

**CITY OF DAPHNE  
CITY COUNCIL MEETING AGENDA  
1705 MAIN STREET, DAPHNE, ALABAMA  
JANUARY 19, 2015  
6:30 P.M.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**

**INVOCATION** / Reverend Charles Jackson with Macedonia Missionary Baptist Church

**PLEDGE OF ALLEGIANCE**

- 3. APPROVE MINUTES:** Council Meeting Minutes / January 4, 2016  
Council Work Session Minutes / January 11, 2016

**PRESENTATION:** Daphne Strike Club / Mrs. Ruth Sewell

**4. REPORTS OF STANDING COMMITTEES:**

**A. FINANCE COMMITTEE – Fry**

Review minutes / January 11<sup>th</sup>

**1) Ordinances:**

a) Appropriation of Funds: Lott Park Fence / Little Bethel Baptist Church Graveyard /  
**Ordinance 2016-02**

b) Appropriation of Funds: Recreation Equipment / **Ordinance 2016-03**

c.) Appropriation of Funds: Sidewalk/Boardwalk Improvements / **Ordinance 2016-04**

**2) Resolutions:**

a) Retirement of Police K-9 Drug Dog / **Resolution 2016-03**

**3) Motions:**

a) To renew the City's insurance policy with \_\_\_\_\_ Company, Inc.

**4) Financial Reports:**

- Treasurers Report / December 2015
- Sales & Use Tax Collections / November 2015
- Lodging Tax Collections / November 2015

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

Review minutes / January 4<sup>th</sup>

**C. PUBLIC SAFETY - Conaway**

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

**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**

**C. INDUSTRIAL DEVELOPMENT BOARD – Phillips**

**D. LIBRARY BOARD – Lake**

Review minutes / October 8, 2015 / November 19, 2015 / December 10, 2015

**E. PLANNING COMMISSION – Scott**

**F. UTILITY BOARD – Fry**

**6. MAYOR’S REPORT**

**7. CITY ATTORNEY’S REPORT**

**8. DEPARTMENT HEAD’S REPORT**

**9. CITY CLERK’S REPORT**

a) Events Permit / Shadow Barons Mardi Gras Parade / February 6, 2016

b) Approve Chamber of Commerce requests in the attached letter for the 28<sup>th</sup> Annual Jubilee Festival

**10. PUBLIC PARTICIPATION**

**11. RESOLUTIONS AND ORDINANCES:**

**RESOLUTIONS:**

a) **Resolution 2016-03.....Retirement of Police K-9 Drug Dog**

**ORDINANCES:**

**2<sup>ND</sup> READ**

- a) **Ordinance 2016-01**.....Repealing and Replacing Ordinances 2007-37 and 2007-38 Regarding the Rules and Regulations for Daphne City Parks

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

- a) **Ordinance 2016-02**..... Appropriation of Funds: Lott Park Fence / Little Bethel Baptist Church Graveyard
- b) **Ordinance 2016-03**..... Appropriation of Funds: Recreation Equipment
- c) **Ordinance 2016-04**..... Appropriation of Funds: Sidewalk/Boardwalk Improvements

**12. COUNCIL COMMENTS**

**13. ADJOURN**

<p><b>Adopted Ordinances and Resolutions from the January 4, 2016 Council Meeting</b></p>
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**CITY OF DAPHNE  
CITY COUNCIL**

**ROLL CALL**

**CITY COUNCIL:**

<b>COUNCILWOMAN CONAWAY</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN LAKE</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN FRY</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN SCOTT</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN LEJEUNE</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILWOMAN PHILLIPS</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCIL PRESIDENT RUDICELL</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____

**MAYOR:**

<b>MAYOR HAYGOOD</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
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**CITY CLERK:**

<b>REBECCA HAYES</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
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**CITY ATTORNEY:**

<b>JAY ROSS</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
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**JANUARY 4, 2016  
CITY COUNCIL MEETING  
REGULAR BUSINESS MEETING  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

**1. CALL TO ORDER:**

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

**2. ROLL CALL**

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

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Jay Ross, City Attorney; Kevin Boucher, City Attorney; James White, Fire Chief; David McKelroy, Recreation Director; Kelli Kichler, Finance Director/Treasurer; Margaret Thigpen, Civic Center Director; Richard Johnson, Public Works Director; Tonja Young, Library Director; Captain Scott Taylor; Police Department; Larry Cooke, BZA; Dorothy Morrison, Beautification Committee/DRA; Laurel Anderson; Beautification Committee; Rebecca Trosclair, Beautification Committee; Tomasina Werner, Beautification Committee; Bob Segalla, Utility Board; Denis Kearney, IDB; Al Guarisco, Village Point Foundation.

Absent: Vickie Hinman, HR Director; Richard Merchant, Building Official; David Carpenter, Police Chief; Adrienne Jones, Planning Director.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

Rabbi Dana Evan Kaplan of Springhill Avenue Temple gave the invocation.

**3. APPROVE MINUTES:**

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

**PUBLIC HEARING: Proposed Redistricting of the Voting Districts / Ordinance 2015-71**

Council President Rudicell Opened the Public Hearing at 6:39 p.m.

**Mr. Willie Williams – Pollard Road** – handed out a letter from Mr. Fred McBride representing the Baldwin County Martin Luther King Celebration Committee, Inc. and the Baldwin County NAACP, and a number of concerned citizens of Daphne , (*letter attached to these minutes*) and spoke regarding the redistricting of the minority district, and asked council not to vote on the ordinance until they have heard from Mr. McBride.

Council requested the City Attorney to reach out to Mr. McBride and report back to council.

Council President Rudicell closed the Public Hearing at 6:43 p.m.

**4. REPORT OF STANDING COMMITTEES:**

**A. *FINANCE COMMITTEE* – Fry**

The next meeting will be Monday at 4:30 p.m.

**B. *BUILDINGS & PROPERTY COMMITTEE* – Lake**

The committee met today, and the minutes will be in the next packet.

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**C. PUBLIC SAFETY COMMITTEE** – Conaway

The minutes for the December 21<sup>st</sup> meeting are in the packet, and the next meeting will be January 19<sup>th</sup>.

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

The committee met today, and the minutes will be in the next packet. The next meeting will be January 19<sup>th</sup> after the Public Safety meeting.

**E. PUBLIC WORKS COMMITTEE** – LeJeune

The committee met today, and the minutes will be in the next packet. The next meeting will be February 1<sup>st</sup>.

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

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

No report.

**B. Downtown Redevelopment Authority** – Conaway

The minutes for the December 2<sup>nd</sup> meeting are in the packet. The next meeting will be January 26<sup>th</sup>, 2016 at 5:30 p.m.

**C. Industrial Development Board** – Phillips

The minutes for the December 3<sup>rd</sup> special called meeting and the minutes for the December 16<sup>th</sup> special called meeting are in the packet. The next meeting will be January 27<sup>th</sup> at 6:00 p.m.

**D. Library Board** – Lake

A new history series will be on the Four Dominate World Powers –The Islamic State, Russia, China and the United States - What can the World Expect? The series schedule is 10:00 a.m. at the Civic Center on: January 13<sup>th</sup> - Islamic State; January 20<sup>th</sup> - Russia; January 28<sup>th</sup> - China and February 3<sup>rd</sup> - United States.

**E. Planning Commission** – Scott

The minutes of the November 5<sup>th</sup> special called meeting and the staff report for the December 17<sup>th</sup> meeting are in the packet.

**MOTION:** Schedule a Public Hearing date for February 1, 2016 and approve advertising to consider:

**MOTION BY Council Lake to schedule a Public Hearing date for February 1, 2016 and approve advertising to consider:**

**1. Revisions to the Land Use and Development Ordinance / Revisions to the Olde Towne District Map  
(The Public Hearing was set for January 18, 2016, but that date is a holiday)**

**Recommendation: Favorable**

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- |                             |   |
|-----------------------------|---|
| <b>2.) Pre-Zone:</b>        | <b>Red Barn, LLC</b>  |
| <b>Location:</b>            | <b>South and West of Oldfield Subdivision, Phase One</b>  |
| <b>Present Zoning:</b>      | <b>RA, Rural Agricultural, Baldwin County District 15 in the extraterritorial planning jurisdiction of Daphne</b>                                       |
| <b>Proposed Pre-Zoning:</b> | <b>R-2, Medium Density Single Family Residential District; R-3, High Density Single Family Residential District and R-6, Garde/Patio Homes District</b> |
| <b>Recommendation</b>       | <b>Unanimous Favorable</b>  |
| <b>3.) Annexation:</b>      | <b>Red Barn, LLC</b>  |
| <b>Location:</b>            | <b>South and West of Oldfield Subdivision, Phase One</b>  |
| <b>Recommendation:</b>      | <b>Unanimous Favorable</b>  |

*Seconded by Council Scott.*

**MOTION CARRIED UNANIMOUSLY**

***F. Utility Board – Fry***

There will not be a meeting in December; next meeting will be in January.

**6. MAYOR'S REPORT**

Mayor Haygood reported that they are in the process of closing on several pieces of property.

**7. CITY ATTORNEY REPORT:**

No report.

**8. DEPARTMENT HEAD COMMENTS:**

***David McKelroy – Recreation Director*** – reported adult soccer and youth basketball is starting.

***Richard Johnson – Public Works Director*** – reported the grand opening of Daphne Central Park is Saturday January 9<sup>th</sup> at 10:00 a.m.

**9. CITY CLERK REPORT:**

a.) Events Permit / Bayside Medical Missions / September 17, 2016

**MOTION BY Councilman Scott to approve the Events Permit for Bayside Medical Missions / September 17, 2016. *Seconded by Councilman LeJeune.***

**MOTION CARRIED UNANIMOUSLY**

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**b.) MOTION:** To authorize the Mayor to enter into a memorandum of agreement with the City of Spanish Fort and the Mobile Bay Estuary Program

**MOTION BY Councilwoman Phillips to authorize the Mayor to enter into a memorandum of agreement with the City of Spanish Fort and the Mobile Bay Estuary Program. Seconded by Councilman LeJeune.**

**MOTION CARRIED UNANIMOUSLY**

**c.) Clarify / Resolution 2015-75 / Deep Water Horizon Funds Expenditure**

At the last council meeting council referred to the signed resolution 2015-75 as not being the one that was adopted by council. Mrs. Hayes explained that it was an honest mistake, not some covert action. Due to the death of her father the day the packet was being put together Mrs. Hayes had to leave, and the assistant city clerk was finishing the packet. Mrs. Hayes was waiting on a revision to the resolution when she had to leave, and the assistant city clerk put the revised resolution in the packet. When the Mrs. Hayes returned from bereavement leave she printed out the old version for the Mayor to sign not realizing that was not the one that was adopted. On advice from legal she printed out the right version for the Mayor to sign, since that was the one that was adopted, and said it would be good to clarify what happened so it could be recorded in the minutes. Mrs. Hayes said that she would e-mail the correct signed version to council after the meeting.

Council was satisfied with this explanation.

Councilman Scott said that it would be a good idea to put all signed ordinances and resolutions in the packets so that they could see that the right version was signed by the Mayor.

**10. PUBLIC PARTICIPATION**

**Mr. Willie Williams – Pollard Road** – spoke regarding the Martin Luther King Day Celebration being in Bay Minette for 2016.

**11. RESOLUTIONS & ORDINANCES:**

**RESOLUTIONS:**

- a.) **Resolution 2016-01**.....Acceptance of Streets & Drainage & Rights- of- Way In the Retreat at Tiawasee Subdivision
  
- b.) **Resolution 2016-02**.....Acceptance of Streets & Drainage / Portion of Lakeshore Drive In Lakeview Townhomes, Phase II and III

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- Resolution 2016-01**.....Acceptance of Streets & Drainage & Right-of-Way in the Retreat at Tiawasee Subdivision  
**Resolution 2016-02**.....Acceptance of Streets & Drainage / Portion of Lakeshore Drive in Lakeview Townhomes, Phase II and III

**MOTION BY Councilman Scott to waive the reading of Resolutions 2016-01 and 2016-02. *Seconded by Councilman Fry.***

**MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman Scott to adopt Resolutions 2016-01 and 2016-02. *Seconded by Councilman Fry.***

**MOTION CARRIED UNANIMOUSLY**

**ORDINANCES:**

**2<sup>ND</sup> READ**

**2<sup>ND</sup> READ**

- a.) **Ordinance 2015-71**.....Establishing District Line for the City of Daphne
- b.) **Ordinance 2015-74**.....Annexation: Russell Steiner / Located Southeast of Interstate 10 and Blakely River
- c.) **Ordinance 2015-75**.....Appropriation of Funds: Civic Center Roof Repair
- d.) **Ordinance 2015-76**..... ADEM / 319 Tiawasee Creek Sub-Watershed Management Project
- e.) **Ordinance 2015-78**..... Appropriation of Additional Lodging Tax Funds: TAP: Gator Alley Turnout / Overlook Drainage / Scenic Improvements
- f.) **Ordinance 2015-79**..... Appropriation of Funds: Grant Proposal Writing, Consulting and Management Services for All City Grants / Grant Management LLC
- g.) **Ordinance 2015-80**..... Removing Contingency Regarding Funds to Thomas Hospital

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**Ordinance 2015-71. . . . .** Establishing District Lines for the City of Daphne

**MOTION BY Councilwoman Conaway to withdraw Ordinance 2015-71 from the agenda. *Seconded by Councilman Lake.***

**MOTION CARRIED UNANIMOUSLY**

Council President Rudicell requested that the letter from Mr. McBride be sent to Cynthia Feirman for review.

**Ordinance 2015-74. . . . .**Annexation: Russell Steiner Property / Located Southeast of Interstate 10

**MOTION BY Councilman Lake to waive the reading of Ordinance 2015-74. *Seconded by Councilwoman Phillips.***

**MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman Lake to adopt Ordinance 2015-74. *Seconded by Councilman Scott.***

**MOTION CARRIED UNANIMOUSLY**

**Ordinance 2015-75. . . . .**Appropriation of Funds: Civic Center Roof Repair

**Ordinance 2015-76. . . . .**ADEM / 319 Tiawasee Cree Sub-Watershed Management Project

**Ordinance 2015-78. . . . .**Appropriation of Additional Lodging Tax Funds: TAP: Gator Alley Turnout / Overlook Drainage / Scenic Improvements

**Ordinance 2015-79. . . . .**Appropriation of Funds: Grant Proposal Writing, Consulting and Management Services for All City Grants / Grant Management LLC

**Ordinance 2015-80. . . . .** Removing Contingency Regarding Funds to Thomas Hospital

**MOTION BY Councilman Scott to waive the reading of Ordinances 2015-75, 2015-76, 2015-78, 2015-79 and 2015-80. *Seconded by Councilman Fry.***

**MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman Scott to adopt Ordinance 2015-75. *Seconded by Councilwoman Conaway.***

**MOTION CARRIED UNANIMOUSLY**

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MOTION BY Councilman Scott to adopt Ordinance 2015-76. *Seconded by Councilwoman Phillips.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Ordinance 2015-78. *Seconded by Councilman Fry.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Ordinance 2015-79. *Seconded by Councilman Fry.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Ordinance 2015-80. *Seconded by Councilman Lake.*

MOTION BY Councilwoman Phillips to amend Ordinance 2015-80 to include the phrase that funds are subject to future funding by the City Council for each consecutive year.

VOTE ON AMENDMENT

AYE Lake, Fry, Scott, LeJeune, Phillips, Rudicell

ABSTAIN Conaway

MOTION CARRIED

VOTE ON ORIGINAL MOTION AS AMENDED

AYE Lake, Fry, Scott, LeJeune, Phillips, Rudicell

ABSTAIN Conaway

MOTION CARRIED

1<sup>ST</sup> READ

- a.) Ordinance 2016-01. . . . . Repealing and Replacing Ordinances 2007-37 and 2007-38  
Regarding the Rules and Regulations for Daphne City Parks

ORDINANCE 2016-01 WAS MADE A 1<sup>ST</sup> READ

**JANUARY 4, 2016  
CITY COUNCIL MEETING  
REGULAR BUSINESS MEETING  
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6:30 P.M.**

**12. COUNCIL COMMENTS**

*Councilwoman Conaway* – wished everyone a happy New Year. She thanked the residents of Park City for their concern for Park City.

*Councilman Lake* – wished everyone a happy New Year. He spoke regarding the Governor spending \$1 million of BP funds to refurbish the Governor’s mansion when he consistently rejected Daphne’s request to use those funds by saying you can use them for economic development. He felt this was unfair since refurbishing the Governor’s mansion is not economic development.

*Councilman Fry* – thanked everyone for coming out, and wished everyone a healthy and prosperous New Year. He said he hopes to see everyone at the ribbon cutting for Daphne Central Park. He said it is a nice facility and everyone should check it out.

*Councilman Scott* – wished everyone a happy New Year, and thanked everyone for their input. He invited all to come out to Daphne Central Park.

*Councilman LeJeune* – wished everyone a happy New Year, and reminded everyone Mardi Gras day is February 9<sup>th</sup>.

*Councilwoman Phillips* – wished everyone a happy New Year, and thanked Mr. Williams for being diligent on the redistricting issue. She said there is no ill intent on the part of the council. She thanked him for the invitation to the MLK festivities.

*Councilwoman Rudicell* – gave the work session agenda which will consist of polling places, and council and mayor salary. For the special called council meeting on January 25<sup>th</sup> they will discuss the new recreation facilities, and in March they will discuss employee insurance.

**13. ADJOURN:**

**MOTION BY Councilman Lake to adjourn *Seconded by Councilwoman Phillips.***

**MOTION CARRIED UNANIMOUSLY**

**THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:25 P.M.**

Respectfully submitted by,

Certification of Presiding Officer

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

\_\_\_\_\_  
Pat Rudicell,  
Council President



January 4, 2016

Daphne City Hall  
 P.O. Box 400  
 Daphne, Alabama 36526

**Re: Daphne, AL City Council Proposed Redistricting Plan**

Dear Daphne City Council Members:

We represent the Baldwin County Martin Luther King Celebration Committee Inc., Baldwin County NAACP, and a number of concerned Daphne, Alabama citizens who have asked us to review the new redistricting plan being proposed for the election of the Daphne City Council. On behalf of our clients, and based on that review, we write to ask you to refrain from enacting these new districts at this time. While we appreciate that the City Council may redraw its districts to provide fair and equal voting opportunities for citizens as long as such action complies with the Voting Rights Act, our review of the proposed new districts suggests that they do not meet all the applicable legal standards, as detailed below.

It is with great concern that we address this matter on behalf of Daphne, AL citizens who are concerned that such efforts may dilute their voting rights and adversely affect their opportunity to elect candidates of choice. The Southern Coalition for Social Justice (SCSJ) is a regional community lawyering organization that partners with communities of color and economically disadvantaged communities to defend and advance their political, social and economic rights. We use the combined skills of lawyers, social scientists, community organizers and media experts to help underrepresented people develop strategies to achieve their vision for their communities. SCSJ does this through three primary activities: (1) community organizing and coalition building; (2) policy advocacy and research; and (3) litigation and pre-litigation legal advocacy.

We have examined the proposed plan for new districts for the Daphne City Council but are constrained in our ability to assess their Voting Rights Act implications because of the data limitations. According to information provided after the Daphne City Council Public Meeting of December 7, 2015, Table I below lists the total population, population difference, and percent population difference for the proposed City of Daphne redistricting plan. Ideal district size is

Table I. City of Daphne Proposed Redistricting Plan Population Figures

DISTRICT	TOTAL POPULATION	POPULATION DIFFERENCE	% POPULATION DIFFERENCE
1	3007	-74	-2.42%
2	3011	-70	-2.29%
3	3021	-60	-1.96%
4	3169	88	2.84%
5	3166	85	2.74%

6	3243	162	5.24%
7	2953	-128	-4.17%

determined by dividing the total population by the number of seats involved. Deviation is determined by calculating the extent to which an actual district is larger (has a "+" deviation) or smaller (has a "-" deviation) than the ideal district size. Plans with a total population deviation (the sum of the largest plus and minus deviations) under 10 percent are presumptively regarded as complying with the one person, one vote principle.<sup>1</sup> Based on the 2010 Census, the total population of the City of Daphne is 21,570 resulting in an ideal district size of 3,081 persons. Further, District 6 is over the required 5 percent threshold per district and the entire plan has a 9.41 percent deviation. For state and local offices one person, one vote requires the jurisdiction to make "an honest and good faith effort" to construct districts with as near to equal population as is practicable.<sup>2</sup>

Section 2 of the Voting Rights Act provides that a voting practice is unlawful if it "results" in discrimination, thereby providing minorities with "less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice."<sup>3</sup> District 1 has a total Black NonHispanic population of 40.31 percent. Voting age population figures are not listed on the information provided thereby raising questions about efforts to ensure that the proposed plan addressed minority group concerns.

Given concerns over population equality and adherence to traditional redistricting principles, possible voting rights issues, recent annexations not reflected in the 2010 census, and the proposed plan's impact on current polling places, the Southern Coalition for Social Justice requests on behalf of our clients that you reconsider current efforts to redistrict the City of Daphne city council election districts until all issues are addressed and the concerns of minority groups are thoughtfully considered.

Sincerely,



Fred McBride  
Senior Policy Analyst

<sup>1</sup> White v. Regester, 412 U.S. 755, 764 (1973); Brown v. Thompson, 462 U.S. 835, 842-43 (1983); Cox v. Larios, 542 U.S. 947 (2004).

<sup>2</sup> Reynolds v Simms, 377 U.S. at 577; Brown v Thompson, 462 U.S. 835, 842 (1983).

<sup>3</sup> 42 U.S.C. §1973(b) (2006).

**JANUARY 11, 2016  
CITY COUNCIL WORK SESSION  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

**COUNCIL MEMBERS PRESENT:** Tommie Conaway; Pat Rudicell; John Lake; Ron Scott; Robin LeJeune; Angie Phillips.

**ABSENT:** Randy Fry.

Also present: Rebecca Hayes, City Clerk; Jay Ross, City Attorney; Kevin, Boucher, City Attorney; Kelli Kichler, Finance Director; Don Ouellette, Environmental Advisory Committee.

Absent: Mayor Haygood.

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

**1. DISCUSS VOTING PLACES**

Councilman LeJeune said he was in favor of having two voting places in the city for the election.

The City Attorney reported that he was reading a section of the Code of Alabama regarding voting places which says that you can either have one or seven voting places. He said he would research this further and report back.

Councilman Lake said that they should wait until the redistricting ordinance has passed before deciding on the voting places.

Council President Rudicell said that the redistricting ordinance will not be on the agenda until Mr. Ross has talked with Mr. McBride regarding the minority district.

**2. DISCUSS COUNCIL & MAYOR SALARY & COMPENSATION**

Council would like the mayor and council's pay cycle to be the same as the city employees.

Council discussed the council benefit of participating in the city's medical insurance. Councilman LeJeune said instead of the city paying for the medical insurance he would rather give an increase in pay so they could purchase their own.

Ms. Kichler suggested that councilmembers be allowed to purchase medical insurance at the city's rate.

Councilman Scott said that he would like to see a small increase in salary to compensate for the insurance.

Consensus of council is to have the Finance Committee look at this issue.

**THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:00 P.M.**

Respectfully submitted by,

Certification of Presiding Officer:

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

\_\_\_\_\_  
Pat Rudicell,  
Council President

**CITY OF DAPHNE  
FINANCE COMMITTEE MINUTES  
JANUARY 11, 2015  
4:30 P.M.**

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

The meeting was called to order at 4:30 p.m. Present were Councilwoman Mrs. Conaway, Councilwoman Angie Phillips, Councilman Ron Scott, Councilman Pat Rudicell, Councilman John Lake, Councilman Robin LeJeune, Finance Director Kelli Kichler, Senior Accountant Suz anne Henson, Human Resource Director Vickie Hinman, Revenue Officer Jamie Smith, Accounting Technician Sue Moody, and City Attorney Kevin Boucher. Chairman Randy Fry, Mayor Dane Haygood, and Revenue Officer Jamie Smith were absent. Councilman Robin LeJeune arrived at 5:00 p.m..

Also in attendance were, Public Works Director Richard Johnson, Civic Center Director Margaret Thigpen, Recreation Director David McKelroy, City Clerk Rebecca Hayes, Community Development Director Adrienne Jones, and Mr. Larry Cooke, BZA.

**I. PUBLIC PARTICIPATION**

**A. Insurance Renewal Proposals: (Motion)**

**1. Bancorp South Insurance Co., Mr. Warren Hopper**

Mr. Hopper discussed the coverage for his proposal on the property/equipment policy. Mr. Hopper noted the **annual premium for the Property, Equipment and Mechanical Breakdown policy is \$199,954**. Mr. Hopper reviewed the wind and hail coverage for the policy he was presenting has a 2% deductible for all storms.

**2. John A. Robertson Agency, Mr. Robbie Robertson**

Mr. Robbie Robertson reviewed his proposal for the following policy coverage's for the City:

**Annual premium for the Property, Equipment, and Mechanical Breakdown policy is \$192,191.** Mr. Robertson also included the following policies.

- Generality Liability
- Public Officials Liability
- Law Enforcement Liability
- Employee Benefit Liability
- Excess Liability
- Automobile

**FY2016 INSURANCE PROPOSAL COMPARISON**

<b><u>COVERAGE TYPE</u></b>	<b><u>Robertson Insurance Co., Inc.</u></b>	<b><u>BanCorp South Ins Services, Inc.</u></b>
<b>GENERAL LIABILITY:</b>	<b>\$150,218.00</b>	<b>Did not Quote</b>
PUBLIC OFFICIALS LIABILITY	included in General Liability	<b>Did not Quote</b>
LAW ENFORCEMENT LIABILITY	included in General Liability	<b>Did not Quote</b>
EMPLOYEE BENEFIT LIABILITY	included in General Liability	<b>Did not Quote</b>
EXCESS LIABILITY	included in General Liability	<b>Did not Quote</b>
<b>VEHICLE INSURANCE</b>	<b>\$204,963.00</b>	<b>Did not Quote</b>
<b>PROPERTY &amp; EQUIPMENT</b>	<b>\$186,936.00</b>	<b>\$197,954.00</b>
<b>EQUIPMENT BREAKDOWN</b>	<b>\$5,255.00</b>	<b>\$2,000.00</b>
	<b>\$192,191.00</b>	<b>\$199,954.00</b>
<b>TOTAL ANNUAL POLICY</b>	<b>\$542,117.00</b>	<b>\$ -</b>

Mrs. Henson stated that a motion needs to be made to re-new insurance coverage for the City since the current coverage will expire on February 26, 2016. Mr. Scott noted that Mr. Fry would have time to look over the proposals prior to the next Council meeting. Discussion continued that a motion would be made at the Council meeting.

***MOTION to recommend to Council to renew the City's insurance policy with Company, Inc. .***

## **II. BUSINESS LICENSE REPORT**

### **1. Report: New Business Licenses – December, 2015**

The Business Licenses Report was included in the packet. Total business license issued YTD is 4646 - up 291 from last year

**55 - Total Business License issued in December 2015** - down 21 from December 2014 ( 76 licenses issued).

13 - Renewals

26 - New businesses with 7 *of those having a physical location in Daphne*

16 - Prior year licenses.

Code enforcement issued 8 warnings resulting in businesses becoming compliant and \$661 in revenue.

Ms. Kichler stated that Mrs. Jamie Smith, Revenue Officer was not able to attend the meeting and asked her to review the reports. Ms. Kichler noted that since there had been discussion on obtaining statistical employment information from businesses located in Daphne that a survey was sent out to the top 30 taxpayers to request how many employees each business has. Mrs. Kichler stated this statistical information will be used for financial reporting.

## **III. HUMAN RESOURCES BUSINESS**

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

Mrs. Vickie Hinman reviewed the Human Resource Report including open position status.

#### **Positions**

Planting Coordinator

Planner (Community Development)

Executive Assistant

Sr. HR Specialist

Asst. City Clerk

Volunteer Coordinator

Public Works Supervisor (Grounds)

Code Enforcement Officer

#### **Status**

Posting: 1/6 – 1/20

Re-posting

2<sup>nd</sup> interviews

2<sup>nd</sup> interviews

2<sup>nd</sup> interviews

Reviewing applications

DOH: 1/7/2016

Internal transfer: 1/7/16

Mrs. Hinman noted the next Safety Committee meeting is January 27 @ 10:00 a.m..

#### **HR projects/meetings:**

Presentation of Long Term Disability to all employees & completion of forms

Updating City pay scale for non-director rate increase effective Jan. 7 and to be in paycheck on Jan. 27

Processing W-2's and Affordable Care Act required documentation

Interviews for Asst. City Clerk, Executive Asst. to Mayor, & Sr. HR Specialist positions

Mrs. Hinman reviewed the overtime report for the first quarter of FY2016. Total Overtime YTD - \$113,161. Mrs. Hinman noted that December included several City holiday events including Christmas activities and parades.

## **IV. CURRENT BUSINESS**

### **A. Approve previous months minutes**

The previous minutes were approved.

Finance Minutes.doc

## **B. Financial Reports**

### **1. Treasurer's Report: November, 2015**

Mrs. Henson reviewed the Treasurer's Report and noted:

- Total Unrestricted Funds - \$11,232,639
- Increase from Last Year's Unrestricted Funds - \$ 1,619,429
- Total Restricted Funds - \$ 9,016,296
- Total City Funds - \$ 20,248,935
- # of months of Unrestricted cash to cover monthly operating Expenses & Debt Service – 5.1 months compared to the previous year - 4.4 months

Ms. Kichler stated that approximately \$250,000 ATRIP grant monies was received so the Capital Reserve fund is up from last month. Ms. Kichler reviewed the Encumbrance report and noted that most of the FY2015 Encumbrances should clear out in the next couple months.

***The Treasurer's Report as of November, 2015 Total Unrestricted Funds - \$11,232,639 and Total City Funds - \$20,248,935 was presented to be filed for audit.***

### **2. Sales and Use Taxes: November, 2015**

Mrs. Henson reviewed the Sales & Use Tax Reports and Graphs: \$1,157,742 was collected for November 2015:

- YTD Variance over Budget - \$110,571.80
- Percent change from last year's collections + 5%

Discussion continued on the economy and potential stock market changes.

### **3. Lodging Tax Collections, November, 2015**

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for November 2015 were \$77,075 which is down \$214 from November's 2014's collections of \$77,289.

- YTD Variance over Budget: \$12,212
- Percentage change YTD from last year's collections: \$7,530 + 4.7%

### **4. Lodging Tax Fund : Statement of Rev over Exp, December ,2015**

Mrs. Henson reviewed the Lodging Tax Statement of Revenues over Expenditure report for December, 2015. Mrs. Henson noted the following balances:

- Unreserved balance for Bayfront related purchases - \$ 2,101,833
- Recreation related purchases - \$ 842,657

### **5. Correction/Court Fund Report, November, 2015**

Mrs. Henson reviewed the Correction/ Court Fund Report and reported that no transfers were required for October or November 2015 to the court portion of the fund to the corrections for the purchase of inmate meals.

- Court balance - \$191,191
- Corrections balance - \$1,896

6. General Fund Budgetary Comparison Schedule, October 2015
7. General Fund Balance Sheet, October 2015
8. General Fund Statement of Rev Over Exp, October 2015
9. Debt Service Fund Statement of Rev Over Exp, December 2015
10. Debt Service Summary Activity for General Fund through December 2015
11. Debt Service Summary Activity for Enterprise Funds through December 2015
12. Agency Funds Combining Statement of Assets & Liabilities, October 2015
13. Special Revenue Funds Balance Sheet, October, 2015
14. Special Revenue Funds Rev, Exp&Changes in Fund Balance, October 2015
15. Capital Projects Funds Balance Sheet, October 2015
16. Capital Projects Funds Statement of Rev Over Exp, October 2015
17. Enterprise Funds Statement of Net Position, October, 2015
18. Enterprise Funds Stmt of Rev, Exp, & Changes in Net Position, October 2015

Ms. Kichler reviewed the financial reports presented in the packet:

**General Fund**

Net change in the General Fund balance was \$171,621.

**Debt Service Fund**

Discussion was made on debt service payments and debt maturity dates. Ms. Kichler stated that \$696,436 (*principle*) and \$201,933 (*interest*) was paid in debt payments through December 2015 and the balance of debt is \$35,387,432 (excluding Capital Leases - \$ 1,288,927). Remaining Debt payments for FY2016 Warrants and Leases is \$3,262,821. Ms. Kichler noted that two 2011 leases were recently paid off.

**Agency Funds**

Fund balance for Agency Funds - \$99,083.

**Special Revenue Funds**

FEMA Rain Event projects YTD: \$652,055.

**Capital Projects Funds**

Capital Reserve Fund balance - \$1,756,372.

**Enterprise Funds**

Enterprise Fund balances as follows:

- Solid Waste (*Garbage & Recycling*) – \$24,453
- Civic Center – (\$3,765)
- Bayfront – (\$2,075)

**19. Bills Paid Reports – December, 2015**

The Bills Paid Report was presented in the packet.

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

1. Lott Park Fence / Little Bethel Baptist Church Graveyard - \$16,800

Mr. Johnson reviewed the low quote for the Lott Park fence - \$16,800. Mr. Johnson noted that the fence will look like the fence at Centennial park and will be powder coated aluminum. Discussion continued that this fence will be on City property and if Little Bethel Baptist Church obtains funding to continue the same type fencing on the church property their cost would be \$7,150. Mrs. Conaway noted she felt like they could get funding from other sources in order to install the remaining fencing around the graveyard. Mr. Johnson noted the church's fencing was more expensive because it included gates for graveyard access.

***MOTION BY Mr. Lake to recommend to Council to adopt the Ordinance amending the budget to appropriate \$ 16,800 from Lodging Tax for fencing at Lott Park .  
Seconded by Mrs. Conaway . Motion carried.***

2. Recreation Fitness Equipment (purchase instead of Lease)-\$15,155

Ms. Kichler stated the Mayor had found a financing source with a reasonable interest rate so this item needed to be removed off the agenda. The equipment would be financed as budgeted.

3. Recreation Equipment budgeted out of Lodging Tax Fund - \$57,500

Mr. Scott discussed the recreation equipment budgeted to come out of Lodging Tax fund in the FY2016 Budget. Mrs. Henson noted there had been discussion at a previous Finance meeting about amending the Lodging Tax Ordinance to allow equipment purchases (*Ord 2014-06 Section 9. (d) states "does not include such items as trucks or the maintenance of fields"*) then a recommendation was made to find another funding source. Discussion continued that the purpose of the allocated Recreation Lodging Tax funds per the ordinance was to restrict the funds to ground related capital purchases/improvements and not include equipment purchases.

**MOTION BY Mr. Lake to recommend to Council to adopt the Ordinance amending the budget to appropriate \$57,500 from General Fund for the purchase of the following recreation equipment: Drag Machine-\$18,000, John Deere Gator Utility Vehicle-\$7,500, Chemical Sprayer-\$20,000, John Deere 72" Z-Trak Mower-\$12,000 . Seconded by Mr. Rudicell . Motion carried.**

4. Sidewalks: Lake Forest-Ridgewood Dr: (Routes-North-\$43,500+South-\$38,500) \$82,000

Mr. Johnson reviewed the sidewalk project and noted that an appropriation in the amount of \$82,000 will be needed to complete the project. Discussion continued on sidewalks constructed in Lake Forest and the need for these two sections to be added. Ms. Kichler noted that \$50,000 (US98 sidewalk) was currently included in the FY2016 Budget and that \$105,000 was also included in the budget as the City's match for the Tap Grant project on County Road 13-Lawson/Champions Way to Whispering Pines. Mr. Scott discussed using Surplus Sale monies to fund the two sidewalk projects on Ridgewood Drive. (*\$59,005 was received for the first Surplus Sale in FY2016 and there is a pending sale for 7 Ford Crown Vic vehicles*).

**MOTION BY Mr. Lake to recommend to Council to adopt the Ordinance amending the budget to appropriate \$82,000 from General Fund revenues from FY2016 Surplus Sales for two Lake Forest Sidewalk projects on Ridgewood Drive:**

- **North- Plaza Circle to Worchester Drive (3,200 LF)- \$43,500**
- **South- Montclair Loop to Dunbar Loop (2,800 LF) - \$38,500**

**Seconded by Mrs. Conaway . Motion carried.**

**D. Retirement of Police K-9 Drug Dog (Resolution)**

Mrs. Henson presented a resolution to retire the K-9 dog (DJ). Mrs. Henson noted when the previous K-9 dog was retired he was also transferred into his handlers care. Discussion continued on what an asset DJ had been to the City and his assistance in previous drug cases.

**MOTION BY Mr. Lake to recommend to Council to adopt the Resolution to approve the retirement of the Police K-9 Dog and transfer to his handler, Jeff Sulzmann . Seconded by Mrs. Phillips . Motion carried.**

**V. OLD BUSINESS**

**A. MayDay Boat Ramp update**

Mr. Rudicell discussed he wanted any information available on the MayDay Boat ramp issues including any other boat ramp location options. Mr. Rudicell noted he knew Mrs. Campbell would not be available to attend the

February Work Session meeting. Mr. Johnson offered to attend the Work Session for Mrs. Campbell. Mr. LeJeune noted he had requested that Mr. Britton Bonner, City Grant attorney advise on any grant options. Mr. Scott asked if the City were to remove the MayDay boat ramp could the monies that have to be paid back the Department of Conservation & Natural Resources (\$189,279) be paid back over time. Mrs. Campbell stated she had asked that question a couple times but would follow up on getting an answer. Discussion continued on this being discussed at the February Work Session and at the Buildings and Property Meeting.

### **B. BayFront Master Plan Contract Update**

Mr. Scott asked MR. Johnson to review the Bayfront Master Plan status. Mr. Johnson stated he had just become aware that he needed to prepare a conceptual scope of the project. Mr. Johnson stated he would keep everyone updated on the progress on the project. Mrs. Campbell stated she could provide an overlay of the wetlands for the scope.

**VI. ADJOURN** The meeting adjourned at 6:03 p.m.

**TREASURER'S REPORT**

As of December 31, 2015

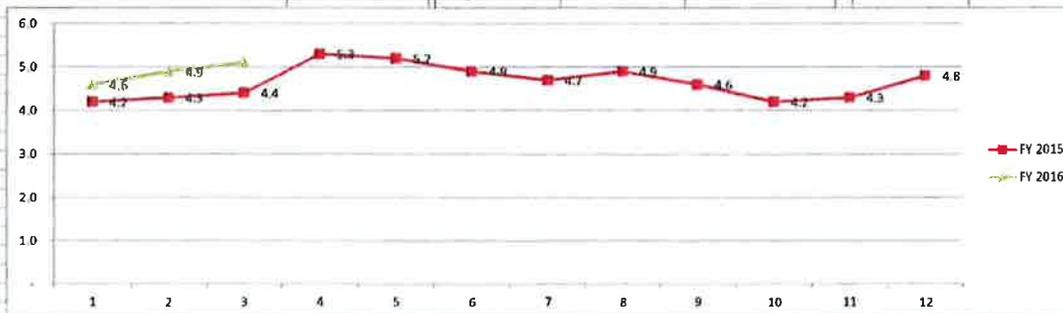
Account Type/Title	Bank / Brokerage	12/31/2015	11/30/2015	Increase (Decrease) from last Month	Balance Last Year 12/31/2014	Increase (Decrease) from Last Year
<b>GENERAL FUND &amp; ENTERPRISE FUNDS</b>	Compass Bank1	\$ 5,827,561	\$ 5,360,006	\$ 467,555	\$ 4,314,392	\$ 1,513,169
<b>INVESTMENT FUND</b>	Raymond James	5,302,482	5,320,574	(18,092)	\$ 5,209,431	\$ 93,051
<b>CREDIT CARD ACCOUNT</b>	Compass Bank3	12,771	484	12,287	\$ -	\$ 12,771
<b>MUNICIPAL COURT</b>	Compass Bank2	89,826	90,903	(1,077)	\$ 89,387	\$ 439
<b>Total Unrestricted Funds</b>		<b>11,232,639</b>	<b>10,771,967</b>	<b>460,672</b>	<b>\$ 9,613,210</b>	<b>\$ 1,618,429</b>
<b>SPECIAL REVENUE FUNDS</b>						
MUNICIPAL COURT	Compass Bank1	19,750	33,300	(13,550)	22,308	(2,558)
SELF INSURANCE	Compass Bank1	94,728	75,891	18,837	67,194	27,534
FLEX SPENDING	Compass Bank1	6,482	(5,849)	12,331	8,932	(2,450)
4 CENT GAS TAX	PNC Bank1	168,907	163,921	4,986	114,691	54,216
7 CENT GAS TAX	PNC Bank2	481,051	450,851	10,200	404,217	56,834
TREE & FLOWER	Compass Bank1	16,666	16,666	0	17,200	(534)
SAIL SITE	PNC3/Compass1	(831)	(356)	(475)	935	(1,766)
NON-MAJOR STORMS	Compass Bank1	(629,825)	(752,178)	122,353	(487,477)	(142,348)
BP OIL SPILL	Compass Bank1	426,768	426,768	0	426,768	0
FEDERAL DRUG FORFEITURES	Compass Bank1	240,059	242,263	(2,204)	14,044	226,015
LOCAL DRUG FORFEITURES	Compass Bank1	23,547	23,547	(0)	20,860	2,687
LIBRARY	Compass Bank1	11,824	7,643	4,181	(6,155)	17,979
CONCESSION STAND	Compass Bank1	-	-	-	(3,434)	3,434
COURT TRAINING & EQUIPMENT	Compass Bank2	34,541	34,095	446	28,628	5,913
COURT JUDICIAL ADMINISTRATIVE	Compass Bank2	141,838	138,173	3,465	96,230	45,408
COURT CORRECTION	Compass Bank2	195,376	192,887	2,489	179,522	15,854
LODGING TAX	Compass Bank1	2,877,957	2,860,403	17,554	2,268,797	609,160
		<b>4,088,638</b>	<b>3,908,025</b>	<b>180,613</b>	<b>3,173,260</b>	<b>915,378</b>
<b>CAPITAL PROJECT FUNDS</b>						
CAPITAL RESERVE	Wells Fargo Bank1	1,839,762	1,565,005	274,757	1,184,279	655,483
2012 CONSTRUCTION	Regions Bank	-	-	-	419,128	(419,128)
2014 CAPITAL IMPROVEMENTS	Compass Bank	782,307	782,290	17	782,109	198
		<b>2,622,069</b>	<b>2,347,295</b>	<b>274,774</b>	<b>2,385,516</b>	<b>236,553</b>
<b>DEBT SERVICE FUNDS</b>						
DEBT SERVICE	Wells Fargo Bank2	2,305,568	2,586,138	(280,550)	3,136,891	(831,303)
<b>Total Restricted Funds</b>		<b>9,016,296</b>	<b>8,841,458</b>	<b>174,838</b>	<b>8,695,667</b>	<b>320,629</b>
<b>Total City Funds</b>		<b>\$ 20,248,935</b>	<b>\$ 19,613,425</b>	<b>\$ 635,510</b>	<b>\$ 18,308,877</b>	<b>\$ 1,940,058</b>

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

5.1

4.9

4.4



Encumbrances FY 05 - FY 14:

\$175,073

(as of 12/31/15)

# SALES & USE TAXES

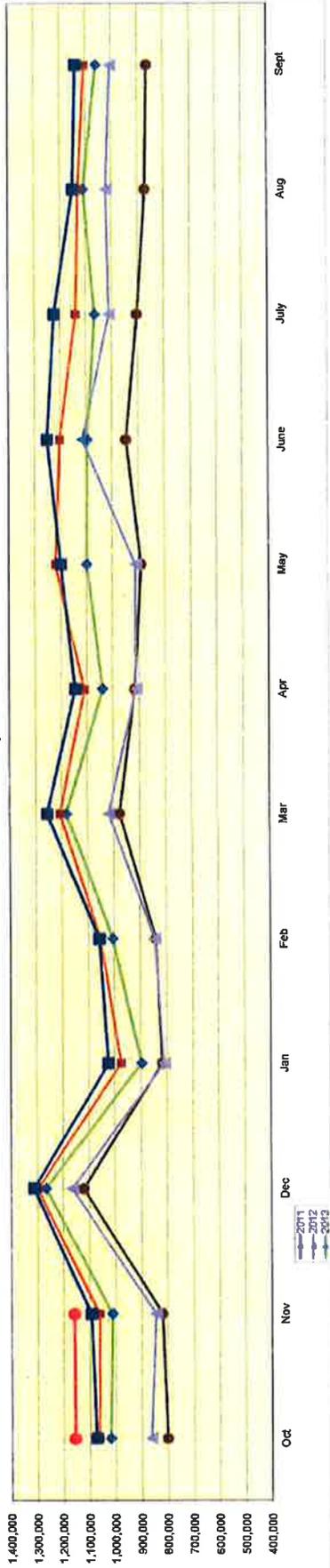
\*Adjusted to accrued collections

		FY 2016 BUDGET vs ACTUAL											
		ACTUAL COLLECTIONS		2014		2015		2016		7/8 Year Sparklines		YTD Variance	
		2012	2013	2014	2015	2016	Sparklines		Budget	Monthly Variance	YTD Variance		
October		864,727.27	1,019,065.37	1,062,861.14	1,073,290.88	1,154,933.34			1,091,054	63,879.34	63,879.34	5.9%	
November		845,342.45	1,011,813.96	1,061,121.86	1,092,961.96	1,157,742.46			1,111,050	46,692.46	110,571.80	4.2%	
December		1,165,135.62	1,266,051.50	1,299,075.20	1,312,012.89				1,333,727				
January		809,785.59	895,717.19	974,224.69	1,023,171.34				1,040,105				
February		845,101.34	1,004,349.50	1,051,602.29	1,056,996.02				1,074,489				
March		1,018,721.43	1,181,007.55	1,205,342.67	1,256,397.38				1,277,191				
April		911,438.60	1,039,769.87	1,110,085.05	1,144,698.61				1,163,643				
May		911,839.30	1,098,548.05	1,218,956.40	1,198,226.99				1,218,058				
June		1,114,148.53	1,097,507.32	1,202,126.66	1,252,030.17				1,272,751				
July		1,010,193.08	1,065,215.02	1,139,120.72	1,222,993.95				1,160,473				
August		1,021,267.76	1,110,126.44	1,129,483.17	1,148,890.48				1,148,176				
September		1,004,661.04	1,058,958.43	1,104,411.74	1,138,473.73				1,122,690				
<b>Totals</b>		<b>11,522,363.01</b>	<b>12,848,130.20</b>	<b>13,558,411.59</b>	<b>13,920,144.40</b>	<b>2,312,675.80</b>			<b>14,013,407</b>	<b>110,571.80</b>		<b>5.0%</b>	

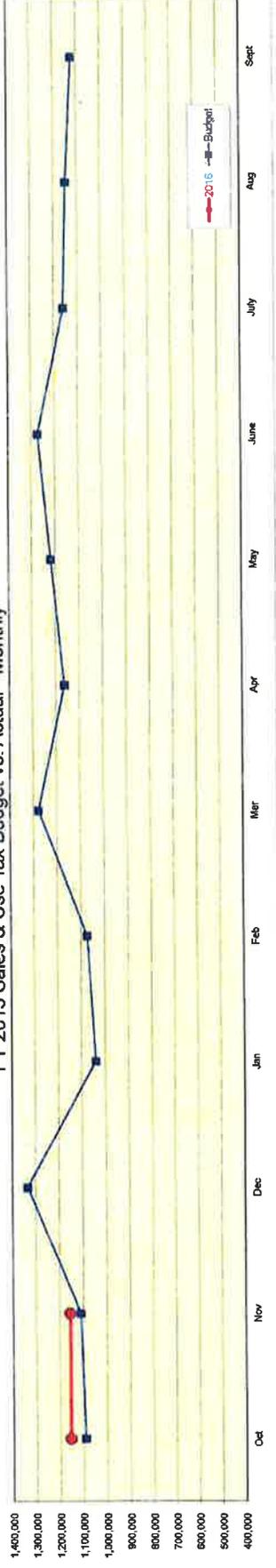
Budgeted Dollar Increase (Actual) FY15 vs (Budgeted) FY16	93,263
Budgeted Percent Increase FY15 vs FY16	0.7%

		Fiscal Year Changes Year Over Year									
		\$ Change		Percent Change		Annual % Change					
		2012-2013	2013-2014	2014-2015	2015-2016	2012-2013	2013-2014	2014-2015	2015-2016		
October		154,338.10	49,795.77	10,429.74	81,642.46	17.8%	4.3%	1.0%	7.6%		
November		166,471.51	49,307.90	31,840.10	64,760.50	19.7%	4.9%	3.0%	5.9%		
December		100,915.88	33,023.70	12,937.69		8.7%	2.6%	1.0%			
January		85,931.60	78,507.50	48,946.65		10.6%	8.8%	5.0%			
February		159,248.16	47,252.79	5,393.73		18.8%	4.7%	0.5%			
March		162,286.12	24,335.12	51,054.71		15.9%	2.1%	4.2%			
April		128,331.27	70,315.18	34,613.56		14.1%	6.8%	3.1%			
May		186,708.75	120,408.35	(20,729.41)		20.5%	11.0%	-1.7%			
June		(16,642.21)	104,619.34	49,903.51		-1.5%	9.5%	4.2%			
July		55,021.94	73,905.70	83,873.23		5.4%	6.9%	7.4%			
August		88,858.68	19,356.73	19,407.31		8.7%	1.7%	1.7%			
September		54,297.39	45,453.31	34,061.99		5.4%	4.3%	3.1%			
<b>Annual \$ \$ Cha</b>		<b>1,325,767.19</b>	<b>710,281.39</b>	<b>361,732.81</b>	<b>146,422.96</b>	<b>11.5%</b>	<b>5.5%</b>	<b>2.7%</b>			

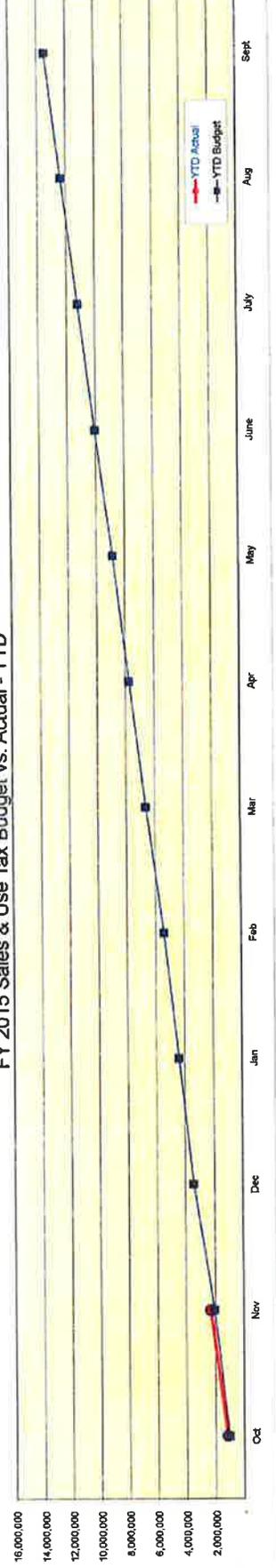
Sales & Use Tax Comparisons



FY 2015 Sales & Use Tax Budget vs. Actual - Monthly



FY 2015 Sales & Use Tax Budget vs. Actual - YTD



MONTHLY LODGING TAX COLLECTIONS

\*Based on Accrued Collections

ACTUAL COLLECTIONS

	FY 11	FY 12	FY 13	FY 14	FY 15	FY 16	10 Year Spark Line
October	56,001.39	52,002.53	51,578.40	48,382.05	74,581.63	82,326.98	
November	48,329.73	47,568.08	43,459.48	43,912.92	77,289.64	77,075.08	
December	47,210.56	42,279.22	40,495.14	39,122.53	69,585.61		
January	49,006.12	41,917.34	47,548.01	43,198.04	72,323.09		
February	43,052.68	47,346.50	54,207.03	49,784.71	92,153.01		
March	67,422.42	70,058.33	64,325.47	71,954.97	112,752.43		
April	48,487.83	51,939.06	47,434.55	86,245.34	101,196.07		
May	57,880.48	54,740.45	68,448.49	107,155.55	108,715.74		
June	67,544.77	69,822.91	71,090.69	127,920.37	111,337.21		
July	76,631.86	79,417.80	94,310.47	139,397.37	140,897.70		
August	52,820.33	50,417.73	52,427.99	93,739.35	90,758.34		
September	45,216.75	46,968.89	45,148.35	71,790.24	84,931.51		
<b>Total</b>	<b>659,604.33</b>	<b>654,478.84</b>	<b>680,474.07</b>	<b>922,897.44</b>	<b>1,136,521.98</b>	<b>159,401.46</b>	

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

Ord 2014-06 adopted February 17, 2014 incr levy from 4% to 6% - effective for Collections for April 2014 reflected in May 2014

CHANGE IN DOLLARS

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	9 Year Spark Line
October	16,595.83	(3,998.86)	(424.13)	(3,196.35)	26,199.58	7,744.75	
November	14,566.36	(761.65)	(4,108.60)	453.44	33,376.72	(214.56)	
December	15,639.18	(4,931.34)	(1,784.08)	(1,372.61)	30,463.08		
January	6,122.42	(7,088.78)	5,630.67	(4,349.97)	29,125.05		
February	(3,945.64)	4,293.82	6,860.53	(4,422.32)	42,368.30		
March	14,650.91	2,635.90	(5,732.86)	7,629.50	40,797.46		
April	6,956.78	3,451.23	(4,504.51)	38,810.79	14,950.73		
May	(8,940.48)	(3,140.03)	13,708.04	38,707.06	1,560.19		
June	(12,278.07)	2,276.14	1,267.78	56,829.68	(16,583.16)		
July	(15,274.51)	2,785.94	14,892.67	45,086.90	1,500.33		
August	(10,503.25)	(2,402.60)	2,010.26	41,305.36	(2,975.01)		
September	(7,446.04)	1,752.14	(1,820.54)	26,641.89	13,141.27		
<b>Total</b>	<b>16,143.39</b>	<b>(5,126.09)</b>	<b>25,995.23</b>	<b>242,123.37</b>	<b>213,924.54</b>	<b>7,630.19</b>	

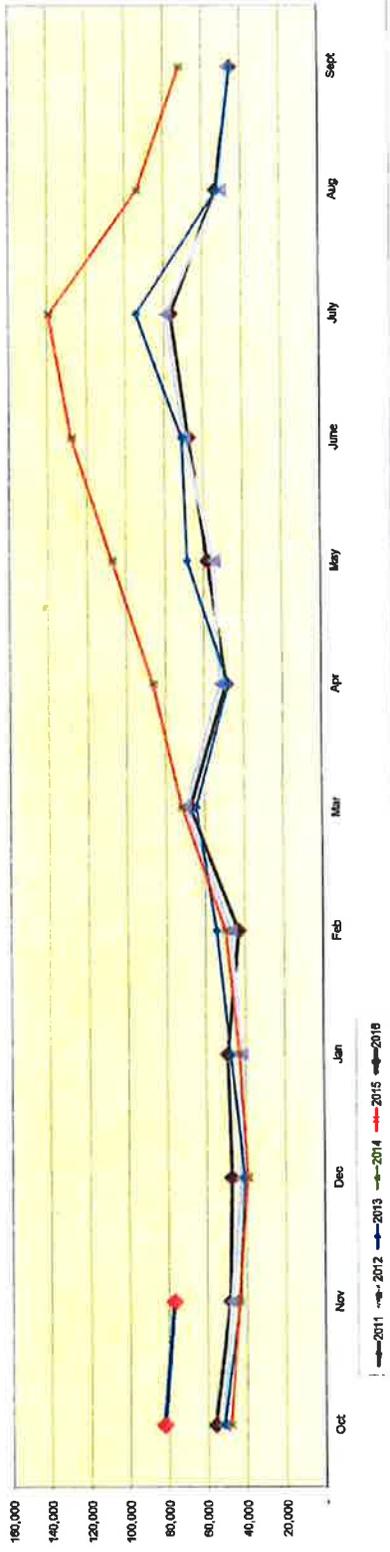
FY 2016 BUDGET vs. ACTUAL

	Budget	Monthly Variance	YTD Variance	% of Budget
October	76,494.98	5,831.40	5,831.40	7.6%
November	70,694.40	6,380.68	12,212.08	9.0%
December	64,152.54			
January	70,905.79			
February	84,192.65			
March	107,795.78			
April	84,458.03			
May	104,577.65			
June	113,382.33			
July	138,661.90			
August	86,164.99			
September	73,518.97			
<b>Total</b>	<b>1,075,000.01</b>	<b>12,212.08</b>		<b>1.1%</b>

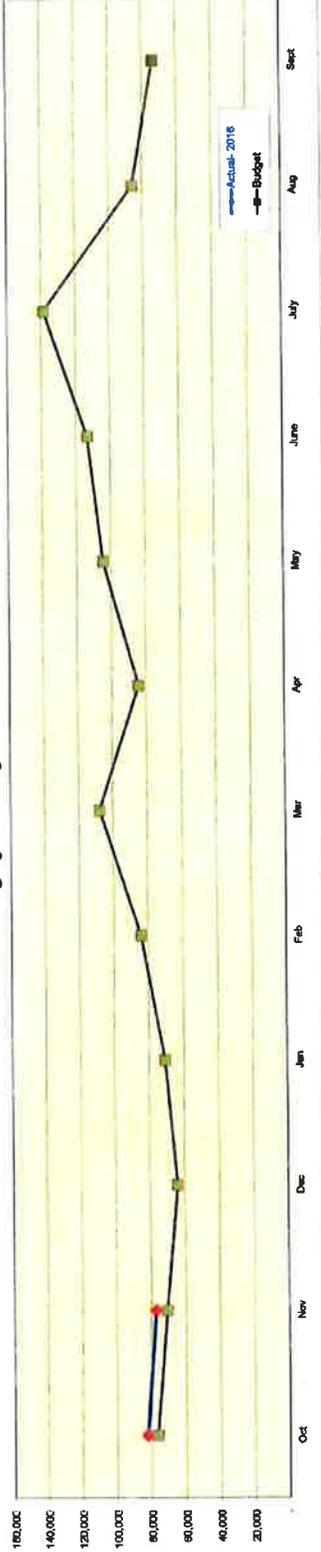
CHANGE IN PERCENTAGE

	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	9 Year Spark Line
October	-7.7%	-0.8%	-6.6%	35.1%	9.4%	
November	-1.6%	-9.5%	1.0%	43.2%	-0.3%	
December	-11.7%	-4.4%	-3.5%	43.8%		
January	-16.9%	11.8%	-10.1%	40.3%		
February	9.1%	12.7%	-8.9%	46.0%		
March	3.8%	-8.9%	10.6%	36.2%		
April	6.6%	-9.5%	45.0%	14.8%		
May	-5.7%	20.0%	36.1%	1.4%		
June	3.3%	1.8%	44.4%	-14.9%		
July	3.5%	15.8%	32.3%	1.1%		
August	-4.8%	3.8%	44.1%	-3.3%		
September	3.7%	-4.0%	37.1%	15.5%		
<b>% Change</b>	<b>2.4%</b>	<b>-0.8%</b>	<b>3.8%</b>	<b>18.8%</b>	<b>4.7%</b>	

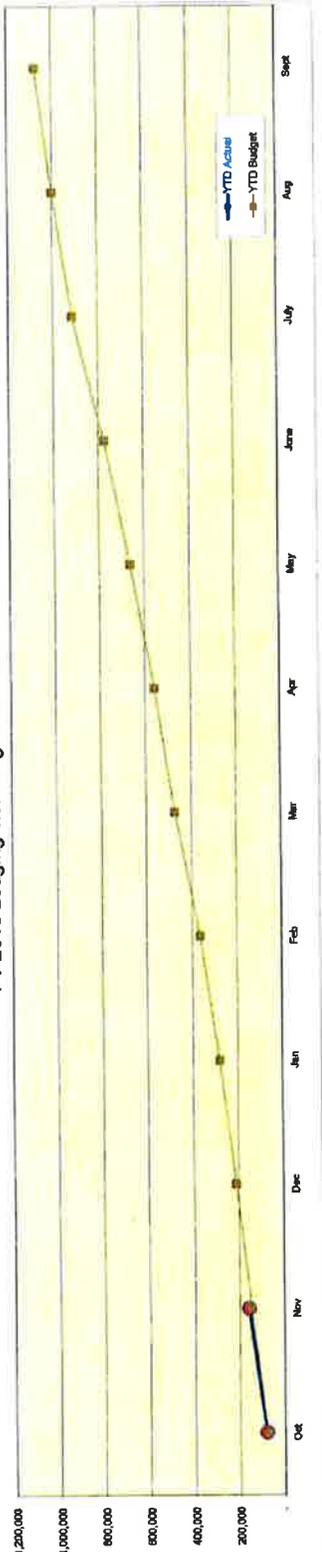
Lodging Tax Comparisons Year over Year



FY 2016 Lodging Tax Budget vs. Actual - Monthly



FY 2016 Lodging Tax Budget vs. Actual - YTD



## **Buildings & Property Committee Meeting**

**Monday, January 4, 2016**

**4:30 PM**

**Bayfront Park Scardamalia Pavilion**

### **Committee Minutes**

**Present:** Councilman John Lake (Chairman)(*arrived at 4:55 p.m.*) ; Councilman Randy Fry; Councilwoman Tommie Conaway; Councilman Pat Rudicell; Councilman Ron Scott; Councilman Robin LeJeune; Councilwoman Angie Phillips

Also Present: Rebecca Hayes, City Clerk (*recording secretary*); Richard Johnson, Public Works Director; BJ Eringman, Deputy Director Public Works; Margaret Thigpen, Civic Center Director; Ashley Campbell, Environmental Programs Manager; David McKelroy, Director Recreation; Dorothy Morrison, Beautification Committee; Selena Vaughn, Village Point Foundation; Al Guarisco, Village Point Foundation;

**Absent:** Rick Whitehead, IT Coordinator

**There being a quorum present Councilwoman Conaway, in the absence of the Chairman Councilman Lake, called the meeting to order at 4:40 pm.**

#### **1. Public Participation**

No one spoke.

#### **2. Approval of Minutes:** December 7, 2015

There were no amendments requested to the minutes. Minutes stand as written.

#### **3. Daphne Central Park Report:** Richard Johnson

Richard Johnson stated the disc golf course is being used and the fence is installed. Short term plans are to landscape area and long term they are looking at planting trees. They are starting to look at west side plans – to continue trails and incorporate fencing. Councilman Scott mentioned how pleased he is with the park and sees residents enjoying it.

#### **4. Building Inspection Monthly Reports (December):** Ashley Campbell

- Total Building Permits / 10
- Total Permit Fees / \$14,290
- Total CO's / 14
- 10 New Home Permits
- Total Fees / \$46,419
- 

#### **5. Surplus Property:** Suzanne Henson, Senior Accountant

No surplus property to consider.

#### **6. Civic Center, Bayfront, and CVB report (December):** Margaret Thigpen

Margaret Thigpen distributed and discussed the December report.

Civic Center Report:

- December 2015 revenue for the Civic Center totaled \$12,944.50 / Increase from November 2014 FY 2015-2016 YTD Actual Revenue / \$42,693 / Above FY2014-2015
- FY 2015 Year End Revenue / \$156,672
- December 2015 Deposits / \$10,233
- FY 2015-2016 Year-to-date Deposits / \$27,993

Bayfront Park Pavilion Report:

- December 2015 Revenue / \$7,664 / Down from 2014
- FY 2015-2016 YTD Actual Revenue / \$21,310 / Down from 2014-2015
- FY 2014-2015 Year End Revenue / \$67,842
- December 2015 Deposits / \$2,614
- 2015-2016 YTD Deposits / \$10,801

Mrs. Thigpen mentioned the new window installation in the building has been completed, and new flooring in the kitchen area has been done. She mentioned updating the bar countertop is the next project.

There is a hold up of the Johnson Control Contract until legal has had a chance to look over the contract and check to see if this should be bid out since it is over \$15,000. Councilman Lake said that he thinks it comes under the heading of professional services and does not have to be bid out.

The committee discussed the digital sign at the point below KFC. Mrs. Thigpen had a drawing of what it might look like. The cost would be \$36-40,000 if the contractor has to build the brick wall; \$24-28,000 if it is done in-house.

Councilman Lake is concerned that the digital sign is in violation of the Land Use Ordinance, and he is in favor of using the money for way fare signs on I-10. Richard Johnson said that he has not as yet spoken with anyone at ALDOT regarding signage on I-10.

Councilman Fry said that they can pursue both signs.

Consensus is for the issue to come back to the committee next month with different designs.

David McKelroy said that they are finishing up the new flooring at the Senior Center, and it is similar to the flooring at the Bayfront Pavilion.

**OLD BUSINESS**

**7. Village Point Foundation – Bayfront Properties:** Selena Vaughn

Councilman Fry asked that an ordinance appropriating funds for the development of the Master Plan and design for the amphitheater be on the Finance agenda.

**NEW BUSINESS**

No new business to discuss.

**8. Any Other Business**

Ashley Campbell spoke regarding 22 acres the city is thinking about purchasing, and she said it is appraised at \$374,000 and thinks an offer of \$200,000 is appropriate. They have asked that a proposal be sent to the Mayor and Council. She said that the city now owns the Steiner property which is unbelievably gorgeous. They are applying for a Forever Wild grant to extend Gator Alley. After the contracts are done there will be a pre-construction meeting set up by January 15<sup>th</sup>, and after that they will have to be mobilized within 10 days. They will put up a sign to let everyone know what is going on.

Richard Johnson said that someone took out about 40 linear feet of Gator Alley, but the individual was well insured and the insurance company will pay for all the damage. He reported that 100% of the Village Point Park Preserve trail extension is complete.

Ashely said that the Tiawasee stream restoration will begin soon. Mr. Johnson mentioned that the ribbon cutting for Daphne Central Park is Saturday at 10:00 a.m.

**Gazebos**

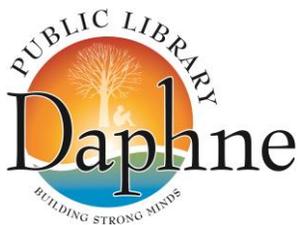
Mr. Johnson said that three (3) gazebos have been ordered, but they are the wrong size. It has been suggested that the gazebo for May Day Park be used at Daphne Central Park and a larger one ordered for May Day Park. The price of the gazebos did not include the foundations so there will have to be an ordinance appropriating funds for the foundations at about \$3,000.

**9) Next Meeting**

The next meeting will be February 1, 2016.

**With no further business to discuss**

**the meeting was adjourned at 5:25 p.m.**



## Library Board - Meeting Minutes

October 8, 2015

### In Attendance:

Board Chair Jim Morris; Library Board Members Nancy Volovecky and Windrila Longmire; & Kathi Alsip. FODL President Karen Kyzar; and Library Director Tonja Young.

#### 1) Call to Order:

Meeting called to order at 4:03 pm by Chair Jim Morris.

#### 3) New Business:

The September minutes were read. Windrila made a motion to approve the minutes; motion seconded by Nancy. Motion passed.

The Board received a letter of resignation from Board Member Andre LaPalme. He is now working at the Junior College in Bay Minette and has a difficult time reaching the meetings. Andre has been a good Board Member and Tonja stated that perhaps he might serve again in the future. Jim stated that a new member should be nominated and a vote taken to fill the position.

Tonja went over the statistics and discussed new shelving being ordered with State Aid funds. She also discussed the great assistance the library has been receiving from City IT personnel Brent.

#### 2) Old Business:

Jim discussed the Foundation meeting that he attended, mentioning new members Pam Yelding and Bridgette Hill. He discussed the Foundation's current project, with drawings, schematics and power point presentation being prepared. Nancy had a question about donors. Tonja stated that Dee was conducting meetings about donors to approach.

Jim stated that the WWI speaking events had gone very well. Tonja also stated that there was positive public response and that the speaking events had been very interesting and informative. She received numerous positive comments about the speaking events from library patrons.

#### 4) Friends of the Daphne Library Participation:

Karen discussed the Friends Book Sale held on September 26, which earned \$1,100. She also discussed the annual staff appreciation Christmas luncheon. As well, the FODL Board has approved paying a \$200 honorarium for each of the "Four Great Powers" speakers this winter.

#### 6) Public Participation:

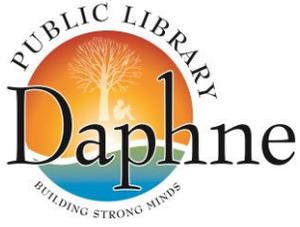
None.

**7) Adjourn:**

Meeting was adjourned at 4:45 pm.

Respectfully submitted by T. Young, November 18, 2015.

**Daphne Public Library Board**



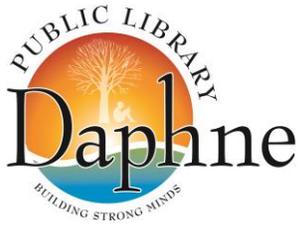
**Library Board - Meeting Minutes**

**November 19, 2015**

**In Attendance:**

Board Chair Jim Morris; Library Board Member Windrila Longmire. City Council Liaison Pat Rudicell; Library Director Tonja Young.

**No quorum. No meeting held.**



## Library Board - Meeting Minutes

December 10, 2015

### In Attendance:

Board Chair Jim Morris; Library Board Members Nancy Volovecky and Kathi Alsip; Library Director Tonja Young.

#### 1) Call to Order:

Meeting called to order at 4:04 pm by Chair Jim Morris.

#### 3) New Business:

The October minutes were read. Jim made a motion to approve the minutes; motion seconded by Nancy. Motion passed.

There were no November minutes because the meeting did not have a quorum.

Tonja discussed statistics for November and stated that the Young Adult and Children's programs were doing very well. These two departments also have multiple special events planned for December including children's Christmas parties, an Ornament Make-n-Take, a Gift Make-n-Take, Santa Stories, Family Christmas Movie Night, and a special Teen Art Class.

#### 2) Old Business:

Jim discussed the new history series: *The Four Dominant World Powers: The Islamic State, Russia, China, and the United States – What Can the World Expect?*

Tonja will make flyers for the series, emailing them to all of last year's attendees as well as press release sources. Nancy will post flyers at various local colleges and universities.

A motion was made to elect Rhett Beyer to the Library Board. The members read over his bio. Jim made a nomination and Nancy seconded. The vote passed.

Jim stated that the Library Foundation meeting was postponed until January so he wouldn't have an update until then.

#### 4) Friends of the Daphne Library Participation:

None.

#### 6) Public Participation:

None.

**7) Adjourn:**

Meeting was adjourned at 4:36 pm.

Respectfully submitted by T. Young, January 13, 2016.



# City of Daphne Event Permit Application

Date of Application: January 12, 2016 Permit Requested:  Event/Fundraiser  Parade/Run  Band

### Contact Information

Organization Name: Shadow Barons

Contact Name: Damon Henderson E-mail Address: damondamondamon@bellouth.net

Address: PO Box 2770 Daphne AL 36526

Primary Phone Number: 251-533-4263 Secondary: \_\_\_\_\_

### Event Information

Event Name: Shadow Barons Mardi Gras Parade Event Date: February 6, 2016

Event Location: Civic Center / Downtown # Participants/Vehicles: 600/25Units

Start Time: 6:45 pm Stop Time: 8:00 pm Assembly Time: 4:30 pm

Special Requests: \_\_\_\_\_

Road Closures Requested:  Yes  No

### Special Instructions

### Approval: Internal Use Only

Date Routed: January 12, 2016

Fire Dept: *James White*

Police Dept: *David Carpenter*

Public Works: *John*

Parks & Recreation: \_\_\_\_\_  
Only required if event interrupts traffic near Daphne parks

#### **For Special Event/Band Permits:**

Council Member: \_\_\_\_\_  
District # Signature

#### **For Parade/Run Permits & Use of City Grounds:**

City Council: January 19, 2016  
Date of Approval

*Not valid unless stamped "Approved"*

#### **Parade/Run Permits ONLY**

Fee Paid: \$ 1,750  N/A  Waived

Insurance Filed  N/A

Route Selection:  1  2  3  4



**EASTERN  
SHORE**  
CHAMBER OF  
COMMERCE

P.O. Drawer 310  
Daphne, Alabama 36526-0310

Overlook  
29750 Larry Dee Cawyer Drive  
Daphne, Alabama  
251.621.8222  
FAX 251.621.8001

Downtown Fairhope  
327 Fairhope Avenue  
251.928.6387  
FAX 251.928.6389

www.ESchamber.com  
email: office@ESchamber.com



December 22, 2015

City of Daphne  
Dane Haygood & City Council  
Post Office Box 400  
Daphne, Alabama 36526

**Re: 28<sup>th</sup> Annual Jubilee Festival – September 24 & 25, 2016**

Dear Dane Haygood and City Council Members:

The 28<sup>th</sup> Annual Jubilee Festival is scheduled to be held September 24 & 25, 2016. As always, the continued support of the Mayor and City Council is essential. At this time the festival committee would like to request the following from the City of Daphne:

1. Permission to block Main Street from Magnolia Avenue South to Dryer Avenue. The closing of this area would still allow access by area residents and church visitors. Permission also to close Mancie Avenue between Guarisco Street and Main Street for possible food court usage.  
Permission to close Trione Street from Guarisco Street and Main Street for KidsArt infrastructure.
2. Permission to use Centennial Park for KidsART.
3. Permission to allow children to paint on the back fence in Centennial Park.
4. Assistance from Police and Street Department with street closings and barricades from Friday, September 23, 2016 after 5:00 p.m. until Sunday, September 25, 2016 after 6:00 p.m.
5. Coordination by the Mayor with Riviera Utilities for additional electrical power access at the City Hall entrance utility pole.
6. Permission to use City Hall as headquarters for the festival staff and volunteers.
7. Permission to place temporary banners to help promote the 28<sup>th</sup> Annual Jubilee Festival. Specifics of the banners are as follows:

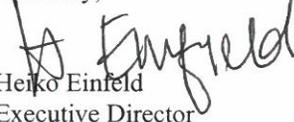
- Banners to read: *Jubilee Festival, September 24 and 25, 2016*
- Banners to be posted 2 weeks prior to event
- Size of Banners to be 120" x 34"
- Locations to include:

Santa Rosa & Main Street  
Jubilee Mall  
Lawson Road  
Highway 98 at Montrose Welcome Sign

8. Permission to place banners within the site of the festival.
- Please place this request on the agenda for the next available City Council Meeting. Please contact Liz R. Thomson at the Eastern Shore Chamber of Commerce (621-8222) with the date of the meeting.

The Eastern Shore Chamber of Commerce and the Jubilee Festival Committee greatly appreciate the City's continued support of this annual event. We are looking forward to another successful event for both the Chamber and the City. The success of the Jubilee Festival is only possible with the combined effort of the City, the Chamber and the volunteers.

Sincerely,

  
Heiko Einfeld  
Executive Director

cc: City Council, Eastern Shore Chamber of Commerce Board of Directors, Jubilee Chair  
Tabitha Raus.

## RESOLUTION 2016 - 03

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

**WHEREAS**, the Police Department of the City of Daphne has determined that DJ, Police Drug Canine, is ready for retirement and therefore no longer required for public or municipal purposes; and

**WHEREAS**, DJ has been a Police Canine for 7 years; and

**WHEREAS**, DJ has been requested to be adopted by his handler, Patrol Officer Jeff Sulzmann.

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

- 1- The Police Drug Canine, DJ, is hereby retired and declared no longer required for public or municipal purposes; and
- 2- In consideration of \$ 1.00 the Mayor is hereby authorized to direct the transfer of DJ to Jeff Sulzmann.

**ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, this \_\_\_\_ day of \_\_\_\_, 2016

---

Dane Haygood, Mayor

**ATTEST:**

---

Rebecca A. Hayes, City Clerk

## Public Safety Committee

*Monday, December 21, 2015*

Councilman Pat Rudicell  
Councilman Randy Fry  
Councilman Robin LeJeune  
Councilman Ron Scott  
Fire Chief James White  
Public Works Director, Richard Johnson

Police Chief David Carpenter  
Captain Scott Taylor  
Tracy Bishop - Secretary  
Councilwoman Tommie Conaway  
Councilman John Lake  
Councilwoman Angela Phillips

### **Committee Members Attending:**

Councilman Pat Rudicell, Councilman Robin LeJeune, Councilman Ron Scott, Councilwoman Tommie Conaway, Councilman Randy Fry, Councilman John Lake, Councilwoman Angela Phillips, Chief David Carpenter, Captain Scott Taylor, Code Enforcement Officer Matt Creel, Public Works Director Richard Johnson

### **CALL TO ORDER**

Councilwoman Conaway convened the meeting at 4:30 p.m.

### **POLICE DEPARTMENT**

- A. **New Business** – Chief went over the stats. He stated that his department is concentrating on residential patrols during this holiday season. Councilman Lake said he was at a funeral and a lady locked her keys and phone in her car. He wanted to know if the PD could get with auto clubs and create a list of Daphne Locksmiths for citizens to use when in this predicament since the PD cannot do unlocks anymore. He requested that the attorney be contacted to see if the police department can do unlocks now or not. Some agencies are still doing unlocks and it is a great service.

Chief advised that the cost of the Tahoe's has gone up about \$5,000 each. We have ordered 6 and not sure when they will be in. Chief advised that the department K-9, "DJ", has medical issues and by the Veterinarians opinion needs to be retired. The last



time we had to do a Resolution or Ordinance to give him away. The handler, Jeff Sulzmann, wants the dog after he is retired. Therefore we will need to purchase a new drug dog. A new dog will cost \$8,000 and training will be \$2,000 for a total of \$10,000. Councilman Lake asked if there was any drug money that could be used for the purchase. Chief said yes we have asset money but had to spend a lot of it supplementing this year's budget. Councilman Fry asked about the K-9 vehicle and what kind of special equipment is on it. Chief explained about the equipment that is in a K-9 vehicle. Councilman Scott asked if we could get the court to give some money toward the dog and the Chief stated "No" not on something like this. Chief stated that he would spend asset money for the dog. Councilwoman Phillips made a motion to bring it before Finance Committee to purchase the dog. Lake Seconded. Motion passed. Lake also made a motion to have the proper paperwork prepared to retire current K-9 "DJ". Phillips seconded. Motion passed.



### **FIRE DEPARTMENT**

- A: **New Business** – Chief went over his stats. Chief showed a map of Oldfield Subdivision. With so much growth in this area City services are needed. We need to ask the owner/developer for a piece of property to place a Public Services Building. He stated that no one wants to talk about it and always puts him off. Councilman Lake made a motion for resolution to the council to have the Council President ask the developer to donate a piece of property for future use. Councilwoman Phillips seconded the motion. Motion passed. Councilman Scott said developers are all different out at Oldfield. The Council has rezoning/annexation abilities and we're almost to the point that they need to say no more building in that area. Corte stated he has never been contacted about donating land. Councilman Rudicell stated he will ask Jay Corte about it. A Motion was on the floor for the Council President to contact Jay Corte about donating property. Lake seconded. Motion passed. Councilman Fry said the Public Services

**CITY OF DAPHNE, ALABAMA**

**ORDINANCE NUMBER 2016-01**

**AN ORDINANCE REPEALING AND REPLACING ORDINANCES 2007-37 and 2007-38 OF  
THE CITY OF DAPHNE, ALABAMA  
REGARDING THE RULES AND REGULATIONS FOR DAPHNE CITY PARKS**

**WHEREAS**, Chapter 15, Section 15-10 of the City of Daphne Municipal Code establishes rules and regulations relating to the operation and usage of Daphne City Parks; and

**WHEREAS**, Ordinance 2007-37 and 2007-38 promulgate the rules and regulations for the City of Daphne Parks; and

**WHEREAS**, the City of Daphne has undertaken a comprehensive review of the rules and regulations governing City parks with the intent of revising any and all provisions to improve the health, safety, and enjoyment of park patrons;

**WHEREAS**, the City of Daphne has determined that it is in the best interests of its citizens to revise, combine and update certain provisions relating to the use of park areas or facilities as such relates to motorized vehicles, pets and commercial watercraft; and

**WHEREAS**, the City of Daphne desires to amend Chapter 15, Section 15-10 to better serve and protect its citizens and ensure proper operation and usage of City parks.

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

Chapter 15, Section 15-10 of the City of Daphne Municipal Code is hereby amended to read and Ordinances 2007-37 and 2007-38 is hereby repealed and replaced with the following:

**SECTION 1: DAPHNE CITY PARK RULES AND REGULATIONS**

**General Park Rules**

1. City parks will open at sunrise and close at sunset, with the exception of parks which have lighting specifically designed for night activities and not merely parking.
2. No alcoholic beverages are allowed in any parks.
3. No person shall possess a weapon or discharge any weapon or explosive in a park or into a park from beyond the park boundaries to the maximum extent allowable by law.
4. No person shall deposit, drop or abandon garbage, rubbish, waste or any other kind of litter in or upon any waters or land within a park.

5. It shall be unlawful for any person to bring into, use or discard any glass beverage container, including any soft drink, beer, water bottles, drinking glasses or drinking cups made of glass and any and all similar beverage containers in any park.
6. Fires are allowed in cooking grills in designated areas only, Open “camp” fires are prohibited, unless permitted in writing by the Daphne Fire Department.
7. No person shall distribute or disseminate leaflets, pamphlets or other printed material or use any mechanical device in a park for soliciting or advertising, except upon prior written consent of the City. No person shall carry on or conduct any business or service within a park without the prior written approval of the City.
8. All camping activities shall be confined to designated areas in a park.
9. Hitting golf balls at any City park is strictly prohibited.
10. No person shall launch, land or leave unattended any boat, canoe, raft or other watercraft upon any water, bay, lagoon, lake or pond within a park except at locations and times designated for that purpose. No person shall operate any watercraft in a designated swimming area or other prohibited area or in violation of Alabama State Law.
11. No person shall use any marine areas or marine facilities, including, but not limited to, boat launches, docks, piers, wharfs, landings, moorings, floats, or shorelines within the limits of a park for commercial purposes or for commercial watercraft. For purposes of this section, “commercial watercraft” shall mean and include any and all boats, houseboats, motorboats, yachts, cruisers, inflatables, barges, vessels, canoes, rafts, jet skis, wet bikes and/or any other watercraft that is self-propelled or designed to be propelled by the use of internal combustion engines or electric motors.
12. No person shall wade or swim within a park except at beaches designated for that purpose and then only between sunrise and sunset or at such hours as may be designated by the City.
13. No person shall fish in a park in violation of Alabama State Law or in any area designated as “no fishing”.
14. No person shall operate a bicycle except on designated bikeways and roadways in a park.
15. No person shall operate any motorized vehicle within a park except on roadways, parking areas, or other designated locations. The speed limit shall be 15 MPH within the parks. For purposes of this rule, “motorized vehicle” shall mean and include any and all automobiles, motorcycles, mobile trailers, trucks, truck tractors, semitrailers, trailers and/or any other device that is self-propelled or drawn in, upon, or by which any person or property is or may be transported or drawn upon any trail, path, road, or highway.
16. No person shall intentionally kill, trap, hunt, pursue or in any manner disturb or cause to be disturbed any species of wildlife within a park, except that fishing will be permitted in designated areas.

17. No person shall remove, leave or deposit any animal, living or dead, from a park, and any animal so taken or left will be considered contraband and subject to seizure and confiscation.
18. No person shall intentionally feed any species of wildlife within a park.
19. No person shall bring a dog, cat or other pet into a park unless caged or kept on a leash not more than six feet in length. All dogs must be under the control and within sight of owners/custodians at all times. All owners/custodians are legally and financially responsible for their dog's behavior. All users of the Park do so at their own risk and assume all liability.
20. It shall be unlawful for any person to allow any dog, cat or other pet under his or her ownership, care, custody or control to defecate in a park without removing the defecation to a proper trash receptacle.
21. No person shall allow any dog, cat or other pet under his or her ownership, care, custody or control to disturb, annoy or harass any patrons of the park, wildlife, or other pets.
22. No person shall tether any animal to a tree or other plant. No person shall bring a dog, cat, or other pet into a park designated as an unauthorized area (playgrounds, athletic event parks).

**Dog Park Rules** – In addition to the Rules stated above, the following rules also apply within the confines of the Dog Park.

1. There is a limit of three (3) dogs per person. Owners/custodians must carry a leash for each dog and dogs may not be left unattended.
2. All dogs must be on a leash until inside the Park and upon leaving the Park.
3. There will absolutely be no female dogs in heat allowed inside the Park.
4. Each owner/custodian is responsible for cleaning up and properly disposing of dog excrement.
5. A dog must be removed from the Park at the first sign of aggression.
6. All dogs must wear a collar displaying current vaccination tags and current registration.
7. No collars that are visibly studded are permitted.
8. All children must be supervised and accompanied by an adult at all times. Children must not play in the Dog Park. The Daphne Dog Park is designed expressly for the recreation of dogs and the City of Daphne is not responsible for injuries to children.

9. No dogs under the age of four (4) months are allowed in the Park.
10. No food - human or pet - shall be allowed inside the Park.
11. All owners/custodians must stop their dog(s) from digging and shall fill any holes made by their dog(s).
12. The small dog area is reserved for dogs up to twenty-five (25) pounds. Small dogs are allowed in the large dog area, but no large dogs shall be allowed in the small dog area.

**SECTION II: SEVERABILITY**

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence or part thereof shall be held to be unconstitutional or invalid, such decision shall not affect or impair the remainder of this 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 III: REPEALER**

Ordinances 2007-37 and 2007-38 and 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: EFFECTIVE DATE**

This Ordinance shall become effective immediately and be in full force after final passage and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,  
ALABAMA ON THE \_\_\_ DAY OF \_\_\_\_\_, 2016.**

---

**Dane Haygood, Mayor**

**ATTEST:**

---

**Rebecca A. Hayes, City Clerk**

**ORDINANCE 2016 – 02**

**APPROPRIATION FOR: FENCE AT LOTT PARK: BETWEEN LOTT PARK AND LITTLE BETHEL BAPTIST CHURCH GRAVEYARD PROPERTY**

**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 improvements; and

**WHEREAS**, the Lott Park fencing project meets such recreational grounds capital criteria; and

**WHEREAS**, the fence is needed for safety purposes to restrict park activities from entering the Little Bethel Baptist Church graveyard property:

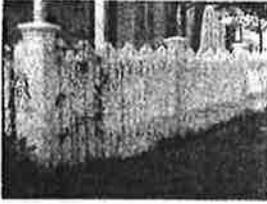
**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2016 Budget is hereby amended to include an appropriation from the Lodging Tax Fund for installation of a fence on the Lott Park property adjacent to the Little Bethel Baptist Church graveyard property in the amount of \$16,800.

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this \_\_\_ day of \_\_\_\_\_, 2016.

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

**Attest:**

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



P.O. BOX 241, FAIRHOPE, AL 36533 PHONE: 251.990.5540 FAX: 251.990.5530

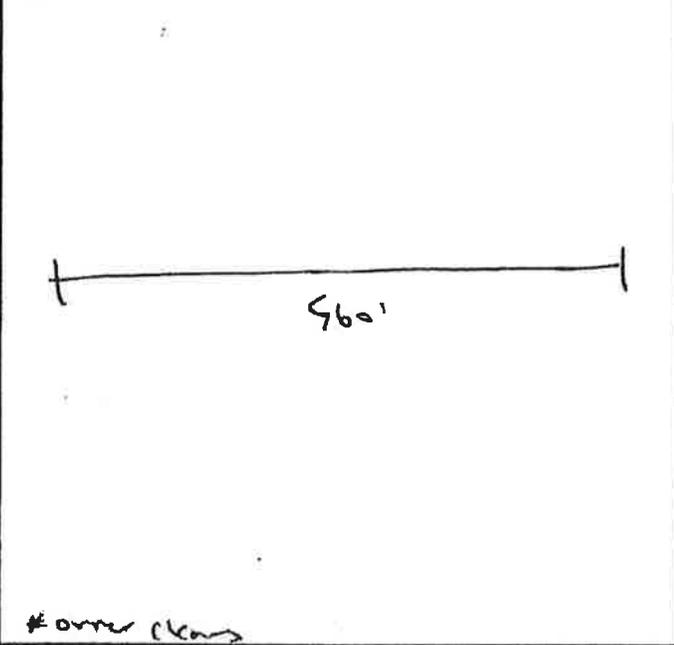
**Project Address**

Name: City of Daphne - Richard Johnson  
 Address: \_\_\_\_\_  
 City/State: Daphne AL Zip: \_\_\_\_\_  
 Phone: 251-379-1309  
 Email: RJohnson@DaphneAL.com

**Billing Address**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

**Project Sketch**



**Notes:**

(560) LF - 5' Commercial Aluminum  
w/ 3" Posts = \$16,800.00

**CONTRACT CONDITIONS:**

- If payment is not made as specified, Colony Fence Company, LLC reserves the right to repossess all materials for the job without recourse. If legal action is necessary and taken, client is responsible for all legal fees, including those of Colony Fence Company.
- There is no warranty on wood materials used. Manufacturers warranty prevails
- Colony Fence Company shall not be held responsible for any damage to the project caused by weather, wind, fire, flood, accident, or act of God. Colony Fence shall not be held liable for damage or problems experienced through the course of everyday wear and tear.
- Colony Fence Company assumes no liability for any injury resulting from misuse such as climbing, scaling, under passage, or other activity related to the products herein.
- If contract is changed after materials are delivered to the job site, there will be a 20% penalty fee added to the original estimate. If signed contract is cancelled, a 30% charge of total contract price will be charged to the client.
- 50% deposit is due upon delivery of materials with remaining 50% due upon completion of the project, unless otherwise specified.
- Colony Fence Company shall not be held liable for any damage to landscaping, trees or sod inflicted during installation of the project.
- Colony Fence Company reserves the right to post signs for advertising purposes.
- Upon signing of the this proposal by the client, client accepts that all information reflected within this document is correct, and the proposal will be deemed accepted by the client and from then on will become a legal and binding contract between the client and Colony Fence Company.
- Estimated prices are good for 30 calendar days from date shown below.

- |                                     |  |                                 |    |
|-------------------------------------|--|---------------------------------|----|
| <input type="checkbox"/> Privacy    | <input type="checkbox"/> Vinyl Chain Link    | <input type="checkbox"/> 4'     | 51 |
| <input type="checkbox"/> Shadowbox  | <input type="checkbox"/> 3 Rail              | <input type="checkbox"/> 6'     |    |
| <input type="checkbox"/> Picket     | <input type="checkbox"/> 3 Rail with Wire    | <input type="checkbox"/> 8'     |    |
| <input type="checkbox"/> Wood       | <input type="checkbox"/> Custom              | <input type="checkbox"/> Other  |    |
| <input type="checkbox"/> Chain Link | <input checked="" type="checkbox"/> Aluminum | <input type="checkbox"/> Arches |    |

- Top rail to follow the grade of the ground. Fence to be on ground or within 3" - Buyer responsible to fill in extremely low areas.
- Top rail to be straight, not following the grade of the ground. Fence will be off the ground in low spots - Buyer responsible to fill in low areas.
- Are property lines clearly marked? (If no, owner responsible for designating property lines)  YES  NO
- Is the fence line clear?  YES  NO
- Can the project be accessed by our vehicles?  YES  NO
- Possible roots or cleanup required?  YES  NO
- Is this project a price match? (If yes, include written comp. est.)  YES  NO

Property owner is responsible for all underground lines, pipes and property lines. Lines can be located by calling Alabama Line Locators at 1.800.292.8525.

TOTAL PRICE: \$16,800.00

Client's Signature: \_\_\_\_\_

Estimator: W. M. ...

Date: 12/11/15

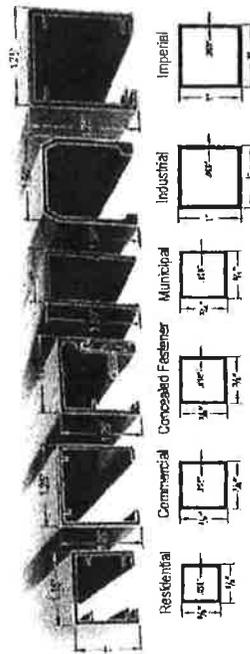
# ALUMINUM FENCE SUPPLY

*The Superior Alternative*

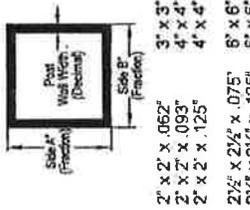
## STYLES

\*Series N1 and N2 are available in Residential Grade only.

## GRADES: CHANNELS & PICKETS



## POST SIZES



## COLORS

**ALUMINUM FENCE SUPPLY**  
*"The Superior Alternative"*  
[www.AluminumFenceSupply.com](http://www.AluminumFenceSupply.com)

## ADORNMENTS

Your Local Authorized Aluminum Fence Supply Dealer:

*Classic Series*



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**Kelli Kichler, CPA**

---

**From:** Richard D. Johnson, P.E.  
**Sent:** Friday, January 08, 2016 2:18 PM  
**To:** Suzanne Henson  
**Cc:** William Eringman; Kelli Kichler, CPA  
**Subject:** RE: Lott Park Fence  
**Attachments:** Colony quote.pdf; Consolidated Fence - Quote.pdf; Baldwin County Fence - Fence Specifications.pdf

Suzanne:

See attached. This was at the request of Councilwoman Conaway for budgetary purposes. There is the Churches property and then there is the Lott side (City). Low quote is Colony at \$16,800.00 for the Lott Park property line only. Baldwin County Fence did not respond with a quote.

RDJ

**Richard D. Johnson, P.E.**  
**Public Works Director**  
**26435 Public Works Road**  
**Daphne, AL 36526**

**Phone: (251) 621-3182**  
**Fax: (251) 621-3189**  
**Cell: (251) 379-1305**

[rjohnson@daphneal.com](mailto:rjohnson@daphneal.com)

---

**From:** Suzanne Henson  
**Sent:** Friday, January 08, 2016 1:58 PM  
**To:** Richard D. Johnson, P.E.  
**Cc:** William Eringman  
**Subject:** Lott Park Fence

Richard

The Lott park fence appropriation is on the January Finance agenda. Mrs. Conaway asked me to ask you if you received another quote and to confirm the amount needed is still \$22,000?

Please advise so I can reference that amount on the packet agenda I am preparing right now and the ordinance I will include in the packet.

thanks



**Suzanne Henson**  
**Senior Accountant**  
shenson@daphneal.com  
City of Daphne, Alabama - "The Jubilee City"  
Phone: 251-621-9000 Web: www.daphneal.com

**Richard D. Johnson, P.E.**

**ORDINANCE 2016 - 03**

**Recreation Equipment : Amend Budget from Lodging Tax Appropriation to General Fund 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**, recreation equipment in the amount of \$57,500 was included in the Lodging Tax FY2016 Budget to purchase the following equipment; and

**WHEREAS**, the current Lodging Tax Ordinance (*Ord 2014-06*) does not allow this type equipment purchased without further Council approval, and

**WHEREAS**, the recreation equipment purchase can be funded from the General Fund.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Daphne, Alabama, that funds in the amount of \$57,500 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2016 budget for the Recreation equipment:

- Drag Machine-\$18,000
- John Deere Gator Utility Vehicle-\$7,500
- Chemical Sprayer-\$20,000
- John Deere 72" Z-Trak Mower-\$12,000

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

**ATTEST:**

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

**ORDINANCE 2016-04**

**Sidewalk/Boardwalk Improvements: Lake Forest – Ridgewood Drive:  
North- Plaza Circle to Worchester Drive & South- Montclair Loop to Dunbar Loop**

**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**, certain sidewalk installations are needed for safe passage along City streets including the following locations in **Lake Forest on Ridgewood Drive:**

- **North- Plaza Circle to Worchester Drive (3,200 LF)**
- **South- Montclair Loop to Dunbar Loop (2,800 LF)**

**WHEREAS**, surplus sale monies from FY2016 Surplus Sales will be available for funding such Sidewalk/Boardwalk projects.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Daphne, Alabama, that funds in the amount of \$82,000 from the General Fund Surplus Sale revenues are hereby appropriated and made a part of the Fiscal Year 2016 budget for Sidewalk/Boardwalk Improvements in Lake Forest on Ridgewood Drive: North-Plaza Circle to Worchester Drive & South- Montclair Loop to Dunbar Loop.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2016.**

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

**ATTEST:**

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

**Suzanne Henson**

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**From:** Richard D. Johnson, P.E.  
**Sent:** Tuesday, January 05, 2016 10:49 AM  
**To:** Suzanne Henson; Kelli Kichler, CPA  
**Cc:** Ron Scott; Dane Haygood; Randy Fry; Michele Hanson  
**Subject:** Additional Sidewalks for FY2016  
**Attachments:** FY2016 Sidewalk Projects - Cost Estimate Lake Forest - Reduced.pdf

Suzanne:

Councilman Scott brought this up at Public Works Committee last night and wants the Finance Committee to consider it on the Agenda for next week. See attached – just the two Lake Forest projects (highlighted). Cost estimates are:

North Route – 0.61 miles: \$43,500.00  
South Route – 0.53 miles: \$38,500.00

Project Total: \$82,000.00

Ideally, this is summertime work for the Department and I don't foresee any work beginning before May, 2016.

Yours,

RDJ

**Richard D. Johnson, P.E.**  
**Public Works Director**  
**26435 Public Works Road**  
**Daphne, AL 36526**

**Phone: (251) 621-3182**  
**Fax: (251) 621-3189**  
**Cell: (251) 379-1305**

[rjohnson@daphneal.com](mailto:rjohnson@daphneal.com)



**Richard D. Johnson, P.E.**  
**Public Works Director**  
rjohnson@daphneal.com  
City of Daphne, Alabama - "The Jubilee City"  
Phone: 251-621-3182 Web: www.daphneal.com

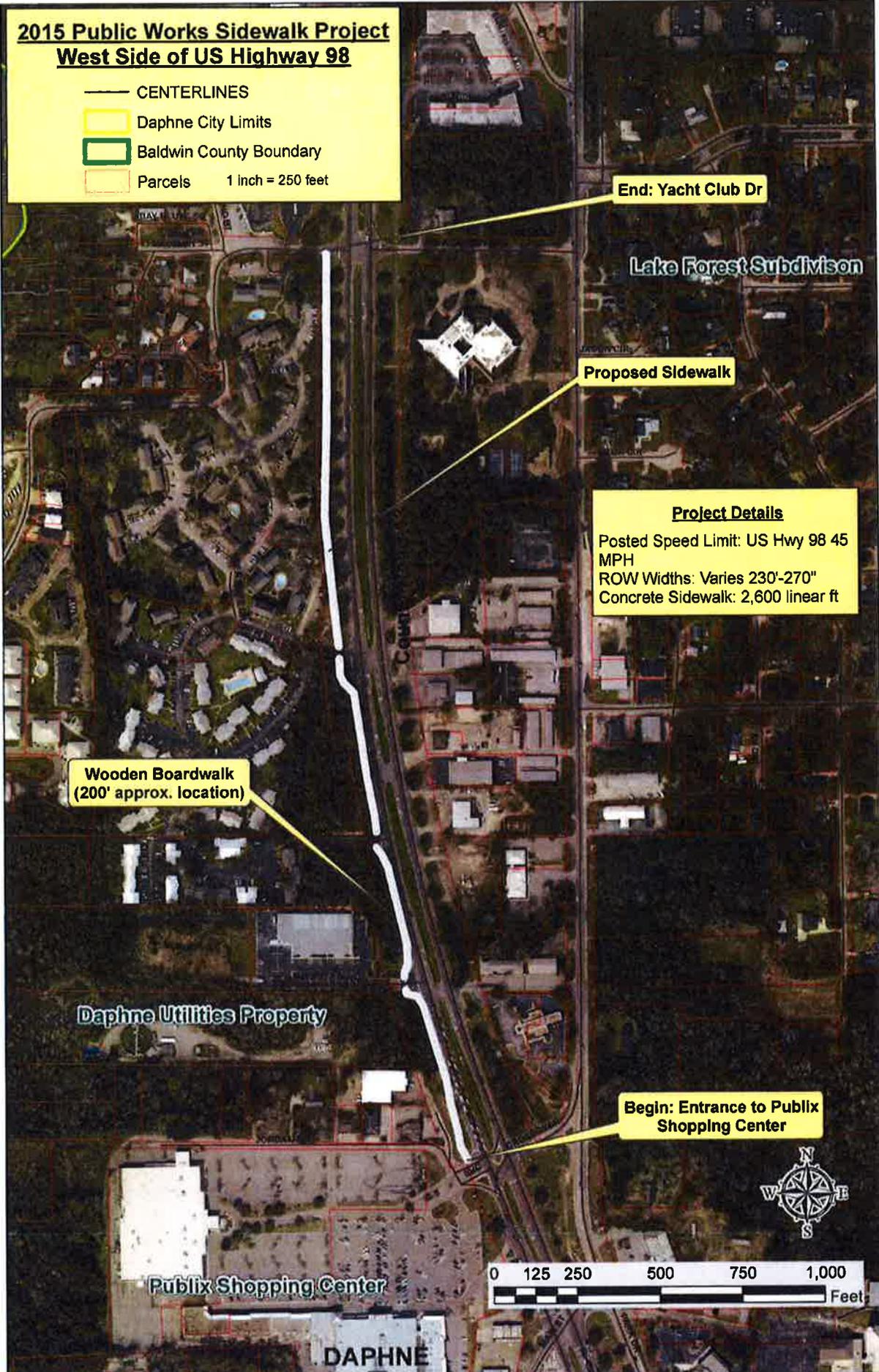
**Public Works Director Estimated Costs**

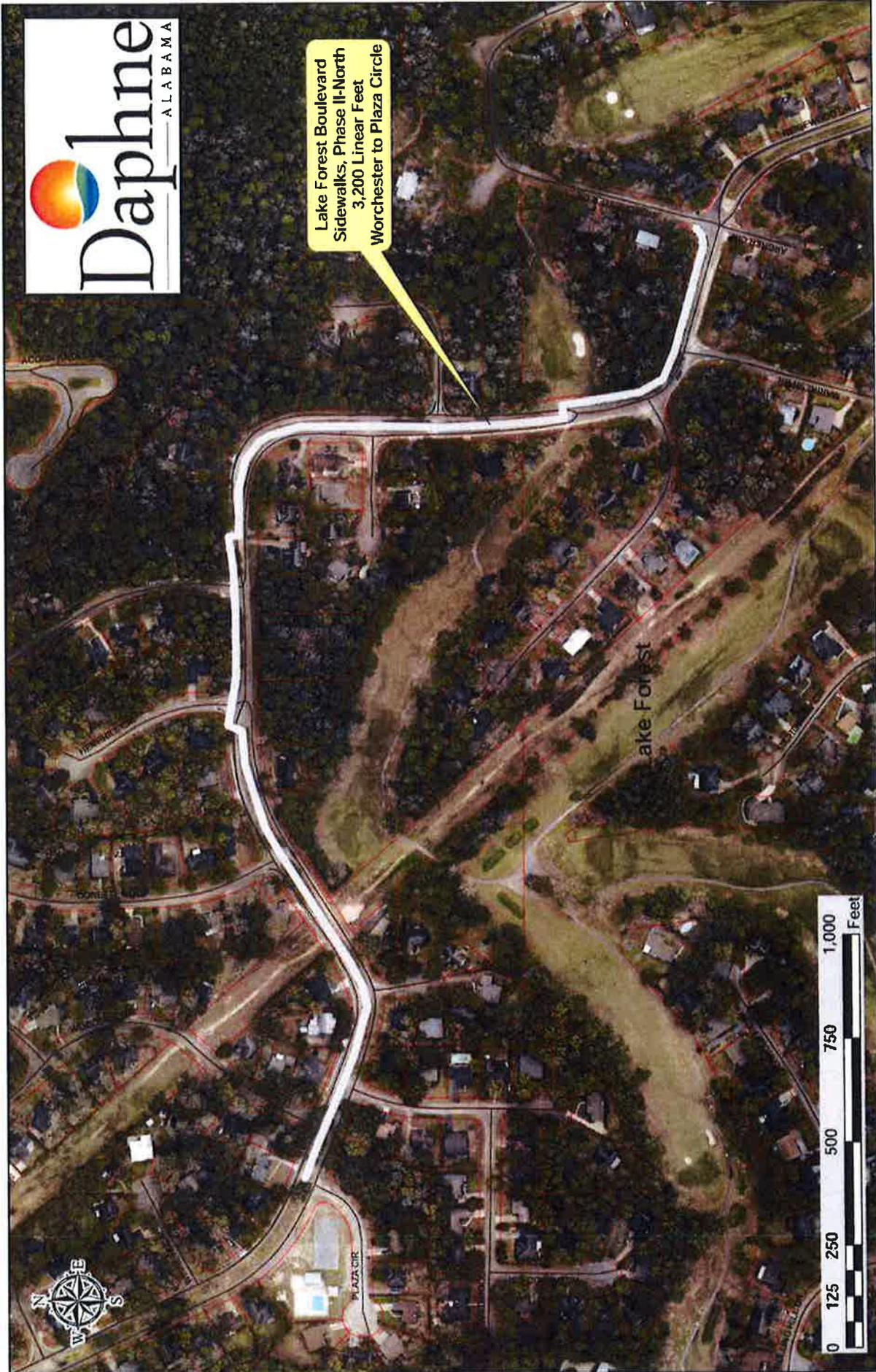
**City of Daphne Street Improvements - Fiscal Year 2016**

**Project : 2016 Various City Sidewalk Projects**

<b>Construction Estimate</b>					
<b>5'-0" Wide Sidewalk Within US Hwy 98 R.O.W.</b>					
<b>Project #1 - West Side of US Highway 98 - From Yacht Club Dr to Entrance of Publix</b>				<b>Length:</b>	<b>2800</b>
<b>Item #</b>	<b>Description</b>	<b>Unit</b>	<b>Quantity</b>	<b>Unit Price</b>	<b>Amount</b>
1	5' Wide Concrete Sidewalk	L.F.	2600	\$20.00	\$52,000.00
2	6'-8' Wide Wooden Boardwalk	L.F.	200	\$35.00	\$7,000.00
				<b>Project Total:</b>	<b>\$59,000.00</b>
<b>Construction Estimate</b>					
<b>5'-0" Wide Sidewalk Within Ridgewood Drive R.O.W.</b>					
<b>Project #2 - Ridgewood Dr - North - Plaza Cir to Worchester Dr</b>				<b>Length:</b>	<b>3200</b>
<b>Item #</b>	<b>Description</b>	<b>Unit</b>	<b>Quantity</b>	<b>Unit Price</b>	<b>Amount</b>
1	5' Wide Concrete Sidewalk	L.F.	3000	\$12.50	\$37,500.00
2	6' Wide Wooden Boardwalk	L.F.	200	\$30.00	\$6,000.00
				<b>Project Total:</b>	<b>\$43,500.00</b>
<b>Project #3 - Ridgewood Dr - South - Montclair Lp to Dunbar Lp</b>				<b>Length:</b>	<b>2800</b>
<b>Item #</b>	<b>Description</b>	<b>Unit</b>	<b>Quantity</b>	<b>Unit Price</b>	<b>Amount</b>
1	5' Wide Concrete Sidewalk	L.F.	2600	\$12.50	\$32,500.00
2	6' Wide Wooden Boardwalk	L.F.	200	\$30.00	\$6,000.00
				<b>Project Total:</b>	<b>\$38,500.00</b>
<b>Construction Estimate</b>					
<b>6'-0" Wide Sidewalk Within County Road 13 R.O.W.</b>					
<b>Project #4 - County Road 13 - Lawson/Champions Way to Whispering Pines - TAP Grant</b>				<b>Length:</b>	<b>7560</b>
<b>Item #</b>	<b>Description</b>	<b>Unit</b>	<b>Quantity</b>	<b>Unit Price</b>	<b>Amount</b>
1	Preliminary Engineering	L.S.	1	\$37,607.44	\$7,521.49
2	Construction	L.S.	1	\$442,440.50	\$88,488.10
3	CE&I plus Material Testing	L.S.	1	\$46,456.25	\$9,291.25
				<b>Project Total:</b>	<b>\$105,300.84</b>
<b>Total for 4 Projects - Estimated Construction Cost:</b>					<b>\$246,300.84</b>

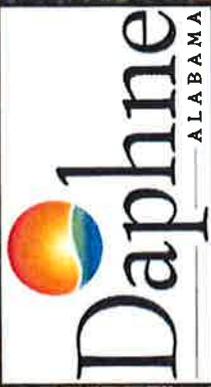
Total Length of New Sidewalks (ft): 16360      cost/ft= \$15.06  
 Mile = 3.1      cost/mi = \$79,490.74







Lake Forest Boulevard  
Sidewalks, Phase II-South  
2,800 Linear Feet  
Dunbar Lp to Montclair Lp





**CITY OF DAPHNE  
RESOLUTION 2016-01**

**Acceptance of Streets and Drainage and Rights-of-Way  
Located in the Retreat at Tiawasee Subdivision**

**WHEREAS**, the City Council of the City of Daphne, Alabama has received notice that the Planning Commission of Daphne has given Final Plat approval to Retreat at Tiawasee Subdivision on November 5, 2015, and the City of Daphne hereby recommends acceptance of said street(s) located in Retreat at Tiawasee Subdivision; and,

**WHEREAS**, an inspection was made by the Director of Community Development, and all reports, as well as, all other related documents have been provided stating that said streets and storm water drainage have been installed in conformity with city standards; and,

**WHEREAS**, an inspection was made by the Director of the Division of Public Works, and said director has recommended acceptance said streets and storm water drainage of Retreat at Tiawasee Subdivision; and,

**WHEREAS**, Daphne Utilities has accepted the utilities of Retreat at Tiawasee Subdivision; and,

**WHEREAS**, the developer has provided to the City a two-year maintenance bond in the amount of \$168,000.00 as required and now requests acceptance and dedication of the same for maintenance of said improvements as outlined in Article XVII, entitled the Procedures for Subdivision Review of the City of Daphne Land Use and Development Ordinance; and,

**WHEREAS**, the developer has caused the plat to be recorded on slide 0002545-B of the records in the Baldwin County Judge of Probate Office; and,

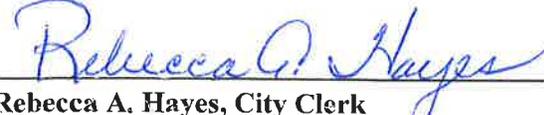
**WHEREAS**, the City Council of the City of Daphne believes it is in the best interest of the citizens of the City for the City to accept said right-of-way; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE AS FOLLOWS**, that Retreat at Tiawasee Subdivision streets named Cowles Crossing (438 linear feet) a 50-ft right of way; Daintree Court (735 linear feet) a 50-ft right of way; and, Rhone Drive (2,385 linear feet) a 50-ft right of way; Danube Court (692 linear feet) a 50-ft right of way according to the plat presented by Preble-Rish, LLC as recorded in the Office of the Judge of Probate, Baldwin County, Alabama, are hereby accepted by the City of Daphne, Alabama as city streets for maintenance.

**ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE 4<sup>TH</sup> DAY OF JANUARY, 2016.**

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

**ATTEST:**

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

**ADOPTED**  
**ORDINANCES & RESOLUTIONS**  
**FROM THE**  
**JANUARY 4, 2016 COUNCIL MEETING**

**CITY OF DAPHNE  
RESOLUTION 2016-02**

**Acceptance of Streets and/or Rights of Way  
A Portion of Lakeshore Drive in Lakeview Townhomes Phase II and III**

**Whereas**, the property owners of Lakeview Townhomes, Phase II and Phase III, hereby desire to donate to the City of Daphne a certain portion of right-of-way of Lake Shore Drive; and,

**Whereas**, an inspection was made by the Division of Public Works, and has recommended acceptance of said right-of-way; and,

**Whereas**, City Council of the City of Daphne, Alabama has received notice that the Planning Commission of the City of Daphne in its regularly scheduled meeting of December 17, 2015 reviewed the proposal and made a favorable recommendation for the acceptance of the same contingent upon the land having clear title; and,

**Whereas**, said right of way is located within the corporate limits of the City of Daphne, Alabama and is described as follows: Parcel A of Lakeview Townhomes, Phase I, as recorded in the Office of the Judge of Probate, Baldwin County, Alabama in Plat Book MB12 Page 41; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE AS FOLLOWS**, that the above described right-of-way, a portion of Lake Shore Drive, is hereby accepted by the City of Daphne, Alabama as a city street for maintenance.

JANUARY

**ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE 4<sup>TH</sup> DAY OF JANUARY, 2016.**

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

**ATTEST:**

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

**ORDINANCE NO. 2015-74**

**FOR THE ANNEXATION OF CERTAIN PROPERTY INTO THE CORPORATE  
LIMITS  
OF THE MUNICIPALITY OF THE CITY OF DAPHNE, ALABAMA**

**Russell Steiner  
Property Located Southeast of Interstate 10 and Blakely River  
(67 Acres More or Less)**

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

**WHEREAS**, on the 28<sup>th</sup> day of September, 2015, 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**, all of such property is located and contained within an area contiguous to the corporate limits of the City of Daphne, Alabama and does not lie within the corporate limits or police jurisdiction of any other municipality; and,

**WHEREAS**, said petition contains an accurate description of the property or territory proposed to be annexed together with a map of said property showing its relationship to the corporate limits of the City of Daphne; and,

**WHEREAS**, said petition was presented to the Planning Commission of the City of Daphne at a special called meeting on November 5, 2015 and the Commission set forth an unanimous favorable recommendation for the City Council to consider said request for annexation, and said property shall be zoned as follows: R-1, Low Density Single Family Residential District; and,

**WHEREAS**, after proper publication, a public hearing was held by the City Council on December 21, 2015 concerning the petition for annexation; and,

**WHEREAS**, the City Council of the City of Daphne, Alabama has determined that it is in the best interest of said City that the property described in Section 2 hereof be annexed to the corporate limits of the City of Daphne, and that all the requirements of Sections 11-42-21 through 11-42-24, Code of Alabama, 1975, as amended have been complied with by said Petitioner.

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

**SECTION 1: CONSENT TO 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 2: DESCRIPTION OF THE PROPERTY.**

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:

**"Exhibit A"**

**LEGAL DESCRIPTION:**

**PARCEL:**

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 4 SOUTH, AT THE DIVISION OF RANGE 1 AND 2 EAST (THE POINT OF COMMENCEMENT); THENCE RUN WESTERLY ALONG THE SOUTH MARGIN OF THE INTERSTATE 10 RIGHT-OF-WAY ±1360 FEET TO THE POINT OF BEGINNING (P.O.B.); THENCE RUN WESTERLY ALONG THE SOUTH MARGIN OF THE INTERSTATE 10 RIGHT-OF-WAY ±1320 FEET TO A POINT; THENCE RUN SOUTHWARDLY ALONG THE SHORELINE MARGIN OF THE BLAKELEY RIVER ±3850 FEET TO A POINT; THENCE RUN EAST ±1545 FEET TO A POINT; THENCE RUN NORTH AND EASTWARDLY (MEANDERING) ALONG THE SHORELINE MARGIN OF D'OLIVE BAY TO A POINT; THENCE RUN NORTHERLY ±410 FEET TO THE POINT OF BEGINNING, CONTAINING 67 ACRES, MORE OR LESS, AND LYING WITHIN SECTION 24, TOWNSHIP 4 SOUTH, RANGE 1 EAST, BALDWIN COUNTY, ALABAMA

**SECTION 3: 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 4: 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 to the corporate limits of the City of Daphne, Alabama, upon such publication.

**SECTION 5: PROBATE COURT.**

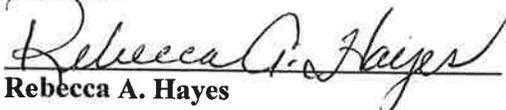
A description of the property described in this Ordinance shall be filed in the Office of the Judge of Probate of Baldwin County, Alabama, as required by Section 11-42-21, Code of Alabama, 1975, as amended.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** on this 4<sup>th</sup> day of January, 2015.



**Dane Haygood  
Mayor**

**ATTEST:**



**Rebecca A. Hayes  
City Clerk**

**ORDINANCE 2015-75**

**Civic Center Roof Repairs 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**, some repairs (\$3,515) on the Civic Center roof drains have been done but additional repairs (\$17,490) are needed to maintain and protect the existing roof structure.

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$ 21,005 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2010 budget for the repair and maintenance of the Civic Center Roof.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this 4<sup>th</sup> day of January, 2015.

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

**ATTEST:**

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

**Ordinance 2015-76**  
**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)**  
**319 Tiawasee Creek Sub-watershed Management Project (FY 15)**

**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 coastal Alabama is blessed with estuaries that support both fresh and saltwater species and serve as nursery habitat for many commercially and recreationally important fish and shellfish; and

**WHEREAS**, the Tensaw Appalache watershed, located in Baldwin County, AL is within the Mobile Bay estuary and includes the sub-watersheds of D'Olive Creek, Tiawasee Creek and Joes Branch; and

**WHEREAS**, the Watershed Management Plan: D'Olive Creek, Tiawasee Creek, and Joe's Branch Watersheds was published in 2010 to guide restoration activities in areas of environmental degradation within the sub-watersheds of D'Olive Creek, Tiawasee Creek and Joe's Branch; and

**WHEREAS**, this plan recommends and identifies areas for stabilizing of stream segments and improving stormwater management in the Tiawasee sub-watershed; and

**WHEREAS**, the City's goal is to support environmental endeavors which will improve water quality and lessen the potential for impacts to the City's watersheds which are part the greater Mobile Bay Watershed.

**WHEREAS**, Resolution 2015-06 approved the initial application process requiring no cash match from the City; and

**WHEREAS**, ADEM during the application review process requested that the City be responsible for the boardwalks and sidewalks due to the fact that they do not reduce the pollutant of concern or sediment; and

**WHEREAS**, the construction of these boardwalks and sidewalks have been a part of the City's plan to allow more connectivity to the Daphne Trione Sports Complex; and

**NOW, THEREFORE, BE IT ORDAINED**, that:

1. The City Council of the City of Daphne deems the ADEM 319 Tiawasee Creek Sub-watershed Management Project an important component to the Tiawasee Creek Restoration and approves the following:

- Grant total of \$994,452.00 with the Federal share being \$596,671.00; City share being in-kind labor of \$305,936.25 and cash appropriation of \$91, 844.75 from the General Fund for the grant cooperative agreement.

2. The Environmental Program Manager/Public Works Director or the Mayor is authorized to manage the grant and coordinate with ADEM for the reimbursement of such funds and to sign and execute all documents associated with the described projects.

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this 4<sup>th</sup> day of January, 2015.

**Attest:**

  
Rebecca A. Hayes, City Clerk

  
Dane Haygood, Mayor

**Ordinance 2015-76**  
**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)**  
**319 Tiawasee Creek Sub-watershed Management Project (FY 15)**

**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 coastal Alabama is blessed with estuaries that support both fresh and saltwater species and serve as nursery habitat for many commercially and recreationally important fish and shellfish; and

**WHEREAS**, the Tensaw Appalache watershed, located in Baldwin County, AL is within the Mobile Bay estuary and includes the sub-watersheds of D'Olive Creek, Tiawasee Creek and Joes Branch; and

**WHEREAS**, the Watershed Management Plan: D'Olive Creek, Tiawasee Creek, and Joe's Branch Watersheds was published in 2010 to guide restoration activities in areas of environmental degradation within the sub-watersheds of D'Olive Creek, Tiawasee Creek and Joe's Branch; and

**WHEREAS**, this plan recommends and identifies areas for stabilizing of stream segments and improving stormwater management in the Tiawasee sub-watershed; and

**WHEREAS**, the City's goal is to support environmental endeavors which will improve water quality and lessen the potential for impacts to the City's watersheds which are part the greater Mobile Bay Watershed.

**WHEREAS**, Resolution 2015-06 approved the initial application process requiring no cash match from the City; and

**WHEREAS**, ADEM during the application review process requested that the City be responsible for the boardwalks and sidewalks due to the fact that they do not reduce the pollutant of concern or sediment; and

**WHEREAS**, the construction of these boardwalks and sidewalks have been a part of the City's plan to allow more connectivity to the Daphne Trione Sports Complex; and

**NOW, THEREFORE, BE IT ORDAINED**, that:

1. The City Council of the City of Daphne deems the ADEM 319 Tiawasee Creek Sub-watershed Management Project an important component to the Tiawasee Creek Restoration and approves the following:

- Grant total of \$994,452.00 with the Federal share being \$596,671.00; City share being in-kind labor of \$305,936.25 and cash appropriation of \$91, 844.75 from the General Fund for the grant cooperative agreement.

- 2. The Environmental Program Manager/Public Works Director or the Mayor is authorized to manage the grant and coordinate with ADEM for the reimbursement of such funds and to sign and execute all documents associated with the described projects.

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this 4<sup>th</sup> day of January, 2015.

**Attest:**

  
Rebecca A. Hayes, City Clerk

  
Dane Haygood, Mayor

**ORDINANCE 2015-78**

**Lodging Tax Additional Appropriation TAP: Gator Alley -  
Turnout/Overlook/Drainage/Scenic Improvements  
FEDERAL AID PROJECT NO. STPTE-TA13(930)**

**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 has been awarded the new Transportation Alternatives Program (TAP) Grant through the Alabama Department of Transportation (ALDOT) in the amount of **\$320,075.46** with an 80/20 cost share ration; and

**WHEREAS**, the Transportation Enhancement (TE) Program funds may be used to correct ADA deficiencies associated with existing pedestrian infrastructure; and

**WHEREAS**, funds in the amount of **\$92,857** were appropriated through Ordinance 2013-59 for the Gator Alley improvement project; and

**WHEREAS**, Bids received (*total project cost \$768,694*) were higher than estimated (*estimated total project cost \$409,005*) requiring an additional appropriation in the amount of **\$ 355,762** to complete the Gator Alley Improvement project.

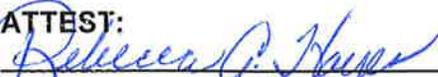
<b>Activity</b>	<b>Entity</b>	<b>Cost</b>
Initial Survey & Design	JADE Consulting, LLC	\$32,813.83
Additional Engineering Incurred	JADE Consulting, LLC	\$5,157.21
Land Acquisition (Appraisals & Legal)	Charles Breland	\$103,855.91
Construction Costs	Blade Construction, LLC	\$588,267.40
Construction Engineering & Testing (LS)	JADE Consulting, LLC	\$38,600.00
<b>Total Project Cost:</b>		<b>\$768,694.35</b>

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

1. Funds in the amount of **\$ 355,762 from the Lodging 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 4<sup>th</sup> day of January, 2015.

  
Dane Haygood, Mayor

**ATTEST:**  
  
Rebecca A. Hayes, City Clerk

**ORDINANCE 2015-79**

**APPROPRIATION FOR: GRANT PROPOSAL WRITING, CONSULTING, and  
MANAGEMENT SERVICES FOR ALL CITY GRANTS:  
GRANT MANAGEMENT LLC**

**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**, with the growth of the City more grants are applied for each year; and

**WHEREAS**, grant management services are needed to ensure compliance with grant requirements and to enhance the opportunity of grant awards; and

**WHEREAS**, a proposal for these grant management/consulting services from Grant Management LLC in the amount of \$42,000/year has been reviewed and recommended by staff; and

**WHEREAS**, appropriation in the amount of \$25,000 for the procurement of a grant manger to assist with its CIAP-NFWF grant project was approved in Ordinance 2015-05, and

**WHEREAS**, Grant Management LLC has agreed to include the \$25,000 as part of the \$42,000 annual fee for FY2016 leaving a balance of \$17,000 .

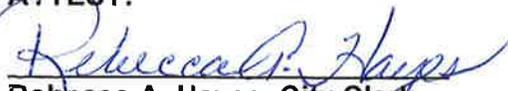
**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Daphne, Alabama, that

- 1. the Fiscal Year 2016 Budget is hereby amended to include an additional General Fund appropriation in the amount of \$17,000 for the procurement of the grant management/consulting services from Grant Management LLC to assist with all City related grants.***
- 2. The Mayor is hereby authorized to execute all agreements required for these grant management/consulting services.***

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this 4<sup>th</sup> day of January, 2015.

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

**ATTEST:**

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

**AMENDED ORDINANCE FROM THE JANURY 4, 2016 COUNCIL MEETING**  
**WHICH WILL BE SIGNED BY MAYOR HAYGOOD**

**ORDINANCE NO. 2015-80**

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**AN ORDINANCE REMOVING CONTINGENCY REGARDING FUNDS TO THOMAS HOSPITAL FOUNDATION BY THE CITY OF DAPHNE**

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**WHEREAS**, Ordinance 2015-55 approved and 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 part of the Fiscal Year 2016 budget; and

**WHEREAS**, a policy has been established by the City Council in Ordinances 2015-16 and 2015-45 that all outside entities, providing public benefit, but not direct financial benefit to the City, that request funding from the City adhere to the tenets of the Community Grant Program; and

**WHEREAS**, the City Council by Amendment 102 of the Fiscal Year 2016 budget, made provision for the payment of \$30,000 a year for five (5) years to Thomas Hospital Foundation for the establishment of a free standing emergency room; and

**WHEREAS**, said Amendment 102 was passed with a contingency requiring that the free standing emergency room be annexed into the City before the funds would be paid; and

**WHEREAS**, more than five (5) members of the City Council considered this appropriation to be an exception to the terms and conditions of the Community Grants Program based on extraordinary circumstances shown; and

**WHEREAS**, the City Council wishes to remove the contingency; and

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

- a. That funds be and are hereby appropriated to Thomas Hospital Foundation in the amount of \$150,000.00 payable at the rate of \$30,000.00 per year with the initial \$30,000.00 payment to be made a part of the Fiscal Year 2016 Budget.
- b. That the sum of \$120,000.00 shall be payable to Thomas Hospital Foundation at the rate of \$30,000.00 per year commencing with the Fiscal Year 2017 Budget and each fiscal year thereafter subject to funding being approved by the City Council in each fiscal year.
- c. That the contingency of annexation of certain real property as previously

established in Amendment 102 of the Fiscal Year 2016 Budget is hereby removed.

**EFFECTIVE DATE.** The provision of this amendment shall be effective and operative upon execution of this Ordinance.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.**

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**Dane Haygood**  
**Mayor**

**ATTEST:**

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**Rebecca A. Hayes**  
**City Clerk**