 04 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF POLLARD ROAD, A DISTANCE OF 328.91 FEET TO A 2 INCH CRIMP TOP IRON PIPE; THENCE RUN SOUTH 88 DEGREES 58 MINUTES 56 SECONDS EAST, A DISTANCE OF 163.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 00 DEGREES 49 MINUTES 24 SECONDS WEST, A DISTANCE OF 107.87 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 89 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 200.79 FEET TO A 1/2 INCH CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 45 MINUTES 29 SECONDS WEST, A DISTANCE OF 119.64 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 88 DEGREES 52 MINUTES 30 SECONDS EAST, A DISTANCE OF 251.28 FEET TO A 1/2 INCH CAPPED REBAR (CA-0756-LS); THENCE RUN NORTH 01 DEGREES 42 MINUTES 21 SECONDS EAST, A DISTANCE OF 619.00 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS); THENCE RUN NORTH 61 DEGREES 24 MINUTES 06 SECONDS WEST, A DISTANCE OF 69.56 FEET TO A 1/2 INCH REBAR; THENCE RUN NORTH 88 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 253.23 FEET TO 1/2 INCH CAPPED REBAR (CA-0951-LS); THENCE RUN SOUTH 36 DEGREES 03 MINUTES 26 SECONDS EAST, A DISTANCE OF 22.95 FEET TO A 1/2 INCH CAPPED REBAR (CA-0393-LS); THENCE RUN SOUTH 63 DEGREES 07 MINUTES 11 SECONDS WEST, A DISTANCE OF 167.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN NORTH 88 DEGREES 43 MINUTES 18 SECONDS WEST, A DISTANCE OF 174.49 FEET TO THE POINT OF BEGINNING.

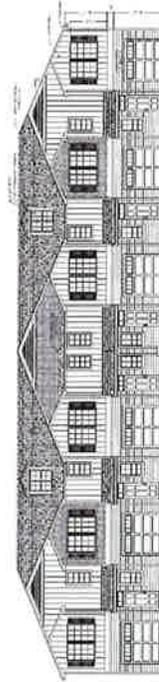
LESS AND ACCEPT LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

TRACT CONTAINS 6.19 ACRES, MORE OR LESS, AND LIES IN SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



Summary

Total Acreage 7.3 Acres
 Total Units 82
 Density 11 / Acre



Front Elevation

Villas at St. Charles

Daphne, Alabama

EXHIBIT "B"

REVISED PER DAPHNE PLANNING COMMISSION RECOMMENDATION



VILLAS AT ST. CHARLES PUD STANDARDS

The Villas at St. Charles, a Planned Unit Development, is located on the east side of Pollard Road approximately a quarter of a mile south of County Road 64. This proposed development is a continuation of the existing St. Charles Village Condominium development. That development, which is known as Phase 1, consists of 36 condominium units. A pool and club house facility is also part of the development. The Declaration of Condominium documents provided development rights for 116 units for Phase 2.

The Phase 2 site consist of 7.28 acres, which includes Lots 1-3 (1.08 acres) of Bolar View Subdivision, and a 6.20 acre undeveloped tract. The developer has made application to annex the 3 lots into the City of Daphne. The 6.20 acre tract is in the City of Daphne corporate limits and is currently zoned R-4. The developer has also made applications for pre-zoning and rezoning to collective zone these properties to a PUD zone.

The proposed development will be townhomes, consisting of three 4-unit buildings, nine 6-unit buildings, and two 8-unit buildings, for a total of 82 units. The proposed density for this phase is 11.3 units per acre. The R-4 zoning of the existing 6.20 acre tract alone allows for a density of 14 units per acre which would allow for 86 units. The proposed 82 units is well below the 116 units allowed by the development rights and also less than the 86 units allowed by current zoning.

The maximum building height will not exceed those specified in the residential zoning districts of the Daphne Land Use and Development Ordinance, which is 2.5 stories or 35 ft. and building height as defined in the said Ordinance.

The proposed spacing between buildings will not be less than 20'. The minimum perimeter building setbacks will be as shown on the PUD Master Plan, Exhibit B. Generally the proposed setbacks are 40', 30', and 25'. The 30' and 25' setbacks are a proposed deviation from the 40' setback requirement for PUD developments. This development is not a highrise development and as stated above the building heights will not exceed 2.5 stories or 35'. In a residential development zoned R-4 or in the Innovative Design category of the Land Use Ordinance, the required setback is 25' from the front and rear property lines. We believe the nature of this development is such that excessive setbacks are not necessary. Given that, the majority of the setbacks are 40' from the adjacent properties.

Coverages and Open Space:

The total building coverage is 73,800 sq. ft. or 23.27% of the total site.

Total roadways, sidewalks, and driveways coverage is 81,295 sq. ft. or 25.64% of the total site.

Drainage pond coverages are 11,738 sq. ft. or 3.70% of the total site.

The total coverage is 3.83 acres or 52.61% of the total site.

The remaining area is 3.45 acres or 47.39% of open space. This will be grassed/landscaped areas which will be common property and maintained by the P.O.A.

There is an existing 0.5 acre site adjacent to this development that has a pool and clubhouse facility that was planned for the use of the existing condominium owners and for this development.

The developer proposes to make this development a part of the existing St. Charles Village Condominiums which is an existing gated community. The plan is to also gate the proposed Villas at St. Charles at its entrance off Pollard Road and connect the two sites at the terminus of the existing road inside St. Charles Village Condominiums. The residents of the new development will become members of the existing Homeowners Association and have the rights and responsibilities as defined in the Covenants and Restrictions. This will include the use and maintenance of the existing pool and club house facility. That existing facility was designed and located to serve both phases of the originally designed development.

All utilities will be constructed underground and water, sewer, electric, and telephone are all available to the site. The roadway within the development will be a private drive just as is the existing roadway in St. Charles Village Condominiums. A 50' ingress/egress and utility easement will be provided to access all of the units. Sidewalks will be located on both sides of the proposed roadway. All construction will be in accordance to the standards of the City of Daphne. The roadway system nor the gate will be maintained by the City of Daphne.

The stormwater management system will be designed in accordance with the standards of the City of Daphne. All stormwater facilities and structures will be maintained by the P.O.A. and not the City of Daphne.

A decorative fence will be installed along Pollard Road to match, as close as possible, with the existing fence in St. Charles Village Condominium. Due to all areas outside of the buildings being common area, a landscape plan will be prepared for the overall site to insure landscaping is designed around all buildings and entryway.

Each unit within a building is a two story unit. There is a single car garage in each unit and additional parking outside of the garages. Each unit will have boundaries, ultimately defined on preliminary and final plats, with all areas located outside of the buildings being common areas and to be maintained by the Homeowners Association. The minimum spacing between buildings will be 20 feet and no building will be located closer than 25 feet to an exterior property line. In most cases they will be 30' to 40' from the exterior property lines.

The exterior finish of the proposed buildings will be similar in color and material type as of the existing condominium units. Landscaping will be provided around the buildings and a decorative fence installed along Pollard Road. The floor plans and elevation plans submitted with the application are a representation of what is proposed.

Finally, this proposed PUD development is in compliance with the newly adopted Planned Unit Development District regulations. The City's PUD regulations encourage flexibility in locating buildings, encourages mixtures of building types, and connectivity to adjoining developments. This development meets those conditions.

The City will have a less dense development than what is allowed in an R-4 (14 units per acre) zone. R-4 allows 3 story buildings and the proposed height in this development is 2 stories, which will also match the building heights in the existing St. Charles Village.

With PUD approval, the developer will follow up with a preliminary subdivision application whereby plats will show each building location and the division of each building into the individual units/lots. Ultimately, with final plat approval these plats will be recorded in the County Probate Office.

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2015-65**

**Ordinance to Pre-Zone Property Located
One Quarter Mile South of the Intersection of County Road 64 and Pollard Road
Cadence Bank**

WHEREAS, Cadence Bank as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property be pre-zoned from RSF-2, Single Family District, Baldwin County District 15 , in the extraterritorial planning jurisdiction of the City of Daphne, to PUD, Planned Unit Development District, City of Daphne; and

WHEREAS, said real property is one quarter mile south of the intersection of County Road 64 and Pollard Road, and more particularly described as follows:

Legal Description for Pre-zone:

LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE
PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

WHEREAS, at the regular Planning Commission meeting on August 27, 2015, the Commission considered said request and set forth a unanimous favorable recommendation; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on October 19, 2015; and,

WHEREAS, the City Council of the City of Daphne after due consideration and upon consideration of the notes of the Planning Commission, deemed that said application for pre-zoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama; and

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

SECTION I: ZONING

That above described real property is hereby pre-zoned from RSF-2, Single Family District, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, to PUD, Planned Unit Development District, City of Daphne, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

SECTION II: REPEALER.

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION III: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

SECTION IV: EFFECTIVE AND EXPIRATION DATE.

This Ordinance, and in particular the pre-zoning shall take effect after the date of its approval by the City Council of the City of Daphne and publication as required by law. Pursuant to Code of Alabama (1975) Section 11-52-85, the zoning of the property, shall become effective upon the date the territory is annexed into the corporate limits, if any portion of the territory is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law then this pre-zoning shall be null and void.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS day of , 2015.

Dane Haygood,
Mayor

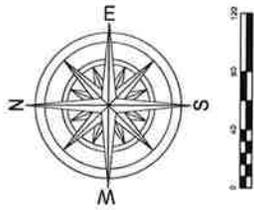
ATTEST:

Rebecca A. Hayes,
City Clerk

EXHIBIT A

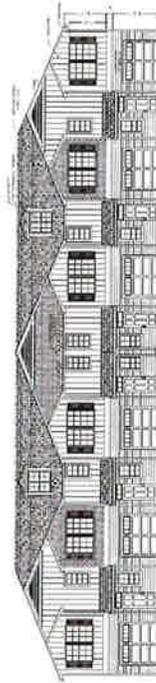
LEGAL DESCRIPTION FOR CADENCE BANK

**LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE
PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.**



Summary

Total Acreage 7.3 Acres
 Total Units 82
 Density 11 / Acre



Front Elevation

Villas at St. Charles

Daphne, Alabama

EXHIBIT "B"

REVISED PER DAPHNE PLANNING COMMISSION RECOMMENDATION



VILLAS AT ST. CHARLES PUD STANDARDS

The Villas at St. Charles, a Planned Unit Development, is located on the east side of Pollard Road approximately a quarter of a mile south of County Road 64. This proposed development is a continuation of the existing St. Charles Village Condominium development. That development, which is known as Phase 1, consists of 36 condominium units. A pool and club house facility is also part of the development. The Declaration of Condominium documents provided development rights for 116 units for Phase 2.

The Phase 2 site consist of 7.28 acres, which includes Lots 1-3 (1.08 acres) of Bolar View Subdivision, and a 6.20 acre undeveloped tract. The developer has made application to annex the 3 lots into the City of Daphne. The 6.20 acre tract is in the City of Daphne corporate limits and is currently zoned R-4. The developer has also made applications for pre-zoning and rezoning to collective zone these properties to a PUD zone.

The proposed development will be townhomes, consisting of three 4-unit buildings, nine 6-unit buildings, and two 8-unit buildings, for a total of 82 units. The proposed density for this phase is 11.3 units per acre. The R-4 zoning of the existing 6.20 acre tract alone allows for a density of 14 units per acre which would allow for 86 units. The proposed 82 units is well below the 116 units allowed by the development rights and also less than the 86 units allowed by current zoning.

The maximum building height will not exceed those specified in the residential zoning districts of the Daphne Land Use and Development Ordinance, which is 2.5 stories or 35 ft. and building height as defined in the said Ordinance.

The proposed spacing between buildings will not be less than 20'. The minimum perimeter building setbacks will be as shown on the PUD Master Plan, Exhibit B. Generally the proposed setbacks are 40', 30', and 25'. The 30' and 25' setbacks are a proposed deviation from the 40' setback requirement for PUD developments. This development is not a highrise development and as stated above the building heights will not exceed 2.5 stories or 35'. In a residential development zoned R-4 or in the Innovative Design category of the Land Use Ordinance, the required setback is 25' from the front and rear property lines. We believe the nature of this development is such that excessive setbacks are not necessary. Given that, the majority of the setbacks are 40' from the adjacent properties.

Coverages and Open Space:

The total building coverage is 73,800 sq. ft. or 23.27% of the total site.

Total roadways, sidewalks, and driveways coverage is 81,295 sq. ft. or 25.64% of the total site.

Drainage pond coverages are 11,738 sq. ft. or 3.70% of the total site.

The total coverage is 3.83 acres or 52.61% of the total site.

The remaining area is 3.45 acres or 47.39% of open space. This will be grassed/landscaped areas which will be common property and maintained by the P.O.A.

There is an existing 0.5 acre site adjacent to this development that has a pool and clubhouse facility that was planned for the use of the existing condominium owners and for this development.

The developer proposes to make this development a part of the existing St. Charles Village Condominiums which is an existing gated community. The plan is to also gate the proposed Villas at St. Charles at its entrance off Pollard Road and connect the two sites at the terminus of the existing road inside St. Charles Village Condominiums. The residents of the new development will become members of the existing Homeowners Association and have the rights and responsibilities as defined in the Covenants and Restrictions. This will include the use and maintenance of the existing pool and club house facility. That existing facility was designed and located to serve both phases of the originally designed development.

All utilities will be constructed underground and water, sewer, electric, and telephone are all available to the site. The roadway within the development will be a private drive just as is the existing roadway in St. Charles Village Condominiums. A 50' ingress/egress and utility easement will be provided to access all of the units. Sidewalks will be located on both sides of the proposed roadway. All construction will be in accordance to the standards of the City of Daphne. The roadway system nor the gate will be maintained by the City of Daphne.

The stormwater management system will be designed in accordance with the standards of the City of Daphne. All stormwater facilities and structures will be maintained by the P.O.A. and not the City of Daphne.

A decorative fence will be installed along Pollard Road to match, as close as possible, with the existing fence in St. Charles Village Condominium. Due to all areas outside of the buildings being common area, a landscape plan will be prepared for the overall site to insure landscaping is designed around all buildings and entryway.

Each unit within a building is a two story unit. There is a single car garage in each unit and additional parking outside of the garages. Each unit will have boundaries, ultimately defined on preliminary and final plats, with all areas located outside of the buildings being common areas and to be maintained by the Homeowners Association. The minimum spacing between buildings will be 20 feet and no building will be located closer than 25 feet to an exterior property line. In most cases they will be 30' to 40' from the exterior property lines.

The exterior finish of the proposed buildings will be similar in color and material type as of the existing condominium units. Landscaping will be provided around the buildings and a decorative fence installed along Pollard Road. The floor plans and elevation plans submitted with the application are a representation of what is proposed.

Finally, this proposed PUD development is in compliance with the newly adopted Planned Unit Development District regulations. The City's PUD regulations encourage flexibility in locating buildings, encourages mixtures of building types, and connectivity to adjoining developments. This development meets those conditions.

The City will have a less dense development than what is allowed in an R-4 (14 units per acre) zone. R-4 allows 3 story buildings and the proposed height in this development is 2 stories, which will also match the building heights in the existing St. Charles Village.

With PUD approval, the developer will follow up with a preliminary subdivision application whereby plats will show each building location and the division of each building into the individual units/lots. Ultimately, with final plat approval these plats will be recorded in the County Probate Office.

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2015-66**

**ORDINANCE TO ANNEX PROPERTY CONTIGUOUS
TO THE CORPORATE LIMITS OF THE CITY OF DAPHNE**

**Property Located One Quarter Mile South of the Intersection of County Road 64 and
Pollard Road
Cadence Bank**

WHEREAS, on the 23rd day of July, 2015, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

WHEREAS, said petition did contain the signatures of all owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

WHEREAS, after proper publication, a public hearing was held by the City Council on October 19, 2015 concerning the petition for annexation; and

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on August 27, 2015, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation and said property; and

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

SECTION ONE: ANNEXATION

The City Council of the City of Daphne, Alabama finds that and declares as the legislative body of the City of Daphne, Alabama that it is in the best interest of the citizens of the City of Daphne, Alabama and the citizens of the affected area, to bring the territory described in Section Two of this Ordinance into the City of Daphne, Alabama, and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, et seq., Code of Alabama, 1975; effective on publication as required by Section 11-42-21, Code of Alabama 1975, as amended.

SECTION TWO: DESCRIPTION OF TERRITORY

The boundary lines of the City of Daphne, Alabama, be, and the same are hereby altered or rearranged so as to include all the territory hereto before encompassed by the corporate limits of the City of Daphne, Alabama and in addition thereto the following described property, to-wit:

Legal Description for Annexation:

LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE
1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY,
ALABAMA.

SECTION THREE: MAP OF PROPERTY

The property hereby annexed into the City of Daphne, Alabama is set forth and described in Exhibit “A” and attached hereto a map of the property (*Exhibit “B”*) showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this ordinance.

SECTION FOUR: PUBLICATION

This Ordinance shall be published as required by Section 11-42-21 Code of Alabama 1975, as amended, and the property described herein shall be annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama as required by Section 11-42-21, Code of Alabama 1975, as amended.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS THE _____ DAY OF _____, 2015.

Dane Haygood,
Mayor

ATTEST:

Rebecca A. Hayes,
City Clerk

EXHIBIT A

Legal Description for Annexation:

LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE
PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2015-67**

**Zoning District Map
Revision to the City of Daphne
Land Use and Development Ordinance**

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on July 30, 2015 favorably recommended to the City Council of the City of Daphne certain amendments to the Daphne Land Use and Development Ordinance / Zoning District Map approved and adopted by No. 2011-54 and 2014-38; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of 2014-38; and

WHEREAS, due notice of said proposed zoning map amendments has been provided to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on October 19, 2015; and

WHEREAS, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission believe it in the best interest of the health, safety and welfare of the citizens of the City of Daphne to amend said Zoning District Map as recommended; and

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

SECTION I: ZONING DISTRICT MAP

The Zoning District Map referenced hereto as Exhibit "A" shall be the official zoning map of the City of Daphne, Alabama and shall be further designated in Appendix H of the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2011-54 and its amendments.

SECTION II: REPEALER

Ordinance No. 2011-54, Appendix H "Exhibit A", and Ordinance No. 2014-38 are hereby repealed, and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THE _____ DAY OF _____, 2015.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Zoning & Street Map Updates

July 1, 2014 through June 31, 2015

Typically, every six months the Department of Community Development creates new official city zoning and street maps for the Council's adoption. In this case, it has been one year since these official maps have been amended. All modifications shown on these two maps have been approved by the Planning Commission (recorded preliminary/final and/or final subdivision plat) and/or the City Council (annexation, zoning and/or street acceptance resolution). The following provides a summary of the growth and development of the City for the past year.

- **ANNEXATION:** During this period the corporate boundaries have expanded, annexing 53.99 acres which equates to 0.08435938 square miles. The *City limits increased from 16.62 sq. miles to 16.704 sq. miles.* 1 acre = 0.0015625 sq. miles.
- **ZONING:** During this period the City has *rezoned 2.66 acres to B-2, General Business and 51.33 acres to R-1, Single Family Residential.*
- **INFRASTRUCTURE:** During this period the city has *accepted a total of 7520.74 linear feet of additional roads or rights of way for maintenance in Phase 11 of Timbercreek, Unit 2, Part B of Brookhaven Subdivision, and Ray's Lane.*
- **DEVELOPMENT:** During this period the Planning Commission has *approved subdivisions with 20 new single family residential lots in the City and 92 new residential lots in our Extra-Territorial Jurisdiction.*

| Instrument | Council Approval | Action | Size |
|--|-------------------------|---|--------------------------|
| Annexation | | | |
| Ordinance 2014-34 White Spinner KIDCO-SIDNO #1473861 | August 18, 2014 | Approved annexation | 0.63 acres |
| Ordinance 2014-59, Provision Investment, LLC #1495090 | January 5, 2015 | Approved annexation (with R-1 zoning) | 51.33 ac |
| Ordinance 2015-16, Jubilee Properties, LLC #1509952 | April 6, 2015 | Approved annexation | 2.03 acres |
| Rezoning | | | |
| Ordinance 2014-33, White Spinner KIDCO-SIDNO (NW Intersection of CR 64 & 13) #1473862 | August 18, 2014 | Approved B-2 zoning | 0.63 acres |
| Ordinance 2014-59, Provision Investment, LLC #1495090 | January 5, 2015 | Approved R-1 zoning | 51.33 ac |
| Ordinance 2015-15, Jubilee Properties, LLC #1509953 | April 6, 2015 | Approved B-2 zoning | 2.03 acres |
| Street Acceptances | | | |
| Timber Creek Phase 11 | August 04, 2014 | Council Resolution 2014-43 Accepted Dedication | 6,570 total linear feet |
| Brookhaven Subdivision | November 17, 2014 | Council Resolution 2014-55 Accepted Dedication | 633.74 total linear feet |
| Rays Lanc | July 6, 2015 | Council Resolution 2015-44 Private to Public Road | 317 total linear feet |

ORDINANCE 2015-68

ADOPTING THE FISCAL YEAR 2016 CAPITAL/NEW PERSONNEL BUDGET

WHEREAS, the Mayor of the City of Daphne has submitted to the City Council capital and personnel requests for Fiscal Year 2016 which begins October 1, 2015 and ends September 30, 2016 (the “FY16 Capital/New Personnel Budget”); and

WHEREAS, the City Council has reviewed and considered such proposed capital and personnel requests; and

WHEREAS, the City Council has determined that funds are available for certain Fiscal 2016 appropriations and such appropriations should be considered, approved and made a part of the Fiscal Year 2016 budget; and

WHEREAS, City Departments have submitted new Personnel & Capital requirements; and

WHEREAS, the Mayor and City Council have reviewed such requests and prioritized them according to needs and available funds and has incorporated them into the FY16 Capital Budget;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2016 Capital and New Personnel Budget is hereby appropriated in the amount \$870,820 (\$746,229 for capital equipment and \$124,591 for personnel requests) from the General Fund. In addition, \$782,238 is to be appropriated from the 2014 Construction Fund, \$600,000 from the Capital Reserve Fund, \$200,000 from the Lodging Tax Fund, and \$21,500 from the Drug Forfeiture Special Revenue Fund for the Fiscal Year 2016 Capital and New Personnel Budget. Such appropriations are itemized in the attached list and made a part hereof.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2015.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Summary of Mayor Approved Capital Requests

| Department | Description | FY 2016 Budget | | Fund |
|---------------------|---|----------------|------------|--------------------------|
| | | Total Cost | Effect | |
| Human Resources | Munis - Employee Self Service Module | 8,775.00 | 8,775.00 | GENERAL FUND |
| Finance | Paperless / Electronic Filing Module | 19,825.00 | 19,825.00 | GENERAL FUND |
| Legislative | Audio / Visual Improvements in Council Chamber & Executive Conference Room | 25,000.00 | 25,000.00 | GENERAL FUND |
| Building Maint | 2015 Ford Transit 350 Van | 33,000.00 | 10,000.00 | GENERAL FUND |
| Fire | Fire Station #2 Remodel to fix mold issues | 242,036.00 | 330,000.00 | GENERAL FUND |
| Fire | Fire Station #4 Driveway replacement (in-house by PW) | 8,754.00 | 8,754.00 | GENERAL FUND |
| PD - S.W.A.T. | Tactical Radio Headsets | \$13,500 | \$13,500 | CONFISCATED FUNDS |
| PD - S.W.A.T. | Modular Intergrateds Combat Helmets | \$8,000 | \$8,000 | CONFISCATED FUNDS |
| PD - Patrol | 6 Replacement Vehicles & Vehicle Equipment - LEASED Quarter 3 | 300,000.00 | 33,000.00 | GENERAL FUND |
| Code Enforcement | Vehicle for new Code Enforcement officer (\$36K) & operating expenses (\$3,250) | 39,250.00 | 33,625.00 | GENERAL FUND |
| Building Inspection | Vehicle for new Building Inspector (\$25K Vehicle, \$1,250 Vehicle Insurance) | 26,250.00 | 26,250.00 | GENERAL FUND |
| PW - Grounds | Ford F 150 Regular Cab - LEASED Quarter 1 | 23,000.00 | 10,000.00 | GENERAL FUND |
| PW - Mowing | 6 - Outfront Mowers - LEASED Quarter 2 | 210,000.00 | 37,000.00 | GENERAL FUND |
| PW - Mech Shop | Oil / Grit Seperator (Top Priority for MS-4 Audit Compliance) | 20,000.00 | 20,000.00 | GENERAL FUND |
| Recreation | Drag Machine | \$18,000 | 18,000.00 | LODGING TAX - Recreation |
| Recreation | John Deere Gator Utility Vehicle | \$7,500 | 7,500.00 | LODGING TAX - Recreation |
| Recreation | Chemical Sprayer | \$20,000 | 20,000.00 | LODGING TAX - Recreation |
| Recreation | John Deere 72" Z Trac Mower | \$12,000 | 12,000.00 | LODGING TAX - Recreation |
| Recreation | New Fencing & Backstops at Trione Sports Complex | \$100,000 | 100,000.00 | LODGING TAX - Recreation |
| Recreation | 2016 Dodge R1500 Crew Cab Pick-Up Truck | 25,000.00 | 25,000.00 | GENERAL FUND |
| Recreation | Reseal / Coat Trione Parking Lot | \$15,000 | 15,000.00 | LODGING TAX - Recreation |
| Recreation | Widen Eastern Entrance / Exit to Trione Park | \$20,000 | 20,000.00 | LODGING TAX - Recreation |
| Recreation | Additional funds to refurbish the Trione Restrooms | \$7,500 | 7,500.00 | LODGING TAX - Recreation |
| Civic Center | Gutter System Clean out, replace & repair | 20,000.00 | 20,000.00 | GENERAL FUND |
| Civic Center | Arena Floors | 55,000.00 | 55,000.00 | GENERAL FUND |

Summary of Mayor Approved Capital Requests

| Department | Description | Total Cost | FY 2016 Budget Effect | Fund |
|-------------------|--|-------------------|------------------------------|--------------------------|
| Recycling | Protainer Compactor - LEASE Quarter 3 | 50,000.00 | 9,000.00 | GENERAL FUND |
| PROJECTS | Sewer Projects | | | |
| PROJECTS | Sewer Project Funding (1 of 2) | 782,238.40 | 782,238.40 | 2014 CONSTRUCTION FUND |
| PROJECTS | Sewer Project Funding (2 of 2) | 600,000.00 | 600,000.00 | CAPITAL RESERVE |
| PROJECTS | Fire Department Ladder Truck Lease Payments | 75,000.00 | 75,000.00 | GENERAL FUND |
| PROJECTS | CR13 Sidewalk Match - Included in Capital Reserve Budget | | <u>2,349,967.40</u> | |
| | | | 746,229.00 | GENERAL FUND |
| | | | 782,238.40 | 2014 CONSTRUCTION FUND |
| | | | 600,000.00 | CAPITAL RESERVE |
| | | | 200,000.00 | LODGING TAX - Recreation |
| | | | 21,500.00 | CONFISCATED FUNDS |
| | | | <u>2,349,967.40</u> | |

FY 2016 NEW PERSONNEL REQUESTS

Fire (FF Upgrade to Medic)

| | | Wage | Payroll Related | Other Payroll | Total | | |
|------------------|--------|----------|-----------------|---------------|----------------|---------|---------|
| Medic | PF21:4 | \$40,911 | \$6,161 | \$7,477 | \$54,549 | | |
| FF | PF20:1 | \$36,689 | \$6,063 | \$7,450 | \$50,202 | | |
| Increase: | | | | | \$4,347 | APPROVE | \$4,347 |

Fire

| | | Wage | Payroll Related | Other Payroll | Total | | |
|---------------|--------|----------|-----------------|---------------|------------------|---------|----------|
| New FF#1 | PF20:1 | \$36,689 | \$6,063 | \$7,450 | \$50,202 | APPROVE | \$50,202 |
| New FF#2 | PF20:1 | \$36,689 | \$6,063 | \$7,450 | \$50,202 | | |
| New FF#3 | PF20:1 | \$36,689 | \$6,063 | \$7,450 | \$50,202 | | |
| Total: | | | | | \$150,605 | | |

Building Inspection

| | | Wage | Payroll Related | Other Payroll | Total | | |
|--------------------|--------|----------|-----------------|---------------|----------|---------|----------|
| Building Inspector | PF17:4 | \$36,270 | \$5,462 | \$6,251 | \$47,983 | APPROVE | \$47,983 |

Recreation & Library to share position

| | | Wage | Payroll Related | Other Payroll | Total |
|-----------|-----|----------|-----------------|---------------|----------|
| Custodian | 4:4 | \$21,607 | \$3,254 | \$6,049 | \$30,910 |

P.D.

| | | Wage | Payroll Related | Other Payroll | Total | | |
|---|--------|----------|-----------------|---------------|-------------------|---------|-------------------|
| Code Enforcement | PS12:1 | \$28,602 | \$4,308 | \$6,340 | \$39,250 | APPROVE | \$39,250 |
| 2nd Code Enforcement Position included in budget. GL 146500 / 50700 & Associated Benefits Reduced | | | | | (\$39,250) | APPROVE | (\$39,250) |
| Net Budget Affect: | | | | | \$0 | | |

PD (Pending Grant Approval)

| | | Wage | Payroll Related | Other Payroll | Total | | |
|--------------------------|--------|----------|-----------------|---------------|------------------|----------------------|--|
| Police Officer #1 | PS20:1 | \$38,533 | \$5,803 | \$6,986 | \$51,322 | If COPS Grant Funded | |
| Police Officer #2 | PS20:1 | \$38,533 | \$5,803 | \$6,986 | \$51,322 | If COPS Grant Funded | |
| Total: | | | | | \$102,644 | | |
| Cops Grant Pays 75%: | | | | | \$76,983 | | |
| City Portion 25%: | | | | | \$25,661 | | |

Communications

| | | Wage | Payroll Related | Other Payroll | Total |
|-----------------------------------|------|----------|-----------------|---------------|-----------------|
| PT Call-In Dispatcher (28 hrs/wk) | 11:1 | \$19,056 | \$2,870 | \$508 | \$22,434 |
| PT Call-In Dispatcher (28 hrs/wk) | 11:1 | \$19,056 | \$2,870 | \$508 | \$22,434 |
| Total: | | | | | \$44,868 |

Building Maintenance

| | | Wage | Payroll Related | Other Payroll | Total |
|--|------|-------------------|------------------|------------------|-------------------|
| Facility Manager | 22:4 | \$43,131 | \$6,496 | \$7,173 | \$56,800 |
| Eliminate Building Maintenance Supervisor Position | 18:4 | (\$38,083) | (\$5,446) | (\$7,009) | (\$50,538) |
| Bldg. Main. Tech Sr. | 13:1 | \$29,291 | \$4,411 | \$6,833 | \$40,535 |
| Buld. Main. Tech | 11:1 | \$27,222 | \$4,100 | \$6,783 | \$38,105 |
| Total: | | | | | \$84,902 |

Public Works Administration

| | | Wage | Payroll Related | Other Payroll | Total |
|--------------------------|------|----------|-----------------|---------------|------------------|
| Administrative Secretary | 10:1 | \$26,176 | \$3,942 | \$5,895 | \$36,013 |
| Superintendent | 27:1 | \$43,825 | \$6,600 | \$5,980 | \$56,405 |
| Yard Manager | 16:1 | \$32,405 | \$4,880 | \$5,931 | \$43,216 |
| Total: | | | | | \$135,634 |

Streets

| | | Wage | Payroll Related | Other Payroll | Total |
|---------------------------|------|----------|-----------------|---------------|----------|
| Public Service Worker Sr. | 11:1 | \$27,222 | \$4,100 | \$7,458 | \$38,780 |

Grounds (PT Upgrade to FT)

| | | Wage | Payroll Related | Other Payroll | Total |
|--------------------------|-----|----------|-----------------|---------------|-----------------|
| FT Public Service Worker | 6:4 | \$23,857 | \$3,593 | \$6,895 | \$34,345 |
| PT Public Service Worker | 6:4 | \$14,314 | \$1,095 | \$629 | \$16,038 |
| Increase: | | | | | \$18,307 |

Grounds (PSW SR. Upgrade to Crew Leader)

| | | Wage | Payroll Related | Other Payroll | Total |
|---------------------------|------|----------|-----------------|---------------|----------------|
| Crew Leader | 14:3 | \$32,019 | \$4,822 | \$12,810 | \$49,651 |
| Public Services Worker SR | 11:3 | \$28,745 | \$4,329 | \$12,653 | \$45,727 |
| Increase: | | | | | \$3,924 |

Solid Waste

| | | Wage | Payroll Related | Other Payroll | Total |
|---------------------------|------|----------|-----------------|---------------|----------|
| Public Service Worker Sr. | 11:1 | \$27,222 | \$4,100 | \$7,458 | \$38,780 |

Mowing

| | | Wage | Payroll Related | Other Payroll | Total | | |
|--|------|----------|-----------------|---------------|-------------------|---------|-------------------|
| Crew Leader | 14:1 | \$32,019 | \$4,569 | \$7,141 | \$43,729 | APPROVE | \$43,729 |
| New hire to start April 1, 2016. FY16 Savings | | | | | (\$21,865) | APPROVE | (\$21,865) |
| Overtime reduction from hiring. Associated GL# 165200-51178 Reduction. | | | | | | APPROVE | |

Human Resources

| | | Wage | Payroll Related | Other Payroll | Total | | |
|---------------------------------------|-------|-------------------|------------------|------------------|-------------------|---------|-------------------|
| Senior Human Resource Specialist | 18:12 | \$46,017 | \$6,580 | \$6,015 | \$58,612 | APPROVE | \$58,612 |
| Eliminate Safety Coordinator Position | 27:1 | (\$57,836) | (\$8,271) | (\$6,039) | (\$72,146) | APPROVE | (\$72,146) |
| Increase: | | | | | (\$13,534) | | |

Executive

| | | Wage | Payroll Related | Other Payroll | Total |
|--|------|-------------------|------------------|------------------|-------------------|
| General Government Director | 29:1 | \$51,525 | \$7,760 | \$7,194 | \$66,479 |
| Eliminate Executive Assistant Position | 14:5 | (\$35,863) | (\$5,128) | (\$6,029) | (\$47,020) |
| Increase: | | | | | \$19,459 |

Seniors Program

| | | Wage | Payroll Related | Other Payroll | Total | | |
|--|------|----------|-----------------|---------------|-------------------|---------|-------------------|
| Volunteer Coordinator | 14:1 | \$32,019 | \$4,569 | \$7,141 | \$43,729 | APPROVE | \$43,729 |
| SARPC Reimbursement contracted services for 20-25 hours a week employee & office space | | | | | (\$30,000) | APPROVE | (\$30,000) |
| Increase: | | | | | \$13,729 | | |

TOTAL FY 2016 NEW PERSONNEL REQUESTS: \$727,334 TOTAL APPROVED: \$124,591