

**CITY OF DAPHNE
CITY COUNCIL MEETING AGENDA
1705 MAIN STREET, DAPHNE, ALABAMA
JANUARY 20, 2015
6:30 P.M.**

1. CALL TO ORDER

2. ROLL CALL

INVOCATION / Dr. Michael Huntley, Martin Luther Lutheran Church
PLEDGE OF ALLEGIANCE

- 3. APPROVE MINUTES:** Council Meeting Minutes / January 5, 2015
Council Work Session Minutes / January 12, 2015

PROCLAMATION: Daphne High School Graduation Rate

PUBLIC HEARINGS:

- A. Pre-Zoning: George Kalasountas**
Property Located: On the south side of U.S. Highway 90 at Renaissance Boulevard
Present Zoning: RSF-1, Single Family Residential District, Baldwin County District 15
Requested Zoning: B-2, General Business / R-7(T), Townhouse / R-1, Low Density Single Family Residential District, City of Daphne
Recommendation: Three motions were made and failed which resulted in an unfavorable recommendation
- B. Annexation: George Kalasountas**
Property Located: On the south side of U.S. Highway 90 at Renaissance Boulevard
Recommendation: Favorable

4. REPORTS OF STANDING COMMITTEES:

- A. FINANCE COMMITTEE – Fry**
Review minutes / January 12th

1.) Ordinances:

- a. **Ordinance 2015-05:** Grant Management for the Tiawasee Creek Coastal Impact Assistance Program (CIAP) and National Fish and Wildlife Foundation (NFWF) Grant Tiawasee Creek Restoration
- b. **Ordinance 2015-06:** Appropriating Funds for Reconstruction of Flumes, Ditches & Inlets along County Road 13
- c. **Ordinance 2015-07:** Appropriating Funds for Piedmont Circle Drainage Repairs
- d. **Ordinance 2015-08:** Appropriating Funds for Rolling Hills Drive (South) Grade, Drain, Base & Pave (Project #04-2014-RE06)

2.) Resolutions:

- a. **Resolution 2015-05:** Resolution for Adopting Purchasing Policies for the Tiawasee Creek Restoration Coastal Impact Assistance Coastal Impact Assistance Program's (CIAP) & National Fish and Wildlife Foundation (NFWF)
- b. **Resolution 2015-07:** 2015-C-Reconstruction of Flumes, Ditches & Inlets Along CR1, (FEMA#4176-DR-AL)
- c. **Resolution 2015-08:** Bid: 2015-D-RE7-Piedmont Circle

- d. **Resolution 2015-09:** Bid: 2015-C-Rolling Hills Drive (South) Grade, Drain, Base & Pave Project (Proj#04-2015-RE06)
- e. **Resolution 2015-10:** A Resolution Authorizing Issuance of Credit Card for the Public Works Deputy Director

3.) **Motions:**

- a. **Motion** to continue the City's insurance coverage with John A. Robertson Insurance Agency, Inc. for a total annual renewal cost of \$554,575 and to enter a three (3) year contract in order to receive a 2.5 percent discount.
- b. **Motion** to reject the bid for 2015-B-Renovations to Fire Station #3 and to go back out to bid with alternates to include an exterior similar to Fire Station #2.

4.) **Financial Reports:**

- a. Business License Report, December 2015
- b. Treasurer's Report, December 2015
- c. Sales Tax, December 2015
- d. Lodging Tax, December 2015
- e. Lodging Tax Statement of Revenues over Expenditures, December 2015

B. BUILDINGS & PROPERTY COMMITTEE - Davis
Review minutes / January 5th

C. PUBLIC SAFETY - Rudicell

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Scott

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY – LeJeune
Review minutes / January 5th

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Adrienne Jones
Review minutes / October 2, 2014

B. Downtown Redevelopment Authority – Conaway

C. Industrial Development Board – Davis

D. Library Board - Lake

E. Planning Commission – Scott

F. Recreation Board – LeJeune

G. Utility Board – Fry

6. Mayor's Report

7. City Attorney's Report

MOTION: to accept the resignation of Suzanne Henson as Treasurer effective upon the start date of the Finance Director.

MOTION: To approve an addendum to the video services agreement between Bellsouth Telecommunications, L.L.C. DBA AT&T Alabama and the City of Daphne.

8. Department Heads Comments

9. City Clerk's Report

Parade Permit: Shadow Barons / Mardi Gras / February 14, 2015

10. PUBLIC PARTICIPATION

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- A. **Resolution 2015-03:** ADEM 319 Tiawasee Creek Constructed Wetlands Grant Application
- B. **Resolution 2015-04:** Resolution in Support of the Combination of the City's Coastal Impact Assistance Program (CIAP) Grant Funds with the Mobile Bay National Estuary Programs (MBNEP) National Fish And Wildlife Foundation (NFWF) Grant Funds to Restore an Impaired Segment of Tiawasee Creek
- C. **Resolution 2015-05:** Resolution for Adopting Purchasing Policies for the Tiawasee Creek Restoration Coastal Impact Assistance Coastal Impact Assistance Program's (CIAP) & National Fish and Wildlife Foundation (NFWF)
- D. **Resolution 2015-06:** Land Donation from Provision Investments LLC – Tiawasee Creek
- E. **Resolution 2015-07:** 2015-C-Reconstruction of Flumes, Ditches & Inlets Along CR13
- F. **Resolution 2015-08:** 2015-D-RE7-PIEDMONT CIRCLE
- G. **Resolution 2015-09:** 2015-C-Rolling Hills Drive (South) Grade, Drain, Base & Pave Project
- H. **Resolution 2015-10:** A Resolution Authorizing Issuance of Credit Card for the Public Works Deputy Director

ORDINANCES:

2nd READ

- A. **Ordinance 2015-02:** Amending Ordinance 2004-52 the City of Daphne's Job Classification Schedule

1ST READ

- B. Ordinance 2015-03:** Ordinance to Pre-Zone Property Located on the South Side of U.S. Highway 90 at Renaissance Boulevard / George Kalasountas
- C. Ordinance 2015-04:** Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne / Property Located on the South Side of U.S. Highway 90 at Renaissance Boulevard / George Kalasountas
- D. Ordinance 2015-05:** Grant Management for the Tiawasee Creek Coastal Impact Assistance Program (CIAP) and National Fish and Wildlife Foundation (NFWF) Grant Tiawasee Creek Restoration
- E. Ordinance 2015-06:** Appropriating Funds for Reconstruction of Flumes, Ditches & Inlets along County Road 13
- F. Ordinance 2015-07:** Appropriating Funds for Piedmont Circle Drainage Repairs
- G. Ordinance 2015-08:** Appropriating Funds for Rolling Hills Drive (South) Grade, Drain, Base & Pave (Project #04-2014-RE06)
- H. Ordinance 2015-09:** An Ordinance To Transition The Position Of Treasurer To The Finance Director

12. COUNCIL COMMENTS**13. ADJOURN**

**CITY OF DAPHNE
CITY COUNCIL**

ROLL CALL

CITY COUNCIL:

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

MAYOR:

MAYOR HAYGOOD	PRESENT ____	ABSENT ____
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CITY CLERK:

REBECCA HAYES	PRESENT ____	ABSENT ____
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CITY ATTORNEY:

JAY ROSS	PRESENT ____	ABSENT ____
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**JANUARY 5, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Conaway called the meeting to order at 6:32 p.m.

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE:

Rabbi Donald Kunstadt with Springhill Avenue Temple gave the invocation.

COUNCIL MEMBERS PRESENT:

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

ABSENT: none.

Also present: Mayor Haygood; Sarah Toulson, Assistant City Clerk; Jay Ross, City Attorney; Vickie Hinman, HR Director; David Carpenter, Police Chief; Richard Johnson, Public Works Director; James White, Fire Chief; David McKelroy, Recreation Director; Richard Merchant, Building Official; Tonja Young, Library Director; Adrienne Jones, Planning Director; Suzanne Henson, Senior Accountant/Treasurer; Dorothy Morrison, Beautification Committee and DRA; Larry Cooke, BZA; Don Ouellette, BZA; Officer Caleb Reeves; Kevin Boucher, Adams & Reese; Al Guarisco, Village Point Foundation; Willie Williams, Baldwin County Martin Luther King Celebration Committee.

Absent: Rebecca Hayes, City Clerk; Margaret Thigpen, Civic Center Director; Michael Hoyt, Municipal Judge.

3. APPROVE MINUTES:

December 15, 2014 Council Meeting Minutes

The December 15, 2014 Council Meeting Minutes were approved as written.

4. REPORT OF STANDING COMMITTEES:

A. *FINANCE COMMITTEE* – Fry

No report. The next meeting will be Monday, January 12th at 4:30 p.m.

B. *BUILDINGS & PROPERTY COMMITTEE* - Davis

The committee met before the council meeting, and the minutes will be in the next packet.

C. *PUBLIC SAFETY COMMITTEE* – Rudicell

No report. The next meeting will be January 20th at 4:30 p.m.

D. *CODE ENFORCEMENT/ORDINANCE COMMITTEE* – Scott

No report. The next meeting will be January 20th at 5:30 p.m.

E. *PUBLIC WORKS COMMITTEE* – LeJeune

**JANUARY 5, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

The Committee met just before the Council meeting. Meeting times have changed; all are invited to meetings which will now occur at 5:30 p.m. on the first Monday of the month. The next meeting will be February 2nd at 5:30 p.m.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. *Board of Zoning Adjustments* – Adrienne Jones

The next meeting of the BZA will be on January 8th at 6:00 p.m. The Board has one item for consideration.

B. *Downtown Redevelopment Authority* – Conaway

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

C. *Industrial Development Board* – Davis

The next meeting will be January 26th at 6:00 p.m.

D. *Library Board* – Lake

There was no meeting in December. The next meeting will be January 8th at 4:00 p.m.

E. *Planning Commission* – Scott

The minutes from the November 20th meeting are in the packet along with the staff report on the December 18th meeting. The next meeting will be January 22nd at 5:00 p.m.

F. *Recreation Board* – LeJeune

The next meeting will be January 14th at 6:30 p.m.

G. *Utility Board* – Fry

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

6. REPORTS OF OFFICERS:

A. *Mayor's Report*

No report.

B. *City Attorney's Report*

City Attorney Jay Ross reported that the Tiawasse lawsuit would go to non-jury trial at the Fairhope Satellite Courthouse at 9:00 a.m. on Thursday, January 8th.

C. *Department Head Comments*

David Carpenter – Police Chief – Reported that there were no major events over the holiday season.

David McKelroy – Recreation Director – Thanked the Mayor's Office, the Eastern Shore Chamber of Commerce, Chick-Fil-A, Market by the Bay, and Popeye's for supplying meals to the City's senior citizens during the holiday season. He also reported that youth basketball would begin on Saturday, January 10th.

**JANUARY 5, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

D. City Clerk's Report

Assistant City Clerk Sarah Toulson introduced the following event permits for approval:

1. Apollo's Mystic Ladies / Mardi Gras / February 6, 2015

MOTION BY Councilman Scott to approve the event permit for the Apollo's Mystic Ladies Mardi Gras parade to be held February 6, 2015. *Seconded by Councilman Davis.*

MOTION CARRIED UNANIMOUSLY

2. 29th Annual Baldwin County Martin Luther King, Jr. Celebration / January 19, 2015

Councilman Lake addressed the Council regarding the history of the celebration.

MOTION BY Councilman Scott to approve the event permit for the 29th Annual Baldwin County Martin Luther King Celebration to be held January 19, 2015. *Seconded by Councilman Davis.*

MOTION CARRIED UNANIMOUSLY

7. PUBLIC PARTICIPATION

Council President Conaway opened the floor for public participation at 6:43 p.m.

Willie Williams, 1513 Pollard Road – addressed the Council regarding the upcoming Martin Luther King, Jr. Celebration. He invited everyone to attend the march on Monday, January 19th and gave details regarding the program to occur at the Daphne Civic Center.

Council President Conaway closed public participation at 6:46 p.m.

8. RESOLUTIONS & ORDINANCES:

- a.) **Authorize Participation with the City of Troy, AL in a Grant Application to the AL Department of Environmental Management for Funds to Engage the Southeast Recycling Development Council to Perform a Study of Recycling in Alabama. /Resolution 2015-01**
- b.) **Authorizing the Mayor to Apply for a Grant for a First Responder Safe Room for Public Works through the Hazard Mitigation Grant Program (HMGP). /Resolution 2015-02**

MOTION BY Councilman Scott to waive the reading of Resolutions 2015-01 AND 2015-02. *Seconded by Councilman Fry.*

MOTION CARRIED UNANIMOUSLY

JANUARY 5, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

MOTION BY Councilman Scott to adopt Resolution 2015-01. *Seconded by Councilman Fry.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2015-02. *Seconded by Councilman Fry.*

MOTION CARRIED UNANIMOUSLY

ORDINANCES:

- a.) **Annexation: Provision Investment, LLC / Property Located West of the Estates of Tiawasee Subdivision and Southeast of the Intersection of Park Drive and Pollard Road. /Ordinance 2014-59**
- b.) **ATRIP Project: Roundabout CR 64 & CR 13 Baldwin County Intergovernmental Project. /Ordinance 2014-60**

MOTION BY Councilman Scott to waive the reading of Ordinance 2014-59. *Seconded by Councilman Fry.*

MOTION CARRIED UNANIMOUSLY

Councilman Scott noted that the Ordinance came through the Planning Commission with a favorable recommendation. He also noted that the property in question was zoned R-3 in the County, and will come into the City zoned R-1, which is less restrictive.

MOTION BY Councilman Davis to adopt Ordinance 2014-59. *Seconded by Councilman Rudicell.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to waive the reading of Ordinance 2014-60. *Seconded by Councilman Lejeune.*

MOTION CARRIED UNANIMOUSLY

JANUARY 5, 2015
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

MOTION BY Councilman Scott to adopt Ordinance 2014-60. *Seconded by Councilman Lejeune.*

MOTION CARRIED UNANIMOUSLY

9. COUNCIL COMMENTS

Councilman Scott- Wished everyone a happy New Year.

Councilman Lejeune- Wished everyone a happy New Year and reminded everyone that traffic would increase beginning Tuesday due to the return of students to school.

Councilman Davis- Wished everyone a happy New Year. In reference to the Buildings and Property Committee meeting, he mentioned that though the City is presented with wonderful opportunities, sometimes they do not come with easy solutions. Councilman Davis commended the new committee structure as helpful, as this was the first time the new schedule had been used. Lastly, he stated that he looks forward to working with his colleagues in 2015.

Councilman Lake- Spoke to the Martin Luther King, Jr. Celebration march as one of the longest running marches in the country and encouraged the Council as well as the general public to attend.

Mayor Haygood – Expressed that he was glad to see everyone in attendance at the meeting, with the hope that everyone had a safe and enjoyable holiday season. He also expressed his hopes that 2015 would be a productive year for all.

Council President Conaway- Wished everyone a happy new year and encouraged her colleagues to participate in Martin Luther King, Jr. Celebration march.

10. ADJOURN:

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

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 6:57 P.M.

Respectfully submitted by,

Certification of Presiding Officer

Sarah Toulson,
Assistant City Clerk

Tommie Conaway,
Council President

**JANUARY 12, 2015
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

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

Also present: Sarah Toulson, Assistant City Clerk; Jay Ross, City Attorney; Suzanne Henson, Senior Accountant/Treasurer; Kevin Boucher, Adams & Reese; Don Oulette, BZA; Vickie Hinman, Human Resources Director; Gigi Armbrrecht, Regional Director AT&T Alabama.

Absent: Rebecca Hayes, City Clerk.

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

1. **AT&T FRANCHISE AGREEMENT:** Jay Ross

Jay Ross updated the Council on the status of the AT&T Franchise Agreement. The primary provisions of the agreement discussed were the extension period, PEG (public, educational, governmental) channels available for city use, audits, and additional user fees. Mr. Ross informed the Council that he would ensure that the agreement contained a provision for a five-year extension with a four-year option for the City, and the inclusion of free PEG channels.

2. **SOCRATA FINANCIAL SOFTWARE**

The Council discussed the software program as a tool to encourage transparency and the possible timeline for moving forward with the possible acquisition of the software in light of the hiring process for a new Finance Director.

3. **ANYTHING ELSE DEEMED NECESSARY**

Mayor Haygood mentioned that he had one item for the Council's consideration that was a matter of executive session.

MOTION BY Councilman Scott to adjourn and enter into Executive Session to discuss the good name and character of a potential employee. The session will be for 10 minutes. *Seconded by Councilman Lake.*

The City Attorney certified that the foregoing is an appropriate reason to enter into Executive Session according to the Open Meetings Act.

ROLL CALL VOTE

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

**JANUARY 12, 2015
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:13 P.M.

Respectfully submitted by,

Certification of Presiding Officer:

Sarah Toulson,
Assistant City Clerk

Tommie Conaway,
Council President

City of Daphne

CONGRATULATIONS

Daphne High School

WHEREAS, education involves a community and begins in early childhood, the Daphne feeder pattern works as a team to achieve successful outcomes for all of our students; and,

WHEREAS, upon the completion of the 2013-2014 school year, the graduation rate for the state of Alabama was 86 percent; and,

WHEREAS, the graduation rate for the Baldwin County School District for the 2013-2014 school year was 84 percent; and,

WHEREAS, Daphne High School was one of only two schools in the Baldwin County School District with a graduation rate exceeding 90 percent; and,

WHEREAS, the Mayor and City Council would like to acknowledge the efforts of the school for achieving a 91 percent graduation rate for the 2013-2014 school year.

NOW, THEREFORE, the Mayor and City Council of City of Daphne, Alabama do hereby extend sincere congratulations to Daphne High School for achieving a 91 percent graduation rate.

This certificate of Congratulations is presented by the City of Daphne, Alabama and affixed with the official seal this 20th day of January, 2015.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

TERESA M. SIMMONS
9628 Malbis Lane
Daphne, Alabama 36526
(251) 621-9699 - Office

January 16, 2015

Daphne City Clerk's Office
Attn: Daphne City Counsel
Post Office Box 400
Daphne, Alabama 36526

RE: George Kalasountas Request for Rezoning and/or Annexation

Dear Daphne City Council:

My husband and I are property owners here in Daphne. Our property is listed under Willard and Teresa Simmons at 9628 Malbis Lane, Daphne, Alabama, 36526 and also 9800 U. S. Highway 90, Daphne, Alabama, 36526. We would like to advise that we are against the rezoning and/or annexation request of George Kalasountas for the property located on Highway 90 in Daphne/Malbis, Alabama.

We would like to reserve the right to revisit this decision on rezoning and/or annexation at a future date to see if circumstances have changed that would impact our decision on voting against this request.

Thank you for your consideration of our request.

With warmest regards, I remain

Sincerely,

A handwritten signature in black ink that reads "Teresa Simmons". The signature is written in a cursive style with a long, sweeping underline.

Teresa M. Simmons
TMS:dpm

MALBIS PLANTATION, INC.

January 12, 2015

Daphne City Clerk's Office
Attn: Daphne City Counsel
Post Office Box 400
Daphne, Alabama 36526

RE: George Kalasountas Request for Rezoning and/or Annexation

Dear Daphne City Council:

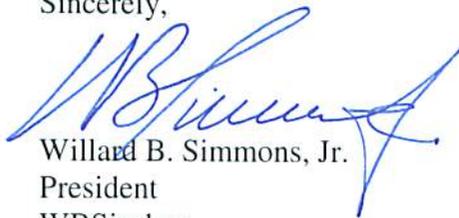
On behalf of the Board of Directors of Malbis Plantation, Inc., we would like to advise that Malbis Plantation, Inc. is against the rezoning and/or annexation request of George Kalasountas for the property located on Highway 90 in Daphne/Malbis, Alabama.

We would like to reserve the right to revisit this decision on rezoning and/or annexation at a future date to see if circumstances have changed that would impact our decision on voting against this request.

Thank you for your consideration of our request.

With warmest regards, I remain

Sincerely,



Willard B. Simmons, Jr.
President
WBSjr:dpm

29470 State Highway 181 * Daphne, Alabama 36526
Telephone: (251) 626-3050* Facsimile: (251) 626-9144
Email: wbs1@elmcorp.com

To: Office of the City Clerk
From: Adrienne D. Jones,
Director of Community Development
Subject: George Kalasountas
Pre-Zoning Amendment Recommendation
Date: November 3, 2014

MEMORANDUM

PRESENT ZONING: RSF-1, Single Family Residential
District, Baldwin County District 15

PROPOSED PRE-ZONING: B-2, General Business, R-7 (T),
Townhouse, and R-1, Low Density Single
Family Residential, City of Daphne

LOCATION: On the south side of U.S. Highway 90 at
Renaissance Boulevard

RECOMMENDATION: At the Thursday, October 30, 2014, special
meeting of the Daphne Planning Commission,
six members were present. After holding a
public hearing, the following recommendations
to pre-zone the property were made and
failed:

- a. Six members were present and a motion
to set forth an unfavorable
recommendation to the City Council for
B-2, General Business, R-7 (T),
Townhouse, and R-1, Low Density Single
Family Residential, failed. Four
members voted in the affirmative and
two dissented.
- b. Six members were present and a motion
to set forth a favorable recommendation
to the City Council for B-1, Local
Business, R-7 (T), Townhouse, and R-1,
Low Density Single Family Residential,
failed. Three members voted in the
affirmative and three dissented.
- c. Six members were present and a motion
to set forth a favorable recommendation
to the City Council for R-1, Low
Density Single Family Residential,
failed. Four members voted in the
affirmative and two dissented.

Subsequently, a favorable motion for
annexation with the appropriate zoning as
determined by City Council was made and
carried unanimously.

Attached please find documentation from the Office of
Community Development. Ordinances shall be provided by
the Office of the City Attorney.

Thank you,
ADJ/jv

cc: file

attachment(s)

1. Zoning Application
2. Map of Property
3. Adjacent property owners' list
4. Community Development Report
5. Citizen Comments
6. Draft of October 30th minutes re: Kalasountas property



PREZONING APPLICATION

Office use only	Date Submitted Sept. 23, 2014
Application Number: ZA-02	Planning Commission Public Hearing Date: Oct. 23, 2014

Legibly print or type responses below. Indicate N/A or an X where item is not applicable.

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection): On the South side of U.S. Highway 90 at Renaissance Boulevard	PPIN#(s): 102355, 099323 and 058644
Gross Site Area (acreage): Overall: 17.82+/- Ac. 10.06 Lot 1: 6.76+/- Ac. and Lots 2 & 3: 11.06+/- Ac. 1.00	Requested Zoning: Lot 1: B-2 Lot 2: R-7(T) and Lot 3: R-1 R-1
Current Zoning Designation(s): RSF1, Single Family Res. Bald. Cty District 15	Amended Zoning Request: Initials: _____ Date: _____
Current Land Use: None	Anticipated Land Use: B-2 Lot 1: Business, Lot 2: Townhouses and Lot 3: Single/Multi-Family Residential R-1, Low Density Family Res

Provide Legal Description (if necessary attach separate page entitled Legal Description for [Name of Applicant] Res
See attached sheet

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).

Annexation
 Subdivision
 Site Plan
 Special Exception
 Variance
 Specify Other
 Replat

APPLICANT & AGENT INFORMATION

**If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent and provide a copy of Articles of Incorporation.*

Name of Current Owner: George Kalasountas	Phone/Fax: (251) 626-1081 E-mail:
Mailing Address: 9563 Malbis Lane Daphne, AL 36526	
Name of Authorized Agent: Daryl Russell of The Coleman Engineering Group of McCrory & Williams, Inc.	Phone: (251) 479-4518 Phone/Fax: Fax: (251) 479-4522 E-mail: drussell@mcwinc.com
Mailing Address: 3207 International Drive Mobile, AL 36606	
Name of Developer*: N/A	Phone/Fax: E-mail:
Other: N/A	Phone/Fax: E-mail:

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature:	Date: 09/23/2014
Agent's Signature:	Date: 09/23/2014



REVERSIONARY CLAUSE ACKNOWLEDGEMENT

Pursuant to Article 22-2 of the Land Use & Development Ordinance, zoning and rezoning may revert back to prior designation if certain conditions are not met. Said conditions are specified in Article 22 of the Land Use Ordinance. Legibly sign and print/type responses below. Indicate N/A or an X where item is not applicable. **Submit with rezoning request.**

CURRENT OWNER S ACKNOWLEDGEMENT

I, George Kalasountas, acknowledge that I am aware that this rezoning request is subject to a reversionary clause as noted in Article 22-2 of the Land Use & Development Ordinance. Date: 09/23/2014



Printed Name of Current Owner/Petitioner
George Kalasountas

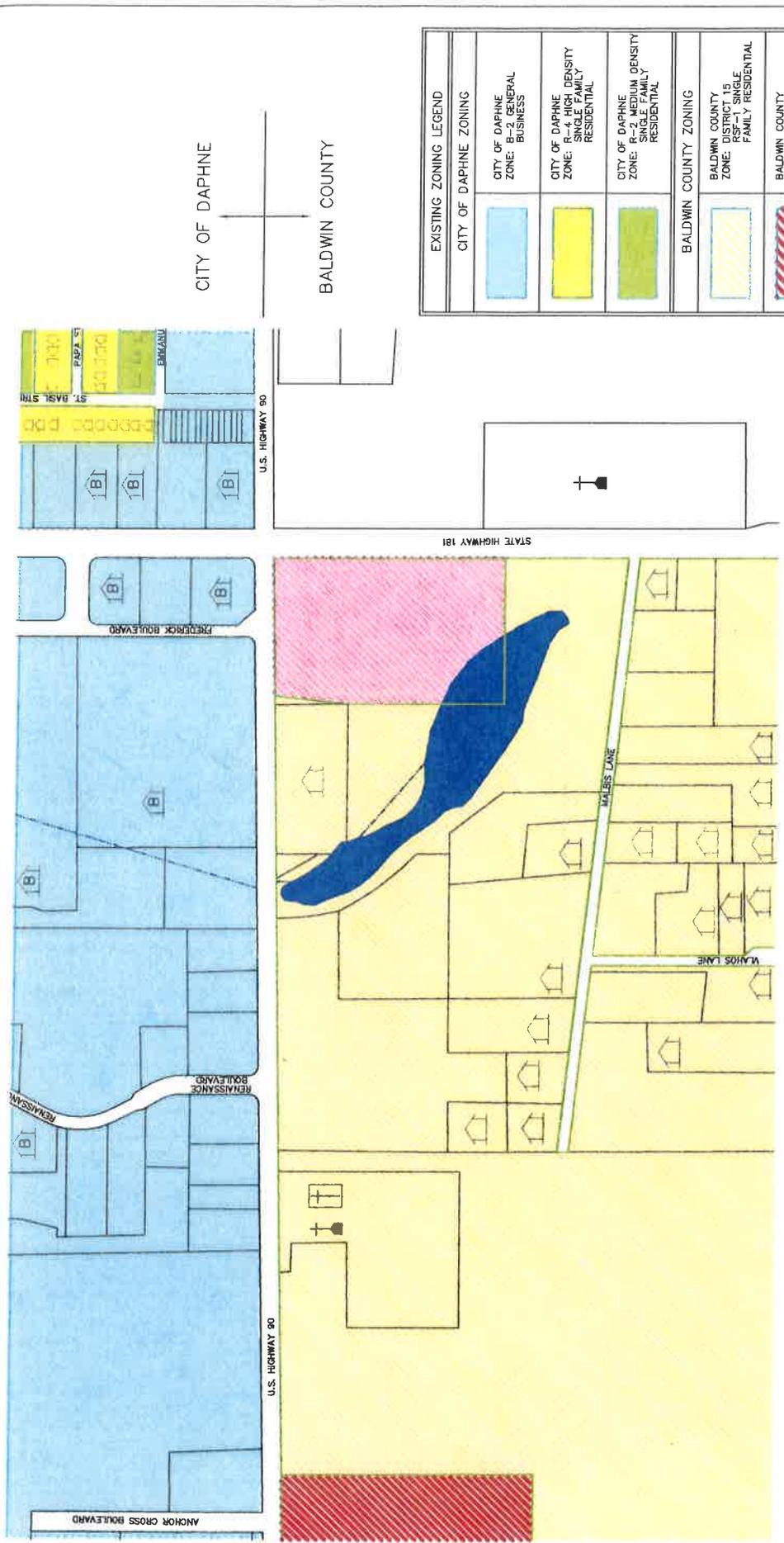
DEVELOPER S ACKNOWLEDGEMENT

I, N/A, acknowledge that I am aware that this rezoning request is subject to a reversionary clause as noted in Article 22-2 of the Land Use & Development Ordinance. Date: N/A

N/A

Printed Name of Developer

Property Address or PPIN#(s): 102355, 099323 and 058644



CITY OF DAPHNE
BALDWIN COUNTY

EXISTING ZONING LEGEND	
CITY OF DAPHNE ZONING	
	CITY OF DAPHNE ZONE: B-2 GENERAL BUSINESS
	CITY OF DAPHNE ZONE: R-4 HIGH DENSITY SINGLE FAMILY RESIDENTIAL
	CITY OF DAPHNE ZONE: R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL
BALDWIN COUNTY ZONING	
	BALDWIN COUNTY ZONE: DISTRICT 15 RSP-1 SINGLE FAMILY RESIDENTIAL
	BALDWIN COUNTY ZONE: DISTRICT 15 B-3 GENERAL BUSINESS DISTRICT
	BALDWIN COUNTY ZONE: DISTRICT 15 B-2 LOCAL BUSINESS DISTRICT

USE LEGEND	
	CHURCH
	CEMETERY
	RESIDENCE
	BUSINESS

3007 INTERNATIONAL DRIVE
MOBILE ALABAMA
PHONE: (251) 478-4518
FAX: (251) 478-4721

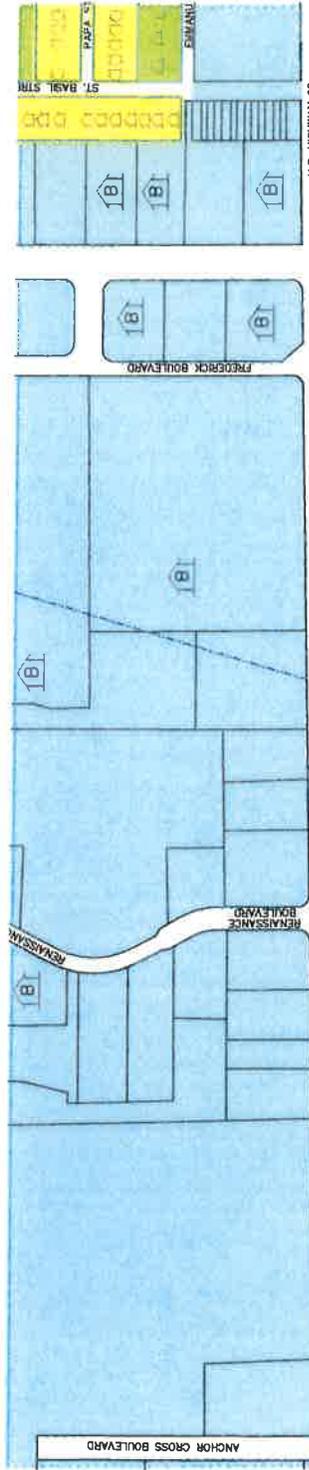
The Coleman Engineering Group
of
McCroy Williams
BUSINESS ENGINEERS

MAP SHOWING ZONING IN CITY OF DAPHNE, BALDWIN COUNTY, ALABAMA AT INTERSECTION OF U.S. HIGHWAY NO. 90 AND STATE HIGHWAY NO. 181
SECTION 34, T4S-R2E, BALDWIN COUNTY, ALABAMA
SCALE: 1"=200'
DATE: 10-15-2014
DRAWN BY: LJO
APPROVED BY: RAT

KSI03-1001

REVISION

SHEET 1 OF 1



PROPOSED ZONING LEGEND	
	CITY OF DAPHNE B-2 GENERAL BUSINESS
	CITY OF DAPHNE R-4 HIGH DENSITY RESIDENTIAL
	CITY OF DAPHNE R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL

EXISTING ZONING LEGEND	
	CITY OF DAPHNE B-2 GENERAL BUSINESS
	CITY OF DAPHNE R-4 HIGH DENSITY RESIDENTIAL
	CITY OF DAPHNE R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL
BALDWIN COUNTY ZONING	
	BALDWIN COUNTY DISTRICT 15 RF-1 SINGLE FAMILY RESIDENTIAL
	BALDWIN COUNTY DISTRICT 15 B-3 GENERAL BUSINESS DISTRICT
	BALDWIN COUNTY DISTRICT 15 B-2 LOCAL BUSINESS DISTRICT

USE LEGEND	
	CHURCH
	CEMETERY
	RESIDENCE
	BUSINESS

The Coleman Engineering Group
of
McCroy Williams
ENGINEERS ARCHITECTS

3027 INTERNATIONAL DRIVE
MOBILE, ALABAMA
36606
PHONE: (251) 478-4516
FAX: (251) 478-4721

MAP SHOWING PROPOSED ZONING
IN CITY OF DAPHNE AND BALDWIN COUNTY
AT INTERSECTION OF U.S. HIGHWAY NO. 90 AND STATE HIGHWAY NO. 181

SECTION 34, T4S-R2E, BALDWIN COUNTY, ALABAMA

SCALE: 1"=200' DATE: 10-15-2014 DRAWN BY: JMD APPROVED BY: RAC SHEET 1 OF 1

GEORGE KALASOUNTAS
A REPLAT OF PROPERTY FOR
GEORGE KALASOUNTAS
APPLICATION *Rezoning Amendment*
ADJACENT PROPERTY OWNERS LIST

GEORGE KALASOUNTAS
9563 MALBIS LANE
DAPHNE, AL 36526

MALBIS PLANTATION INC
29470 ST HWY 181
DAPHNE, AL 36526

FELICIA ANN RIDLON
9595 MALBIS LANE
DAPHNE, AL 36526

GERTRUDE MALBIS
9655 MALBIS LANE
DAPHNE, AL 36526

DESPINA K PAPPAS (LIFE ESTATE)
104 GLENCOE WAY
DOTHAN, AL 36305

MALBIS PLACE LLC
ATTN: MIKE MCDONALD
28396 HWY 181, STE D
DAPHNE, AL 36526

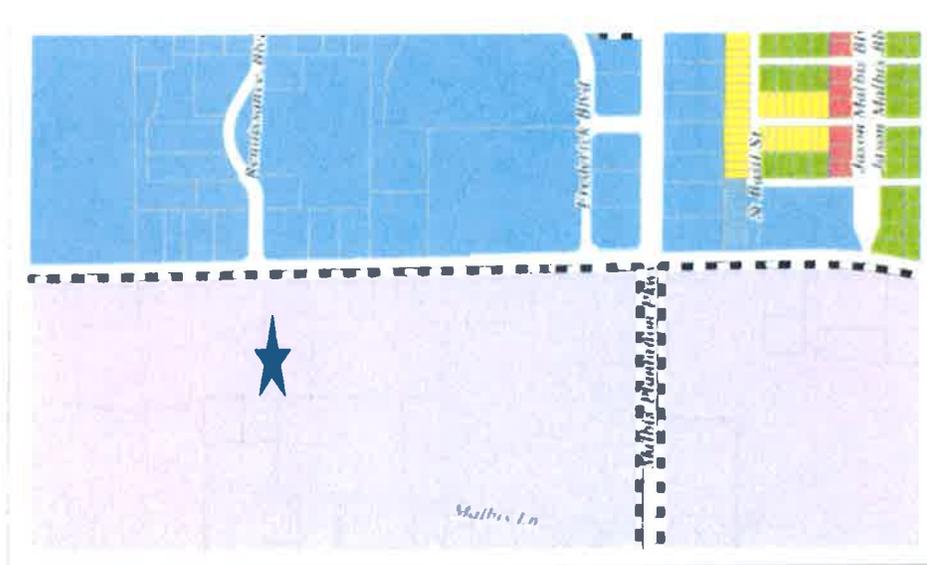
ESFAHANI REAL ESTATE HOLDINGS
29732 FREDERICK BLVD
DAPHNE, AL 36526

MYMS INC
PO BOX 160812
MOBILE, AL 36616

RENAISSANCE CENTER LLC
C/O J BARRONS LLC
PO BOX 2037
DAPHNE, AL 36526

PLANNING COMMISSION:

PRE-ZONING REQUEST BY GEORGE KALASOUNTAS



COMMUNITY DEVELOPMENT

Pre-zoning Request

**South Side of U.S. Highway 90 at Renaissance Boulevard
(George Kalasountas)
17.82 acres**

Owner: George Kalasountas

Existing Conditions: 17.82 acres of undeveloped land

Existing Zoning: *Unincorporated Baldwin County* RSF-1, Single Family Residential

Proposed Zoning: B-2 General Business, R-7(T) Townhouse and R-1, Single Family Residential

Surrounding Zonings/Uses:

North – The Renaissance Center, zoned B-2, General Business

South - *Unincorporated Baldwin County* RSF-1, Single Family Residential zoning and uses.

West - *Unincorporated Baldwin County* RSF-1, Single Family Residential zoning. Mt. Aid Church and Cemetery.

East - *Unincorporated Baldwin County* RSF-1, Single Family Residential zoning and uses.

Existing Utility Service Providers:

Water – Daphne Utilities

Sewer – Daphne Utilities

Gas - Daphne Utilities

Electric—Riviera Utilities

Affected City Service Providers:

Fire Protection— Station 3

Police Protection—Police Beat 3

Public Works

Baldwin County Schools—n/a

FROM THE 2000-2020 COMPREHENSIVE PLAN (adopted on June 26, 2003):

The Comprehensive Plan encourages expansion and annexation of land contiguous to the existing corporate limits. Commercial zoning along Highway 90 with high density single family residential zoning as a transition to the existing residential development to the south is appropriate. **Staff recommends approval of the request to annex this land into the City of Daphne.** *The reversionary clause is not recommended and should not be applicable to this property.*

NORMOND B. MCALLISTER, JR.
9595 Malbis Lane
Daphne, Alabama 36526
251-626-5861

October 14, 2014

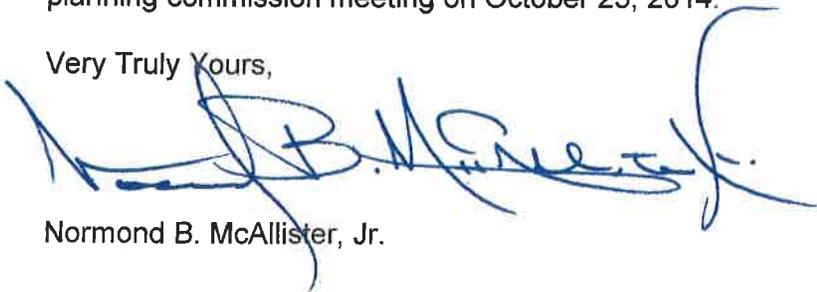
Mrs. Adrienne D. Jones
Planning Director
City of Daphne
P O Box 400
Daphne, AL 36526

Dear Mrs. Jones,

An unavoidable family medical emergency has made it impossible for me to attend the planning commission meeting on Thursday October 23, 2014. I respectfully request that the consideration for the request by Mr. George Kalasountas (file SRP14-11, SRP14-12 and Z14-02) be moved from this meeting to the November meeting. We are concerned about flooding problems and need time to engage an engineer to review the sight. As President of the Malbis Lane/Vlahos Lane Homeowners Association I would like to be present to represent them. The homeowners have additional concerns that have not been addressed and additional time is needed to address these issues.

Please give a copy of this letter to each of the commission members prior to the planning commission meeting on October 23, 2014.

Very Truly Yours,



Normond B. McAllister, Jr.



Adrienne Jones

From: Adrienne Jones
Sent: Thursday, October 16, 2014 11:49 AM
To: 'Donna Glover'
Subject: RE: Plea to postpone Kalasountas request from the October 23rd meeting until the November meeting.

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Ms. Glover,

Thank you for your e-mail regarding the upcoming public hearing for George Kalasountas property scheduled for October 23rd at 5:00 pm. ***I will forward your e-mail to the Daphne Planning Commission for consideration during the meeting.*** If you'd like to review the file for this application, feel free to visit Community Development during the business week between 9 am and 4:30 pm. We are located at 1705 Main Street in City Hall.

This is the first of 3 meetings where the topic will be discussed. In the pre-zoning process, the Planning Commission will make a recommendation to the City Council (1st meeting). Then, the City Council will hold a public hearing of its own (2nd meeting). Subsequent to that hearing, the Council will take a vote (3rd meeting). You will have the opportunity to speak at each public hearing.

Take care,
Adrienne

From: Donna Glover [<mailto:dgimkt@bellsouth.net>]
Sent: Thursday, October 16, 2014 11:27 AM
To: Adrienne Jones
Cc: Jeff Glover (jeffglover@bellsouth.net)
Subject: Plea to postpone Kalasountas request from the October 23rd meeting until the November meeting.

Dear Daphne Planning Commission:

I am writing to request a postponement of the George Kalasountas request from the October planning commission meeting until the November commission meeting to allow time to evaluate the impact on my property at 9717 Malbis Lane. Our property and home backs up to much of the Kalasountas property. We would like the opportunity to fully understand exactly what zoning changes he is asking for and what affect it will have on our property, property value and home life.

Your assistance is greatly appreciated.

Your constituents,

Donna and Jeff Glover
9717 Malbis Lane
Daphne, AL 36526
dgimkt@bellsouth.net
251.391.2378

WILLARD BELTON SIMMONS, JR.

October 20, 2014

Daphne Planning Commission
Attn: Mrs. Adrienne Jones
City of Daphne
Post Office Box 400
Daphne, Alabama 36526

RE: Postponement of George Kalasountas Request

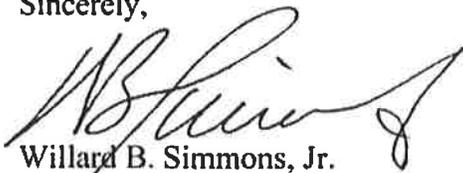
Dear Mrs. Jones:

I would request that you postpone the George Kalasountas request until the November Commission meeting to allow me time to evaluate the impact it will have on my property.

Thank you for your consideration of our request.

With warmest regards, I remain

Sincerely,

A handwritten signature in cursive script, appearing to read "W. Simmons, Jr.", written in dark ink.

Willard B. Simmons, Jr.
WBSjr:dpm

MALBIS PLANTATION, INC.

October 20, 2014

Daphne Planning Commission
Attn: Mrs. Adrienne Jones
City of Daphne
Post Office Box 400
Daphne, Alabama 36526

RE: Postponement of George Kalasountas Request

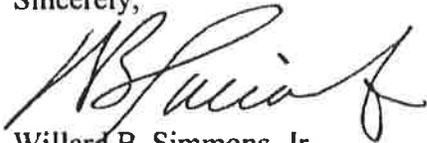
Dear Mrs. Jones:

On behalf of the Board of Directors of Malbis Plantation, Inc., we would request that you postpone the George Kalasountas request until the November Commission meeting to allow us time to evaluate the impact it will have on our properties.

Thank you for your consideration of our request.

With warmest regards, I remain

Sincerely,



Willard B. Simmons, Jr.
President
WBSjr:dpm

29470 State Highway 181 * Daphne, Alabama 36526
Telephone: (251) 626-3050 * Facsimile: (251) 626-9144
Email: wbs1@elmcorp.com

My name is Felicia McAllister and I have lived on Malbis Lane for 22 years. George Kalasountas is my next door neighbor. The back of my property adjoins the land he is trying to rezone & develop.

I don't remember the exact year Mr. Kalasountas built his house but my first experience with him as a neighbor was when he went on our lot behind our pond and cut down our trees. We had several pine trees and a beautiful oak that had been there for years. These trees not only provided a sound barrier but also privacy. When we asked him why - he said it was an accident - they had misunderstood his request & offered to replace our trees. We appreciated the offer but those long standing trees could not be replaced.

Our next experience was after he built his house and our pond starting overflowing and our backyard flooded. Although he installed a drainage pipe it still floods after a heavy rain. I don't know the solution to the problem but I'm afraid further development will only make it worse.

Our most recent experience with him has been the installation of a practice soccer field behind our home. He has leased his property and put up soccer nets & lights with generators & allows soccer practice on this vacant property. We appeared before the Baldwin County Planning Commission in November of last year to object to the activity. By a vote of 6 to 1 our request for it to cease was approved and Mr. Kalasountas was told he was not allowed to let them practice soccer after dark or with lights. He has restarted this activity in violation of the order.

Mr. Kalasountas seems to find it easier to ask forgiveness than permission so in light of that I am asking you to decline his request for rezoning.

9595 MALBIS LANE

MCALLISTER RESIDENCE AFTER A NORMAL SUMMER RAIN. IT TAKES TWO TO FOUR DAYS FOR THE WATER TO RETURN TO THE AREA OF THE EXISTING POND.

THE EXISTING POND IS BEHIND THE FLOODED TREES SHOWN IN THE FOREFRONT THE SIZE OF WHICH IS APPROXIMATELY 1/3 OF THE AREA SHOWN FLOODED





A Motion was made by Mr. Scott and **Seconded** by Mr. Sandefur of an **affirmative recommendation by the Planning Commission to the City Council of the annexation of a fifty-one point three-three acre parcel into the City of Daphne located west of the Estates of Tiawasee Subdivision and southeast of the intersection of Park Drive and Pollard Road with R-1, Low Density Single Family, zoning, for Provision Investments, L.L.C. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a pre-zoning amendment for George Kalasountas.

An introductory presentation was given by Mr. Daryl Russell, representative of Coleman Engineering Group of McCrory & Williams.

Chairman stated we acted on the replat of the interior property lot lines at the last meeting and asked for Commission questions or comments.

Mr. Sandefur asked for the purpose of the business zone. Mr. Russell stated there is not a specific use. Mr. Scott stated he did not believe in speculative zoning without a plan and he would prefer that the zoning requested is business zone of less intensity.

Chief White asked what safeguards have been put in place to protect the church and the cemetery. Mr. Russell stated there will be a buffer between the development and the church.

Mr. Montgomery asked has this applicant applied for rezoning in the County. Mr. Russell stated no. Ms. Jones stated his application was for conditional use of the property, but it was denied.

Chairman opened the floor to public participation.

Mrs. Felicia McAllister, 9595 Malbis Lane, spoke in opposition and asked for the denial of the request. She commented on the removal of trees which served as a buffer, a sound barrier, and provided privacy; flooding, and the use of his property for soccer practice which is prohibited by Baldwin County.

Ms. Gertrude Malbis, 9655 Malbis Lane, mentioned that the neighborhood now consists of elderly residents and the transients in the proposed development would not be safe.

Ms. Leeann Lanham, 29240 Vlahos Lane, spoke in opposition and stated that she strongly opposed the request. She mentioned: the congestion of low density development, the adverse effect on the adjacent property, and preservation of the historic value of the property. The request is premature without a development plan.

Chairman asked Ms. Jones if an R-7 (T), Townhome, district exists in the City. Ms. Jones stated this will be the first one, but all other townhome developments are zoned R-4, for example: Summer Oaks.

Dimitrios Mathews, 29289 State Highway 181, spoke in opposition and asked for the denial of the request. Although the applicant has the right to develop his property, this is a bold maneuver in that the development of the right-of-way by the lake will impact the quality of life for the residents of Malbis and Vlahos Lane.

Mr. Norman McAllister, 9595 Malbis Lane, stated this is a residential and agricultural zoned area with a one hundred and thirty year old church. Thirteen families are in unanimous disagreement with the request.

Mr. John Lawler, 804 Commerce Building, attorney for the homeowners' association of Malbis and Vlahos Lane, stated this is a planning opportunity. Lessen the blow and allow this property to remain single family until the applicant has submitted a plan.

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

Mr. William Scully, attorney for Mr. George Kalasountas, stated Malbis Lane, if the property is developed, the ingress/egress easement adjacent to the lake will not access Malbis Lane. The proposed B-2 zone is not speculative and is consistent with B-2 on U.S. Highway 90, and with a shortness of townhomes, R-7 would be good for Daphne. Also, in response to the comment regarding the soccer practice, it is on an occasional basis. Mr. Kalasountas is not scofflaw with regard to Baldwin County's order. He follows the law as it exists.

Mr. Norman McAllister stated if the property is ever developed, it could access the ingress/egress easement to Malbis Lane. It is also my understanding that the soccer team leases the property from Mr. Kalasountas. Mr. Scully stated I am not aware of the lease.

Mr. Kevin Spriggs, owner of Malbis Shell 29640 State Highway 181, stated the real question is one of planning. The Commission must establish where the residential and commercial boundary will be south of U.S. Highway 90.

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

Chief White asked if anyone had contacted the church regarding the rezoning.

Mr. George Kalasountas commented that the church is in support of the request.

Chairman commented on the consideration of the appropriateness of the rezoning and expressed his appreciation for the public interest. The Commission can send forward a favorable or unfavorable recommendation or amend the request.

Mr. Sandefur stated he should be able to develop his property and transition from B-2 to the R-7 (T), but asked if the Commission can ask him to provide a plan which provides additional buffers in order to protect the homeowners.

Commissioners discussed the fifty-foot setback, parking, landscaping and buffer requirements of an R-7 (T) zone. Ms. Jones stated the buffer would be planted, not just grass to meet the minimum standards.

Chairman asked for Commission questions or comments and a motion for a recommendation for pre-zoning.

A Motion was made by Mr. Scott and **Seconded** by Mr. Montgomery **of an negative recommendation by the Planning Commission to the City Council of the pre-zoning of seventeen point eight two acre parcel into the City of Daphne located on the south side of U.S. Highway 90 at Renaissance Boulevard with B-2, General Business, R-7 (T) Townhouse and R-1, Low Density Single Family Residential for George Kalasountas.**

The Motion failed. Two members voted in the affirmative and four dissented (Mr. Smith, Mr. Montgomery, Mr. Chason and Mr. Sandefur).

An Amended Motion was made by Mr. Scott and **Seconded** by Mr. White **of an affirmative recommendation by the Planning Commission to the City Council of the pre-zoning of seventeen point eight two acre parcel into the City of Daphne located on the south side of U.S. Highway 90 at Renaissance Boulevard with B-1, Local Business, R-7 (T) Townhouse and R-1, Low Density Single Family Residential for George Kalasountas. The Motion failed. Three members voted in the affirmative and three dissented (Mr. Montgomery, Mr. Chason and Mr. Sandefur).**

During discussion on the motion, Commissioners note that B-2 may be appropriate with a site plan and R-7 (T) may be appropriate with a good buffer. If B-1 were approved, the property owner could re-apply for B-2 zoning in the future.

A Motion was made by Mr. Montgomery and **Seconded** by Mr. Sandefur **of an affirmative recommendation by the Planning Commission to the City Council of the pre-zoning of seventeen point eight two acre parcel into the City of Daphne located on the south side of U.S. Highway 90 at Renaissance Boulevard with R-1, Low Density Single Family Residential for George Kalasountas. There was no discussion on the motion.**

The Motion failed. Four members voted in the affirmative and two dissented (Chief White and Mr. Scott).

The next order of business is a petition for annexation review for George Kalasountas.

Chairman asked for Commission questions or comments and a motion for a recommendation for annexation.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Sandefur **of an affirmative recommendation by the Planning Commission to the City Council of the annexation of seventeen point eight two acre parcel into the City of Daphne located on the south side of U.S. Highway 90 at Renaissance Boulevard with the appropriate zoning as determined by the City Council.**

Commission discussed the pending motion and Mr. Scott explained that pre-zoning gives the applicant the opportunity to accept the zoning of the property prior to acceptance of annexation into the City.

Mr. Montgomery stated from my standpoint, the motion for annexation should not be construed as a favorable recommendation with regard to zoning because it should be zoned R-1.

The Motion carried unanimously.

The next order of business is Planning Commission discussion.

No discussion.

The next order of business is public participation.

Chairman asked for public participation.

Mr. Spriggs commented that businesses south of U.S. Highway 98 and Interstate 10 are suffering because of a traveler's visibility issue caused by the trees along the corridor.

Chairman closed public participation.

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

Mr. Boucher stated no report.

The next order of business is commissioner's comments.

Mr. Sandefur stated although the regular meeting of October 23, 2014 was his last meeting, he expressed appreciation for what Mr. Kirby brought to the Commission and the City.

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2014-33**

**Ordinance to Pre-zone Property Located
On the South Side of U.S. Highway 90 at Renaissance Boulevard
George Kalasountas**

WHEREAS, George Kalasountas as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property be pre-zoned from RSF-1, Single Family Residential District 15, Baldwin County to B-2, General Business; R-7 (T), Townhouse and R-1, Low Density Single Family Residential District, City of Daphne; and

WHEREAS, said real property is on the south side of U.S. Highway 90 at Renaissance Boulevard, and more particularly described as follows:

DESCRIPTION OF PROPERTY TO BE REZONED TO B-2:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET; THENCE RUN SOUTH 89°51'27" WEST, 605.05 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET; THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET; THENCE RUN NORTH 00°36'00" EAST, 407.87 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING NORTH 00°36'00" EAST RUN 300.13 FEET TO POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NUMBER 90 (80 FOOT RIGHT-OF-WAY); THENCE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, RUN NORTH 88°55'49" EAST, 841.46 FEET; THENCE RUN NORTH 89°01'56" EAST, 124.50 FEET; THENCE DEPARTING THE SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 259.25 FEET, CHORD BEARS SOUTH 06°36'27" EAST AND MEASURES 258.77 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 47.35 FEET, CHORD BEARS SOUTH 27°59'32" EAST AND MEASURES 47.35 FEET; THENCE RUN SOUTH 88°55'49" WEST, 1021.12 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.76 ACRES, MORE OR LESS.

BEING LOT 1, A REPLAT OF PROPERTY FOR GEORGE KALASOUNTAS #2, AS PER PLAT RECORDED ON SLIDE NO. 2520-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

DESCRIPTION OF PROPERTY TO BE REZONED TO R-7(T):

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET; THENCE RUN SOUTH 89°51'27" WEST, 181.07 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING SOUTH 89°51'27" WEST, RUN 423.98 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET;

THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET; THENCE RUN NORTH 00°36'00" EAST, 407.87 FEET; THENCE RUN NORTH 88°55'49" EAST, 1021.12 FEET; THENCE ALONG A CURVE CONCAVE NORTHEASTWARDLY HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 68.74 FEET, CHORD BEARS SOUTH 30°41'20" EAST AND MEASURES 68.73 FEET; THENCE RUN SOUTH 00°23'29" EAST, 362.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.06 ACRES, MORE OR LESS. BEING LOT 2, A REPLAT OF PROPERTY FOR GEORGE KALASOUNTAS #2, AS PER PLAT RECORDED ON SLIDE NO. 2520-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

DESCRIPTION OF PROPERTY TO BE REZONED TO R-1:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN SOUTH 89°51'27" WEST, 181.07 FEET; THENCE RUN NORTH 00°23'29" WEST 362.66 FEET; THENCE ALONG A CURVE CONCAVE NORTHEASTWARDLY HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 290.16 FEET, CHORD BEARS SOUTH 39°01'35" EAST AND MEASURES 289.49 FEET; THENCE RUN SOUTH 00°31'35" EAST, 137.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.00 ACRES, MORE OR LESS. BEING LOT 3, A REPLAT OF PROPERTY FOR GEORGE KALASOUNTAS #2, AS PER PLAT RECORDED ON SLIDE NO. 2520-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

WHEREAS, at the Special Called City of Daphne Planning Commission meeting on October 30, 2014, the Commission considered said request and set forth a favorable recommendation for appropriate zoning as determined by the City Council of the City of Daphne regarding said property pre-zoning request; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on December 15, 2014; and,

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

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

SECTION I: ZONING

That above described real property is hereby pre-zoned from RSF-1, Single Family Residential District, Baldwin County to B-2, General Business; R-7 (T), Townhouse and R-1, Low Density Single Family Residential District, City of Daphne and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

SECTION II: REPEALER.

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

SECTION III: SEVERABILITY.

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

SECTION IV: EFFECTIVE AND EXPIRATION DATE.

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2014.

**Dane Haygood,
Mayor**

ATTEST:

**Rebecca A. Hayes
City Clerk**

EXHIBIT "A"
PRE-ZONING APPLICATION
PROPERTY ON SOUTH SIDE OF U.S. HWY 90 ACROSS FROM RENAISSANCE BLVD.
DESCRIPTION OF PROPERTY TO BE PRE-ZONED

DESCRIPTION OF PROPERTY TO BE REZONED TO B-2:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET; THENCE RUN SOUTH 89°51'27" WEST, 605.05 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET; THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET; THENCE RUN NORTH 00°36'00" EAST, 407.87 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING NORTH 00°36'00" EAST RUN 300.13 FEET TO POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NUMBER 90 (80 FOOT RIGHT-OF-WAY); THENCE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, RUN NORTH 88°55'49" EAST, 841.46 FEET; THENCE RUN NORTH 89°01'56" EAST, 124.50 FEET; THENCE DEPARTING THE SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 259.25 FEET, CHORD BEARS SOUTH 06°36'27" EAST AND MEASURES 258.77 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 47.35 FEET, CHORD BEARS SOUTH 27°59'32" EAST AND MEASURES 47.35 FEET; THENCE RUN SOUTH 88°55'49" WEST, 1021.12 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.76 ACRES, MORE OR LESS.
BEING LOT 1, A REPLAT OF PROPERTY FOR GEORGE KALASOUNTAS #2, AS PER PLAT RECORDED ON SLIDE NO. 2520-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

DESCRIPTION OF PROPERTY TO BE REZONED TO R-7(T):

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET; THENCE RUN SOUTH 89°51'27" WEST, 181.07 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING SOUTH 89°51'27" WEST, RUN 423.98 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET; THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET;

THENCE RUN NORTH 00°36'00" EAST, 407.87 FEET; THENCE RUN NORTH 88°55'49" EAST, 1021.12 FEET; THENCE ALONG A CURVE CONCAVE NORTHEASTWARDLY HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 68.74 FEET, CHORD BEARS SOUTH 30°41'20" EAST AND MEASURES 68.73 FEET; THENCE RUN SOUTH 00°23'29" EAST, 362.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.06 ACRES, MORE OR LESS. BEING LOT 2, A REPLAT OF PROPERTY FOR GEORGE KALASOUNTAS #2, AS PER PLAT RECORDED ON SLIDE NO. 2520-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

DESCRIPTION OF PROPERTY TO BE REZONED TO R-1:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN SOUTH 89°51'27" WEST, 181.07 FEET; THENCE RUN NORTH 00°23'29" WEST 362.66 FEET; THENCE ALONG A CURVE CONCAVE NORTHEASTWARDLY HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 290.16 FEET, CHORD BEARS SOUTH 39°01'35" EAST AND MEASURES 289.49 FEET; THENCE RUN SOUTH 00°31'35" EAST, 137.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.00 ACRES, MORE OR LESS. BEING LOT 3, A REPLAT OF PROPERTY FOR GEORGE KALASOUNTAS #2, AS PER PLAT RECORDED ON SLIDE NO. 2520-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

To: Office of the City Clerk
From: Adrienne D. Jones,
Director of Community Development
Subject: George Kalasountas
Annexation Recommendation
Date: November 3, 2014

MEMORANDUM

PRESENT ZONING: RSF-1, Single Family Residential District, Baldwin County District 15

PROPOSED PRE-ZONING: B-2, General Business, R-7 (T), Townhouse, and R-1, Low Density Single Family Residential, City of Daphne

LOCATION: On the south side of U.S. Highway 90 at Renaissance Boulevard

RECOMMENDATION: At the Thursday, October 30, 2014, special meeting of the Daphne Planning Commission, six members were present.

A favorable motion for annexation with the appropriate zoning as determined by City Council was made and carried unanimously.

Attached please find documentation from the Office of Community Development. Ordinances shall be provided by the Office of the City Attorney.

Thank you,
ADJ/jv

cc: file

attachment(s)

1. Petition for Annexation
2. Legal Description
3. Boundary Survey
4. Draft of October 30th minutes re: Kalasountas property
5. Community Development Report

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

(George Kalasountas)

The undersigned, George Kalasountas, files this petition with the Clerk of the City of Daphne requesting the property hereafter described, commonly referred to as, A Replat of Property for George Kalasountas, to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of its petition:

1. Description of Property: The description of the property which the petitioner requests to be annexed into the City of Daphne is described in Exhibit "A" attached hereto and made a part of this petition as fully set out herein (the "Property").

2. Map of Property: Attached hereto as Exhibit "B" and made a part of this petition, is a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne.

3. Owner: The petitioner, George Kalasountas, is the owner of the property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. Specific Conditions: This petition is conditioned upon the adoption of an ordinance, which shall specifically include the conditions requested below upon annexing the property into the corporate limits of the City of Daphne.

Requested zoning, if other than R-1:

Proposed Lot 1 to B-2

Proposed Lot 2 to R-7(T)

Proposed Lot 3 to ~~R-1~~ R-1

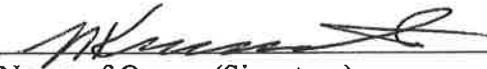
Any other conditions which may apply upon annexation:

5. Code: This Petition is filed pursuant to the provisions of Article 21, Chapter 42, Title 11, Code of Alabama, 1975, as amended.

DATED this 23rd day of September, 2014

Respectfully submitted by,

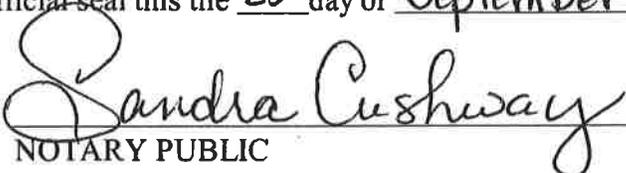
George Kalasountas
Name of Owner (Print)


Name of Owner (Signature)

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Sandra Cushway, the undersigned Notary Public in and for said county and state, hereby certify that George Kalasountas has signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 23 day of September, 2014.


NOTARY PUBLIC

My Commission Expires March 9, 2016
My commission expires: _____

Owner's Address

9563 Malbis Lane

Daphne, AL 36526

EXHIBIT "A"
ANNEXATION APPLICATION
PROPERTY ON SOUTH SIDE OF U.S. HWY 90 ACROSS FROM RENAISSANCE BLVD.
DESCRIPTION OF PROPERTY TO BE ANNEXED

DESCRIPTION:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN SOUTH 89°51'27" WEST, 605.05 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET; THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET; THENCE RUN NORTH 00°36'00" EAST, 708.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NUMBER 90 (80 FOOT RIGHT-OF-WAY); THENCE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, RUN NORTH 88°55'49" EAST, 841.46 FEET; THENCE RUN NORTH 89°01'56" EAST, 124.50 FEET; THENCE DEPARTING THE SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 259.25 FEET, CHORD BEARS SOUTH 06°36'27" EAST AND MEASURES 258.77 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 406.25 FEET, CHORD BEARS SOUTH 36°19'46" EAST AND MEASURES 404.41 FEET; THENCE RUN SOUTH 00°31'35" EAST, 137.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.82 ACRES, MORE OR LESS.

ADDITIONAL INFORMATION

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file this written petition asking and requesting that our property as described be annexed to the City of Daphne, Alabama, under the authority of Section 11-42-20 through 11-42-24, Code of Alabama 1975.

Initials: AKD

We further certify that said property is contiguous to the city limits of Daphne, Alabama. A map and written legal description of said property is hereto attached.

Initials: AKD

We certify that the property is a single or multiple parcels under single or multiple ownership.

Initials: AKD

We certify that we fully understand that upon annexation, the subject property shall be subject to all laws and codes administered by the City of Daphne, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Daphne.

Initials: AKD

Option# 1: We do hereby request pre-zoning of the subject property to the following zoning classification(s): B-2, R-7(T) and R-1, and certify that a petition for rezoning, associated fees and documents have been submitted prior to or concurrently with this petition.

Initials: AKD

Or

~~Option# 2: We do hereby certify that we understand fully that upon annexation the subject property will be zoned R-1, Low Density Single Family Residential.~~

~~Initials: _____~~

We do hereby request that the Planning Commission and City Council give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Daphne, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this, the 23rd day of September, 2014.

Legal Description Attached (Exhibit A)? YES Map or Survey Attached (Exhibit B)? YES
Recorded Subdivision Plat OR Preliminary/Final Subdivision plat approved by Planning Commission Attached (Exhibit C)? YES Acreage 17.82 Ac.
Subdivision Name A Replat of Property for George Kalasountas Lot Number(s) 1, 2 and 3

Names and Signature of ALL property owners:

Signature:  Signature: 

Printed Name: George Kalasountas Printed Name: _____

Mailing Address: 9563 Malbis Lane Daphne, AL 36526 Mailing Address: _____

The Motion failed. Four members voted in the affirmative and two dissented (Chief White and Mr. Scott).

The next order of business is a petition for annexation review for George Kalasountas.

Chairman asked for Commission questions or comments and a motion for a recommendation for annexation.

A Motion was made by Mr. Scott and Seconded by Mr. Sandefur of an affirmative recommendation by the Planning Commission to the City Council of the annexation of seventeen point eight two acre parcel into the City of Daphne located on the south side of U.S. Highway 90 at Renaissance Boulevard with the appropriate zoning as determined by the City Council.

Commission discussed the pending motion and Mr. Scott explained that pre-zoning gives the applicant the opportunity to accept the zoning of the property prior to acceptance of annexation into the City.

Mr. Montgomery stated from my standpoint, the motion for annexation should not be construed as a favorable recommendation with regard to zoning because it should be zoned R-1.

The Motion carried unanimously.

The next order of business is Planning Commission discussion.

No discussion.

The next order of business is public participation.

Chairman asked for public participation.

Mr. Spriggs commented that businesses south of U.S. Highway 98 and Interstate 10 are suffering because of a traveler's visibility issue caused by the trees along the corridor.

Chairman closed public participation.

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

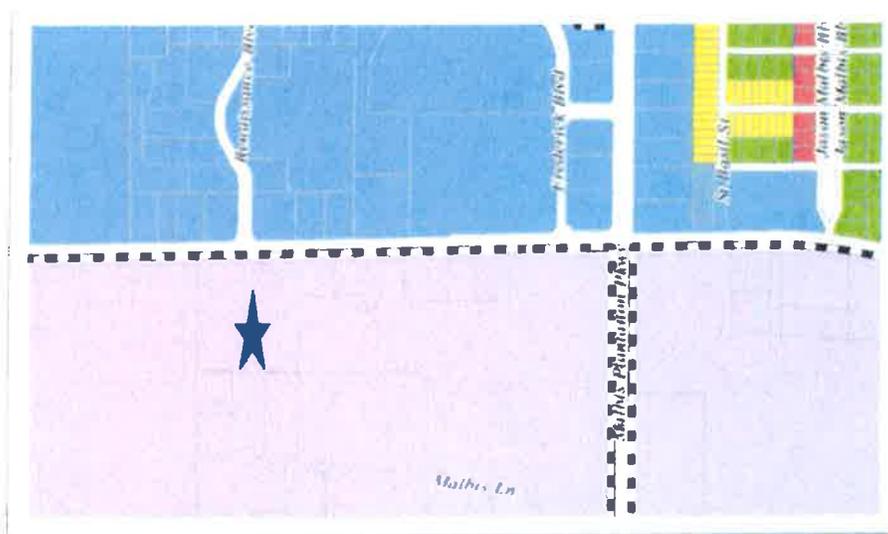
Mr. Boucher stated no report.

The next order of business is commissioner's comments.

Mr. Sandefur stated although the regular meeting of October 23, 2014 was his last meeting, he expressed appreciation for what Mr. Kirby brought to the Commission and the City.

PLANNING COMMISSION:

ANNEXATION REQUEST BY GEORGE KALASOUNTAS



Code of Alabama Section 11-52-85

PRE-ZONING TERRITORY PROPOSED FOR ANNEXATION

Section 11-52-85 of the Code of Alabama allows “pre-zoning of property”. In this case, both requests have been submitted concurrently and are moving on the same path. The Planning Commission will make a recommendation to Council for zoning and also make a recommendation for annexation.

Code of Alabama Section 11-52-85

Pre-zoning of territory proposed for annexation by municipality. (Highlights by staff)

(a) A municipality which exercises its authority to zone territory within its corporate limits may pre-zone territory proposed for annexation into the corporate limits of the municipality prior to the effective date of the annexation by complying with this article. If all the requirements, including all notice and public hearing requirements, of this article are met, the zoning shall become effective upon the date the territory is annexed into the corporate limits, or upon the date the zoning process is completed, whichever is later.

(b) A municipality which exercises its authority to zone territory within its corporate limits shall pre-zone territory as provided in subsection (a) and issue a statement of zoning classification to an affected property owner if the individual property owner residing in the area to be annexed requests in writing that a zoning determination be made pursuant to this section prior to being annexed.

(c) Any pre-zoning established by a municipality pursuant to this section for territory proposed for annexation shall be null and void as to any portion of the territory that is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law.

(d) Nothing contained in this section shall allow a municipality to zone territory outside the corporate limits of the municipality that is not in the process of being annexed into the corporate limits of a municipality as provided by law.

(e) Section 6-5-127 shall be applicable to any property pre-zoned pursuant to this section.

(Act 2009-629, p. 1926, §1.)

**COMMUNITY DEVELOPMENT
ANNEXATION REQUEST**

**South Side of U.S. Highway 90 at Renaissance Boulevard
(George Kalasountas)
17.82 acres**

EXCERPT FROM ARTICLE 23-1 PROCEDURE [FOR ANNEXATION REQUESTS]

The application shall be reviewed by the Planning Commission at its next regular meeting and said Commission shall have thirty (30) calendar days from said regular meeting within which to submit a recommendation to the City Council. If the Commission fails to submit a recommendation to the City Council within the thirty (30) calendar day period, it shall be deemed to have approved the proposed amendment...Before enacting any amendment to this Ordinance, a public hearing thereon shall be held by the City Council with proper notice as required by law. Said public hearing shall be held at the earliest possible time to consider the proposed annexation, and the Council shall take action on said proposed annexation within forty-five (45) calendar days from the date of the public hearing except in the case where the tentative action is not in accordance with the Planning Commission's certified recommendation.

23-2 PROCEDURE FOR ZONING NEWLY ANNEXED LAND

Any land annexed to the City of Daphne hereafter shall be classified as an R-1, Low Density Single Family Residential District *unless otherwise recommended by the Planning Commission through the zoning amendment procedure provide in Article 22-1, Zoning Amendment Procedures*. In such case, City Council may consider, after due process of publication and hearing as required by law, specific applications to zone newly annexed land into one or more existing or proposed new zoning classifications recommended by the Planning Commission. Multiple zoning requests for a single parcel shall be subject to the *Article 17, Subdivision Regulations and/or the Article 30, Planned Unit Development regulations* as applicable.

REQUEST

The applicant has submitted a petition to annex 17.82 acres of land into the corporate limits of Daphne with R-1, Low Density Single Family Residential, B-2 General Business and R-7(T) Townhouse Zoning. An application to replat 3 lots has been submitted to the Planning Commission for review. Plat approval is not contingent upon annexation. Once the plat is recorded in Probate Records, it will be used as the legal description for each separate zoning district.

RECOMMENDATION

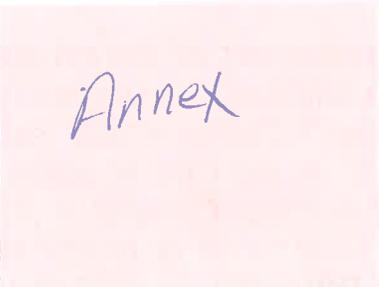
The Comprehensive Plan encourages expansion and annexation of land contiguous to the corporate limits. Commercial zoning along Highway 90 with high density single family residential zoning as a transitional area between the existing residences to the south is appropriate. **Staff recommends approval of the request to annex this land into the City of Daphne.**



EXHIBIT "A"
ANNEXATION APPLICATION
PROPERTY ON SOUTH SIDE OF U.S. HWY 90 ACROSS FROM RENAISSANCE BLVD.
DESCRIPTION OF PROPERTY TO BE ANNEXED

DESCRIPTION:

COMMENCING AT A CAPPED REFERENCE POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY) BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 16, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, MISSOURI, NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 02°29'02" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 1091.70 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN SOUTH 89°51'27" WEST, 605.05 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET; THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET; THENCE RUN NORTH 00°36'00" EAST, 708.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NUMBER 90 (80 FOOT RIGHT-OF-WAY); THENCE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, RUN NORTH 88°55'49" EAST, 841.46 FEET; THENCE RUN NORTH 89°01'56" EAST, 124.50 FEET; THENCE DEPARTING THE SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 259.25 FEET, CHORD BEARS SOUTH 06°36'27" EAST AND MEASURES 258.77 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 406.25 FEET, CHORD BEARS SOUTH 36°19'46" EAST AND MEASURES 404.41 FEET; THENCE RUN SOUTH 00°31'35" EAST, 137.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.82 ACRES, MORE OR LESS.



**CITY OF DAPHNE, ALABAMA
ORDINANCE 2014-**

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

**Property Located on the South side of U.S. Highway 90 at Renaissance Boulevard
George Kalasountas**

WHEREAS, on the 23rd day of September, 2014, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

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

WHEREAS, after proper publication, a public hearing was held by the City Council on December 15, 2014 concerning the petition for annexation; and

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne at a Special Called meeting on October 30, 2014 and a favorable recommendation was approved for the City Council to consider said request for annexation and said property; and

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

SECTION ONE: ANNEXATION

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

SECTION TWO: DESCRIPTION OF TERRITORY

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

DESCRIPTION:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM

THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN SOUTH 89°51'27" WEST, 605.05 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET; THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET; THENCE RUN NORTH 00°36'00" EAST, 708.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NUMBER 90 (80 FOOT RIGHT-OF-WAY); THENCE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, RUN NORTH 88°55'49" EAST, 841.46 FEET; THENCE RUN NORTH 89°01'56" EAST, 124.50 FEET; THENCE DEPARTING THE SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 259.25 FEET, CHORD BEARS SOUTH 06°36'27" EAST AND MEASURES 258.77 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 406.25 FEET, CHORD BEARS SOUTH 36°19'46" EAST AND MEASURES 404.41 FEET; THENCE RUN SOUTH 00°31'35" EAST, 137.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.82 ACRES, MORE OR LESS.

SECTION THREE: MAP OF PROPERTY

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

SECTION FOUR: PUBLICATION

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

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

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

EXHIBIT "A"
ANNEXATION APPLICATION
PROPERTY ON SOUTH SIDE OF U.S. HWY 90 ACROSS FROM RENAISSANCE BLVD.
DESCRIPTION OF PROPERTY TO BE ANNEXED

DESCRIPTION:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH $00^{\circ}03'47''$ WEST, 1459.33 FEET AND NORTH $83^{\circ}26'27''$ WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH $02^{\circ}29'02''$ WEST, 410.61 FEET; THENCE RUN NORTH $36^{\circ}55'32''$ WEST, 282.98 FEET; THENCE RUN SOUTH $89^{\circ}45'52''$ WEST, 101.89 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN SOUTH $89^{\circ}51'27''$ WEST, 605.05 FEET; THENCE RUN SOUTH $89^{\circ}36'45''$ WEST, 202.10 FEET; THENCE RUN SOUTH $89^{\circ}39'51''$ WEST, 210.15 FEET; THENCE RUN SOUTH $89^{\circ}37'12''$ WEST, 226.55 FEET; THENCE RUN NORTH $00^{\circ}36'00''$ EAST, 708.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NUMBER 90 (80 FOOT RIGHT-OF-WAY); THENCE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, RUN NORTH $88^{\circ}55'49''$ EAST, 841.46 FEET; THENCE RUN NORTH $89^{\circ}01'56''$ EAST, 124.50 FEET; THENCE DEPARTING THE SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 259.25 FEET, CHORD BEARS SOUTH $06^{\circ}36'27''$ EAST AND MEASURES 258.77 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 406.25 FEET, CHORD BEARS SOUTH $36^{\circ}19'46''$ EAST AND MEASURES 404.41 FEET; THENCE RUN SOUTH $00^{\circ}31'35''$ EAST, 137.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.82 ACRES, MORE OR LESS.

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2014-**

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

**Property Located on the South side of U.S. Highway 90 at Renaissance Boulevard
George Kalasountas**

WHEREAS, on the 23rd day of September, 2014, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

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

WHEREAS, after proper publication, a public hearing was held by the City Council on December 15, 2014 concerning the petition for annexation; and

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne at a Special Called meeting on October 30, 2014 and a favorable recommendation was approved for the City Council to consider said request for annexation and said property; and

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

SECTION ONE: ANNEXATION

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

SECTION TWO: DESCRIPTION OF TERRITORY

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

DESCRIPTION:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM

THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN SOUTH 89°51'27" WEST, 605.05 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET; THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET; THENCE RUN NORTH 00°36'00" EAST, 708.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NUMBER 90 (80 FOOT RIGHT-OF-WAY); THENCE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, RUN NORTH 88°55'49" EAST, 841.46 FEET; THENCE RUN NORTH 89°01'56" EAST, 124.50 FEET; THENCE DEPARTING THE SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 259.25 FEET, CHORD BEARS SOUTH 06°36'27" EAST AND MEASURES 258.77 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 406.25 FEET, CHORD BEARS SOUTH 36°19'46" EAST AND MEASURES 404.41 FEET; THENCE RUN SOUTH 00°31'35" EAST, 137.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.82 ACRES, MORE OR LESS.

SECTION THREE: MAP OF PROPERTY

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

SECTION FOUR: PUBLICATION

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

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

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

EXHIBIT "A"
ANNEXATION APPLICATION
PROPERTY ON SOUTH SIDE OF U.S. HWY 90 ACROSS FROM RENAISSANCE BLVD.
DESCRIPTION OF PROPERTY TO BE ANNEXED

DESCRIPTION:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH $00^{\circ}03'47''$ WEST, 1459.33 FEET AND NORTH $83^{\circ}26'27''$ WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH $02^{\circ}29'02''$ WEST, 410.61 FEET; THENCE RUN NORTH $36^{\circ}55'32''$ WEST, 282.98 FEET; THENCE RUN SOUTH $89^{\circ}45'52''$ WEST, 101.89 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN SOUTH $89^{\circ}51'27''$ WEST, 605.05 FEET; THENCE RUN SOUTH $89^{\circ}36'45''$ WEST, 202.10 FEET; THENCE RUN SOUTH $89^{\circ}39'51''$ WEST, 210.15 FEET; THENCE RUN SOUTH $89^{\circ}37'12''$ WEST, 226.55 FEET; THENCE RUN NORTH $00^{\circ}36'00''$ EAST, 708.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NUMBER 90 (80 FOOT RIGHT-OF-WAY); THENCE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, RUN NORTH $88^{\circ}55'49''$ EAST, 841.46 FEET; THENCE RUN NORTH $89^{\circ}01'56''$ EAST, 124.50 FEET; THENCE DEPARTING THE SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 259.25 FEET, CHORD BEARS SOUTH $06^{\circ}36'27''$ EAST AND MEASURES 258.77 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 406.25 FEET, CHORD BEARS SOUTH $36^{\circ}19'46''$ EAST AND MEASURES 404.41 FEET; THENCE RUN SOUTH $00^{\circ}31'35''$ EAST, 137.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.82 ACRES, MORE OR LESS.

**CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
JANUARY 12, 2015
4:30 P.M.**

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:30 p.m. Present were Chairman Randy Fry, Councilwoman Mrs. Conaway, Councilman Joseph Davis, Councilman Ron Scott, Mayor Dane Haygood, Senior Accountant/Treasurer Suz anne Henson, Human Resource Director Vickie Hinman, Revenue Officer Jamie Smith, and Accounting Technician Sue Moody.

Also in attendance were Councilman Pat Rudicell, Councilman John Lake, Councilman Randy LeJeune, Public Works Director Richard Johnson, Fire Chief James White, Environmental Programs Manager Ashley Campbell, Assistant City Clerk Sarah Toulson, and Mr. Larry Cooke, BZA.

II. PUBLIC PARTICIPATION

**A. Annual Insurance Renewal – John A. Robertson Insurance, Company –
Mr. Robbie Robertson (*Motion*)**

Mr. Robbie Robertson reviewed the proposed renewal policy and noted the City was currently in the third year of the Alabama Municipal Insurance (AMIC) Policy. Mr. Robertson reviewed all the coverages (total cost \$554,575): Comprehensive General Liability, Public Official Liability, Law Enforcement Liability, Commercial Automobile, Equipment, Property, Boardwalks and Streetlights and the companies the policies are written by. Mr. Robertson noted there is very little change in most of the policies but there is an increase in the Automobile policy due to 15 new vehicles being added last year and there were additions to inland marine (equipment). Mr. Robertson explained that as new vehicles are added to the policy the rate will be higher than the older vehicles being removed therefore there will be an increase. Mrs. Henson noted comparisons for the annual renewals for FY2013 and FY2014 are included in the packet. Mr. Scott discussed getting a legal opinion on what the legal liabilities are for the City on automobile related accidents. Discussion continued on getting a legal opinion before spending \$126,500 for the excess liability policy for \$4 million additional coverage. Mr. Davis asked about safety evaluations done on the buildings and could he participate in those onsite evaluations in order to bring back information to the Buildings and Property Committee. Mrs. Henson noted reports are submitted to the City each year from the insurance agency after site visits are conducted. Mrs. Henson noted recommendations on correcting safety issues are included in the annual report and submitted to Human Resources. Mrs. Hinman stated the reports are received by Human Resources and reviewed by the Safety Committee. Mrs. Hinman noted she has included this report in previous Finance Committee meetings. Mr. LeJeune asked for some information on claims made for the Boardwalk to evaluate if that policy is cost effective. Mrs. Henson noted that street lights is included in that policy and that coverage should be evaluated separately. Discussion continued on Extra Expense policy option to cover damage caused by a peril to the premises and the business must be closed &/or interrupted. Mr. Robertson stated that coverage would not cover temp or air quality. (*A quote was given back in April, 2014 of \$1,538 for a \$250,000 limit and \$3,077 for a \$500,000 limit*). Discussion was made on a Mechanical Breakdown policy that would cover specified machinery repairs and obtaining a quote for this policy. Mr. Robertson stated he would obtain a quote for a Mechanical Breakdown policy for the Council to review. Mr. Robertson also discussed a policy to cover loss of revenue in case of natural disasters. Discussion continued that Gulf Shores, Orange Beach, and Foley have these type policies due to their location to the Gulf. Mr. Robertson stated he could provide a quote for these optional policies whenever needed.

Motion by Mr. Scott to get a legal opinion on the City's legal liability for automobile related accidents. Seconded by Mr. Davis .

Motion by Mr. Scott to continue the City's Insurance coverage with John A. Robertson Insurance Agency, Inc. for a total annual renewal cost of \$554,575 and to enter into a 3 year contract to allow a 2 ½ % discount. Seconded by Mr. Davis.

III. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – December, 2014

The Business Licenses Report was included in the packet. Total business license issued YTD is 4,355 - up 169 from last year

76 - Total Business License issued in December - up 49 from December 2013 (27 licenses issued).

47 - Renewals – out of the 76 License issued.

17 - New businesses with 1 ***of those having a physical location in Daphne.***

12 - Prior year licenses from 2012 & 2013.

A map was included showing the 1 new businesses location in Daphne.

Mrs. Smith stated Revenue had mailed out 4,381 Business License renewal letters and that the Revenue department is very busy with annual renewals this month. Mrs. Smith noted they had collected on approximately 12 of the delinquent accounts from 2012 & 2013 and had followed up and collected on a few of the delinquent attorneys. Mrs. Smith stated she would give an update on the delinquent report at the next Finance meeting. Mr. Davis discussed the importance of collecting the delinquent accounts. Mr. Davis also requested a report on what is collected by the outside auditing services provided by the County.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

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

Positions

Office Asst., City Hall

PT Firefighter

Finance Director

Events Assistant (Civic Center)

PSW (Grounds)

Safety Coordinator

Planner (Community Development)

Public Works Deputy Director

IT Computer Services Technician

PT Accounting Technician (Revenue)

Marketing Coordinator

Building Maintenance Supervisor

Status

DOH: 12/22/14

DOH: 12/18/14

Interviewing

Interviewing

Interviewing

Open

Open

Posting effective January 12, 2015

Posting effective April 1, 2015

Posting effective April 1, 2015

Posting effective per Mayor

Job re-classification per Mayor

Mrs. Hinman reviewed the above positions and the status of each. Mrs. Hinman stated that the Office Assistant (City Hall Receptionist) has been hired and it is Mrs. Dawne Biggs who most everyone is familiar with since she has been temping with the City for some time now. Discussion continued on how pleasant and helpful Mrs. Biggs is at the front desk. Mrs. Hinman stated an applicant has been selected for the PSW Grounds position. Mrs. Hinman noted that second interviews had been held for the Finance Director position and the Mayor and Council will be discussing the hiring for this position. Mr. Scott asked since the Building Maintenance Supervisor position has been open awhile who is doing that work. Mrs. Hinman noted there is a current employee who is temporarily serving as the supervisor and there was a temp employee up to yesterday. Mrs. Hinman noted that Archer is working on a job description for a Facilities Manager. The Mayor discussed the need for this position to have a more proactive role in maintaining the facilities. Mrs. Conaway asked who would this position report to. The Mayor stated it would be a hybrid position and would report to him and/or the Public Works Director. Mr. Scott commented that he thought only Directors reported to the Mayor and noted this position has always reported to Public Works. The Mayor agreed more discussion is needed. Mr. Johnson discussed how the position previously operated and expressed concern on facility repairs being addressed and how the supervisory capacity is handled. Mr. Rudicell asked who would be responsible for reviewing the Facility

Manager. The Mayor stated this could be him or Public Works Director. Mr. Scott stated he thinks the concept is good but perhaps Building and Property Committee could discuss and have some input. Mr. LeJeune asked who would the parks maintenance be under. The Mayor noted the position is still be evaluated. Mr. Davis discussed the position and how it may need to evolve to be more efficient.

Mrs. Hinman reviewed the Workers Compensation estimated contribution billing. Mrs. Hinman noted the experience modifier for the billing period is a factor of .69 which is down from last years .76. Mrs. Hinman noted the lower the experience modifier factor is the lower the premium and stated that a factor below one (1) is good. Mr. Scott asked what the City paid last year. Mrs. Hinman stated last year \$258,254 was paid and this years billing is \$220,368. Mrs. Hinman discussed that employees are rewarded for being safe and being accident free.

Mrs. Hinman noted the last Safety Committee meeting was held on December 10 @ 10:00 a.m. and the Committee reviewed property damages and injuries for the month of November. Mrs. Hinman stated they were also continuing to review policies from the Safety manual and making revisions as needed.

Mrs. Hinman reviewed the following HR projects/meetings:

- Relay for Life Silent Auction – December 19
- Interviewing applicants for Finance Director
- December 12 – Red Cross blood drive @ City Hall
- Retirement of Public Works Superintendent 12/31/2014
- W-2's due January 31
- Police Captain and Lieutenant promotional written test on 1/9/2015
- Police Captain Oral Board on 1/22/2015
- Police Lieutenant Oral Board on 1/23/2015

V. CURRENT BUSINESS

A. Approve previous months minutes

Mr. Scott asked where we stand on closing the months for FY2014. The Mayor stated that Ms. Ciancetta had been in touch with the auditor in early to mid-December to discuss some technical hurdles and issues encountered. Mr. Scott stated his understanding is that the auditors cannot close the months but they can make adjustments at year-end. Mr. Scott asked for a follow up report on the status of closing FY2014. Mr. Davis discussed the Business License Delinquent report referenced in the minutes and noted Mrs. Smith will be bringing forth more information on that. Discussion was made on the 2014 Capital Improvements designated projects discussed under the Treasurer's report. Mrs. Henson noted the Ordinance 2014-52 authorizing the issuance of the 2014 Warrants list certain projects. *(Section 1.3 (f) ... the City pay a portion of the cost of the acquisition, construction and installation of certain sewer construction and improvement projects, land acquisition and infrastructure improvements for a technology park within the City... which acquisition construction and installation are expected to cost approximately \$3 mil and which shall include sewer improvements, and land acquisition and infrastructure improvements for a technology park in the amount not to exceed the amounts in the 2014 Capital Improvements Account, and / or any other authorized purposes pursuant to a later action by the Council and in compliance with the requirements of this Ordinance.)*

B. Financial Reports

1. Treasurer's Report: December, 2014

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

- Total Unrestricted Funds - \$ 9,613,210
- Decrease from Last Year's Unrestricted Funds – (\$ 717,205)
- # of months of Unrestricted cash to cover monthly operating Expenses & Debt Service – 4.4 months compared to the previous year - 4.6 months

Included in the packet are graphs that show that activity is a little lower than the previous year.

- Money Market Investment Account history FY14-FY15

Mrs. Henson noted she had included a summary of the balance of the City's investment for each month throughout FY2014 and the fees and investment income received.

- Encumbered Report

Mrs. Henson reviewed the encumbered report and noted the Library Roof was not complete so there were still monies pending on the encumbered report for these repairs. Discussion continued on the list of items and requesting each Department to advise which of these projects are complete. Mrs. Henson noted after a decision is made a *motion will need to be made to remove the items from the Reserve for Encumbrance account to the unreserved fund balance.*

Mrs. Henson noted that Mrs. Hinman had reported that Mrs. Biggs was hired as the new City Hall Receptionist (Office Assistant) and that she had been assisting Finance by processing Purchase Orders over the last year. Mrs. Henson stated she and the Mayor had been discussing getting another temp to assist Finance.

The Treasurer's Report as of December 31, 2014 Total Unrestricted Funds - \$9,613,21 and Total City Funds - \$18,294,309 was presented to be filed for audit.

2. Sales and Use Taxes: December, 2014

Mrs. Henson reviewed the Sales & Use Tax Reports and Graphs: \$1,092,961.96 was collected in December for Sales & Use Taxes charged in November 2014:

- YTD Variance over Budget - \$23,797.12 + 2.2%
- Percent change from last year's collections + 2.8 %

Mrs. Henson reviewed the Sales Tax report and noted that the \$1,092,961.92 collected in December for November is compared on the reports to previous years collections for November. Discussion was made on last month's report. Mrs. Henson noted the previous months report reflected the collections in the month of the collection as they are now recorded as directed by the previous Finance Director but for comparisons purposes this month's report is adjusted to show the month the fees are collected for. Discussion continued that the new Finance Director will review the accrual process for Sales Tax and advice on any changes to the format.

3. Lodging Tax Collections, December, 2014

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for December 2014 were \$77,289,64 which is up \$33,376.72 from December's 2013's collections of \$43,912.92 .

- YTD Variance over Budget: \$1,383.66 ; + 9.7 %
- Percentage change from last year's collections: + 43.2 %

4. Lodging Tax Fund : Statement of Rev over Exp, December 30, 2014

Mrs. Henson reviewed the Lodging Tax report and noted that the balance reserved for Recreation purchases is \$345,934.10 and the Unreserved balance for Bayfront associated expenditures is \$1,971,758.89. (*Note: November and December's debt service transfer was done in December 2014*). Mr. Davis discussed the process of appropriating monies for routine maintenance expenditures. Mr. Johnson noted the current process is working. Discussion continued on the Lodging Tax Fund expenditures.

5. Correction/Court Fund Report, FY14 & Draft Report through December 2014

Mrs. Henson reviewed the Correction/Court Fund Report and stated the expenditures for Inmate meals for December was \$6,595.14 which required a monthly transfer of \$2,088.95 from the Court portion of the Fund. Transfers to date have been \$2,857.66. Mrs. Henson noted the invoice for the refrigerator (\$4,700) for the new food system setup is pending payment.

6. Bills Paid Reports – December, 2014

The Bills Paid Report was presented in the packet.

C. Appropriation Request: (Ordinance)

GENERAL FUND TRANSFER TO CAPITAL RESERVE:

1. Renovations to Fire Station #3

Discussion was made concerning the Fire Station #3 project and that the bid came in over budget. Mr. Scott discussed that since the Fire Station is in a residential area the exterior should match the area. Mr. Scott commented that Fire Station #2 had a nice exterior and discussed Fire Station #3 having a similar exterior. Discussion continued on rejecting this bid and rebidding to obtain a cost more in line with the budget. The Mayor suggested listing alternates in order to obtain a cost closer to budget.

GENERAL FUND:

Mrs. Henson noted the remaining three bids are FEMA projects related to the Rain Storm event. Bid tabulations and additional appropriations needed are included in the packet. Discussion was made on the three appropriation request listed below and all were recommended for appropriation.

2. Reconstruction of Flumes, Ditches & Inlets along CR13 – \$32,362 – FEMA reimbursable (Total Project Cost-\$372,894) (City Match-\$46,612 - \$14,250 (Ord#2014-24) = \$32,362)
3. Piedmont Circle-\$4,427 - NRCS/FEMA reimbursable – (Total Project cost-\$143,532) (City Match- \$12,302 - \$7,875 {Ord#2014-24} = \$4,427)
4. Rolling Hills (South) Grade, Drain, Base & Pave - \$450,498 - *Partially* reimbursable by FEMA – (Total Project cost-\$691,641 - \$192,705 {FEMA reimb for drainage} - \$48,438 {Ord#2014-24} = \$450,498)

Motion by Mr. Scott to appropriate monies from the General Fund for the listed projects as follows:

*** Reconstruction of Flumes, Ditches & Inlets along CR13 – \$32,362**

*** Piedmont Circle-\$4,427**

*** Rolling Hills (South) Grade, Drain, Base & Pave - \$450,498**

Seconded by Mr. Davis. Motion carried.

5. Grant Management for the Tiawasee Creek Coastal Impact Assistance Program (CIAP) and National Fish and Wildlife Foundation (NFWF) Grant Tiawasee Creek Restoration - \$25,000

Mrs. Campbell stated this is the same grant and ordinance that was previously discussed in the Public Works meeting and that \$25,000 needed to be appropriated for grant management services. Mrs. Campbell asked if the Ordinance could be approved on the first read due to the time sensitivity of the grant project.

Motion by Mrs. Conaway to appropriate \$25,000 from the General Fund for Grant Management for the Tiawasee Creek Coastal Impact Assistance Program (CIAP) and National Fish and Wildlife Foundation (NFWF) Grant Tiawasee Creek Restoration. Seconded by Mr. Davis. Motion carried.

D. CIAP Grant Resolution – Adopting Purchasing Polices

Mrs. Henson discussed the requirement to adopt stated purchasing polices to comply with the CIAP grant requirements. Mrs. Henson noted the ordinance basically states the City will follow state bid law.

Motion by Mr. Scott to adopt a Resolution adopting the required purchasing policy to comply with the CIAP grant. Seconded by Mr. Davis . Motion carried.

E. Bids: (Resolution)

1. 2015-B-RENOVATIONS TO FIRE STATION #3

Discussion was made that the bid needs to be rejected in order to rebid with alternates in order to obtain a construction cost more in line with the budgeted amount for the project.

Motion by Mr. Scott to recommend to Council to reject 2015-B-Renovations to Fire Station #3 bid and put back out to bid with alternates to include an exterior similar to Fire Station #2. Seconded by Mr. Davis. Motion carried.

Mrs. Henson noted the remaining three bids are FEMA projects related to the Rain Storm event. Bid tabulations and award recommendations are included in the packet. Discussion was made on the three bids listed below and all were recommended for award.

2. 2015-C-RECONSTRUCTION:FLUMES, DITCHES&INLETS ALONG CR13,(FEMA#4176-DR-AL)..
3. 2015-D-RE7-PIEDMONT CIRCLE
4. 2015-F-ROLLING HILLS (SOUTH) GRADE, DRAIN, BASE & PAVE (Proj#04-2014-RE06)..

Motion by Mr. Scott to recommend to Council to award the following bids:

- 1) 2015-C- RECONSTRUCTION:FLUMES, DITCHES&INLETS ALONG CR13,(FEMA#4176-DR-AL in the amount of \$313,355.75 as bid to Ammons & Blackmon Construction LLC.
- 2) 2015-D- RE7-PIEDMONT CIRCLE in the amount of \$57,670.18 as bid to Sunset Contracting, Inc..
- 3) 2015-F- ROLLING HILLS (SOUTH) GRADE, DRAIN, BASE & PAVE (Proj#04-2014-RE06 in the amount of \$578,797.23 as bid to John G. Walton construction Company, Inc..

Seconded by Mr. Davis . Motion carried.

F. Credit Card for Public Works Deputy Director (Resolution)

Mr. Scott stated this credit card will replace the Public Works credit card that was in Melvin McCarley's name. Since Mr. McCarley retired in December a new credit card is needed in Public Works and it will be requested under the new job title of Public Works Deputy Director.

Motion by Mr. Scott to adopt a Resolution authorizing a credit card for the Public Works Deputy Director. Seconded by Mr. Conaway . Motion carried.

VI. OLD BUSINESS

A. Treasurer's Duties

Tabled to the February Finance meeting.

VII. ADJOURN The meeting adjourned at 6:25 p.m.

FY15
PREMIUM SUMMARY - 2/15 - 2/16

COMPREHENSIVE GENERAL LIABILITY*	\$150,196
<i>Company – Alabama Municipal Insurance Corp.</i>	
PUBLIC OFFICIALS LIABILITY (Included Above)*	INCLUDED
<i>Company – Alabama Municipal Insurance Corp.</i>	
LAW ENFORCEMENT LIABILITY (Included Above)*	INCLUDED
<i>Company – Alabama Municipal Insurance Corp.</i>	
COMMERCIAL AUTOMOBILE	\$190,429
<i>Company – Employers Mutual Companies</i>	
EQUIPMENT	\$32,192
<i>Company – Employers Mutual Companies</i>	
PROPERTY	\$166,799
<i>Company – Employers Mutual Companies</i>	
BOARDWALKS AND STREETLIGHTS	\$14,959
<i>Company -- Employers Mutual Companies</i>	
	Total \$ 554,575

*This is a 3 year policy billed in annual installments

Optional Excess-Auto. \$126,500
 \$4mil

**RENEWAL PROPOSAL
FOR
THE CITY OF DAPHNE
2015 – 2016**

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

I. COMPREHENSIVE GENERAL LIABILITY

A. LIMIT

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

B. COVERAGE

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

C. PREMIUM

1. \$42,333

II. PUBLIC OFFICIAL LIABILITY

A. LIMIT

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

B. COVERAGE

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

C. PREMIUM

1. \$50,162

III. LAW ENFORCEMENT LIABILITY

A. LIMIT

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

B. COVERAGE

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

C. PREMIUM

1. \$43,873

IV. EMPLOYEE BENEFIT LIABILITY

A. LIMIT

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

B. PREMIUM

1. \$1,078

V. EXCESS LIABILITY

A. LIMIT

1. \$5,000,000

B) COVERAGE

- 1) Excess Over General Liability
- 2) Excess Over Public Official Liability
- 3) Excess Over Law Enforcement Liability
- 4) Excess Over Employee Benefit Liability

C) PREMIUM

1. \$12,750

VI. VEHICLE COVERAGE

A. LIMIT

1. \$1,000,000 Combined Single Limits Bodily Injury and Property Damage
2. \$50,000 Uninsured Motorists
3. \$1,000,000 Hired and Non-Owned Automobile Liability
4. Comprehensive – As Per Schedule
5. Collision – As Per Schedule

B. COVERAGE

1. 206 Vehicles – Increase 15 Vehicles From last year

C. PREMIUM

1. \$190,429

VII. INLAND MARINE COVERAGE

A. LIMIT

1. \$5,571,973

B. COVERAGE

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

C. PREMIUM

1. \$32,192

VIII. PROPERTY COVERAGE

A. LIMIT

1. \$50,529,324

B. COVERAGE

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

C. PREMIUM

1. \$166,799

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

A. LIMITS

1. \$2,201,893

B. COVERAGE

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

C. PREMIUM

1. \$14,959

City of Daphne
2015-2016 Insurance Renewal

Company	Property	Auto	Liability	Police Liability	Public Officials Liability	Excess Liability	Equipment	Boardwalks
AMIC	Declined to Quote Due to Pricing	\$331,793 100/300/100	* \$43,411 \$1,000,000 Limit	* \$43,873 \$1,000,000 Limit	* \$50,162 \$1,000,000 Limit	* \$12,750 \$5,000,000	Declined to Quote Due to Pricing	Declined to Quote Due to Pricing
EMC Insurance	* \$166,799	* \$190,429 \$1,000,000	No Quote	No Quote	No Quote	No Quote	* \$32,192	* \$14,959
One Beacon *Indication Only*	No Quote	No Quote	\$480,000 \$5,000,000	INCLUDED \$5,000,000	INCLUDED \$5,000,000	No Quote	No Quote	No Quote
Travelers	Declined to Quote Due to Pricing & Loss History							
CRC RSUI Indemnity	No Quote	No Quote	No Quote	No Quote	No Quote	Excess Auto \$126,500 \$4,000,000	No Quote	No Quote
Other Carriers	Markets approached but either declined to quote or could not meet deadline							
Great American AmRisk Arch Axis James River RSUI								

* Current Policies w/ these Companies

FY13
PREMIUM SUMMARY

- 2013-2014

COMPREHENSIVE GENERAL LIABILITY
Company – Alabama Municipal Insurance Corp.

\$141,423 ✓

PUBLIC OFFICIALS LIABILITY (Included Above)
Company – Alabama Municipal Insurance Corp.

LAW ENFORCEMENT LIABILITY (Included Above)
Company – Alabama Municipal Insurance Corp.

COMMERCIAL AUTOMOBILE
Company – Employers Mutual Companies

\$120,926 ✓

EQUIPMENT
Company – Employers Mutual Companies

\$27,101 ✓

PROPERTY
Company – Employers Mutual Companies

\$157,089 ✓

BOARDWALKS AND STREETLIGHTS
Company -- Employers Mutual Companies

\$12,792 ✓

459,331.00

FY14
PREMIUM SUMMARY - 2/2014 - 2/2015

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

Total \$487,956

BUSINESS LICENSE ACTIVITY -DECEMBER 2014

NEW BUSINESS LICENSES (BY TYPE)		
NAICS	ACTIVITY	QTY
23	Construction	9
42	Wholesale Trade	1
44-45	Retail Trade	1
53	Real Estate, and Rental & Leasing	1
62	Health Care and Social Assistance	1
72	Accommodation and Food Services	1
81	Other Services	1
99	Other Businesses, Not Classified	2
TOTAL NEW BUSINESS LICENSES (BY TYPE)		17

NEW BUSINESS LICENSES (BY LOCATION)	
Daphne (physical location)*	1
Daphne (no physical location/home-based businesses/change of ownership)	4
Baldwin County	1
Mobile County	4
In State (not including Baldwin/Mobile counties)	1
Out of State	6
TOTAL NEW BUSINESS LICENSES (BY LOCATION)	17

*NEW BUSINESSES LOCATED IN DAPHNE	
NAICS	NAME & ADDRESS
99	Unclassified Miscellaneous
*TOTAL NEW BUSINESSES LOCATED IN DAPHNE	
1	
*TOTAL NEW BUSINESSES LOCATED IN DAPHNE	
1	
CLOSED BUSINESSES LOCATED IN DAPHNE	
NAICS	NAME & ADDRESS
TOTAL CLOSED BUSINESSES LOCATED IN DAPHNE	
0	
NET GAIN/-LOSS BUSINESSES LOCATED IN DAPHNE	
1	

BUSINESS LICENSE COUNT through 12/31/2014	
Issued THIS MONTH:	
NEW Licenses	17
RENEWAL Licenses	47
PRIOR YEAR Licenses	12
Total Issued THIS MONTH	76
Total Issued THIS MONTH - PREVIOUS YEAR	27
Net Gain/-Loss Current VS Previous Yr MONTH	49
Total Issued YTD 2014	4,355
Total Issued in 2013	4,186
Net Gain/-Loss Current VS Previous Yr YTD	169

December New Businesses



Eastern Shore Tax Professionals
27955 US Hwy 98, Suite K

Dane Haygood
Mayor

Vickie Hinman
Human Resources Director



The Jubilee City

Sherree Hilburn
Payroll and Benefits Coordinator

Sandi Cushway
Human Resources Assistant

January 8, 2015

HUMAN RESOURCES DEPARTMENT
ACTIVITY REPORT

Positions

Status

Office Asst., City Hall	DOH: 12/22/14
PT Firefighter	DOH:12/18/14
Finance Director	Interviewing
Events Assistant (Civic Center)	Interviewing
PSW (Grounds)	Interviewing
Safety Coordinator	Open
Planner (Community Development)	Open
Public Works Deputy Director	Posting effective January 12, 2015
IT Computer Services Technician	Posting effective April 1, 2015
PT Accounting Technician (Revenue)	Posting effective April 1, 2015
Marketing Coordinator	Posting effective per Mayor
Building Maintenance Supervisor	Job re-classification per Mayor

Safety Committee meeting was held December 10 @ 10:00 a.m. – the Committee reviewed property damages and injuries for the month of November. Also, continuing to review policies from the Safety manual and making revisions as needed.

HR projects/meetings:

- Relay for Life Silent Auction – December 19
- Interviewing applicants for Finance Director
- December 12 – Red Cross blood drive @ City Hall
- Retirement of Public Works Superintendent 12/31/2014
- W-2's due January 31
- Police Captain and Lieutenant promotional written test on 1/9/2015
- Police Captain Oral Board on 1/22/2015
- Police Lieutenant Oral Board on 1/23/2015

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



Municipal Workers Compensation Fund, Inc.
 P.O. Box 1270
 Montgomery, AL 36102

Estimated Contribution Billing

Name Of Insured:
 City Of Daphne
 P O Box 400
 Daphne, AL 36526

Policy Effective Date 2/1/2015
 Policy Terminate Date 1/31/2016
 Policy Number 001-2015-00013-000
 Risk ID 014001220
 Printed 12/22/2014 at 2:37 PM

DUE UPON RECEIPT
TOTAL AMOUNT DUE \$ 220,368.00 *

Policy Contact: Dane Haygood

Rate Code	Payroll Description	Rate	Basis	Payroll	Manual Premium
0042 AL	Landscape gardening & drivers	9.73 %	Payroll	328,358	\$ 31,949.00
7710 AL	Firefighters and drivers	8.01 %	Payroll	2,091,229	\$ 167,507.00
7720 AL	Police officers & drivers	5.93 %	Payroll	2,759,985	\$ 163,667.00
8380 AL	Auto Repair Shop	7.09 %	Payroll	267,816	\$ 18,988.00
8810 AL	Clerical office employees NOC	.35 %	Payroll	2,466,045	\$ 8,631.00
8831 AL	Animal Control	2.61 %	Payroll	67,691	\$ 1,767.00
8835 AL	Senior Citizens Program	4.52 %	Payroll	32,950	\$ 1,489.00
9015 AL	Building Maintenance and Janitor	7.09 %	Payroll	225,684	\$ 16,001.00
9101 AL	Library Workers/College Schools Other employees	4.73 %	Payroll	139,161	\$ 6,582.00
9102 AL	Park NOC-all employees & drivers	4.41 %	Payroll	529,282	\$ 23,341.00
9402 AL	Street cleaning & drivers	10.95 %	Payroll	698,129	\$ 76,445.00
9403 AL	Garbage Collection	12.49 %	Payroll	530,890	\$ 66,308.00
9410 AL	Building Inspection and Code Enforcement	2.52 %	Payroll	266,616	\$ 6,719.00

Subcontractors					
Rate Code	Payroll Description	Rate	Basis	Payroll	Manual Premium
5190 AL	Electrical wiring-within buildings & drivers	5.05 %	Payroll	897	\$ 45.00
6217 AL	Excavation & drivers	10.64 %	Payroll	1,650	\$ 176.00
8810 AL	Clerical office employees NOC	.35 %	Payroll	3,470	\$ 12.00
8835 AL	Senior Citizens Program	4.52 %	Payroll	4,373	\$ 198.00
9084 AL	Entertainment or band/Restaurant-bar, bar, discotheque, lounge, nightclub or tavern	2.57 %	Payroll	29,500	\$ 758.00
9102 AL	Park NOC-all employees & drivers	4.41 %	Payroll	42,794	\$ 1,887.00
Total				10,486,520	\$ 592,470.00

Premium Factors	Factor	Amount	Premium
* Experience Modifier	.69		\$ 408,804.00
Safety Discount	3.00 %	\$ -12,264.00	
Drug Free	3.00 %	\$ -12,264.00	
Scheduled Discount	25.00 %	\$ -102,201.00	
Medical Protocol	4.00 %	\$ -16,352.00	
Volume Discount	4.60 %	\$ -18,805.00	
Renewal Dividend			\$ -28,462.00
7711 Volunteer Firefighters(34 at \$ 135.00)			\$ 1,913.00
Annual Premium			\$ 248,830.00
Total			\$ 220,368.00 *

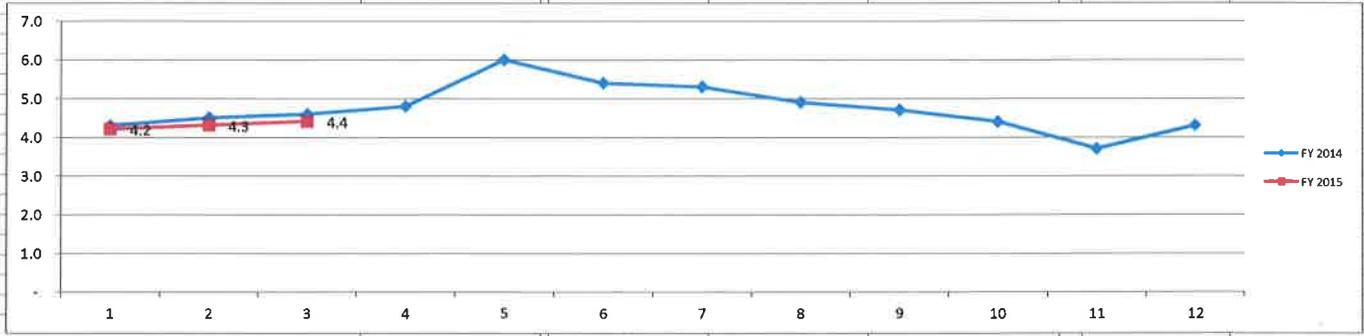
FY14's Experience modifier - .76

FY14's Billing \$ 258,254 *

TREASURER'S REPORT

As of December 31, 2014

Account Type/Title	Bank / Brokerage	12/31/2014	11/30/2014	Increase (Decrease) from last Month	Balance Last Year 12/31/2013	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	Compass Bank1	\$ 4,314,392	\$ 4,294,488	\$ 19,904	\$ 5,031,597	\$ (717,205)
INVESTMENT FUND	Raymond James	5,209,431	5,225,315	(15,883)	\$ 5,120,724	\$ 88,707
MUNICIPAL COURT	Compass Bank2	89,387	94,983	(5,596)	\$ 74,151	\$ 15,236
Total Unrestricted Funds		9,613,210	9,614,786	(1,576)	\$ 10,226,472	\$ (613,262)
SPECIAL REVENUE FUNDS						
MUNICIPAL COURT	Compass Bank1	7,739	7,739	-	-	7,739
SELF INSURANCE	Compass Bank1	67,194	76,362	(9,168)	21,189	46,005
FLEX SPENDING	Compass Bank1	8,932	10,577	(1,645)	998	7,934
4 CENT GAS TAX	PNC Bank1	114,691	109,705	4,986	127,740	(13,049)
7 CENT GAS TAX	PNC Bank2	404,217	397,947	6,270	418,424	(14,207)
TREE & FLOWER	Compass Bank1	17,200	17,200	-	11,200	6,000
SAIL SITE	PNC3/Compass1	935	(999)	1,934	849	86
NON-MAJOR STORMS	Compass Bank1	(487,477)	(562,706)	75,229	-	(487,477)
BP OIL SPILL	Compass Bank1	426,768	426,768	0	426,768	0
FEDERAL DRUG FORFEITURES	Compass Bank1	14,044	14,449	(405)	49,078	(35,034)
LOCAL DRUG FORFEITURES	Compass Bank1	20,860	22,999	(2,139)	10,730	10,130
LIBRARY	Compass Bank1	(6,155)	(17,695)	11,540	28,486	(34,641)
CONCESSION STAND	Compass Bank1	(3,434)	(3,434)	0	(6,243)	2,809
COURT TRAINING & EQUIPMENT	Compass Bank2	28,628	28,003	625	24,641	3,987
COURT JUDICIAL ADMINISTRATIVE	Compass Bank2	96,230	91,425	4,805	54,516	41,714
COURT CORRECTION	Compass Bank2	179,522	175,868	3,654	210,019	(30,497)
LODGING TAX	Compass Bank1	2,268,797	2,243,061	25,736	926,976	1,341,821
		3,158,693	3,037,269	121,424	2,305,371	853,322
CAPITAL PROJECT FUNDS						
CAPITAL RESERVE	Wells Fargo Bank1	1,184,279	1,184,279	(0)	1,518,084	(333,805)
2012 CONSTRUCTION	Regions Bank	419,128	477,330	(58,202)	741,909	(322,781)
2014 CAPITAL IMPROVEMENTS	Compass Bank	782,109	-	782,109	-	782,109
		2,385,516	1,661,609	723,907	2,259,993	125,523
DEBT SERVICE FUNDS						
DEBT SERVICE	Wells Fargo Bank2	3,136,891	2,466,754	670,137	2,039,553	1,097,338
Total Restricted Funds		8,681,099	7,165,632	1,515,467	6,604,917	2,076,182
Total City Funds		\$ 18,294,309	\$ 16,780,418	\$ 1,513,891	\$ 16,831,389	\$ 1,462,920
# of Months of UNRESTRICTED Cash to cover monthly Operating Expenses & Debt Service		4.4	4.2		4.6	



Encumbrances FY 05 - FY 13: \$132,136 (as of 11/30/14)

Money Market Investment Account

1001 - 111090

Raymond James

Month	Value	Deposits	Value Increase/(Decrease)	Fees	Variance
FY 14					
Oct-13	\$ 5,158,254.65		\$ 4,015.27	\$ (9,832.67)	
Nov-13	\$ 5,159,256.11		\$ 1,001.46		
Dec-13	\$ 5,120,724.37		\$ (38,531.74)		
Jan-14	\$ 5,149,137.09		\$ 38,069.79	\$ (9,657.07)	
Feb-14	\$ 5,181,224.34		\$ 32,087.25		
Mar-14	\$ 5,165,158.12		\$ (16,066.22)		
Apr-14	\$ 5,168,184.79		\$ 12,830.64	\$ (9,803.97)	
May-14	\$ 5,197,697.10		\$ 29,512.31		
Jun-14	\$ 5,192,716.30		\$ (4,980.80)		
Jul-14	\$ 5,170,699.58		\$ (12,059.90)	\$ (9,956.82)	
Aug-14	\$ 5,204,063.81		\$ 33,364.23		
Sep-14	\$ 5,186,737.34	\$ -	\$ (17,326.47)	\$ -	
FY 14 TOTAL		\$ -	\$ 61,915.82	\$ (39,250.53)	\$ 22,665.29
FY 15					
Oct-14	\$ 5,202,147.34		\$ 25,356.45	\$ (9,946.45)	
Nov-14	\$ 5,225,314.64		\$ 23,167.30		
Dec-14	\$ 5,209,431.27		\$ (15,883.37)		
Jan-15	\$ -		\$ -	\$ -	
Feb-15	\$ -		\$ -		
Mar-15	\$ -		\$ -		
Apr-15	\$ -		\$ -	\$ -	
May-15	\$ -		\$ -		
Jun-15	\$ -		\$ -		
Jul-15	\$ -		\$ -	\$ -	
Aug-15	\$ -		\$ -		
Sep-15	\$ -	\$ -	\$ -	\$ -	
FY 15 TOTAL		\$ -	\$ 32,640.38	\$ (9,946.45)	\$ 22,693.93
TOTAL-TO-DATE	\$ 5,209,431.27	\$ 4,828,875.15	\$ 534,399.17	\$ (153,843.05)	\$ 347,915.74

1003-280281

Reserve for Encumbrances

9/30/2014	FY 05	30,000.00	Civic Center: Electronic Signage
	FY 2010	5,012.18	Upgrading City Hall Telecommunications
		<u>2,080.00</u>	Ord 10-20 Sports Complex Erosion/Sediment
		7,092.18	
	FY 2011	18,215.00	US 98 Medians
		<u>6,000.00</u>	Justice Center Roof Repairs
		24,215.00	
	FY 2012	876.11	Animal Shelter Improvements
		5,450.00	PD Roof
		<u>3,482.70</u>	Library Carpet/Painting/Shelving Applied to 183000-592151, FY13
		5,000.00	Emergency Op. Plan
		14,808.81	
	FY 2013	50,000.00	Recreation-Senior Center flooring
		<u>2,000.00</u>	PO#01302663 Kirby Built - Rec Bench
		52,000.00	

Total 128,115.99

< 3,482.70 > Pending Payment
 \$124,633.29

Lodging Tax Fund - DRAFT
Statement of Revenues Over(Under)Expenditures
For the Fiscal Year ended September 30

	ACTUAL FY 1995-2004	ACTUAL FY 2005-2010	ACTUAL FY 2011	ACTUAL FY 2012	ACTUAL FY 2013	DRAFT URB FY 2014	DRAFT URB 12/31/14	Total
Revenues								
Lodging Taxes	1,596,764.95	3,506,472.72	659,604.93	654,478.84	680,474.07	922,597.94	223,661.51	8,244,054.96
Settlement	30,000.00	-	-	-	-	-	-	30,000.00
Donations	240,300.00	10,000.00	-	-	-	-	-	250,300.00
Grants	498,100.00	1,390,048.13	21,768.93	52,629.91	98,059.17	-	-	2,060,606.14
Total Revenues	2,365,164.95	4,906,520.85	681,373.86	707,108.75	778,533.24	922,597.94	223,661.51	10,584,961.10
Expenditures								
Industrial Development Board	45,002.65	175,428.43	32,980.25	32,723.95	34,023.69	92,652.93	29,075.99	441,887.89
Downtown Redevelopment Authority	-	-	-	97,877.29	34,023.69	42,540.38	11,163.07	185,624.43
Cost of Debt Issuance	112,241.61	-	-	-	-	-	-	112,241.61
	157,244.26	175,428.43	32,980.25	130,601.24	68,047.38	135,193.31	40,259.06	739,753.93
BayFront Property Related Exp								
Bay Front Property	4,684,723.62	666,067.18	-	-	-	-	-	5,350,790.80
Bay Front Parking Lot	-	105,793.06	-	-	-	24,028.11	-	129,821.17
Bay Front Swing Bench	-	3,896.87	-	-	-	-	-	3,896.87
Bay Front Park Improvements	-	2,358.75	500.00	-	-	-	-	2,858.75
Bay Front Park Deck	-	-	-	-	20,000.00	-	-	20,000.00
Bay Front Restrooms	-	44,139.11	1,947.28	-	-	-	-	46,086.39
Bay Front Invasive Species Grant	-	-	-	47,163.35	-	3,181.25	-	50,344.60
Boardwalk Parking Lot	-	-	-	-	-	17,459.00	-	17,459.00
Boardwalks & Walking Trails	-	-	-	2,535.00	-	-	-	2,535.00
Building Improvements	48,956.54	56,000.97	-	44,158.00	-	-	-	149,115.51
Captain O'Neal Sidewalk	-	25,413.49	-	-	-	-	-	25,413.49
D'Olive Creek Pedestrian Bridge	-	85,279.08	7,965.00	-	98,627.66	2,043.73	-	193,915.47
Gator Alley Bridge	-	-	-	-	8,174.90	1,097.45	-	9,272.35
May Day Playground Eqpt	-	30,792.49	-	-	-	-	-	30,792.49
May Day Boat Ramp	-	414,655.63	18,247.24	-	-	-	-	432,902.87
May Day Parking Lot	-	271,248.90	-	-	-	-	-	271,248.90
May Day Drainage	-	5,000.00	-	-	-	-	-	5,000.00
May Day Sand Movement Study	-	12,273.50	15,726.50	20,634.00	14,147.00	-	-	62,781.00
May Day Grounds & Landscaping	-	-	-	5,000.00	-	-	-	5,000.00
Mobile Bay NEP Contribution	-	-	-	7,000.00	-	-	-	7,000.00
Property Improvements	1,712.30	2,244.00	-	2,629.57	-	-	-	6,585.87
Village Point Grant	-	-	10,823.95	-	24,852.02	-	-	35,675.97
Williams Property (1/2) Brdwlk Prkng Lot	-	-	-	-	-	47,138.87	-	47,138.87
Total Bay Front Related Exp	4,735,392.46	1,725,163.03	55,209.97	129,119.92	165,801.58	94,948.41	-	6,905,635.37
Recreation Exp								
(Rec Loan from GF-\$643,644 Forgiven 6/1/14)	-	-	-	51,647.38	779,444.30	48,517.98	-	879,609.66
Sports Complex Entrance Rd (FY12-14)	-	-	449,084.04	-	-	-	-	449,084.04
Softball/Football Lighting (FY11)	-	-	273,593.93	-	-	-	-	274,745.93
Bathroom/Concessions (2) (FY10-11)	-	1,152.00	-	-	-	-	-	2,304.00
Bleachers (4) (FY11)	-	-	50,000.00	-	-	-	-	50,000.00
Fence/Net Replacmnt-net of ins (FY11)	-	-	2,062.50	-	-	-	-	2,062.50
Repair-Blchr/Conces Roof-net of ins (FY11)	-	-	23,197.52	-	-	-	-	23,197.52
Total Recreation Exp	-	1,152.00	797,937.99	51,647.38	779,444.30	48,517.98	-	1,678,699.65
Other Financing Sources (Uses)								
Debt Proceeds	5,177,983.00	-	-	-	-	-	-	5,177,983.00
Transfers from General Fund	353,433.00	(353,433.00)	-	-	-	643,643.56	-	643,643.56
Transfers to Debt Service	(3,042,540.12)	(1,080,638.30)	(166,139.22)	(167,064.00)	(103,080.00)	(137,838.00)	(38,201.00)	(4,735,500.64)
Transfers to Gen Fund	(20,322.18)	-	-	-	-	-	-	(20,322.18)
Other Financing Sources (Uses)	2,468,553.70	(1,434,071.30)	(166,139.22)	(167,064.00)	(103,080.00)	505,805.56	(38,201.00)	1,065,803.74
Rev & Financing Sources Over								
(Under) Expend & Financing Uses	(58,918.07)	1,570,706.09	(370,893.57)	228,676.21	(337,840.02)	1,149,743.80	145,201.45	2,326,675.89

Reserve: In-Progress Projects: BdWalk Repairs: as of 9/14 **(8,982.90)**
 Reserve for Recreation **(345,934.10)**
 Unreserved **1,971,758.89**

Lodging Taxes were levied 9/95 @ 3%
 12/97 increase to 4% (Ord 1997-28) / 4/14 increase to 6% (Ord 2014-06)
 FY 01 IDB Contributions started / DTR Authority added FY 10
 DTR: FY 10-\$32,173.09/ FY 11-\$32,980.25/FY 12-\$32,723.95=\$97,877.29
 Current Allocations: 13% IDB
 5% Downtown Redevelopment
 32% Debt Service & Bay Front Property Uses:
 Acq, Dev, & Maint
 50% Recreation Related Capital

As of June 1, 2014:
 Original Recreation Loan \$1,678,700
 Repaid from Collections \$ (1,035,056)
 Loan Balance 6/1/14 \$643,644
 Ord 2014-27 Debt Forgiven \$ (643,644)
 Recreation Balance Owed \$0

SALES & USE TAXES

*Adjusted to accrued collections

ACTUAL COLLECTIONS

FY 2015 BUDGET vs ACTUAL

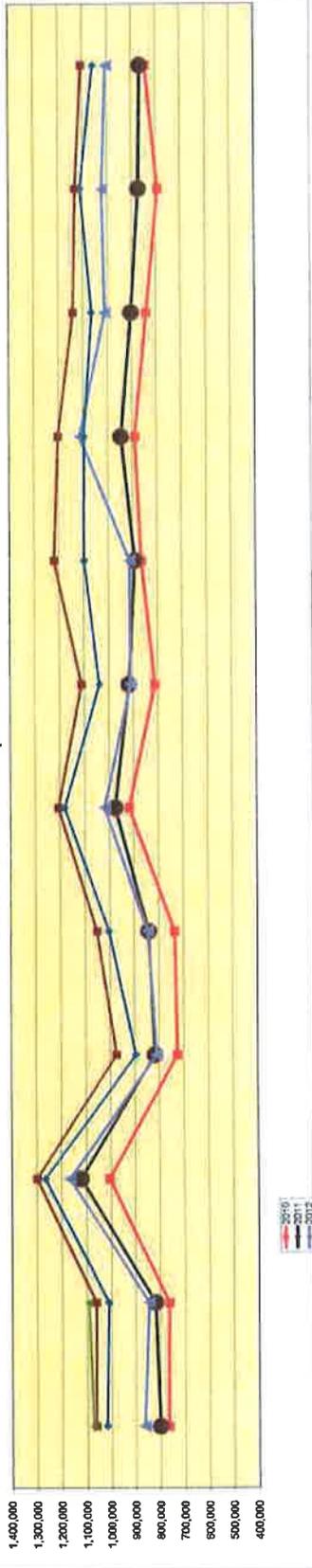
7/8 Year	Sparklines														
	2010	2011	2012	2013	2014	2015						Budget	Monthly Variance	YTD Variance	% of Budget
October	754,641.13	800,512.03	884,727.27	1,019,065.37	1,062,861.14	1,073,290.88						1,072,524	767.37	767.37	0.1%
November	761,955.37	819,634.09	845,342.45	1,011,813.96	1,061,121.86	1,092,961.96						1,068,932	23,029.75	23,797.12	2.2%
December	1,004,037.20	1,121,383.45	1,165,135.62	1,266,051.50	1,289,075.20							1,388,651			
January	723,504.26	817,230.14	809,785.59	895,717.19	974,224.69							1,000,908			
February	733,335.60	840,768.01	845,101.34	1,004,349.50	1,051,802.29							1,070,994			
March	916,657.55	976,181.39	1,018,721.43	1,181,007.55	1,205,342.67							1,254,014			
April	809,588.73	916,636.59	911,438.60	1,039,769.87	1,110,085.05							1,138,545			
May	862,254.54	889,945.33	911,839.30	1,096,546.05	1,218,956.40							1,179,034			
June	887,262.68	946,206.78	1,114,149.53	1,097,507.32	1,202,126.66							1,247,928			
July	838,192.33	902,457.24	1,010,193.08	1,065,215.02	1,139,120.72							1,178,374			
August	790,713.80	871,437.04	1,021,267.76	1,110,126.44	1,129,463.17							1,182,762			
September	841,035.40	863,630.36	1,004,661.04	1,059,958.43	1,104,411.74							1,153,953			
Totals	9,934,178.61	10,766,122.45	11,522,363.01	12,848,130.20	13,558,411.59	2,166,252.84						13,937,617	23,797.12		1.1%

Budgeted Dollar Increase FY14 vs FY15	379,205
Budgeted Percent Increase FY14 vs FY15	2.8%

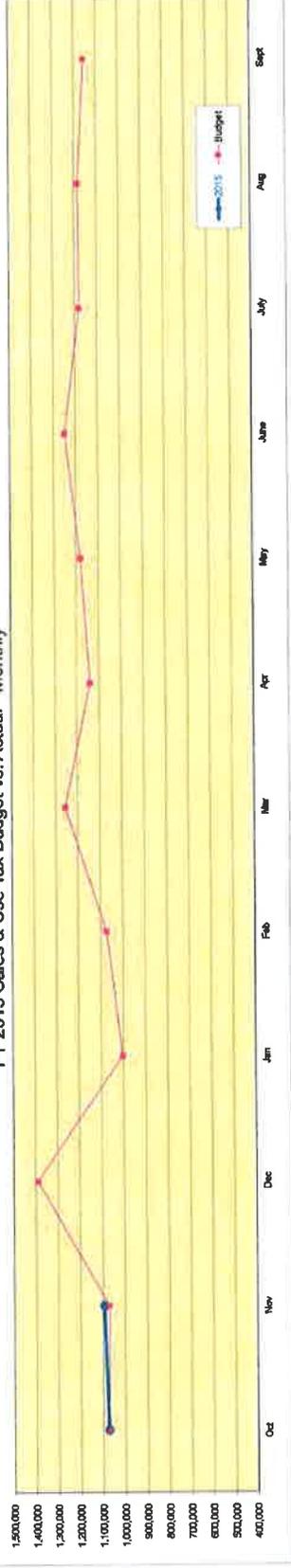
Fiscal Year Changes Year Over Year

7/8 Year	Sparklines											
	2010-2011	2011-2012	2012-2013	2014-2015	2014-2015	2014-2015	2011-2012	2012-2013	2013-2014	2014-2015	Percent Change	
October	35,870.90	64,215.24	154,338.10	10,429.74	10,429.74	10,429.74	8.0%	17.8%	17.8%	17.8%	1.0%	
November	57,878.72	25,508.36	166,471.51	31,840.10	31,840.10	31,840.10	3.1%	19.7%	19.7%	19.7%	3.0%	
December	117,346.25	43,752.17	100,915.88				3.9%	8.7%	8.7%	8.7%	0.0%	
January	93,725.86	(7,444.55)	85,931.60				-0.9%	10.6%	10.6%	10.6%	0.0%	
February	107,432.41	4,333.33	159,248.16				0.5%	18.8%	18.8%	18.8%	0.0%	
March	59,523.84	42,540.04	162,286.12				4.4%	15.9%	15.9%	15.9%	0.0%	
April	106,947.66	(5,097.99)	128,331.27				-0.6%	14.1%	14.1%	14.1%	0.0%	
May	27,680.79	21,893.97	186,708.75				2.5%	20.5%	20.5%	20.5%	0.0%	
June	58,944.10	167,942.75	(16,642.21)				17.7%	-1.5%	-1.5%	-1.5%	0.0%	
July	63,264.91	107,735.84	55,021.94				11.9%	5.4%	5.4%	5.4%	0.0%	
August	80,723.24	149,830.72	88,868.68				17.2%	8.7%	8.7%	8.7%	0.0%	
September	22,594.96	141,030.68	54,297.39				16.3%	5.4%	5.4%	5.4%	0.0%	
Annual \$ Change	831,943.84	756,240.66	1,325,767.19	42,269.84	42,269.84	42,269.84	7.0%	11.5%	11.5%	11.5%	2.0%	

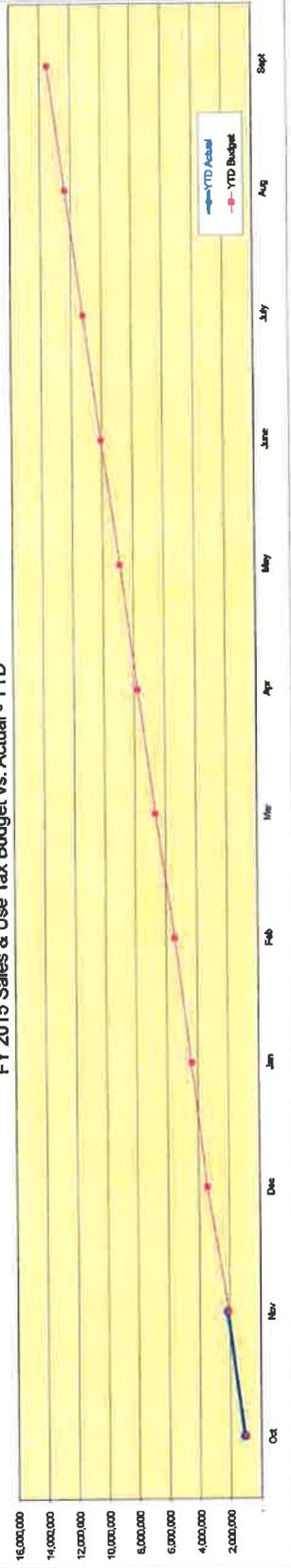
Sales & Use Tax Comparisons



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 10	FY 11	FY 12	FY 13	FY 14	FY 15	10 Year Spark Line
October	39,402.56	56,001.39	52,002.53	51,578.40	48,382.05	74,587.63	
November	33,763.37	48,328.73	47,568.08	43,459.48	43,912.92	77,289.64	
December	31,971.38	47,210.58	43,278.22	40,493.14	39,122.53		
January	42,883.70	49,006.12	41,917.34	47,548.01	43,188.04		
February	46,898.32	43,052.68	47,346.50	54,207.03	48,784.71		
March	52,771.52	67,422.43	70,058.33	64,325.47	71,954.97		
April	41,531.05	48,487.83	51,939.06	47,434.55	96,245.34		
May	66,820.96	57,880.49	54,740.45	68,448.49	107,155.35		
June	79,822.84	67,544.77	68,822.81	71,000.69	127,920.37		
July	91,906.47	78,631.86	78,417.80	94,310.47	139,397.37		
August	63,323.58	52,820.33	50,417.73	52,427.99	93,783.35		
September	52,852.79	45,216.75	46,958.89	45,148.35	71,780.24		
Total	643,261.54	659,943.93	654,478.94	638,478.67	622,967.44	189,871.37	

FY 2015 BUDGET vs. ACTUAL

	Budget	Variance	YTD Variance	% of Budget
October	50,008.54	(6,427.91)	(6,427.91)	-0.8%
November	70,478.07	8,111.57	1,383.66	9.7%
December	54,883.32			0.0%
January	72,491.46			0.0%
February	78,558.91			0.0%
March	107,184.01			0.0%
April	78,828.33			0.0%
May	101,531.42			0.0%
June	119,019.92			0.0%
July	137,740.01			0.0%
August	89,428.48			0.0%
September	74,862.45			0.0%
Total	1,079,008.09	1,383.66		0.1%

CHANGE IN DOLLARS

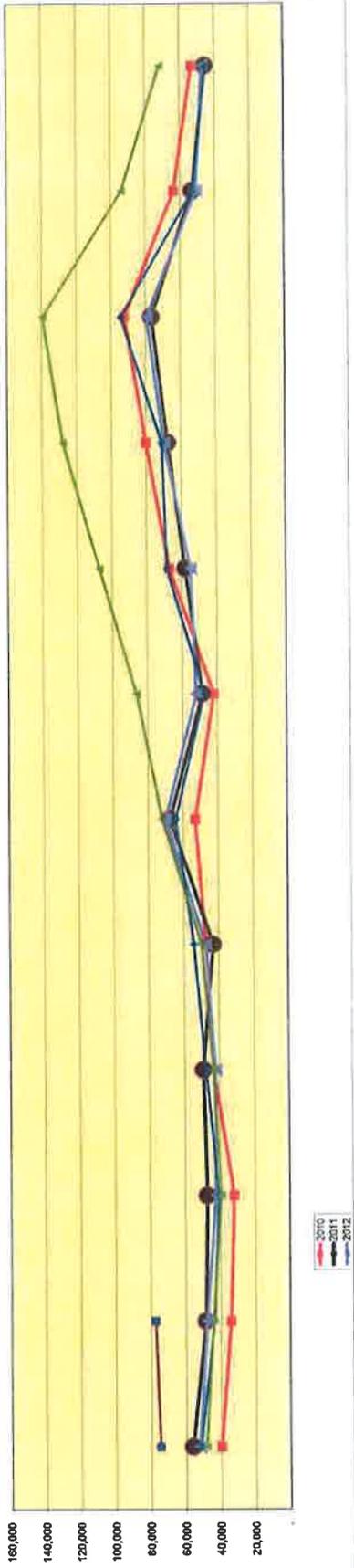
	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	9 Year Spark Line
October	(7,137.64)	16,595.83	(3,998.86)	(424.15)	(3,830.46)	26,199.88	
November	(6,415.32)	14,566.38	(761.65)	(4,108.60)	(3,655.16)	33,376.72	
December	(6,573.31)	15,639.18	(4,851.34)	(1,784.68)	(3,156.89)		
January	3,177.86	6,122.42	(7,098.78)	5,630.67	1,280.70		
February	299.31	(3,945.64)	4,293.82	6,860.53	2,488.21		
March	(459.33)	14,850.91	2,635.90	(5,732.86)	1,898.64		
April	(2,748.70)	6,858.78	(3,451.23)	(4,504.51)	34,306.28		
May	23,527.22	(8,940.48)	(3,140.03)	13,708.04	52,415.10		
June	23,328.73	(12,278.07)	2,278.14	1,267.78	58,097.46		
July	31,286.69	(15,274.61)	2,785.94	14,892.67	56,978.57		
August	18,886.76	(10,593.28)	(2,402.60)	2,010.26	43,375.62		
September	17,232.17	(7,446.04)	1,752.14	(1,820.54)	24,821.35		
Total	94,998.54	14,948.38	(5,126.09)	28,988.33	289,178.09	69,571.37	

CHANGE IN PERCENTAGE

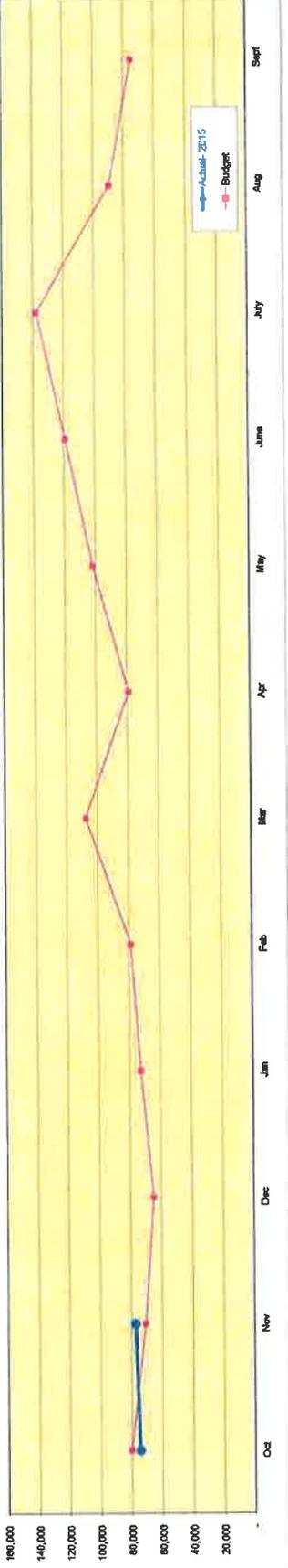
	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	9 Year Spark Line
October	29.6%	-1.7%	0.6%	-7.5%	35.1%	
November	30.1%	-1.6%	-8.5%	-8.3%	43.2%	
December	33.1%	-11.7%	-4.4%	-3.1%		
January	12.5%	-16.9%	11.8%	3.0%		
February	-9.2%	9.1%	12.7%	4.9%		
March	21.7%	3.8%	-8.9%	2.6%		
April	14.3%	6.6%	-9.5%	38.8%		
May	-15.4%	-5.7%	20.0%	48.9%		
June	-18.2%	3.3%	15.8%	45.4%		
July	-19.9%	3.5%	15.8%	43.0%		
August	-19.9%	-4.3%	3.8%	46.2%		
September	-16.5%	3.7%	-4.0%	34.6%		
% Change	2.6%	-0.8%	3.0%	3.8%	39.3%	

Ord 1997-98 adopted December 6, 1997 Incr levy from 3% to 4%
Ord 2014-08 adopted February 17, 2014 Incr levy from 4% to 6% - effective for Collections for April 2014 reflected in May 2014

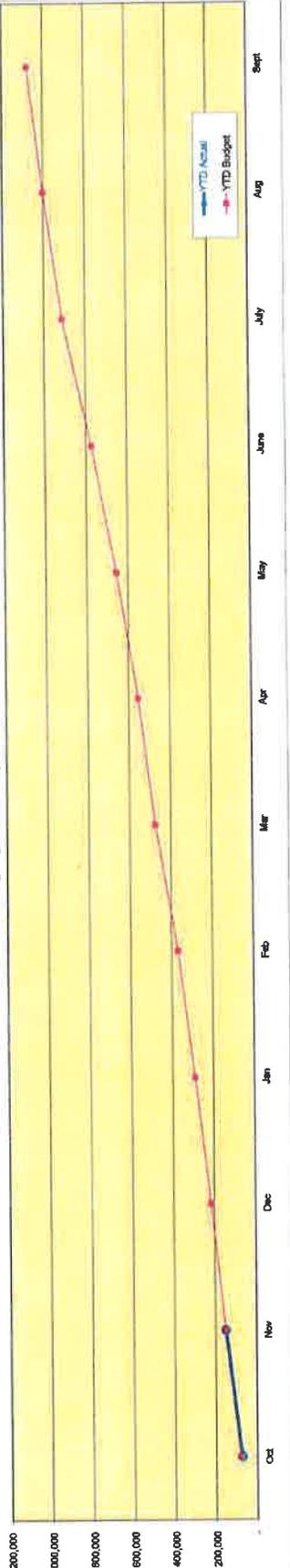
Lodging Tax Comparisons Year over Year



FY 2015 Lodging Tax Budget vs. Actual - Monthly



FY 2015 Lodging Tax Budget vs. Actual - YTD



ORDINANCE 2015-

Fire Station #3 Renovations

WHEREAS, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

WHEREAS, certain improvements and repairs are needed at Fire Station #3 to prepare the station to be operational; and

WHEREAS, the FY2015 adopted budget included an appropriation for \$200,000 and \$20,000 was appropriated in Ordinance 2014-13; and

WHEREAS, bids were received for Station #3 Renovations and the total project cost for the project is \$535,547 (*Construction: \$505,233 + Architectural Fees: \$30,314*); and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds be transferred from the General Fund to the Capital Reserve Fund are hereby appropriated and made a part of the Fiscal Year 2015 budget in the amount of \$315,547.00 for the Fire Station #3 Renovations and remaining architectural fees.

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

Dane Haygood, Mayor

ATTEST:

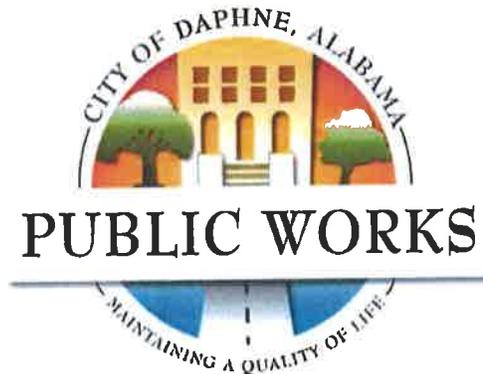
Rebecca A. Hayes, City Clerk

Dane Haygood
Mayor

Rebecca Hayes
City Clerk

Finance Director/Treasurer

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



Tommie Conaway
District 1

Pat Rudicell
District 2

John I. Lake
District 3

Randy Fry
District 4

Ronald Scott
District 5

Robin LeJeune
District 6

Joe Davis, III
District 7

Memorandum

To: Councilman Randy Fry - Chairman, Finance Committee
Councilman Joe Davis, III – Chairman of the B&P Committee

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

CC: Paul C Davis, AIA; Mayor; City Clerk; Finance; Chief White; File

Date: December 30, 2014

Re: Project 2014-PW025 - remediation, repair, remodeling & roof/façade of FS #3

Mr. Chairman:

Based upon the bid tabulations provided by the Project Architect, Paul Davis, on December 30, 2014, it is my recommendation to award the contract to Stirling Contracting, Inc. for the remediation, repair, remodeling, roof and façade to Fire Station #3. They are the qualifying low bidder at \$505,233.00.

This bid is significantly higher than was projected or budgeted. This fire station has been unoccupied since February of 2014 and the ability to provide adequate fire coverage for the City has been strained. We are allowed to "Value Engineer" up to 10% of the bid price without running afoul of Public Bid Law. Any change of contract greater than 10% would require all bids to be rejected, project revised, re-advertised and bid. This would add up to 120 days to the letting process.

I further recommend the following appropriations be made:

• Architectural Fees – Paul C Davis, AIA, PCDA	\$ 30,314.00 ¹
• Construction - Stirling Contracting, Inc.	\$505,233.00
Project Total:	\$535,547.00
Less Ord. 2014-13:	(\$ 20,000.00)
Less Ord. 2014-44:	(\$ 200,000.00)
Appropriation Required:	\$315,547.00



61 Saint Joseph Street, Suite 902
Mobile, Alabama 36602

P: 251.432.3480
F: 251.432.3482

pcda.net

December 30, 2014

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

Re: Fire Station #3
Bid Recommendation

Dear Mr. Johnson:

Bids for the above referenced project were received December 23, 2014. PCDA has reviewed the three bids submitted and Stirling Contracting, Inc. is the apparent low bidder. The bid submitted acknowledged the addendums, contained the bid bond, and was submitted by a licensed contractor. PCDA recommends awarding the project to Stirling Contracting, Inc.

Attached is a certified bid tab, if you have any questions please call.

Thank you

A handwritten signature in black ink that reads "Paul C. Davis". The signature is written in a cursive, flowing style.

Paul C. Davis, AIA

Project No: 2014-28
 AS TABULATED BELOW, BID WERE RECEIVED
 DATE: December 23, 2014 TIME: 11:30 AM
 PLACE: Daphne City Hall

Renovations to Daphne Fire Station 3

Certified Tabulation of Bids

CONTRACTOR	Received Addenda 1-6		Base Bid	Alternate #1 Overhead Coiling Doors	Base Bid + Alternate #1
Stirling Contracting, Inc. 2902 Circle Court Mobile, AL 36605 License # 23500	yes	Bid	\$486,733.00	\$25,000.00	
		Env. Notes		\$0.00	
		Adjusted Bid	\$480,233.00	\$25,000.00	
		Total			\$505,233.00
BES Construction 311 Fels Avenue Fairhope, AL 36532 License # 40145	yes	Bid	\$499,555.00	\$6,500.00	
		Env. Notes	\$0.00	\$0.00	
		Adjusted Bid	\$499,555.00	\$6,500.00	
		Total			\$506,055.00
Courmanis Allen 2856 Daughin St.; Suite N Mobile, AL 36606 License # 48987		Bid	\$0.00	\$0.00	
		Env. Notes	\$0.00	\$0.00	
		Adjusted Bid	\$0.00	\$0.00	
		Total			No Bid Submitted
Steve Cumbie General Contractors 3682 Halls Mill Rd Mobile, AL 36693 License # 47325	yes	Bid	\$513,800.00	\$24,000.00	
		Env. Notes	\$0.00	\$0.00	
		Adjusted Bid	\$513,800.00	\$24,000.00	
		Total			\$537,800.00
Platt Builders 11141 Hwy 31, Suite C Spanish Fort, AL 36527 License # 23464		Bid	\$0.00	\$0.00	
		Env. Notes	\$0.00	\$0.00	
		Adjusted Bid	\$0.00	\$0.00	
		Total			No Bid Submitted

Sworn and subscribed before me this 30th day of December, 2014

Emily Duke
 Notary Public

Paul C. Davis, AIA
 Typed or Printed Name of Architect or Engineer
Paul C. Davis
 Signature



ORDINANCE 2015-

Appropriating Funds for Reconstruction of Flumes, Ditches&Inlets along County Road 13

WHEREAS, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

WHEREAS, the City of Daphne received 16.5" of rainfall for the period of April 29-30, 2014; and

WHEREAS, as a result of such heavy rains, the flumes, ditches and inlets along CR13 sustained severe damage; and

WHEREAS, the City of Daphne did receive and review bids for the repair of the Reconstruction of Flumes, Ditches & Inlets along County Road 13 and has determined that the bid as presented is reasonable (*Construction- \$313,356 + CE&I & Material Testing -\$59,538 = \$372,894 Total project cost*); and

WHEREAS, FEMA grant monies are available for 75% of the project cost (\$279,670) for the Reconstruction of Flumes, Ditches & Inlets along County Road 13; and

WHEREAS, the State of Alabama EMA monies are available for 12.5% of the project cost (\$46,612) for the repair of the Reconstruction of Flumes, Ditches & Inlets along County Road 13; and

NOW, THEREFORE, BE IT ORDAINED, that:

1. The City Council of the City of Daphne deems this project is key to the recovery efforts associated with this rain event and the repair of this public infrastructure is necessary to preserve the health, safety, and convenience of the public.
2. This project is a qualifying FEMA and State EMA PA, Cat D project at a guaranteed 87.5% reimbursement (\$326,282).
3. Ordinance #2014-24 appropriated \$14,250 for engineering on this project.
4. ***Fiscal Year 2015 Budget is hereby amended to include an appropriation in the amount of \$32,362 from the General Fund for the repair of the Reconstruction of Flumes, Ditches & Inlets along County Road 13 cost not reimbursed by FEMA and the State EMA.***
5. The Mayor is hereby authorized to make application with FEMA and the State of Alabama EMA 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 ____ day of _____, 2015.

Attest:

Dane Haygood, Mayor

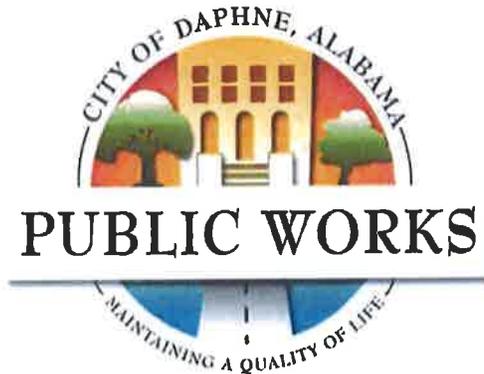
Rebecca A. Hayes, City Clerk

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District 6

Joe Davis, III
District 7

Memorandum

To: Councilman Randy Fry - Chairman, Finance Committee
From: Richard D. Johnson, P.E.; Public Works Director
CC: Volkert Engineers; Finance; File
Date: Revised – January 8, 2015
Re: Project 04-2014-RE04- County Road 13 Drainage Repairs

Mr. Chairman:

Based upon the bid tabulations provided by the Project Engineer, Volkert, on December 18, 2014, it is my recommendation to award the Contract to Ammons & Blackmon for the repair of the drainage damage along County Road 13 sustained during the April 29 & 20, 2014 flood event. They are the qualifying low bidder.

I further recommend the following appropriations be made:

- County Road 13 Drainage – Ammons & Blackmon \$313,355.75*
 *Note: 87.5% reimbursable FEMA/EMA PA Cat. D: Drainage
 (FEMA/EMA: \$274,186.28 City Match: \$39,169.47)
- Survey, Design, Specification & Letting – Volkert (8.5%) \$ 26,635.24**
 **Note: 87.5% reimbursable FEMA/EMA PA Cat. D: Drainage
 (FEMA/EMA: \$23,305.84 City Match: \$3,329.40)
- Construction Engineering Inspection & Testing – Volkert (10.5%) \$ 32,902.35***
 ***Note: 87.5% reimbursable FEMA/EMA PA Cat. D: Drainage
 (FEMA/EMA: \$28,789.56 City Match: \$4,112.79)

Project Total:	\$372,893.34
City Match:	\$ 46,611.67
Less Ord. 2014-24:	(\$ 14,250.00)
Appropriation Required:	\$ 32,361.67



Volkert, Inc.

316 South McKenzie Street
Foley, AL 36535

Office 251.968.7551
Fax 251.968.2318
foley@volkert.com

www.volkert.com

December 18, 2014

CR 13 Flume Repairs FEMA Event # 4176 DR-AL
Volkert Proj# 440201.02

Mr. Richard Johnson
Director of Public Works
City Of Daphne
26435 Public Works Rd
PO Box 400
Daphne, Alabama 36526

Subject: Bid Tabulation

Dear Mr. Johnson:

Enclosed please find the original envelopes, bid documents and bid tabulation for the above referenced project. After checking the bids, we recommend that the contract be awarded to Ammons and Blackmon. Their base bid was \$313,355.75 (engineers estimate was \$375,000.00, average bid was \$366,046.00). This contractor is licensed to do business in the State of Alabama and was the lowest responsive bidders for the project.

Let us know how you would like to proceed and if you have any questions or comments, please call at your convenience.

Sincerely,

VOLKERT, INC.

M. Randy Davis, P.E.
Project Manager

C: file
Enclosure
Jay Dickson

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Belleville, Collinsville, Wheaton, Illinois • Baton Rouge, New Orleans, Slidell, Louisiana • Biloxi, Jackson, Mississippi
Jefferson City, Missouri • Raleigh, North Carolina • Columbia, South Carolina • Chattanooga, Tennessee
Alexandria, Virginia • Washington, D.C.



CITY OF DAPHNE
 COUNTY ROAD 13 FLUME REPAIRS FEMA DISASTER EVENT #4176 DR-AL
 VOLKERT PROJECT# 440201.02

Quantity	ITEM NO.	UNIT	DESCRIPTION	Ammons & Blackmon		Asphalt Services Inc		Arrington Curb & Excavation		C. Thornton	
				Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
1	*000-000	EA	INLET MODIFICATIONS / CONVERSION (NW SIDE)	\$3,500.00	\$3,500.00	\$7,500.00	\$7,500.00	\$15,000.00	\$15,000.00	\$3,500.00	\$3,500.00
1.2	201B-000	ACRE	CLEARING	\$4,500.00	\$5,400.00	\$4,200.00	\$5,040.00	\$10,000.00	\$12,000.00	\$5,000.00	\$6,000.00
1217	206D-007	SY	REMOVING CONCRETE FLUME	\$10.00	\$12,170.00	\$3.00	\$3,651.00	\$12.00	\$14,604.00	\$5.00	\$6,085.00
280	210A-000	CY	UNCLASSIFIED EXCAVATION	\$8.00	\$2,240.00	\$10.00	\$2,800.00	\$30.00	\$8,400.00	\$8.50	\$2,380.00
170	210D-000	CY	BORROW EXCAVATION (Loose truck bed measure) A2 or better	\$16.00	\$2,720.00	\$19.45	\$3,306.50	\$30.00	\$5,100.00	\$17.00	\$2,890.00
145	214B-002	CY	FOUNDATION BACKFILL COMMERCIAL (ALDOT #467)	\$55.00	\$7,975.00	\$64.80	\$9,396.00	\$62.00	\$8,990.00	\$50.00	\$7,250.00
145	303A-012	CY	CRUSHED AGGREGATE BASE TYPE B PLANT MIX 6" COMPACTED	\$13.50	\$1,957.50	\$14.75	\$2,138.75	\$60.00	\$8,700.00	\$60.00	\$8,700.00
1270	*454A-001	LF	CLEANING AND SEALING CONCRETE CRACKS	\$3.50	\$4,445.00	\$8.00	\$10,160.00	\$8.00	\$10,160.00	\$9.25	\$11,747.50
145	*454D-000	SF	REPAIRING CONCRETE SPALLS (PARTIAL DEPTH)	\$10.60	\$1,537.00	\$8.50	\$1,232.50	\$13.00	\$1,985.00	\$165.00	\$23,925.00
1490	458B-000	SY	BREAKING AND SEATING CONCRETE FLUME	\$9.35	\$13,931.50	\$4.00	\$5,960.00	\$3.00	\$4,470.00	\$8.00	\$11,920.00
275	459C-000	LF	FULL DEPTH SAW CUT	\$3.25	\$893.75	\$10.00	\$2,750.00	\$6.00	\$1,650.00	\$7.25	\$1,993.75
1	600A-000	LS	MOBILIZATION	\$10,000.00	\$10,000.00	\$11,500.00	\$11,500.00	\$43,000.00	\$43,000.00	\$17,521.57	\$17,521.57
1571	606A-016	LF	4" UNDERDRAIN PIPE (SOCK DRAIN)	\$12.25	\$19,244.75	\$14.00	\$21,994.00	\$11.00	\$17,281.00	\$12.50	\$19,637.50
1765	608A-000	SY	SEPERATION GEOTEXTILE	\$2.75	\$4,853.75	\$3.00	\$5,295.00	\$3.00	\$5,295.00	\$3.00	\$5,295.00
1550	610C-001	TONS	LOOSE RIP RAP (CLASS 2)	\$86.26	\$133,703.00	\$85.30	\$132,215.00	\$65.00	\$100,750.00	\$69.00	\$106,950.00
1217	614A-000	SY	SLOPE PAVING	\$42.00	\$51,114.00	\$92.75	\$112,876.75	\$41.00	\$49,897.00	\$65.00	\$79,105.00
15	620A-000	CY	MINOR STRUCTURE CONCRETE	\$760.15	\$11,402.25	\$400.00	\$6,000.00	\$300.00	\$4,500.00	\$1,950.00	\$29,250.00
180	650A-000	CY	TOPSOIL	\$18.00	\$3,240.00	\$12.00	\$2,160.00	\$30.00	\$5,400.00	\$18.00	\$3,240.00
975	654A-001	SY	SOLID SOD (BERMUDA)	\$6.25	\$6,093.75	\$8.00	\$7,800.00	\$9.00	\$8,775.00	\$8.00	\$7,800.00
750	665I-000	LF	SILT FENCE TYPE A	\$5.00	\$3,750.00	\$6.00	\$4,500.00	\$6.00	\$4,500.00	\$4.00	\$3,000.00
120	665L-000	LF	FLOATING BASIN BOOM	\$15.54	\$1,864.80	\$20.00	\$2,400.00	\$8.00	\$960.00	\$25.00	\$3,000.00
750	665O-001	LF	SILT FENCE REMOVAL	\$1.25	\$937.50	\$2.00	\$1,500.00	\$3.00	\$2,250.00	\$1.75	\$1,312.50
45	665Q-002	EA	WATTLES (MINIMUM 9" DIAMETER)	\$42.50	\$1,912.50	\$80.00	\$3,600.00	\$23.00	\$1,035.00	\$10.00	\$450.00
1	740A-000	LS	TRAFFIC CONTROL	\$8,469.70	\$8,469.70	\$8,400.00	\$8,400.00	\$13,000.00	\$13,000.00	\$5,500.00	\$5,500.00
					\$313,355.75		\$374,175.50		\$347,602.00		\$368,452.82

McElhenney Construction			John G Walton			Sunset Construction		
Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Total Cost
\$5,411.08	\$5,411.08	\$2,684.84	\$2,684.84	\$2,207.59	\$2,207.59	\$2,207.59	\$2,207.59	\$2,207.59
\$7,888.06	\$9,465.67	\$30,573.97	\$36,688.76	\$4,111.15	\$4,933.38	\$4,111.15	\$4,933.38	\$4,933.38
\$9.39	\$11,427.63	\$17.02	\$20,713.34	\$5.64	\$6,863.88	\$5.64	\$6,863.88	\$6,863.88
\$11.93	\$3,340.40	\$27.51	\$7,702.80	\$16.29	\$4,561.20	\$16.29	\$4,561.20	\$4,561.20
\$27.91	\$4,744.70	\$19.27	\$3,275.90	\$19.92	\$3,386.40	\$19.92	\$3,386.40	\$3,386.40
\$71.66	\$10,390.70	\$92.42	\$13,400.90	\$126.08	\$18,281.60	\$126.08	\$18,281.60	\$18,281.60
\$20.84	\$3,021.80	\$21.96	\$3,184.20	\$17.82	\$2,583.90	\$17.82	\$2,583.90	\$2,583.90
\$7.82	\$9,931.40	\$5.49	\$6,972.30	\$6.36	\$8,077.20	\$6.36	\$8,077.20	\$8,077.20
\$34.74	\$5,037.30	\$177.54	\$25,743.30	\$55.04	\$7,980.80	\$55.04	\$7,980.80	\$7,980.80
\$4.87	\$7,256.30	\$2.85	\$4,246.50	\$3.72	\$5,542.80	\$3.72	\$5,542.80	\$5,542.80
\$5.94	\$1,633.50	\$4.60	\$1,265.00	\$9.01	\$2,477.75	\$9.01	\$2,477.75	\$2,477.75
\$27,710.00	\$27,710.00	\$51,460.00	\$51,460.00	\$19,552.49	\$19,552.49	\$19,552.49	\$19,552.49	\$19,552.49
\$12.32	\$19,354.72	\$9.53	\$14,971.63	\$12.40	\$19,480.40	\$12.40	\$19,480.40	\$19,480.40
\$2.85	\$5,030.25	\$3.38	\$5,965.70	\$3.83	\$6,759.95	\$3.83	\$6,759.95	\$6,759.95
\$84.08	\$130,324.00	\$100.89	\$156,379.50	\$72.22	\$111,941.00	\$72.22	\$111,941.00	\$111,941.00
\$51.08	\$62,164.36	\$54.16	\$65,912.72	\$53.50	\$65,109.50	\$53.50	\$65,109.50	\$65,109.50
\$765.38	\$11,480.70	\$1,339.62	\$20,094.30	\$1,439.39	\$21,590.85	\$1,439.39	\$21,590.85	\$21,590.85
\$28.66	\$5,158.80	\$22.90	\$4,122.00	\$23.22	\$4,179.60	\$23.22	\$4,179.60	\$4,179.60
\$4.77	\$4,650.75	\$5.35	\$5,216.25	\$6.96	\$6,786.00	\$6.96	\$6,786.00	\$6,786.00
\$3.95	\$2,962.50	\$4.00	\$3,000.00	\$3.83	\$2,872.50	\$3.83	\$2,872.50	\$2,872.50
\$17.10	\$2,052.00	\$18.53	\$2,223.60	\$17.41	\$2,089.20	\$17.41	\$2,089.20	\$2,089.20
\$1.55	\$1,162.50	\$1.50	\$1,125.00	\$1.16	\$870.00	\$1.16	\$870.00	\$870.00
\$88.14	\$3,966.30	\$89.71	\$4,036.95	\$15.32	\$689.40	\$15.32	\$689.40	\$689.40
\$6,024.10	\$6,024.10	\$3,642.00	\$3,642.00	\$11,825.87	\$11,825.87	\$11,825.87	\$11,825.87	\$11,825.87
	\$353,703.46		\$464,027.49		\$340,643.26		\$340,643.26	

ORDINANCE 2015-

Appropriating Funds for Piedmont Circle Drainage Repairs

WHEREAS, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

WHEREAS, the City of Daphne received 16.5" of rainfall for the period of April 29-30, 2014; and

WHEREAS, as a result of such heavy rains, Piedmont Circle Drainage sustained severe damage; and

WHEREAS, the City of Daphne did receive and review bids for the repair of the Piedmont Circle Drainage Repairs and has determined that the bid as presented is reasonable (*Construction-\$57,671 + CE&I & Material Testing -\$27,076 = \$84,747 Total project cost*); and

WHEREAS, the City provided some in-kind services, NRCS monies are available for 75% of a portion of the Engineering Fees(\$10,252) , and FEMA (75%) and EMA (12.5%) grant monies are available for the remainder of the project cost (\$62,193) for the Piedmont Circle Drainage Repairs.

NOW, THEREFORE, BE IT ORDAINED, that:

1. The City Council of the City of Daphne deems this project is key to the recovery efforts associated with this rain event and the repair of this public infrastructure is necessary to preserve the health, safety, and convenience of the public.
2. This project is a qualifying partial NRCS and FEMA and State EMA PA, Cat D project at a guaranteed 87.5% reimbursement (\$72,445).
3. Ordinance #2014-24 appropriated \$7,875 for engineering on this project.
4. ***Fiscal Year 2015 Budget is hereby amended to include an appropriation in the amount of \$4,427 from the General Fund for the repair of the Piedmont Circle Drainage Repairs cost not reimbursed by FEMA and the State EMA.***
5. The Mayor is hereby authorized to make application with FEMA and the State of Alabama EMA 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 ____ day of _____, 2015.

Attest:

Dane Haygood, Mayor

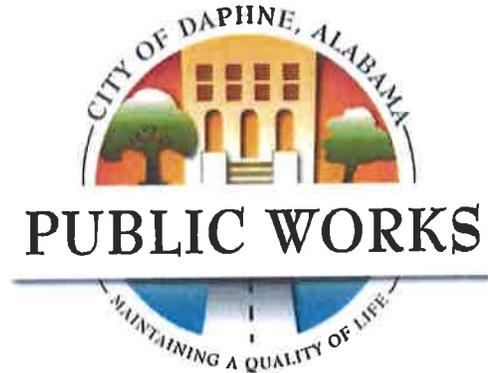
Rebecca A. Hayes, City Clerk

Dane Haygood
Mayor

Rebecca Hayes
City Clerk

Finance Director/Treasurer

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



Tommie Conaway
District 1

Pat Rudicell
District 2

John L. Lake
District 3

Randy Fry
District 4

Ronald Scott
District 5

Robin LeJeune
District 6

Joe Davis, III
District 7

Memorandum

To: Councilman Randy Fry - Chairman, Finance Committee
From: Richard D. Johnson, P.E.; Public Works Director
CC: Preble-Rish Engineers; Finance; File
Date: Revised: January 9, 2015
Re: Project 07-2014-RE04- Piedmont Circle Drainage Repairs

Mr. Chairman:

Based upon the bid tabulations provided by the Project Engineer, Preble-Rish, on December 10, 2014, it is my recommendation to award the Contract to Sunset Contracting for the repair of the drainage damage to Piedmont Circle sustained during the April 29 & 20, 2014 flood event. They are the qualifying low bidder. This is a two phase Project: NRCS EWP and FEMA. NRCS (channel repair) portion was completed In-House by City forces, labor and equipment exceeds 25% of the NRCS Project total so the City's match is "In-Kind".

I further recommend the following appropriations be made:

- Engineering Fees – NRCS-EWP Channel Repair – Preble-Rish \$ 13,667.61¹
¹ NRCS EWP – 75% reimbursable \$10,250.71/\$3,416.90
- Piedmont Circle Drainage Repairs – Sunset Contracting \$ 57,670.18*
 *Note: 87.5% reimbursable FEMA/EMA PA Cat. D: Drainage (FEMA/EMA: \$50,461.41 City Match: \$7,208.77)
- Survey, Design, Specification & Letting – Preble-Rish (10.5%) \$ 6,055.37**
 **Note: 87.5% reimbursable FEMA/EMA PA Cat. D: Drainage (FEMA/EMA: \$5,298.45 City Match: \$756.92)
- Construction Engineering Inspection & Testing – Preble-Rish (12.75%) \$ 7,352.95***
 ***Note: 87.5% reimbursable FEMA/EMA PA Cat. D: Drainage (FEMA/EMA: \$6,433.83 City Match: \$919.12)

Project Total:	\$ 84,746.11
City Match (cash):	\$ 12,301.71
Less Ord. 2014-24:	(\$ 7,875.00)
Appropriation Required:	\$ 4,426.71

Piedmont Circle Project
NRCS Portion - Completed

Labor	\$	12,786.23	
Equipment	\$	13,038.00	
Materials	\$	32,961.16	
Project Total	\$	58,785.39	
Design Fees 10.5%	\$	6,172.47	
Construction Oversight 12.75%	\$	7,348.17	7495.137
Engineering Fees	\$	13,520.64	
			\$ 13,667.61



December 10, 2014

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

**Re: Piedmont Circle, (FEMA Portion)
Project No. 04-2014-RE7
Bid Recommendation**

Mr. Johnson:

Preble-Rish has reviewed all bids received on December 9, 2014 for the above mentioned project and found that the lowest responsive and responsible bidder to be Sunset Contracting, Inc. with a bid of \$57,670.18. We have verified that Sunset Contracting is licensed with the specialty MU, Municipal and Utility as a prime contractor with Alabama General Contractors Licensing Board. They are therefore qualified to provide services on this contract.

Preble Rish, having found Sunset Contracting, Inc. to be the lowest responsive bidder and properly licensed, would recommend that they be awarded the contract Piedmont Circle. Please find attached a copy of the bid tabulation for your review and sign in sheet from the bid opening.

If you have any questions or require any further information please let us know.

Sincerely,

PREBLE-RISH, LLC

A handwritten signature in blue ink, appearing to read 'Andrew N. Bobe'.

Andrew N. Bobe, P.E.
Project Manager

9949 Bellaton Ave. Daphne, AL 36526
251.990.9950 fax 251.990.9910

CITY OF DAPHNE
PIEDMONT CIRCLE
 Bid Tabulation
 Bid Opening Date 12/9/2014

ITEM	DESCRIPTION	UNIT	ACT. QTY.	UNIT PRICE	AMOUNT	CHRIS BREWER CONTRACT	SUNSET CONTRACTING	AMMONS & BLACKMON	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	CLEARING	LUMP SUM	1.0	\$2,484.36	\$2,484.36						\$1,000.00	\$1,000.00
2	REMOVING PIPE	LN. FT.	75.0	12.25	\$918.75						\$10.00	\$750.00
3	REMOVING INLETS	EACH	2.0	233.63	\$467.26						\$100.00	\$200.00
4	UNCLASSIFIED EXCAVATION	CU YD	500.0	11.71	\$5,855.00						\$8.00	\$4,000.00
5	STRUCTURE EXCAVATION	CU YD	55.0	19.58	\$1,078.90						\$20.00	\$1,100.00
6	FOUNDATION BACKFILL COMMERCIAL	CU YD	10.0	49.49	\$494.90						\$60.00	\$600.00
7	ROADBED PROCESSING	SO YD	100.0	4.66	\$466.00						\$5.00	\$500.00
8	CUSHED AGGREGATE BASE COURSE, TYPE B, PLANT MIXED, 6"	SO YD	100.0	15.48	\$1,548.00						\$18.50	\$1,850.00
9	BITUMINOUS TREATMENT 1"	SO YD	100.0	2.31	\$231.00						\$3.00	\$300.00
10	TRACK COAT 10.0 GALLONS YD	GALLON	10.0	23.13	\$231.30						\$3.00	\$30.00
11	SUPERPAVE BITUMINOUS CONCRETE WEARING SURFACE LAYER, 1/2" MAXIMUM AGGREGATE SIZE MIX. ESAL RANGE B, 12#HSY	TON	6.25	317.94	\$1,987.13						\$325.00	\$2,032.13
12	SUPERPAVE BITUMINOUS CONCRETE BINDER LAYER, 3/4" MAXIMUM AGGREGATE SIZE MIX. ESAL RANGE B, 16#HSY	TON	8.25	223.62	\$1,844.87						\$200.00	\$1,644.87
13	FULL DEPTH SAWCUT (ASPHALT BUTT JOINTS)	LN. FT.	60.0	8.10	\$486.00						\$10.00	\$600.00
14	36" STORM SEWER PIPE	LN. FT.	40.0	75.86	\$3,034.40						\$117.00	\$4,680.00
15	48" STORM SEWER PIPE	LN. FT.	40.0	125.51	\$5,020.40						\$148.00	\$5,920.00
16	MOBILIZATION (12% MAX.)	LUMP SUM	1.0	2,872.78	\$2,872.78						\$4,000.00	\$6,872.78
17	LOOSE RIPRAP, CL. 2, 24" THICK	SO YD	30.0	95.66	\$2,869.80						\$150.00	\$4,500.00
18	FILTER BLANKET, GEOTEXTILE	SO YD	30.0	4.11	\$123.30						\$5.00	\$150.00
19	48" ROADWAY PIPE END TREATMENT, CLASS I	EACH	1.0	4,872.15	\$4,872.15						\$5,500.00	\$5,500.00
20	INLET TYPE S1 OR S3 2 WING	EACH	2.0	5,531.99	\$11,063.98						\$5,538.00	\$11,076.00
21	TOPSOIL 4 IN. THICK	CU YD	22.0	20.24	\$445.28						\$25.00	\$550.00
22	SEEDING	ACRE	0.1	1,793.00	\$179.30						\$3,000.00	\$300.00
23	SOLID SODDING (BERMUDA)	ACRE	0.1	5.20	\$7.00						\$10.00	\$1.00
24	MULCHING	ACRE	0.1	1,735.00	\$173.50						\$3,000.00	\$300.00
25	TEMPORARY SEEDING	ACRE	0.1	1,735.00	\$173.50						\$3,000.00	\$300.00
26	TEMPORARY MULCHING	TON	0.1	1,735.00	\$173.50						\$3,000.00	\$300.00
27	POLYETHYLENE	SO YD	50.0	2.89	\$144.50						\$3.00	\$150.00
28	HAY BALES	EACH	30.0	8.10	\$243.00						\$5.00	\$150.00
29	SILT FENCE	LN. FT.	400.0	3.31	\$1,324.00						\$10.00	\$4,000.00
30	TEMPORARY COARSE AGGREGATE, ALDOT NUMBER 1	SO YD	50.0	19.08	\$954.00						\$60.00	\$3,000.00
31	SILT FENCE REMOVAL	LN. FT.	400.0	0.98	\$392.00						\$10.00	\$4,000.00
32	WATTLE	LN. FT.	100.0	4.67	\$467.00						\$10.00	\$1,000.00
33	GEOMETRIC CONTROLS	LUMP SUM	1.0	\$78.33	\$78.33						\$1,000.00	\$1,078.33
34	CONSTRUCTION SIGNS	SO FT	50.0	18.65	\$932.50						\$15.00	\$750.00
35	CHANNELIZING DRUMS	EACH	20.0	35.45	\$709.00						\$60.00	\$1,200.00
36	CONES (36 INCHES HIGH)	EACH	10.0	79.26	\$792.60						\$75.00	\$750.00
37	BARRICADES, TYPE III	EACH	1.0	691.69	\$691.69						\$500.00	\$1,191.69
38	WARNING LIGHTS, TYPE B	EACH	1.0	221.66	\$221.66						\$250.00	\$471.66
39	BALLAST FOR CONE	EACH	10.0	3.47	\$34.70						\$3.00	\$30.00
TOTAL					\$57,670.19					\$ 64,821.97		\$ 69,872.25

ORDINANCE 2015-

**Appropriating Funds for Rolling Hills Drive(South) Grade, Drain, Base & Pave
(Project #04-2014-RE06)**

WHEREAS, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

WHEREAS, the City of Daphne received 16.5" of rainfall for the period of April 29-30, 2014; and

WHEREAS, as a result of such heavy rains, Rolling Hills Drive (South) sustained severe damage; and

WHEREAS, the City of Daphne did receive and review bids for the repair of the Rolling Hills Drive(South) Grade, Drain, Base & Pave project and has determined that the bid as presented is reasonable (*Construction- \$578,798 + CE&I & Material Testing -\$112,843 = \$691,641 Total project cost*); and

WHEREAS, FEMA and State of Alabama EMA grant monies are available for Category D (*Drainage*) of the project cost (\$192,705) for the Rolling Hills Drive(South) Grade, Drain, Base & Pave project; and

NOW, THEREFORE, BE IT ORDAINED, that:

1. The City Council of the City of Daphne deems this project is key to the recovery efforts associated with this rain event and the repair of this public infrastructure is necessary to preserve the health, safety, and convenience of the public.
2. This project is a qualifying FEMA and State EMA PA, for the Category D portion of the project (\$192,705).
3. Ordinance #2014-24 appropriated \$48,438 for engineering on this project.
4. ***Fiscal Year 2015 Budget is hereby amended to include an appropriation in the amount of \$450,498 from the General Fund for the repair of the Rolling Hills Drive (South) Grade, Drain, Base & Pave project cost not reimbursed by FEMA and the State EMA.***
5. The Mayor is hereby authorized to make application with FEMA and the State of Alabama EMA 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 ____ day of _____, 2015.

Attest:

Dane Haygood, Mayor

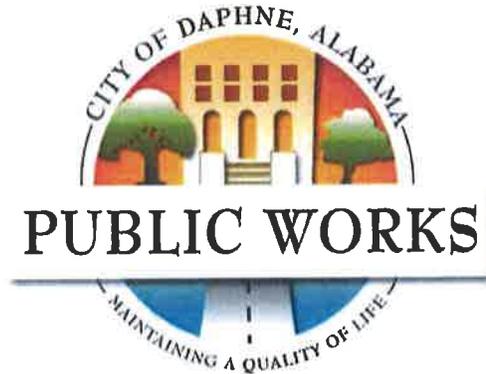
Rebecca A. Hayes, City Clerk

Dane Haygood
Mayor

Rebecca Hayes
City Clerk

Finance Director/Treasurer

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



Tommie Conaway
District 1

Pat Rudicell
District 2

John L. Lake
District 3

Randy Fry
District 4

Ronald Scott
District 5

Robin LeJeune
District 6

Joe Davis, III
District 7

Memorandum

To: Councilman Randy Fry - Chairman, Finance Committee
From: Richard D. Johnson, P.E.; Public Works Director 
CC: Hatch Mott MacDonald; Finance; File
Date: January 8, 2015
Re: 2015-F-ROLLING HILLS (SOUTH) GRADE, DRAIN, BASE and PAVE (Project #04-2014-RE06).

Mr. Chairman:

Based upon the bid tabulations provided by the Project Engineer Hatch Mott MacDonald, on January 7, 2015, it is my recommendation to award the Contract to John G. Walton Contracting for the repair of the drainage damage, including improvements to the roadway, of the southern portion of Rolling Hill Drive sustained during the April 29 & 20, 2014 flood event. They are the qualifying low bidder. This is classified as a "qualifying" improvement project by FEMA – meaning the costs of the repairs (Category D) are applied to the overall improvement project.

I further recommend the following appropriations be made:

• Engineering Fees – GDBP (7.75%) – Hatch Mott MacDonald	\$ 44,857.00
• Rolling Hill Drainage Repairs/Road Improvements – J.G.Walton	\$ 578,797.23
• Construction Engineering Inspection (9.5%) – Hatch Mott MacDonald	\$ 54,986.00
• Geo-Tech & Material Testing (2.25%) – GET, Inc.	\$ 13,000.00
Project Total:	\$ 691,640.23
Less Ord. 2014-24:	(\$ 48,438.00)
Less FEMA/EMA Cat D Drainage	(\$192,705.00)
Appropriation Required:	\$ 450,497.23



**Hatch Mott
MacDonald**

Hatch Mott MacDonald
153 West Interstate 65 Service Road N.
Mobile, Alabama 36608
T 251.343.4366 www.hatchmott.com

January 7, 2015

Mr. Richard D. Johnson, PE
Public Works Director, City of Daphne
26435 Public Works Road
Daphne, Alabama 36526

**RE: Client Project No. 04-2014-RE6
Rolling Hill Drive South
Daphne, Alabama
HMM Project No. 340704**

Dear Richard:

Please find enclosed one (1) copy of the Tabulation of Bids received January 6, 2015 for the referenced project. Enclosed are the three (3) proposals received from the contractors who submitted bids for this project. The low bid price of \$578,797.23, submitted by John G. Walton Construction Company, Inc., appears to be reasonable for the work required. Therefore, we recommend they be awarded the contract to perform this work.

We plan to proceed with preparing the contract documents upon notification of the contract award by the City of Daphne Public Works Department.

If you have any questions, please advise.

Very truly yours,
Hatch Mott MacDonald

A handwritten signature in blue ink, appearing to read 'John W. Peterson'.

John W. Peterson, PE
Principal Engineer
T 251.343.4366 F 251.343.6902
john.peterson@hatchmott.com

Cc: Kendall Kilpatrick - HMM
Enclosures

Hatch Mott MacDonald
 Project: Rolling Hill Drive (Improvements)
 Owner: City of Daphne
 HMM File: 346724

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	John C. Watton		H. O. Weaver		Sunset Contracting	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
200A	Cleaning & Grubbing (approx. 60 Acres)	1.00	LS	\$9,823.00	\$9,823.00	\$2,261.00	\$2,261.00	\$5,104.95	\$5,104.95
206D-1	Removal of 18" (18" x 18")	110.00	LF	\$16.62	\$1,828.20	\$13.81	\$1,519.10	\$16.22	\$1,784.40
206E	Removal of 18" (18" x 18")	2.00	EACH	\$116.36	\$232.72	\$515.25	\$1,030.50	\$185.48	\$370.96
209A	Mailbox Reel, Single	37.00	EACH	\$69.47	\$2,570.39	\$135.37	\$5,008.79	\$119.77	\$4,431.45
210A	Unclassified Excavation	1,340.00	CU	\$14.35	\$19,442.00	\$25.09	\$33,626.60	\$18.41	\$24,685.40
210B	Borrow Excavation (A-2-4 or Brown) (TBM)	200.00	CU (TBM)	\$24.91	\$4,982.00	\$19.18	\$3,836.00	\$14.83	\$2,966.00
210C	Roadbed Processing	13.00	TON	\$188.24	\$2,447.12	\$147.45	\$1,916.85	\$88.00	\$1,144.00
301A-1	Crushed Aggregate Base Course, Type B, Plant Mixed, 6" Compacted Thickness	383.00	SY	\$16.96	\$6,486.48	\$18.42	\$7,055.64	\$14.71	\$5,533.30
401A	Blank Coat	323.00	SY	\$1.18	\$381.14	\$1.11	\$358.83	\$1.37	\$442.71
402A	Flashing Existing Pavement (Administratively 0.60' Thick) 1/2" Max. Agg. Size Mix, ESAL Range A/B (103 lb/ sq yd)	423.00	SY	\$1.27	\$537.21	\$1.26	\$530.78	\$1.56	\$658.58
429A	Improved Bituminous Concrete Wearing Surface Layer, 3/4" Max. Agg. Size Mix, ESAL Range A/B (220 lb/ sq yd)	730.00	TON	\$91.51	\$66,833.40	\$94.40	\$69,112.00	\$93.53	\$68,276.90
429B-1	Improved Bituminous Concrete Upper Binder Layer, 3/4" Max. Agg. Size Mix, ESAL Range A/B (220 lb/ sq yd)	425.00	TON	\$91.16	\$38,743.00	\$91.90	\$39,057.50	\$86.65	\$36,843.25
429B-2	Improved Bituminous Concrete Upper Binder Layer, Wearing 3/4" Max. Agg. Size Mix, ESAL Range A/B (220 lb/ sq yd)	40.00	TON	\$155.38	\$6,215.60	\$187.58	\$7,503.20	\$114.06	\$4,562.40
429B-3	Improved Bituminous Concrete Base Layer, Wearing 1" Maximum Aggregate Size Mix, ESAL Range A/R (330 lb/ sq yd)	50.00	TON	\$115.95	\$5,797.50	\$137.47	\$6,873.50	\$114.06	\$5,703.00
429C	1" Maximum Aggregate Size Mix, ESAL Range A/R (330 lb/ sq yd)	60.00	TON	\$151.13	\$9,067.80	\$219.58	\$13,174.80	\$114.06	\$6,843.60
430B	Aggregate Surfacing (ALDOT #467 or #97)	50.00	TON	\$54.72	\$2,736.00	\$48.67	\$2,433.50	\$17.03	\$851.50
430A	18" Roadway Pipe (Class 3 R.C.)	88.00	LF	\$51.81	\$4,560.68	\$57.16	\$5,041.28	\$11.42	\$1,003.60
432B	44" Storm Sewer Pipe (Class 3 R.C.)	186.00	LF	\$88.10	\$16,466.80	\$91.31	\$17,026.26	\$144.79	\$26,878.60
433A	18" Storm Sewer Pipe (Class 3 R.C.)	841.20	LF	\$27.88	\$23,452.16	\$45.01	\$37,860.41	\$144.79	\$121,086.07
500A	Mobilization	1.00	LS	\$13,070.00	\$13,070.00	\$8,182.00	\$8,182.00	\$33,370.00	\$33,370.00
501B	Special Underdrain Outlet, Type B	14.00	EACH	\$186.21	\$2,606.94	\$118.18	\$1,654.52	\$207.52	\$2,905.28
501C	Underdrain Pipe, Type B with Filter Fabric	3242.00	LF	\$16.27	\$52,844.14	\$15.18	\$49,271.56	\$16.79	\$54,371.01
510C	Loose Rubble, Class 2	90.00	TON	\$13.20	\$1,188.00	\$10.18	\$916.20	\$12.76	\$1,148.40
510D	Filter Blaves, Concrete	57.00	SY	\$43.72	\$2,484.24	\$13.78	\$784.86	\$3.76	\$214.32
510E	18" Roadway Pipe (Class 3 R.C.)	2.00	EACH	\$4,872.62	\$9,745.24	\$1,544.32	\$3,088.64	\$4,817.23	\$9,634.46
521B	Junction Box, Type Special	1.00	EACH	\$2,181.62	\$2,181.62	\$1,952.43	\$1,952.43	\$1,671.81	\$1,671.81
521C-1	Inlets, Type 31 or 31.1 (Wing)	1.00	EACH	\$1,181.13	\$1,181.13	\$4,693.53	\$4,693.53	\$2,462.02	\$2,462.02
521C-2	Inlets, Type 32 or 32.1 (Wing)	2.00	EACH	\$6,121.20	\$12,242.40	\$14,528.17	\$29,056.34	\$6,302.02	\$12,604.04
621C	Combination Curb & Gutter, Type M-14 (Machine Laid)	6570.00	LF	\$14.71	\$96,844.70	\$13.10	\$86,067.00	\$14.59	\$95,856.30
650A	Tensoid #4	628.00	CTP	\$18.36	\$11,528.48	\$20.36	\$12,772.38	\$20.97	\$13,169.18
652A	Seeding	1.00	ACRE	\$2,252.92	\$2,252.92	\$1,322.76	\$1,322.76	\$855.47	\$855.47
652C	Mowing	1.00	ACRE	\$778.44	\$778.44	\$230.46	\$230.46	\$1,996.09	\$1,996.09
654A	Soil Seeding	750.00	SY	\$6.70	\$5,025.00	\$5.48	\$4,110.00	\$22.79	\$17,073.00
654B	Mulching	1.00	ACRE	\$1,220.13	\$1,220.13	\$881.84	\$881.84	\$813.50	\$813.50
654C	Temporary Mulching	2.00	TONS	\$481.94	\$963.88	\$881.84	\$1,763.68	\$912.50	\$1,825.00
655	Silt Fence	10.00	TONS	\$104.40	\$1,044.00	\$99.87	\$998.70	\$125.26	\$1,252.60
655A	Silt Fence	10.00	LF	\$5.47	\$54.70	\$1.45	\$14.50	\$102.65	\$1,026.50
655B	Drainage Sump Excavation	1.00	CV	\$74.37	\$74.37	\$72.00	\$72.00	\$125.50	\$125.50
655C	Silt Fence Removal	500.00	LF	\$1.75	\$875.00	\$1.55	\$775.00	\$1.25	\$625.00
655D	Inlet Protection, Stage 3 or 4	20.00	EACH	\$183.94	\$3,678.80	\$275.85	\$5,517.00	\$214.36	\$4,287.20
655E	Ward	200.00	LF	\$179.60	\$35,920.00	\$180.48	\$36,096.00	\$180.48	\$36,096.00
655F	Geometric Controls	1.00	LS	\$7,272.00	\$7,272.00	\$21,924.22	\$21,924.22	\$6,548.30	\$6,548.30
740B	Construction Signs	122.00	SY	\$30.01	\$3,661.22	\$18.37	\$2,241.10	\$21.67	\$2,643.74
740C	Cones (6" High)	100.00	EACH	\$3.00	\$300.00	\$1.41	\$141.00	\$25.09	\$2,509.00
740D	Ballast for Cone	141.00	EACH	\$30.01	\$4,231.41	\$11.60	\$1,631.60	\$5.70	\$804.30
1001A	Concrete Driveway	141.00	SY	\$61.14	\$8,614.54	\$63.28	\$8,941.44	\$75.51	\$10,645.51
	Project Total				\$578,791.23		\$710,653.51		\$590,884.23

ORDINANCE 2014-24

Appropriating Funds for Survey, Design and Letting – City-Wide Infrastructure Projects

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

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

WHEREAS, the City of Daphne received 16.5" of rainfall for the period of April 29-30, 2014; and

WHEREAS, as a result of such heavy rains, many streets and their drainage systems located within the City of Daphne sustained severe damage and require repairs in order to prevent further damage to the City's infrastructure; and

WHEREAS, the City of Daphne will be making application with the NRCS (Natural Resources Conservation Service) and FEMA (Federal Emergency Management Agency) for partial and/or full reimbursement of expenses incurred for such public infrastructure repairs as described below; and

WHEREAS, it is necessary to complete engineering design in a timely manner and solicit bids/quotes from qualified contractors at the same time reimbursable funding is being determined by the NRCS and FEMA.

NOW, THEREFORE, BE IT ORDAINED, that:

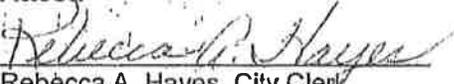
1. The City Council of the City of Daphne deems these projects key to the recovery efforts associated with this rain event and the repair of these public infrastructures is necessary to preserve the health, safety, and convenience of the public.
2. Fiscal Year 2014 Budget is hereby amended to include an appropriation in the amount of \$83,508.00 from Capital Reserve Fund for design and letting to the below described qualified engineers and repair projects (attached as exhibit "A"):

Project	Engineer	Survey, Design & Letting
a. 04-2014-RE3 - Lancaster Way	Preble-Rish	\$ 3,675.00
b. 04-2014-RE4 - CR13 Drainage	Volkert	\$ 14,250.00
c. 04-2014-RE5 - Gator Alley	HMR	\$ 4,020.00
d. 04-2014-RE6 - Rolling Hill Drive	Hatch-Mott	\$48,438.00
e. 04-2014-RE7 - Piedmont Circle	Preble-Rish	\$ 7,875.00
f. 04-2014-RE8 - Edgar Circle/ Melanie Loop	HMR	\$14,250.00
Total Survey, Design & Letting Cost:		\$92,508.00

3. The Mayor is hereby authorized to make application with the NRCS and FEMA 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 19th day of May, 2014.


Dane Haygood, Mayor

Attest:

Rebecca A. Hayes, City Clerk

ORDINANCE 2015-

GRANT MANAGEMENT FOR THE TIAWASEE CREEK COASTAL IMPACT ASSISTANCE PROGRAM (CIAP) AND NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF) GRANT TIAWASEE CREEK RESTORATION

WHEREAS, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

WHEREAS, the City with large grants (\$500,000.00+) has always sought out grant management assistance to ensure compliance with all federal, state and local grant requirements; and

WHEREAS, the City's attorney and finance department recommends that a grant manager be hired to manage the Tiawasee Creek Restoration project; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2015 Budget is hereby amended to include a General Fund appropriation in the amount of \$25,000.00 for the procurement of a grant manger to assist with its CIAP-NFWF grant project and the Mayor is hereby authorized to execute all agreements required for the completion of these projects.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this 20th day of January, 2015.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

RESOLUTION #2015-

**RESOLUTION FOR ADOPTING PURCHASING POLIES FOR THE
TIAWASEE CREEK RESTORATION COASTAL IMPACT
ASSISTANCE COASTAL IMPACT ASSISTANCE PROGRAM'S (CIAP)
& NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF)**

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

WHEREAS, CIAP funds are made available through the United States Department of Interior and it is a CIAP Program requirement that municipal governments participating in the program adopt and implement a Policy regarding Standards of Conduct and a Policy regarding Procurement Methods; and

NOW, THEREFORE IT BE RESOLVED that the Daphne City Council has adopted a Policy regarding Standards of Conduct and a Policy regarding Procurement Methods that comply with the applicable laws, rules and regulations of the CIAP program; and

BE IT FURTHER RESOLVED that a copy of these documents are attached to this Resolution, the Mayor is authorized to sign these documents on behalf of the City, and a copy of these documents will be kept on file at City Hall and will be available for review by the public as requested.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this 20TH day of January, 2015.

Attest:

Dane Haygood, Mayor

Rebecca A. Hayes, City Clerk

City of Daphne
Methods of Procurement Policy

The City of Daphne, will follow the procurement methods described below and will ensure that all contracts will be in writing, include the appropriate state, federal, and local clauses, and that all contracts will be authorized by the Daphne City Council. Further, the City will ensure that the procurement of labor, services, or materials will be conducted in accordance with these local written procedures that conform to 2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, and 230 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule, Title 41, Code of Alabama (Bid Law), and Title 39, Code of Alabama (Public Works Law). All procurement follows one of the following methods:

1. Small Purchase

- a. See State Bid Law (Title 41, Code of Alabama) 2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, and 230),
 1. Price or rate quotations for purchases or contracts with an aggregate cost \$15,000 or less must be obtained from at least three (3) qualified sources. (No purchase or contract involving an amount in excess of \$15,000 shall be divided into parts involving amounts \$15,000 or less for the purpose of avoiding the requirements of the Bid Law.) File documentation is required.
- b. See Public Works Law (Title 39, Code of Alabama) and 2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, and 230,
 1. Price or rate quotations for professional services with an aggregate cost of \$100,000 or less must be obtained from at least three (3) qualified sources. File documentation and contract for professional services are required.
 2. Contracts for public works involving \$50,000 or less may be let without advertising or sealed bids. Price or rate quotations must be obtained from at least three (3) sources. (No public work involving a sum in excess of \$50,000 shall be split into parts involving sums of \$50,000 or less for the purposes of evading the Public Works Law.) File documentation is required.

2. Sealed Bids

- a. See State Bid Law (Title 41, Code of Alabama),
 1. All purchases in excess of \$15,000 shall be advertised by posting notice thereof on a bulletin board maintained outside the purchasing office and in any other manner and for any length of time as may be determined. Sealed bids shall also be solicited by sending notice by mail or other electronic means to all persons, firms, or corporations who have filed a request in writing that they be listed for solicitation on bids for the particular items that are set forth in the request. All bids shall be sealed when received and shall be opened in public at the hour stated in the notice.
 2. All original bids together with all documents pertaining to the award of the contract shall be retained in accordance with a retention period of at least seven years established by the Local Government Records Commission and shall be open to public inspection.
- b. See Public Works Law (Title 39, Code of Alabama),
 1. Definition of Public Works: The construction, repair, renovation, or maintenance of public buildings, structures, sewers, waterworks, roads, bridges, docks, underpasses, and viaducts as well as any other improvement to be constructed, repaired, renovated, or maintained on public property and to be paid, in whole or in part, with public funds or with financing to be retired with public funds in the form of lease payments or otherwise.
 2. Before entering into any contract for a public works involving an amount in excess of \$50,000, the awarding authority shall advertise for sealed bids. If the awarding authority is the state or a county, or an instrumentality thereof, it shall advertise for sealed bids at least once each week for three consecutive weeks in a newspaper of general circulation in the county or counties in which the improvement or some part thereof, is to be made. If the awarding authority is a municipality, or an instrumentality thereof, it shall advertise for sealed bids at least once in a newspaper of general circulation published in the municipality where the awarding authority is located. If no newspaper is published in the municipality, the awarding authority shall advertise by posting notice thereof on a bulletin board maintained outside the purchasing office and in any other manner and for the length of time as may be determined. In addition to bulletin board notice, sealed bids shall also be solicited by sending notice by

mail to all persons who have filed a request in writing with the official designated by the awarding authority that they be listed for solicitation on bids for the public works contracts indicated in the request. For all public works contracts involving an estimated amount in excess of \$500,000, awarding authorities shall also advertise for sealed bids at least once in three newspapers of general circulation throughout the state.

3. The advertisements shall briefly describe the improvement, state that plans and specifications for the improvement are on file for examination in a designated office of the awarding authority, state the procedure for obtaining plans and specifications, state the time and place in which bids shall be received and opened, and identify whether prequalification is required and where all written prequalification information is available for review. All bids shall be opened publicly at the advertised time and place.

3. Competitive Negotiations

The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- a. See 2 CFR Chapter I, and Chapter II, Parts 200, Subpart D—Post Federal Award, §200.320 Methods of procurement to be followed.
- b. Requests for proposals will be publicized and identify all evaluation factors and their relative importance.
- c. Proposals will be solicited from an adequate number of qualified sources.
- d. Grantees will have a method for conducting technical evaluations of the proposals received and for selecting awardees.
- e. Awards will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.
- f. Grantees may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

4. Noncompetitive Negotiations

Procurement by noncompetitive proposals or “sole source” is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids or competitive proposals and one of the following circumstances applies: the item is available only from a single source; the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; the awarding agency authorizes noncompetitive proposals; and after solicitation of a number of sources, competition is determined inadequate.

- a. Proper documentation that one or more of the above circumstances existed.
- b. There is no conflict of interest by the parties involved.
- c. Cost analysis, i.e., verifying the proposed cost data, the projections of the data, and the evaluation of the specific elements of costs and profits, is required.

5. Price/Cost Analysis

Grantees must perform a cost or price analysis in connection with every procurement action including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, grantees must make independent estimates before receiving bids or proposals.

- a. A cost analysis must be performed when the offeror is required to submit the elements of his estimated cost, e.g., under professional, consulting, and architectural engineering services contracts.
- b. A cost analysis will be necessary when adequate price competition is lacking, and for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or based on prices set by law or regulation.
- c. A price analysis will be used in all other instances to determine the reasonableness of the proposed contract price.
- d. Grantees will negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed.

- e. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.
- f. Costs or prices based on estimated costs for contracts under grants will be allowable only to the extent that costs incurred or cost estimates included in negotiated prices are consistent with Federal cost principles. Grantees may reference their own cost principles that comply with the applicable Federal cost principles.
- g. The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

CITY OF DAPHNE
PUBLIC WORKS COMMITTEE AGENDA
Time: 5:00 PM on January 5, 2015
Location: City Hall

Mayor Dane Haygood
Councilwoman Tommie Conaway, District 1
Councilman John Lake, District 3
Councilman Ron Scott, District 5
Chairman - Councilman Robin LeJeune, District 6

I. CALL TO ORDER

II. PUBLIC PARTICIPATION & CORRESPONDENCE

- A. Work Request Report – November 2014
- B. Vehicle/Equipment Maintenance Reports – November - December 2014/Summary FY2015
- C. Correspondence –
- D. Public Participation –

III. OLD BUSINESS

- A. Approval of Minutes – November 2014 Meeting
- B. Mosquito Report – No Report
- C. Street Sweeper Report – November – December 2014

IV. NEW BUSINESS

- A.

V. DIRECTOR'S REPORT

- A.

VI. DAPHNE SOLID WASTE DISPOSAL AUTHORITY

- A. Monthly Recycle Tonnage Report (Tonnage Comparison) – November 2014
- B. Solid Waste New Customer Report – November 2014

VII. MUSEUM COMMITTEE

- A. Minutes – No Minutes

VIII. BEAUTIFICATION COMMITTEE

- A. Minutes – December 2014

IX. ENVIRONMENTAL ADVISORY COMMITTEE

- A. Next Meeting – January 26, 2015
Resolution: Land Donation from Provision Investments LLC-Tiawasee Creek
* Resolution and Ordinance for CIAP NFWF Tiawasee Creek Stream Restoration Project
Resolution: Proposed ADEM 319 Grant Tiawasee Creek Constructed Wetlands

X. PROJECT ENGINEER'S REPORTS

- A. Hatch Mott MacDonald –
- B. HMR –
- C. Preble-Rish –
- D. Volkert –

XI. FUTURE BUSINESS

- A. Next Meeting – February 2, 2015

XII. ADJOURNMENT

RESOLUTION 2015-____
ADEM 319 Tiawasee Creek Constructed Wetlands Grant
Application

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 of the greater Mobile Bay Watershed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA That the City agrees to allow the Environmental Programs Manager to submit a grant application to improve conditions in the headwaters of Tiawasee Creek to the ADEM 319 Grant Program. If the assistance is granted to the City, the project will be brought back to the council for review, and financial appropriations.

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2015.

CITY OF DAPHNE, ALABAMA
AN ALABAMA MUNICIPAL CORPORATION

COUNCIL PRESIDENT

MAYOR

ATTEST:

CITY CLERK, MMC

**CWA SECTION 319 PROJECT ABSTRACT
GRANT FISCAL YEAR 2015**

Project Title: Tiawasee Creek Constructed Wetlands Project; Baldwin County, Alabama

Project Lead:	Ashley Campbell
Title:	Environmental Programs Manager, City of Daphne
Mailing Address	1705 Main Street, Daphne, Al 36526
Work Telephone	251.621.3080
E-mail	acampbell@daphneal.com
DUNS Number	800059230

Discussion of Problem and Background:

Tiawasee Creek (HUC 03160204-0505) is a tributary of the D'Olive Creek Watershed, which is located primarily in the City of Daphne, Alabama. D'Olive Creek discharges into D'Olive Bay and then into Mobile Bay. The Tiawasee Creek watershed is approximately 9.1 square miles in area and includes portions of the Daphne and Baldwin County.

Since 2008, the Alabama Department of Environmental Management (ADEM) has included Tiawasee Creek from its source to D'Olive Creek on the CWA Section 303(d) List of Impaired Waters. The cause of water quality impairment was identified as siltation (habitat alteration) as a result of land development. A Draft TMDL for Tiawasee Creek was scheduled to be completed by the ADEM in 2013. But, as of today, one is not completed. In August 2010, a *Watershed Management Plan for the D'Olive Creek, Tiawasee Creek, and Joe's Branch Watersheds in Daphne, Spanish Fort, and Baldwin County, Alabama* (WMP) was written to address water quality issues in this critical area. Partners involved in the development of this plan were the Mobile Bay National Estuary Program, Thompson Engineering, ADEM, U.S. Environmental Protection Agency, Baldwin County, City of Spanish Fort, City of Daphne, Mississippi-Alabama Sea Grant Consortium, Alabama Power, and the Lake Forest Property Owners Association.

Watershed health in the Tiawasee Creek sub watershed continues to decline from the harmful effects of urbanization. Impairments from subdivisions, individual lot-level construction, municipal facilities, commercial development, and other land uses have significantly impacted natural watershed morphology, function, and hydrology. Development in upland areas of the Tiawasee Creek watershed has resulted in increased volumes of stormwater runoff from impermeable surfaces; flashy hydrology; loss of natural wetlands and riparian areas, inadequate natural flood plains; and threats to aquatic and wildlife species survival and habitat.

This increased volume and velocity of post-construction urban stormwater flows has resulted in severe channel degradation in the Tiawasee Creek watershed. Since at least 2005, severe erosion and mass wasting have occurred with every significant rainfall event, as the flowing water seeks to create a stable floodplain at a lower elevation. The sediment generated during this process has been deposited in wetlands located downstream of the site in the floodplain of a Tiawasee Creek, resulting in alterations to stream morphology and hydrologic function; destruction of native vegetation and wildlife habitat in the area; and the proliferation of invasive plant species. .

This project is designed to help restore the natural hydrologic function of this severely degraded drainage, prevent further damage, and reduce the transport of NPS pollutants (primarily sediment) via the impaired Tiawasee Creek to D'Olive Creek, and ultimately to help improve the quality of the water that is discharged from the impaired D'Olive Creek into D'Olive Bay and Mobile Bay. The implementation of the constructed wetland project will be a "demonstration" to the public of how water quality protection and economic benefits of natural "green infrastructure" practices provide a multi-purpose alternative to traditional, hard-engineered stormwater containment and conveyance systems. The project is expected to reclaim many of the ecological features and services that have been lost to urbanization.

The project will include the implementation of constructed wetlands and the retrofit of an existing stormwater detention facility. Constructed wetlands are artificial water treatment systems consisting of shallow (usually less than 1 m deep) ponds or channels which have been planted with aquatic plants, and which rely upon natural microbial, biological, physical and chemical processes to treat urban stormwater runoff. They typically have impervious clay or synthetic liners, and engineered structures to control the flow direction, liquid detention time and water level. The retrofit of the stormwater facility will allow for much need stormwater management in the headwaters of Tiawasee Creek.

In addition to the implementation of the constructed wetlands and storm water retrofit, native wetland plants will be established throughout the project sites to help create a functional riparian floodplain; stabilize stream banks; reduce erosion and sedimentation; and/or provide food, habitat, and connectivity/passage corridors for benthic macro invertebrates, fish, and wildlife. This indigenous vegetation will serve as an aesthetic enhancement to the project area by providing shade and visual interest, as well.

The project site will be accessible to public through an established sidewalk and boardwalk system. The types of education outreach activities proposed for the community would include but not be limited to interpretive signage, photo documentation, presentations, school age classroom workshops, professional workshops and smaller-scale demonstration models of low-impact development measures (such as rain gardens, bioretention areas, or rain barrels) in nearby public areas.

Goals:

- Initiate management efforts to help Tiawasee Creek meet or exceed state water quality standards and assist in de-listing Tiawasee Creek from the Section 303(d) List of Impaired Waters.
- Initiate management efforts to improve and protect the ecological health of the Tiawasee Creek watershed.
- Engage resource agencies, private businesses, municipal officials, groups, schools, and individuals in watershed and water quality protection and stewardship efforts.

This project supports the national goal of the Clean Water Act to "*...maintain and restore the physical, chemical and biological integrity of the nation's waters.*"

Objectives:

- a) Implement stormwater treatment which will reduce the quantity and velocity of stormwater entering Tiawasee Creek which will reduce downstream erosion and sedimentation, and improve water quality in Tiawasee Creek and D 'Olive Creek in Daphne and Baldwin County, Alabama.
- b) Decrease velocities and increase infiltration of stormwater flows at the project site to allow for natural treatment of stormwater runoff and recharge of groundwater.
- c) Implement BMP(s) to reduce excessive volumes of stormwater runoff, loadings of sediment, and loadings of other NPS pollutants (including nitrogen and phosphorus).
- d) Provide estimates of runoff rate reductions and NPS pollutant load reductions for the constructed wetland project and the pond retrofit.
- e) Provide watershed and water quality protection education and outreach to local citizens.
- f) Improve natural drainage flow, natural aquifer recharge, riparian areas, and wetlands.

Methods:

Section 319 grant funding will make available the initial investment of human and financial capital needed to restore hydrologic functionality, mitigate NPS pollution, and improve water quality in the Tiawasee Creek and downstream. Project goals and objectives are expected to be achieved by:

- a) Installing BMPs that will restore natural hydrology, remediate the effects of post-construction stormwater pollution, and improve the water quality in Tiawasee Creek and D'Olive Creek.
- b) Evaluating post-project runoff and pollutant load reduction data and information in order to establish use of similar BMP installations in the future and to justify project costs versus environmental protection benefits.
- c) Increasing citizen awareness about how personal and corporate land use decisions and behavioral choices impact the environmental health and sustainability of the Tiawasee Creek watershed.

Deliverables/Output:

- a) Design and implementation of a series of constructed wetlands in the headwaters of Tiawasee Creek
- b) Acquisition and retrofit of existing stormwater detention facility
- c) Reduce pollutant loadings; and prevent further pollutant impacts downstream
- d) Installation of native vegetation to stabilize slopes, provide wildlife habitat, and minimize the potential for erosion and mass wasting
- e) Establishment of indigenous vegetation in constructed wetlands and riparian areas to intercept, filter, or bio-remediate stormwater pollutants
- f) Estimates of sediment, nitrogen, and phosphorus NPS pollutant load reductions as a result of installation of the detention facility retrofit and constructed wetlands
- g) Estimates of turbidity NPS load reductions as a result of installation of the constructed wetlands
- h) Construction of demonstration installation of low-impact development BMP to educate the community
- i) Initiation of a long-term strategy to promote the use of green infrastructure to improve and protect water quality, watershed bio-physical connectivity, and communal and environmental quality-of-life interactions

- j) Semi-annual, annual, and final Section 319 grant project reports submitted to ADEM to help assess project goals, objectives, and milestone status; NPS pollutant load reductions; hydrological benefits; any concerns; and successes.

Water Quality Benefits Expected:

This project is designed to help restore the natural hydrologic function of a degraded drainage, prevent further damage to an area in urgent need of attention, and reduce the transport of NPS pollutants (primarily sediment) via the impaired Tiawasee Creek tributaries, with the ultimate goal of improving the quality of the water that is discharged into D'Olive Bay and subsequently into Mobile Bay. Runoff quality will also be improved as much of its volume will be filtered through the constructed wetlands that support fungal and microbial metabolism of the nutrients that typically pollute such stormwater flows. In addition, this project will establish a "living" or "green" stormwater conveyance infrastructure that in contrast to hard-engineered practices that often relegate streams into heavily armored channels or underground pipes will increase in functional and community value over time. Finally, water quality is expected to be improved as citizen awareness is increased, stakeholders become more responsive and involved in watershed and water quality protection decisions and practices, and as this initial demonstration project and future stormwater management projects are implemented in Daphne and Baldwin County.

The project includes an outreach component to educate the public about the value of incorporating environmental protections into land management decisions and technical assistance and technology transfer to public and private sector entities. Section 319 grant funds will provide Tiawasee Creek watershed stakeholders with an initial source of funding to begin implementation of a long-term stormwater runoff management approach based upon a natural treatment design. Management practices that incorporate natural processes to convey and treat urban stormwater runoff will be demonstrated.

The project partners enthusiastically support implementation of the constructed wetlands treatment project, which will be extremely beneficial in advancing NPS pollution management activities in the water-quality-impaired Tiawasee Creek sub watershed. The activities associated with this project will assist the public and private urban sector in envisioning and validating the benefits of natural, open storm drainage systems; restoring and preserving wetlands; protecting and appropriately using historical gullies in the area; and using environmentally progressive solutions to solve traditional problems in their communities.

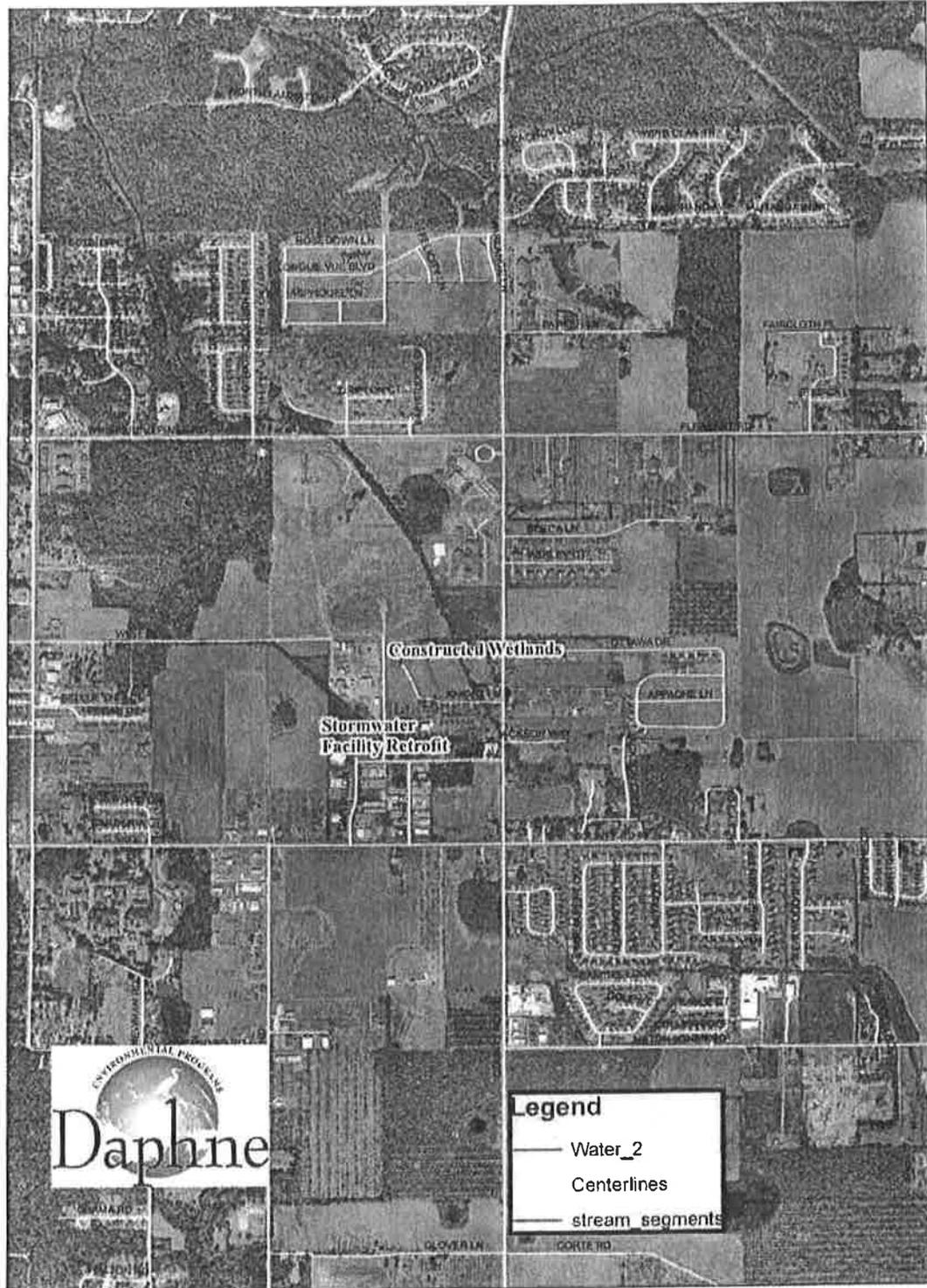
Potential Project Partners:

- ADEM
- Alabama Clean Water Partnership
- Auburn
- Baldwin County Board of Education
- Daphne Utilities Weeks Bay Reserve
- Geological Survey of Alabama
- Mobile Bay NEP
- USFWS
- USCOE
- Weeks Bay Reserve

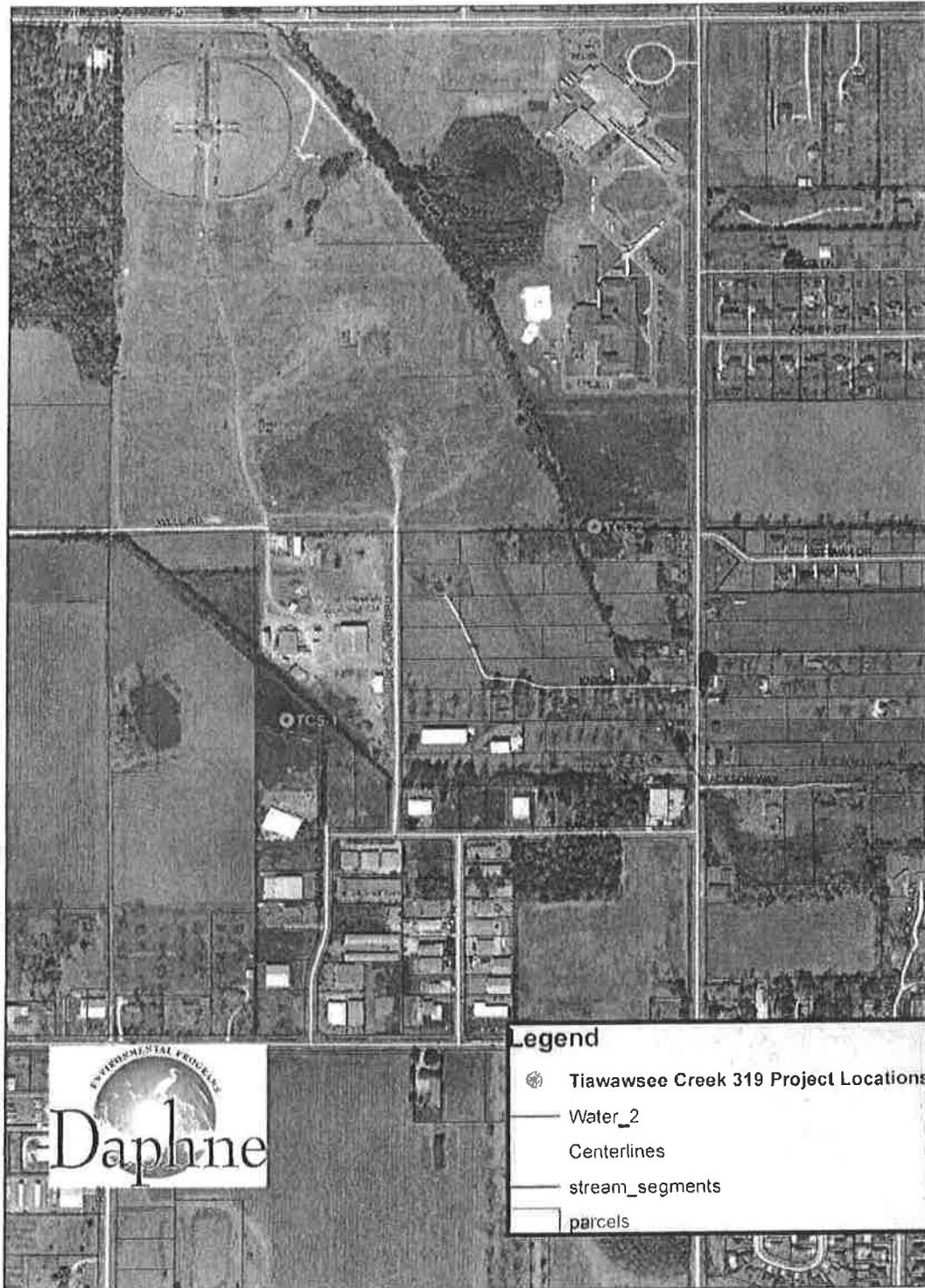
Tiawasee Creek 319 Constructed Wetland Grant



Tiawasee Creek 319 Constructed Wetland Grant



Tiawasee Creek 319 Constructed Wetland Grant



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N

RESOLUTION # _____
RESOLUTION IN SUPPORT OF THE COMBINATION OF
THE CITY'S COASTAL IMPACT ASSISTANCE PROGRAM (CIAP) GRANT FUNDS WITH THE MOBILE
BAY NATIONAL ESTUARY PROGRAMS (MBNEP) NATIONAL FISH AND WILDLIFE FOUNDATION
(NFWF) GRANT FUNDS TO RESTORE AN IMPAIRED SEGMENT OF TIAWASEE CREEK

Whereas, 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 stream segments and improving stormwater management in the Tiawasee sub-watershed; and

Whereas, the City of Daphne supports efforts to reduce excessive sediment loads by restoring stream segments as indicated in the Watershed Management Plan (2010); and

Whereas the City of Daphne applied for CIAP assistance in the amount of \$250,000.00 from the State of Alabama Department of Natural Resources and Conservation in 2010 for a hydrologic study, model, and a portion of the restoration of an Un-named Tributary to D'Olive Creek and was awarded Tier 2 grant plan status in 2011, and

Whereas the City of Daphne applied for CIAP assistance in the amount of \$250,000.00 from the County in 2010 for a portion of the restoration of an Un-named Tributary to D'Olive Creek and was awarded Tier 1 grant plan status in 2011, and

Whereas, in 2013 the City of Daphne was awarded both grants totaling \$500,000.00; ***requiring no monetary or in-kind labor match*** unless additional engineering cost or grant management are needed to develop the model and/or implement the stream restoration, and

Whereas, after the April 30, 2014 federally declared National Flood Disaster, the Tiawasee creek stream impairments multiplied resulting in a need for additional funds.

Whereas, MBNEP has received funding from the National Fish and Wildlife Foundation Gulf Environmental Benefit Fund (NFWF) to conduct restoration activities in D'Olive Creek Watershed to improve water quality and clarity necessary for re-establishing submerged aquatic vegetation (SAV) beds in the upper Bay, and

Whereas, The NFWF grant includes \$550, 000.00 to restore an impaired segments of Tiawasee Creek; and

Whereas, The MBNEP agrees to give through contractual agreement the \$550,000.00 to the City of Daphne to combine with the City's \$500,000.00 CIAP funds to complete the stream restoration project, and

Whereas, the City of Daphne will take the combined NFWF and CIAP funds and implement the Tiawasee restoration project;

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Daphne that the City of Daphne shall implement the approved grant contracts with the following condition:

The Mayor and the Environmental Programs Manager are hereby authorized to execute such proposal and any and all additional documents necessary to carry out the purpose of requesting such funds from Baldwin County, the Alabama Department of Conservation and Natural Resources and the MBNEP;

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2011.

CITY OF DAPHNE, ALABAMA
AN ALABAMA MUNICIPAL CORPORATION

COUNCIL PRESIDENT

MAYOR

ATTEST:

CITY CLERK, MMC

Suzanne Henson

From: Richard D. Johnson, P.E.
Sent: Wednesday, December 17, 2014 3:53 PM
To: Suzanne Henson
Cc: Denise Penry
Subject: RE: New Credit Card for PW

Suzanne:

I am requesting a new credit card for Public Works. The new one needs to be issued in the position's name of Public Works Deputy Director.

Thank You,

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

directorpw@daphneal.com

From: Denise Penry
Sent: Wednesday, December 17, 2014 3:51 PM
To: Richard D. Johnson, P.E.
Subject: FW: New Credit Card for PW

Richard,

Please send Suzanne an email requesting a new credit card for Public Works. Melvin's has his name on it and will be closed. The new one will be issued in the position's name instead of a person's name. It should be issued to Public Works Deputy Director.

Thanks,

Denise

From: Suzanne Henson
Sent: Wednesday, December 17, 2014 3:44 PM
To: Denise Penry
Subject: FW: New Credit Card for PW

Denise

Will you just get Richard to send me an e-mail requesting a new credit card for the PW Deputy Director Position. The card has to be approved by Resolution. I will put this on the January Finance agenda so the card will be in place for the new employee.

Buildings & Property Committee Meeting
Monday, January 5, 2014
4:30 PM
Daphne City Hall- Executive Conference Room

Committee Minutes

Present: Councilman Joe Davis; Councilman Robin Lejeune; Margaret Thigpen, Civic Center Director; Councilman Pat Rudicell; Councilman Randy Fry; Councilwoman Tommie Conaway; Fire Chief James White; Richard Merchant, Building Official; Richard Johnson, Public Works Director; Ashley Campbell, Environmental Programs Manager; Sarah Toulson, Assistant City Clerk (recording secretary).

Absent: Rick Whitehead, IT Coordinator; Mayor Dane Haygood.

The meeting was brought to order at 4:36 pm by Chairman Joe Davis.

1. Public participation

No one spoke.

2. Approval of minutes: December 1, 2014

<p>Motion by Mr. Fry to adopt the December 1, 2014 minutes as written. Seconded by Mr. Davis. Motion carried unanimously.</p>

3. Civic Center & Bayfront report (December): Margaret Thigpen

Margaret Thigpen distributed and discussed her December report. December 2014 revenue totaled \$9,908.00, a decrease from December 2013 levels. Year to Date revenues stood at \$40,749.00, below figures listed for FY2014. Additionally, Ms. Thigpen reported total deposits for December stood at \$9,115.00, a slight decrease from last year, and that the Civic Center has seen seven events during December, for a total of seven days used, not including setup days.

Ms. Thigpen then turned to Bayfront Pavilion, reporting revenues for December totaling \$7,724.00, above December 2013 levels, and year-to-date revenues totaling \$24,714.00, an increase from 2013 numbers. Additionally, Ms. Thigpen reported total deposits for December stood at \$3,178.00, and that Bayfront Pavilion has seen 11 events during December, for a total of 11 days used, not including setup days. In December both facilities will be closed for two days.

In addition, she updated the Committee on the following:

- Nine applications have been received for the part time assistant position and are currently under review.
- List of public events for January through June 2015 was given; notable events were the Library's History Lecture Series and the Baldwin County Martin Luther King Jr. March.

- Capital Improvement for Bayfront: Ms. Thigpen showed a sample of the flooring to be installed at Bayfront Pavillion and noted that Bayfront would be closed for two weeks for this project.
- A bride recently sent a thank you note with a glowing review of her wedding reception held at the Daphne Civic Center. Margaret shared her words with the Committee.

4. Building inspection monthly reports (December): Richard Merchant

Richard Merchant reviewed the building report for the month of December. He reported 18 new residential construction projects initiated, and one new commercial development. The department issued 105 permits during December, with a total job valuation of \$5,494,435.59 with permit fees totaling \$39,737.33.

5. Bayfront property

Richard Johnson reported that the recreational trails grant project is currently in full engineering, and he hopes to have plans ready for review in March.

6. Use of City Hall facilities

Sarah Toulson referenced updated form in packet per suggestions of City Attorney and Committee. Will report on use of chambers at next month's meeting.

7. Fire Station #3 Update: Richard Johnson

Mr. Johnson gave a brief refresh regarding the history and current issues present in Fire Station #3. He reported that bids for the repair work came in much higher than expected. The committee discussed the cost of the project and the cost-effectiveness of demolishing the building and starting new instead of repairing the existing structure.

8. Other Business

Ashley Campbell reported that she had submitted a resolution regarding land donations totaling 23 acres on Park Drive to the Public Works Committee. A stream restoration project through the Coastal Impact Assistance Funding is included in the project. This would have no out of pocket costs to the City as the current land owner is handling the costs.

With no further business to discuss, the meeting was adjourned at 5:30, motion by Mr. Rudicell and seconded by Mr. Fry.

I. CALL TO ORDER

Meeting was called to order at 5:35 p.m.

Committee Members Present: Robin LeJeune (Chairman), Councilman John Lake, Councilman Ron Scott, Councilwoman Tommie Conaway; Richard D. Johnson-Public Works Director, Dorothy Morrison-Daphne Beautification Committee.

Others Present: Councilman Joe Davis, Councilman Pat Rudicell, Mayor Dane Haygood, Ashley Campbell.

II. PUBLIC PARTICIPATION & CORRESPONDENCE

- A. **Work Request Report** - The report for November 2014 was reviewed.
- B. **Vehicle/Equipment Maintenance Report** – The report for November 2014 was reviewed.
- C. **Correspondence** – No Correspondence.
- D. **Public Participation** – No one present to address the committee.

III. OLD BUSINESS

- A. **Minutes** – The minutes from the November 17, 2014 meeting were reviewed and approved.
Motion by Tommie Conaway, Seconded by John Scott to approve the minutes as presented.
Motion carried.
- B. **Mosquito Report** – No Report.
- C. **Street Sweeper Report** – The November 2014 report was reviewed by the committee.

IV. NEW BUSINESS

No Report.

V. DIRECTOR'S REPORT

- A. Richard reported that everything is quiet right now.

VI. DAPHNE SOLID WASTE DISPOSAL AUTHORITY

- A. **Monthly Recycle Tonnage Report (Tonnage Comparison) – November**
The committee reviewed the November report. Richard stated he and Tracey Miller continue to meet with potential vendors and gathering information. Tarpon wants to stay in as a buyer also. We have not yet received payment from Tarpon for October and November. That revenue will be reported once payment is received.
Mr. Scott asked about the City of Troy Participation Grant Application/Resolution item that appears on the City Council Agenda. Richard explained that we are acting as a co-sponsor with the City of Troy for an ADEM grant that will prepare an economic model to study the economic impact of recycling on the State of Alabama. Our participation will not cost us anything; we are merely co-sponsors.
- B. **Solid Waste New Customer Report – November 2014**
The committee reviewed the November report. Mr. LeJeune asked if new residents were given the option to get Recycle carts. Mr. Johnson stated that all new customers get a Garbage & Recycling cart delivered when they set up utility service.

VII. MUSEUM COMMITTEE

- A. Minutes - December 2014 meeting minutes were reviewed. No questions or comments.

VIII. BEAUTIFICATION COMMITTEE

- A. Minutes from December 1, 2014 meeting was reviewed. Dorothy Morrison said the holiday decorations downtown were spectacular and everything looked beautiful.
The Mayor and Richard have been in communication about the new signs for the city and

work continues to on the measurements and placement of new signs. The Committee is contacting businesses along Highway 98 near the crossovers to invite them to ‘Adopt a Median’ and pay for the flowers. Dorothy asked that committee members contact her if they know anyone from those businesses so they can be contacted in February.

Richard reported that the Beautification Committee will be conducting a Litter Assessment as a part of our Keep Daphne Beautiful application. Locations have been selected but if anyone knows of an area that is littered, please contact Richard so the area can be surveyed. The assessments will take place in during the month of January. Dorothy will be attending the Keep America Beautiful convention later this month.

Mardi Gras flags have been ordered and received.

The Beautification Committee continues to seek new members.

IX. ENVIRONMENTAL ADVISORY COMMITTEE

A. Next meeting – January 26, 2015.

Ashley Campbell reviewed the listed resolutions.

1) Resolution: Land Donation from Provision Investments LLC – Tiawasee Creek. Resolution to annex twenty three acres of wetlands will be presented this evening at City Council. We have been working with Jeff Lane on this resolution. It is a 23 acre parcel that abuts Pollard and Hwy 90. It’s an old abandon dirt pit with a lot of wetlands. It’s a great piece of property and we have money to restore it. Richard asked that language concerning restoration and drainage be added to the resolution. This will be on the January 20th council agenda for a first read.

Motion by John Lake, seconded by Tommie Conaway to favorably recommend to the Council the approval of this resolution. All in favor. Motion carried.

2) Resolution and Ordinance for CIAP NFWF Tiawasee Creek Stream Restoration Project.

Resolution: Support the Combination of the City’s Coastal Impact Assistance Program (CIAP) Grant Funds with the Mobile Bay National Estuary Programs (MBNEP), National Fish and Wildlife Foundation (NFWF) Grant Funds to Restore An Impaired Segment of Tiawasee Creek. In 2009 this was a \$200,000 project but has now grown to \$1,000,000 because we have experienced several 100 year and one 500 year rains. We are receiving a \$500,000 grant from Baldwin County and the State of Alabama to restore Tiawasee Creek. The National Fish and Wildlife Foundation granted the Mobile Bay National Estuary Program \$500,000 to address a restoration in a similar area. We need to combine the two monies to do the project. The easiest and possibly only way we can do this is if the Mobile Bay National Estuary Program gives us their \$500,000, which is doable through the grant process. Attorneys have been reviewing this and recommend that we bring in a Grant Manager to oversee the local, state and federal grant requirements. The purpose of this resolution is to request permission to combine the two grants. If permission is granted we would work on an ordinance that would allow for the hiring of a Grant Manager for about \$25,000 to be paid by the City of Daphne to assist us in the project.

Ordinance: Grant Management for the Tiawasee Creek Coastal Impact Assistance Program (CIAP) and National Fish and Wildlife Foundation (NFWF) Grant Tiawasee Creek Restoration

Motion by Ron Scott, seconded by Tommie Conaway to favorably recommend to the Finance Committee to appropriate the \$25,000 for the grant manager and to recommend to the City Council the approval of this resolution and ordinance. All in favor. Motion carried.

3) Resolution: Proposed ADEM 319 Grant Tiawasee Creek Constructed Wetlands Application.

Ashley Campbell discussed the project. Trey Jinright with Jade Consulting drew us up a free set of plans for constructed wetlands to treat storm water and headwaters issues of Tiawasee Creek. Ashley and Richard have discussed some ideas including purchasing the pond and retrofitting it, which would take care of the beaver problem we have. This grant is a 60/40 with the city doing in-kind services. Sidewalks would be installed from County Road 13 to Daphne Utilities new facility on Well Road to educate the public on porous concrete. This would also go to the dog park along with a boardwalk that goes behind the school to a pond.

Motion by Ron Scott, seconded by Tommie Conaway to favorably recommend to the City Council to approve this resolution. All in favor. Motion carried.

X. ENGINEER'S REPORT

- A. Hatch Mott MacDonald** – No report.
- B. HMR** – No report.
- C. Preble-Rish** – No report.
- D. Jade Consulting** – No report.

XI. FUTURE BUSINESS

- A.** Next Meeting is February 2, 2015.

XII. ADJOURNMENT

Meeting adjourned at 6:15 p.n.

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF OCTOBER 2, 2014 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

Chairman stated the number of members present constitutes a quorum and the regular meeting of the Board of Zoning Adjustment was called to order at 6:00 p.m. and he asked for roll call.

Members Present:

Larry Cooke
Billy Mayhand
Willie Robison, Chairman
Frank Lamb
Philip Durant
William Scully
Thomas Warner

Staff Present:

Adrienne D. Jones, Director of Community Development
Pat Johnson, Recording Secretary
Jennifer Holyfield, BZA Attorney

Chairman called for the **Approval of Minutes** of the August 7, 2014 meeting. There were no corrections, additions or deletions.

The Minutes were approved unanimously.

Chairman called the next item on the agenda, **Appeal #2014-09 Verizon Wireless - Amended**, a request for a Special Exception and a Variance to the Daphne Land Use and Development Ordinance. The special exception, if granted, would allow the construction of a Verizon Wireless telecommunications tower. The variance according to Article 32-3(c) of the LUDO, if approved, would allow the proposed wireless tower to be located 150 feet and 10 inches from the R-1 zoned property, located to the north, in lieu of the required 170 feet. The property is located at 26435 Public Works Road on a 30' x 35' land lease space along Well Road, which is zoned B-2, General Business. He also stated the agenda says amended because the variance footage was corrected and re-advertised due to a clerical error.

Ms. Jones displayed a Power Point Presentation of the tower's fall radius and aerial imagery of the 30' x 35' area at 26435 Public Works Road. She stated Planning Commission's site plan approval is contingent upon BZA's approval. Our LUDO allows a tower there with BZA approval. The variance is needed because the fall radius is nineteen feet, two inches short of the one hundred seventy-foot required from the R-1 zoned property to the north.

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF OCTOBER 2, 2014 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

Ms. Jones stated the R-1 zoned property is owned by the Baldwin County Board of Education. It is recommended by the Building Official, the Director of Public Works and me that approval is granted.

Chairman opened the floor for discussion.

The Board questioned if there should be two separate votes and why the variance was amended.

Ms. Jones stated there should be a vote for the special exception, one for the variance, and the agenda was amended due to a typo error.

Chairman opened the floor for public participation.

Ms. Doria Durham, a representative for Verizon Wireless, stated our original target area was the Baldwin County Board of Education property, but the provisions do not allow it, therefore I went south of the that target area and found the Public Works's property, which will work. I worked with the Public Works Director and Mayor Haygood in deciding on this location, which is a little farther south hence, the need for the variance.

The Board questioned if Verizon will be leasing this property from the City, how many companies can co-exist on this one tower, where the next closest tower is located and if the monopole could be sold and the antenna still used by Verizon. If so, would the City be notified, and how far the signal go out?

Ms. Durham stated yes the City will deride additional revenue from Verizon. At least two other companies possibly can be accommodated on this tower, and actually I believe the closest tower is two miles to the east. The monopole can be sold and still used by Verizon, and the City would definitely be notified. I cannot tell you how far out the signal will go, but this particular site was chosen to help some dead zones.

The Board questioned the B-2, General Business zoning of the City's property, where the nearest R-1 zoned property is located, if the request would still be needed if the property was in the county, the one hundred and seventy-foot fall radius, and if another tower can be constructed on this same site at Public Works?

Ms. Jones stated a tower is allowed in a B-2 zone under our LUDO regulations.

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF OCTOBER 2, 2014 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

Ms. Jones stated if the County regulations were more stringent we would enforce theirs. The school property is zoned R-1. We only look at the zoning of the property not the use, and the requests would still be needed. The request only applies to this one tower, if another tower is constructed it would have to come back to you. The picture in your packet shows you the tower location and fall radius. The information Ms. Durham provided to the Planning Commission implies that the tower would implode and not fall down directly.

Ms. Durham stated I do not know exactly how a tower would fall, I am not an engineer, and I am not saying that it will not fall. In the May tornado that hit Oklahoma in 2013 the tower is still there everything around it is gone, but they do not fall that way. Our engineers have said there is a higher probability of a house hitting the tower than a tower hitting a house.

Ms. Jones stated the tower has to be designed to a certain wind speed to be permitted through our Building Department.

Ms. Durham stated correct.

The Chairman stated thank you. Is there anyone else that would like to speak in favor or opposition of the special exception? Being none, the Chair closed the floor for public participation and entertained a motion.

A Motion was made by Mr. Scully and Seconded by Mr. Mayhand to approve Appeal #2014-09, Verizon Wireless, for a Special Exception to construct a Verizon Wireless telecommunications tower, at 26435 Public Works Road on a 30' x 35' land lease space along Well Road, which is zoned B-2, General Business.

Upon roll call vote, the motion carried unanimously.

Mr. Cooke	Aye
Mr. Mayhand	Aye
Mr. Lamb	Aye
Mr. Durant	Aye
Mr. Robison	Aye

The Chairman stated the request for a special exception to construct the telecommunications tower is granted and you may pick up your paperwork in the morning at the office of Community Development around 9:00 o'clock in the morning.

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF OCTOBER 2, 2014 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

The Chairman stated next is the variance for the nineteen feet two inches. I think we have heard and discussed all of the facts therefore is there any further discussion. I will say that I believe it will not hurt the property out there. Is there anyone that would like to speak in favor or opposition of the variance? Being none, the Chair closed the floor for public participation and entertained a motion.

A Motion was made by Mr. Scully and Seconded by Mr. Durant to approve Appeal #2014-09, Verizon Wireless, for a variance to Article 32-3(c) of the LUDO, in allowing the proposed wireless telecommunications tower being constructed on a 30' x 35' land lease space along Well Road at 26435 Public Works Road, which is zoned B-2, General Business, to be 150 feet and 10 inches from the R-1 zoned property, located to the north, in lieu of the required 170 feet.

Upon roll call vote, the motion carried unanimously.

Mr. Cooke	Aye
Mr. Mayhand	Aye
Mr. Lamb	Aye
Mr. Durant	Aye
Mr. Robison	Aye

The Chairman stated the request for a variance is granted and you may pick up your paperwork in the morning at the office of Community Development around 9:00 o'clock in the morning. Next on the agenda is the election of officers. The Chair opened the floor for nominations for Chairman.

Mr. Scully nominated Mr. Robison for Chairman, and Mr. Durant seconded. The nominations were closed with no other nominations, Mr. Willie Robison is Chairman.

The Chair opened the floor for nominations for Vice Chairman.

Mr. Mayhand nominated Mr. Cooke for Vice Chairman, and Mr. Scully seconded. The nominations were closed with no other nominations, Mr. Larry Cooke is Vice Chairman.

The Chairman stated Ms. Pat Johnson is our Secretary.

There being no other business the Chairman called for a Motion to Adjourn.

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF OCTOBER 2, 2014 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

A Motion was made by Mr. Lamb and Seconded by Mr. Mayhand to adjourn. There was no discussion on the motion.

The Motion carried unanimously.

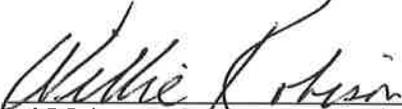
The meeting was adjourned at 6:34 p.m.

Respectfully submitted by:



Pat Johnson, Recording Secretary

APPROVED: January 8, 2015



Willie Robison, Chairman



Date: January 16, 2015

To: Mrs. Tommie Conaway, Council President and Councilmembers

From: Mrs. Suzâne Henson, Senior Accountant/Treasurer

RE: Reassignment of Treasurer Position

President Conaway and Councilmembers;

I want to thank the Council for your trust and support in appointing me as the Treasurer for the City of Daphne during this interim period. It was an honor to serve the City in this capacity for the last several months. I believe the Treasurer position holds a great responsibility of serving the Council and the citizens in monitoring and reporting on the financial status of the City of Daphne.

In previous years, the title of Treasurer was held by the Finance Director and has been anticipated to be reinstated to this position. I acknowledge that I will be released of the duties as Treasurer of the City of Daphne upon the commencement date and appointment of the new Finance Director.

Again, I want to express my gratitude for your support and confidence in my abilities to serve as Treasurer for the City of Daphne.

Sincerely,

Suzâne Henson,

Senior Accountant/Treasurer

ADDENDUM TO VIDEO SERVICES AGREEMENT

THIS ADDENDUM TO VIDEO SERVICES AGREEMENT (“Addendum”) dated _____, 2015, (“Effective Date”) is made by and between BellSouth Telecommunications, LLC d/b/a AT&T Alabama (“AT&T Alabama”), and the City of Daphne, Alabama, a municipal corporation (“City”). AT&T Alabama and City shall sometimes be referred to separately as a “Party,” and collectively as the “Parties.”

RECITALS

WHEREAS, City of Daphne and AT&T Alabama entered into an agreement styled Agreement on April 9, 2009 (“Agreement”), regarding the provision by AT&T Alabama of its integrated Internet Protocol (“IP”) enabled broadband platform of voice, data and video services (“IP Network”), the video component of which is a switched, two-way, point-to-point and interactive service (“IP Video Service”); and

WHEREAS, paragraph 1 set for the term of the “Agreement” to expire effective May 1, 2014, but allows for extending the “Agreement” upon written mutual agreement of the parties; and

WHEREAS, City of Daphne and AT&T Alabama desire to extend the terms of the “Agreement” for an additional period effective May 1, 2014 and running until December 31, 2019 and agree that there is sufficient mutual consideration for renewing and extending the term of the “Agreement.”

AGREEMENTS

NOW, THEREFORE, in consideration of the mutual covenants contained herein and in the original “Agreement,” and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City of Daphne and AT&T Alabama agree as follows:

1. Paragraph 1 of the “Agreement” is to be amended by changing the date of termination from December 31, 2013 to December 31, 2019. Paragraph 1 is hereby amended to read as follows:

“Term. Except as described in paragraph 1(a) below, the term of this Agreement shall be from the Effective Date of this Agreement through December 31, 2019. The term may be extended upon mutual agreement of the parties in writing.”

2. The following paragraph 23 is added to the Agreement:

“23. AT&T, at the City’s request, will, collectively with all other video Providers, provide the City free of charge one (1) basic video installation and monthly service to each public school, municipal government building, fire building, police building, and library building that is passed by AT&T’s system

and where such service is available. No more than one (1) provider shall be required provide the service required by this Section 23 to any given location. The City will confer with all providers and determine the assignments in a reasonable manner. AT&T shall not seek to offset recurring costs associated with the requirements of this Section against the fees due under Section 2 of this Agreement, nor shall AT&T impose such costs on the schools or institutions receiving such free installations and service. AT&T may offset any non-recurring installation and non-recurring repair of service charges provided pursuant to this section against any fees due under Section 2 of this Agreement. Such charges shall not exceed the installation charge applicable to residential customers or, at such time as a business product is available, to business customers. Additional video programming, Internet access, voice over IP (VoIP), or other options or services offered by AT&T as part of the U-Verse offering beyond the scope of services provided in this Section may be separately requested and ordered by the City, subject to their availability at any particular location. Such additional services requested by the City shall be at the sole cost of the City and payable pursuant to the customary billing and payment terms consistent with available AT&T U-Verse offerings to business subscribers.

2. Unless amended by the terms of this Addendum, all other terms and conditions of the “Agreement,” shall remain unchanged and in full force and effect throughout the extended term. In the event the terms and conditions of the “Agreement” conflict with the terms of this Addendum, this Addendum shall be deemed to supersede and override the terms of the “Agreement.”

3. This Addendum incorporates and includes all prior and contemporaneous negotiations, correspondence, conversations, agreements and understandings between the parties concerning the subject matter hereof. Otherwise, no deviation from the terms hereof shall be predicated upon any prior or contemporaneous representations, agreements or understandings, whether oral or written.

(Signature page immediately follows)

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have executed this Agreement and made the same effective as of this ____ day of _____, 2015.

AT&T Alabama

By: _____
Name: Fred McCallum, Jr.
Title: President – AT&T Alabama

State of Alabama)
County of _____)

Sworn to and subscribed before me this _____ day of _____, 2015.

NOTARY PUBLIC SEAL
My Commission Expires: _____

CITY OF DAPHNE

By: _____
Name: Dane Haygood
Title: Mayor

State of Alabama)
County of _____)

Sworn to and subscribed before me this _____ day of _____, 2015.

NOTARY PUBLIC SEAL
My Commission Expires: _____

ATTEST:

Rebecca A. Hayes, City Clerk
City of Daphne, Alabama

1119052-2



City of Daphne Event Permit Application

Date of Application: 1/7/2015 Permit Requested: Event/Fundraiser Parade/Run Band

Contact Information

Organization Name: The Shadow Barons, Inc.
Contact Name: Damon Henderson E-mail Address: damondamondamon@bellsouth.net
Address: PO Box 2770 Daphne, AL 36526
Street / P.O. Box City/State/Zip Code
Primary Phone Number: 251-533-4263 Secondary: _____

Event Information

Event Name: Shadow Barons Mardi Gras Parade Event Date: 2/14/15; rain date: 2/15/15
Event Location: Civic Center / Downtown # Participants/Vehicles: 600 people, 25 units
Start Time: 6:45 pm Stop Time: 8:00 pm Assembly Time: 4:30 pm
Parades/Runs Only
Special Requests: _____
Road Closures Requested: Yes No

Special Instructions

Approval: Internal Use Only

Date Routed: 1-7-2015
Fire Dept: James White
Police Dept: [Signature]
Public Works: Richard D. Johnson 11/15/15 route
Parks & Recreation: W.A. McKelley
Only required if event interrupts traffic near Daphne parks

Not valid unless stamped "Approved"
From Civic Center down Main Street, turn at College Ave., down to 6th street, turn right on Belrose Ave, to Main Street, turn left and back to Civic Center.

Parade/Run Permits ONLY

For Special Event/Band Permits:
Council Member: _____
District # Signature

For Parade/Run Permits & Use of City Grounds:
City Council: _____
Date of Approval

Fee Paid: \$ 1750 N/A Waived
 Insurance Filed N/A

Route Selection: 1 2 3 4

RESOLUTION 2015-03

ADEM 319 TIAWASEE CREEK CONSTRUCTED WETLANDS GRANT APPLICATION

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 of the greater Mobile Bay Watershed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that the City agrees to allow the Environmental Programs Manager to submit a grant application to improve conditions in the headwaters of Tiawasee Creek to the ADEM 319 Grant Program. If the assistance is granted to the City, the project will be brought back to the council for review, and financial appropriations.

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

Dane Haygood, Mayor

ATTEST:

Rebecca Hayes, City Clerk

**CWA SECTION 319 PROJECT ABSTRACT
GRANT FISCAL YEAR 2015**

Project Title: Tiawasee Creek Constructed Wetlands Project; Baldwin County, Alabama

Project Lead:	Ashley Campbell
Title:	Environmental Programs Manager, City of Daphne
Mailing Address	1705 Main Street, Daphne, Al 36526
Work Telephone	251.621.3080
E-mail	acampbell@daphneal.com
DUNS Number	800059230

Discussion of Problem and Background:

Tiawasee Creek (HUC 03160204-0505) is a tributary of the D'Olive Creek Watershed, which is located primarily in the City of Daphne, Alabama. D'Olive Creek discharges into D'Olive Bay and then into Mobile Bay. The Tiawasee Creek watershed is approximately 9.1 square miles in area and includes portions of the Daphne and Baldwin County.

Since 2008, the Alabama Department of Environmental Management (ADEM) has included Tiawasee Creek from its source to D'Olive Creek on the CWA Section 303(d) List of Impaired Waters. The cause of water quality impairment was identified as siltation (habitat alteration) as a result of land development. A Draft TMDL for Tiawasee Creek was scheduled to be completed by the ADEM in 2013. But, as of today, one is not completed. In August 2010, a *Watershed Management Plan for the D'Olive Creek, Tiawasee Creek, and Joe's Branch Watersheds in Daphne, Spanish Fort, and Baldwin County, Alabama* (WMP) was written to address water quality issues in this critical area. Partners involved in the development of this plan were the Mobile Bay National Estuary Program, Thompson Engineering, ADEM, U.S. Environmental Protection Agency, Baldwin County, City of Spanish Fort, City of Daphne, Mississippi-Alabama Sea Grant Consortium, Alabama Power, and the Lake Forest Property Owners Association.

Watershed health in the Tiawasee Creek sub watershed continues to decline from the harmful effects of urbanization. Impairments from subdivisions, individual lot-level construction, municipal facilities, commercial development, and other land uses have significantly impacted natural watershed morphology, function, and hydrology. Development in upland areas of the Tiawasee Creek watershed has resulted in increased volumes of stormwater runoff from impermeable surfaces; flashy hydrology; loss of natural wetlands and riparian areas, inadequate natural flood plains; and threats to aquatic and wildlife species survival and habitat.

This increased volume and velocity of post-construction urban stormwater flows has resulted in severe channel degradation in the Tiawasee Creek watershed. Since at least 2005, severe erosion and mass wasting have occurred with every significant rainfall event, as the flowing water seeks to create a stable floodplain at a lower elevation. The sediment generated during this process has been deposited in wetlands located downstream of the site in the floodplain of a Tiawasee Creek, resulting in alterations to stream morphology and hydrologic function; destruction of native vegetation and wildlife habitat in the area; and the proliferation of invasive plant species. .

This project is designed to help restore the natural hydrologic function of this severely degraded drainage, prevent further damage, and reduce the transport of NPS pollutants (primarily sediment) via the impaired Tiawasee Creek to D'Olive Creek, and ultimately to help improve the quality of the water that is discharged from the impaired D'Olive Creek into D'Olive Bay and Mobile Bay. The implementation of the constructed wetland project will be a "demonstration" to the public of how water quality protection and economic benefits of natural "green infrastructure" practices provide a multi-purpose alternative to traditional, hard-engineered stormwater containment and conveyance systems. The project is expected to reclaim many of the ecological features and services that have been lost to urbanization.

The project will include the implementation of constructed wetlands and the retrofit of an existing stormwater detention facility. Constructed wetlands are artificial water treatment systems consisting of shallow (usually less than 1 m deep) ponds or channels which have been planted with aquatic plants, and which rely upon natural microbial, biological, physical and chemical processes to treat urban stormwater runoff. They typically have impervious clay or synthetic liners, and engineered structures to control the flow direction, liquid detention time and water level. The retrofit of the stormwater facility will allow for much needed stormwater management in the headwaters of Tiawasee Creek.

In addition to the implementation of the constructed wetlands and storm water retrofit, native wetland plants will be established throughout the project sites to help create a functional riparian floodplain; stabilize stream banks; reduce erosion and sedimentation; and/or provide food, habitat, and connectivity/passage corridors for benthic macro invertebrates, fish, and wildlife. This indigenous vegetation will serve as an aesthetic enhancement to the project area by providing shade and visual interest, as well.

The project site will be accessible to public through an established sidewalk and boardwalk system. The types of education outreach activities proposed for the community would include but not be limited to interpretive signage, photo documentation, presentations, school age classroom workshops, professional workshops and smaller-scale demonstration models of low-impact development measures (such as rain gardens, bioretention areas, or rain barrels) in nearby public areas.

Goals:

- Initiate management efforts to help Tiawasee Creek meet or exceed state water quality standards and assist in de-listing Tiawasee Creek from the Section 303(d) List of Impaired Waters.
- Initiate management efforts to improve and protect the ecological health of the Tiawasee Creek watershed.
- Engage resource agencies, private businesses, municipal officials, groups, schools, and individuals in watershed and water quality protection and stewardship efforts.

This project supports the national goal of the Clean Water Act to "...maintain and restore the physical, chemical and biological integrity of the nation's waters."

Objectives:

- a) Implement stormwater treatment which will reduce the quantity and velocity of stormwater entering Tiawasee Creek which will reduce downstream erosion and sedimentation, and improve water quality in Tiawasee Creek and D 'Olive Creek in Daphne and Baldwin County, Alabama.
- b) Decrease velocities and increase infiltration of stormwater flows at the project site to allow for natural treatment of stormwater runoff and recharge of groundwater.
- c) Implement BMP(s) to reduce excessive volumes of stormwater runoff, loadings of sediment, and loadings of other NPS pollutants (including nitrogen and phosphorus).
- d) Provide estimates of runoff rate reductions and NPS pollutant load reductions for the constructed wetland project and the pond retrofit.
- e) Provide watershed and water quality protection education and outreach to local citizens.
- f) Improve natural drainage flow, natural aquifer recharge, riparian areas, and wetlands.

Methods:

Section 319 grant funding will make available the initial investment of human and financial capital needed to restore hydrologic functionality, mitigate NPS pollution, and improve water quality in the Tiawasee Creek and downstream. Project goals and objectives are expected to be achieved by:

- a) Installing BMPs that will restore natural hydrology, remediate the effects of post-construction stormwater pollution, and improve the water quality in Tiawasee Creek and D'Olive Creek.
- b) Evaluating post-project runoff and pollutant load reduction data and information in order to establish use of similar BMP installations in the future and to justify project costs versus environmental protection benefits.
- c) Increasing citizen awareness about how personal and corporate land use decisions and behavioral choices impact the environmental health and sustainability of the Tiawasee Creek watershed.

Deliverables/Output:

- a) Design and implementation of a series of constructed wetlands in the headwaters of Tiawasee Creek
- b) Acquisition and retrofit of existing stormwater detention facility
- c) Reduce pollutant loadings; and prevent further pollutant impacts downstream
- d) Installation of native vegetation to stabilize slopes, provide wildlife habitat, and minimize the potential for erosion and mass wasting
- e) Establishment of indigenous vegetation in constructed wetlands and riparian areas to intercept, filter, or bio-remediate stormwater pollutants
- f) Estimates of sediment, nitrogen, and phosphorus NPS pollutant load reductions as a result of installation of the detention facility retrofit and constructed wetlands
- g) Estimates of turbidity NPS load reductions as a result of installation of the constructed wetlands
- h) Construction of demonstration installation of low-impact development BMP to educate the community
- i) Initiation of a long-term strategy to promote the use of green infrastructure to improve and protect water quality, watershed bio-physical connectivity, and communal and environmental quality-of-life interactions

- j) Semi-annual, annual, and final Section 319 grant project reports submitted to ADEM to help assess project goals, objectives, and milestone status; NPS pollutant load reductions; hydrological benefits; any concerns; and successes.

Water Quality Benefits Expected:

This project is designed to help restore the natural hydrologic function of a degraded drainage, prevent further damage to an area in urgent need of attention, and reduce the transport of NPS pollutants (primarily sediment) via the impaired Tiawasee Creek tributaries, with the ultimate goal of improving the quality of the water that is discharged into D'Olive Bay and subsequently into Mobile Bay. Runoff quality will also be improved as much of its volume will be filtered through the constructed wetlands that support fungal and microbial metabolism of the nutrients that typically pollute such stormwater flows. In addition, this project will establish a "living" or "green" stormwater conveyance infrastructure that in contrast to hard-engineered practices that often relegate streams into heavily armored channels or underground pipes will increase in functional and community value over time. Finally, water quality is expected to be improved as citizen awareness is increased, stakeholders become more responsive and involved in watershed and water quality protection decisions and practices, and as this initial demonstration project and future stormwater management projects are implemented in Daphne and Baldwin County.

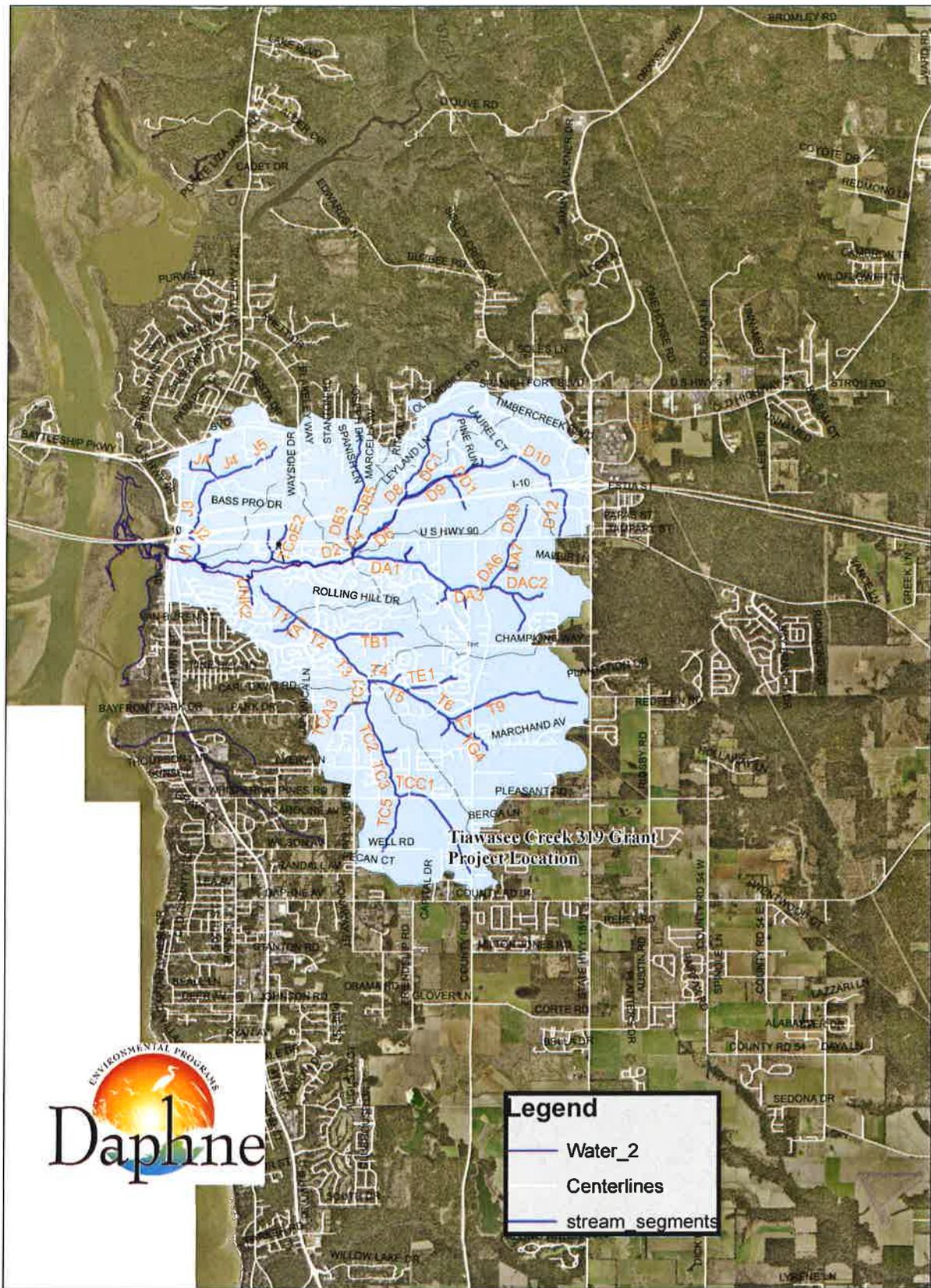
The project includes an outreach component to educate the public about the value of incorporating environmental protections into land management decisions and technical assistance and technology transfer to public and private sector entities. Section 319 grant funds will provide Tiawasee Creek watershed stakeholders with an initial source of funding to begin implementation of a long-term stormwater runoff management approach based upon a natural treatment design. Management practices that incorporate natural processes to convey and treat urban stormwater runoff will be demonstrated.

The project partners enthusiastically support implementation of the constructed wetlands treatment project, which will be extremely beneficial in advancing NPS pollution management activities in the water-quality-impaired Tiawasee Creek sub watershed. The activities associated with this project will assist the public and private urban sector in envisioning and validating the benefits of natural, open storm drainage systems; restoring and preserving wetlands; protecting and appropriately using historical gullies in the area; and using environmentally progressive solutions to solve traditional problems in their communities.

Potential Project Partners:

- ADEM
- Alabama Clean Water Partnership
- Auburn
- Baldwin County Board of Education
- Daphne Utilities Weeks Bay Reserve
- Geological Survey of Alabama
- Mobile Bay NEP
- USFWS
- USCOE
- Weeks Bay Reserve

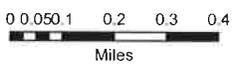
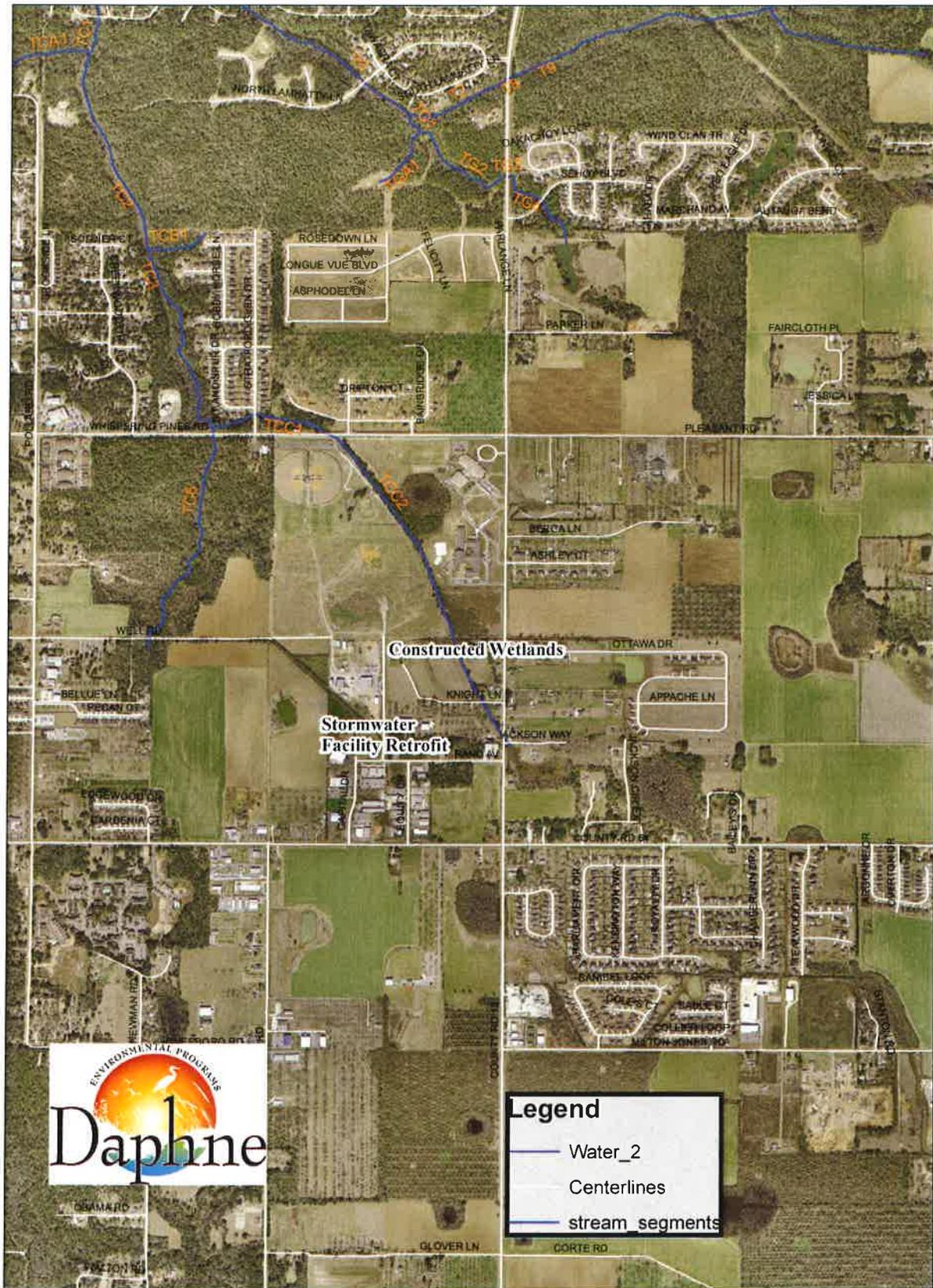
Tiawasee Creek 319 Constructed Wetland Grant



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Tiawasee Creek 319 Constructed Wetland Grant



Tiawasee Creek 319 Constructed Wetland Grant



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RESOLUTION 2015-04

RESOLUTION IN SUPPORT OF THE COMBINATION OF THE CITY'S COASTAL IMPACT ASSISTANCE PROGRAM (CIAP) GRANT FUNDS WITH THE MOBILE BAY NATIONAL ESTUARY PROGRAMS (MBNEP) NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF) GRANT FUNDS TO RESTORE AN IMPAIRED SEGMENT OF TIAWASEE CREEK

WHEREAS, 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 stream segments and improving stormwater management in the Tiawasee sub-watershed; and

WHEREAS, the City of Daphne supports efforts to reduce excessive sediment loads by restoring stream segments as indicated in the Watershed Management Plan (2010); and

WHEREAS the City of Daphne applied for CIAP assistance in the amount of \$250,000.00 from the State of Alabama Department of Natural Resources and Conservation in 2010 for a hydrologic study, model, and a portion of the restoration of an Un-named Tributary to D'Olive Creek and was awarded Tier 2 grant plan status in 2011; and

WHEREAS the City of Daphne applied for CIAP assistance in the amount of \$250,000.00 from the County in 2010 for a portion of the restoration of an Un-named Tributary to D'Olive Creek and was awarded Tier 1 grant plan status in 2011; and

WHEREAS, in 2013 the City of Daphne was awarded both grants totaling \$500,000.00; *requiring no monetary or in-kind labor match* unless additional engineering cost or grant management are needed to develop the model and/or implement the stream restoration; and

WHEREAS, after the April 30, 2014 federally declared National Flood Disaster, the Tiawasee creek stream impairments multiplied resulting in a need for additional funds; and

WHEREAS, MBNEP has received funding from the National Fish and Wildlife Foundation Gulf Environmental Benefit Fund (NFWF) to conduct restoration activities in D'Olive Creek

Watershed to improve water quality and clarity necessary for re-establishing submerged aquatic vegetation (SAV) beds in the upper Bay; and

WHEREAS, The NFWF grant includes \$550,000.00 to restore an impaired segments of Tiawasee Creek; and

WHEREAS, The MBNEP agrees to give through contractual agreement the \$550,000.00 to the City of Daphne to combine with the City's \$500,000.00 CIAP funds to complete the stream restoration project; and

WHEREAS, the City of Daphne will take the combined NFWF and CIAP funds and implement the Tiawasee restoration project.

NOW, THEREFORE BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF DAPHNE that the City of Daphne shall implement the approved grant contracts with the following condition:

The Mayor and the Environmental Programs Manager are hereby authorized to execute such proposal and any and all additional documents necessary to carry out the purpose of requesting such funds from Baldwin County, the Alabama Department of Conservation and Natural Resources and the MBNEP.

ADOPTED AND APPROVED THIS 20th DAY OF JANUARY, 2015.

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

Dane Haygood, Mayor

ATTEST:

Rebecca Hayes, City Clerk

RESOLUTION 2015-05

RESOLUTION FOR ADOPTING PURCHASING POLIES FOR THE TIAWASEE CREEK RESTORATION COASTAL IMPACT ASSISTANCE COASTAL IMPACT ASSISTANCE PROGRAM'S (CIAP) & NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF)

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

WHEREAS, CIAP funds are made available through the United States Department of Interior and it is a CIAP Program requirement that municipal governments participating in the program adopt and implement a Policy regarding Standards of Conduct and a Policy regarding Procurement Methods; and

NOW, THEREFORE IT BE RESOLVED that the Daphne City Council has adopted a Policy regarding Standards of Conduct and a Policy regarding Procurement Methods that comply with the applicable laws, rules and regulations of the CIAP program; and

BE IT FURTHER RESOLVED that a copy of these documents are attached to this Resolution, the Mayor is authorized to sign these documents on behalf of the City, and a copy of these documents will be kept on file at City Hall and will be available for review by the public as requested.

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

Dane Haygood, Mayor

Attest:

Rebecca A. Hayes, City Clerk

City of Daphne

Methods of Procurement Policy

The City of Daphne, will follow the procurement methods described below and will ensure that all contracts will be in writing, include the appropriate state, federal, and local clauses, and that all contracts will be authorized by the Daphne City Council. Further, the City will ensure that the procurement of labor, services, or materials will be conducted in accordance with these local written procedures that conform to 2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, and 230 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule, Title 41, Code of Alabama (Bid Law), and Title 39, Code of Alabama (Public Works Law). All procurement follows one of the following methods:

1. Small Purchase

- a. See State Bid Law (Title 41, Code of Alabama) 2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, and 230),
 1. Price or rate quotations for purchases or contracts with an aggregate cost \$15,000 or less must be obtained from at least three (3) qualified sources. (No purchase or contract involving an amount in excess of \$15,000 shall be divided into parts involving amounts \$15,000 or less for the purpose of avoiding the requirements of the Bid Law.) File documentation is required.
- b. See Public Works Law (Title 39, Code of Alabama) and 2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, and 230,
 1. Price or rate quotations for professional services with an aggregate cost of \$100,000 or less must be obtained from at least three (3) qualified sources. File documentation and contract for professional services are required.
 2. Contracts for public works involving \$50,000 or less may be let without advertising or sealed bids. Price or rate quotations must be obtained from at least three (3) sources. (No public work involving a sum in excess of \$50,000 shall be split into parts involving sums of \$50,000 or less for the purposes of evading the Public Works Law.) File documentation is required.

2. Sealed Bids

- a. See State Bid Law (Title 41, Code of Alabama),
 1. All purchases in excess of \$15,000 shall be advertised by posting notice thereof on a bulletin board maintained outside the purchasing office and in any other manner and for any length of time as may be determined. Sealed bids shall also be solicited by sending notice by mail or other electronic means to all persons, firms, or corporations who have filed a request in writing that they be listed for solicitation on bids for the particular items that are set forth in the request. All bids shall be sealed when received and shall be opened in public at the hour stated in the notice.
 2. All original bids together with all documents pertaining to the award of the contract shall be retained in accordance with a retention period of at least seven years established by the Local Government Records Commission and shall be open to public inspection.
- b. See Public Works Law (Title 39, Code of Alabama),
 1. Definition of Public Works: The construction, repair, renovation, or maintenance of public buildings, structures, sewers, waterworks, roads, bridges, docks, underpasses, and viaducts as well as any other improvement to be constructed, repaired, renovated, or maintained on public property and to be paid, in whole or in part, with public funds or with financing to be retired with public funds in the form of lease payments or otherwise.
 2. Before entering into any contract for a public works involving an amount in excess of \$50,000, the awarding authority shall advertise for sealed bids. If the awarding authority is the state or a county, or an instrumentality thereof, it shall advertise for sealed bids at least once each week for three consecutive weeks in a newspaper of general circulation in the county or counties in which the improvement or some part thereof, is to be made. If the awarding authority is a municipality, or an instrumentality thereof, it shall advertise for sealed bids at least once in a newspaper of general circulation published in the municipality where the awarding authority is located. If no newspaper is published in the municipality, the awarding authority shall advertise by posting notice thereof on a bulletin board maintained outside the purchasing office and in any other manner and for the length of time as may be determined. In addition to bulletin board notice, sealed bids shall also be solicited by sending notice by

mail to all persons who have filed a request in writing with the official designated by the awarding authority that they be listed for solicitation on bids for the public works contracts indicated in the request. For all public works contracts involving an estimated amount in excess of \$500,000, awarding authorities shall also advertise for sealed bids at least once in three newspapers of general circulation throughout the state.

3. The advertisements shall briefly describe the improvement, state that plans and specifications for the improvement are on file for examination in a designated office of the awarding authority, state the procedure for obtaining plans and specifications, state the time and place in which bids shall be received and opened, and identify whether prequalification is required and where all written prequalification information is available for review. All bids shall be opened publicly at the advertised time and place.

3. Competitive Negotiations

The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- a. See 2 CFR Chapter I, and Chapter II, Parts 200, Subpart D—Post Federal Award, §200.320 Methods of procurement to be followed.
- b. Requests for proposals will be publicized and identify all evaluation factors and their relative importance.
- c. Proposals will be solicited from an adequate number of qualified sources.
- d. Grantees will have a method for conducting technical evaluations of the proposals received and for selecting awardees.
- e. Awards will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.
- f. Grantees may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

4. Noncompetitive Negotiations

Procurement by noncompetitive proposals or “sole source” is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids or competitive proposals and one of the following circumstances applies: the item is available only from a single source; the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; the awarding agency authorizes noncompetitive proposals; and after solicitation of a number of sources, competition is determined inadequate.

- a. Proper documentation that one or more of the above circumstances existed.
- b. There is no conflict of interest by the parties involved.
- c. Cost analysis, i.e., verifying the proposed cost data, the projections of the data, and the evaluation of the specific elements of costs and profits, is required.

5. Price/Cost Analysis

Grantees must perform a cost or price analysis in connection with every procurement action including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, grantees must make independent estimates before receiving bids or proposals.

- a. A cost analysis must be performed when the offeror is required to submit the elements of his estimated cost, e.g., under professional, consulting, and architectural engineering services contracts.
- b. A cost analysis will be necessary when adequate price competition is lacking, and for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or based on prices set by law or regulation.
- c. A price analysis will be used in all other instances to determine the reasonableness of the proposed contract price.
- d. Grantees will negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed.

- e. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.
- f. Costs or prices based on estimated costs for contracts under grants will be allowable only to the extent that costs incurred or cost estimates included in negotiated prices are consistent with Federal cost principles. Grantees may reference their own cost principles that comply with the applicable Federal cost principles.
- g. The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

City of Daphne
Standards of Conduct Policy

No employee, officer, or agent of the City of Daphne shall participate in selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved (such a conflict would arise when: the employee, officer, or agent; or any member of his immediate family, his partner, or an organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award).

The officers, employees, or agents of the City of Daphne, will neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. (The City of Daphne may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.)

To the extent permitted by state (Title 36, Chapter 25, Alabama Code) or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the officers or employees of the City of Daphne, or agents, or by contractors or their agents.

RESOLUTION 2015-06

**DONATION OF REAL PROPERTY TO THE CITY OF DAPHNE
BY PROVISIONS INVESTMENT, LLC**

WHEREAS, the City Council for the City of Daphne has hereto been offered to receive without payment of consideration, a parcel of unimproved, real property situated within the City by Provision Development, LLC, and use to be restricted to a park, nature preserve, nature walkway and watershed enhancement in its undeveloped state; and,

WHEREAS, the City as undertaken a review as to the title of the real property ascertained any environmental issues upon the parcel of real property, reviewed the Baldwin County Tax Assessor records as to value and the parcel has been appraised as to the fair market value; and,

WHEREAS, the City Council has received information that there are no adverse title issues and as a result has determined that it is in the best interest of the City to accept the parcel into the City subject to the limitation as proposed by the donors to include no construction of any buildings on the property, and that the property remain in its natural state or may be utilized as a watershed enhancement, park and/or nature trail.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that it does hereby declare that it is in the best interest of the City and its citizens and does hereby accept the parcel of real property as offered by Provision Investments, LLC, subject to those limitations that the parcel be restricted for use as a watershed enhancement, park, nature trail, or left in its current undeveloped state and that the City accepts by appropriate conveyance instrument in a form approved by the City Attorney a Warranty Deed to the referenced parcels as described below:

Legal Description: Lot 3 of the Preserve at Tiawasee, as recorded on slide 0002526-C in the probate office of Baldwin County, Al

EXCEPTING THEREFROM all interest in and to all oil, gas and other minerals in, on and/or under said property and all rights in connection therewith which may have been granted, reserved or leased to others by instruments of records in the Office of the Judge of Probate of Baldwin County, Alabama; and

SUBJECT TO THE FOLLOWING:

1. Any and all easements, rights-of-way or restrictive covenants the Office of the Judge of Probate of Baldwin County, Alabama. affected the above described real property according to the records in

2. That the real property shall be utilized by the Grantee only as:
 - a) watershed enhancement
 - b) nature preserve,
 - c) nature walkway,
 - d) or to remain in its current natural state.

BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized to execute all such documentation as is necessary for the acceptance of the referenced parcel of real property.

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

Dane Haygood,
Mayor

ATTEST:

Rebecca Hayes,
City Clerk

RESOLUTION 2015-07

2015-C-RECONSTRUCTION OF FLUMES, DITCHES & INLETS ALONG CR13

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

WHEREAS, the City of Daphne acknowledges that RECONSTRUCTION OF FLUMES, DITCHES & INLETS ALONG CR13 will exceed \$50,000; and

WHEREAS, the City of Daphne did receive and review bids for the RECONSTRUCTION OF FLUMES, DITCHES & INLETS ALONG CR13 and has determined that the bid as presented is reasonable (*Construction-\$313,355.75 + CE&I-\$59,537.59 = \$372,893.34 Total project cost*); and

WHEREAS, FEMA will reimburse 75% and State of Alabama 12.5% of the project cost for the RECONSTRUCTION OF FLUMES, DITCHES & INLETS ALONG CR13 project; and

WHEREAS, staff recommends the bid for RECONSTRUCTION OF FLUMES, DITCHES & INLETS ALONG CR13 WAY ROAD CROSSING be awarded to Ammons & Blackmon Construction LLC.

NOW, THEREFORE BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF DAPHNE, that the City Council hereby accepts the bid from Ammons & Blackmon Construction LLC. in the amount of \$313,355.75 as specified in BID SPECIFICATION NO. 2015-C-RECONSTRUCTION OF FLUMES, DITCHES & INLETS ALONG CR13.

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

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

RESOLUTION 2015-08

2015-D-RE7-PIEDMONT CIRCLE

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

WHEREAS, the City of Daphne acknowledges that PIEDMONT CIRCLE will exceed \$50,000; and

WHEREAS, the City of Daphne did receive and review bids for the PIEDMONT CIRCLE and has determined that the bid as presented is reasonable (*Construction-\$57,670.18 + CE&I-\$27,075.93 = \$84,746.11 Total project cost*); and

WHEREAS, FEMA will reimburse 75% and State of Alabama 12.5% of the project cost for the PIEDMONT CIRCLE; and

WHEREAS, staff recommends the bid for PIEDMONT CIRCLE WAY ROAD CROSSING be awarded to Sunset Contracting, Inc.

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, that the City Council hereby accepts the bid from Sunset Contracting, Inc. in the amount of \$57,670.18 as specified in BID SPECIFICATION NO. 2015-D-RE7 PIEDMONT CIRCLE.

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

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

RESOLUTION 2015-09

2015-C-ROLLING HILLS DRIVE (SOUTH) GRADE, DRAIN, BASE & PAVE PROJECT

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

WHEREAS, the City of Daphne acknowledges that ROLLING HILLS DRIVE (SOUTH) GRADE, DRAIN, BASE & PAVE PROJECT will exceed \$50,000; and

WHEREAS, the City of Daphne did receive and review bids for the ROLLING HILLS DRIVE (SOUTH) GRADE, DRAIN, BASE & PAVE PROJECT and has determined that the bid as presented is reasonable (*Construction-\$578,797.23 + CE&I-\$112,843 = \$691,640.23 Total project cost*); and

WHEREAS, FEMA and State of Alabama will reimburse for the Category D (*Drainage*) portion of the project cost for the ROLLING HILLS DRIVE (SOUTH) GRADE, DRAIN, BASE & PAVE PROJECT; and

WHEREAS, staff recommends the bid for ROLLING HILLS DRIVE (SOUTH) GRADE, DRAIN, BASE & PAVE PROJECT be awarded to John G. Walton Construction Company, Inc. .

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid from John G. Walton Construction Company, Inc. in the amount of \$578,797.23 as specified in BID SPECIFICATION NO. 2015-C- ROLLING HILLS DRIVE (SOUTH) GRADE, DRAIN, BASE & PAVE PROJECT.

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

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

RESOLUTION 2015-10

**A Resolution Authorizing Issuance of
Credit Card for the Public Works Deputy Director**

WHEREAS, Resolution 1996-45 adopted July 15, 1996, authorized the issuance of a City of Daphne credit card to certain departments; and

WHEREAS, Public Works previously had a card issued under the name of Melvin McCarley, PW Superintendent and Mr. McCarley has retired from the City; and

WHEREAS, the City of Daphne now deems it necessary to authorize the issuance of an additional credit card for the Public Works Department for the Public Works Deputy Director for training and travel.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Daphne that Section 1 of Resolution 1996-45 is hereby amended to include the Public Works Deputy Director. All other provisions of Resolution 1996-45 remain in full force and effect.

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

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

ORDINANCE 2015-01

APPROPRIATION OF FUNDS: Fire Station #3 Renovations

WHEREAS, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

WHEREAS, certain improvements and repairs are needed at Fire Station #3 to prepare the station to be operational; and

WHEREAS, the adopted budget included an appropriation for \$200,000; and

WHEREAS, after bids were received for Station #3 Renovations the total project cost for the low bid is \$505,233; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds be transferred from the General Fund to the Capital Reserve Fund are hereby appropriated and made a part of the Fiscal Year 2015 budget in the amount of \$305,233 for the Fire Station #3 Renovations.

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

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

ORDINANCE 2015-02

An Ordinance Amending Ordinance 2004-52 Job Classification Schedule

WHEREAS, Ordinance 2004-52 was approved and adopted on January 3, 2005 to establish the City of Daphne Job Classification Schedule; and

WHEREAS, the City has established the need for the following new positions:

	GRADE
• IT Technician	14 / NE
• Safety Coordinator	18 / E
• Young Adult Librarian	18/E
• Marketing Coordinator	14/NE
• Deputy Public Works Director	29/E

And

WHEREAS, the City has established the need to reclassify the following existing positions;

	GRADE
• Director, Convention Visitor's Bureau and Civic Center	32/E
• Accountant, Senior	23/E
• Environmental Programs Manager	22/E

And

WHEREAS, the City has established the need to add the following classifications to the City of Daphne Job Classification Schedule:

	GRADE
• City Administrator	40/E
• Management/Business Analyst	27/E
• Communications Manager	24/E
• Communications & Marketing Officer	24/E
• Public Works Inspector	17NE
• Facilities Manager	22/E
• Community Outreach Specialist	14/NE
• Code Enforcement Senior	14/NE

And

WHEREAS, the City Council has determined that there is a need for these new positions, the existing positions reclassifications and new classifications, and;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the City of Daphne’s Job Classification Schedule is updated to reflect the noted new positions, existing job reclassifications and new classifications as itemized in the attached list and made a part hereof.

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

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

CITY OF DAPHNE ALABAMA
JOB CLASSIFICATION LISTING-GRADE ORDER

GRADE	CODE	TITLE	FLSA	GR
2	7545	SAIL SITE DRIVER	N	2
	7550	SAIL SITE WORKER	N	2
	2568	SCHOOL CROSSING GUARD	N	2
4	0151	CUSTODIAN	N	4
	4521	GREENHOUSE ASSISTANT	N	4
5	0028	EVENTS ASSISTANT	N	5
	7533	FITNESS ASSOCIATE	N	5
	7540	SAIL SITE MANAGER	N	5
6	7532	ATHLETIC PROGRAM ASSOCIATE	N	6
	8070	LIBRARY AIDE	N	6
	0005	OFFICE ASSISTANT	N	6
	0141	PARTS TECHNICIAN	N	6
	0143	PUBLIC SERVICE WORKER	N	6
	0144	SOLID WASTE WORKER	N	6
7	0152	CUSTODIAL SUPERVISOR	N	7
8	8041	LIBRARY SERVICES TECHNICIAN	N	8
9	0010	ADMINISTRATIVE TECHNICIAN	N	9
	0030	SALES ASSISTANT	N	9
	2549	ANIMAL SHELTER TECHNICIAN	N	9

10	0015	ADMINISTRATIVE SECRETARY	N	10
	0026	EVENT SERVICES SUPERVISOR	N	10
11	1043	ACCOUNTING TECHNICIAN	N	11
	2548	ANIMAL CONTROL OFFICER	N	11
	2330	BUILDING MAINTENANCE TECHNICIAN	N	11
	2551	COMMUNICATIONS OFFICER	N	11
	2546	CORRECTIONS OFFICER	N	11
	0128	HUMAN RESOURCES TECHNICIAN	N	11
	5545	PLANNING COORDINATOR	N	11
	0142	PUBLIC SERVICE WORKER, SENIOR	N	11
	0145	SOLID WASTE WORKER, SENIOR	N	11
12	2245	CODE ENFORCEMENT OFFICER	N	12
	2030	MUNICIPAL COURT MAGISTRATE	N	12
13	0020	ADMINISTRATIVE ASSISTANT	N	13
	4040	EQUIPMENT OPERATOR	N	13
	4540	GREENHOUSE COORDINATOR	N	13
	0521	HUMAN RESOURCES ASSISTANT	N	13
	7050	MECHANIC	N	13
	6850	PERMIT TECHNICIAN	N	13
	0146	SOLID WASTE COORDINATOR	N	13
14**	1105	IT TECHNICIAN	N	14
	0123	CREW LEADER	N	14
	8075	LIBRARY SERVICES COMPUTER TECHNICIAN	N	14
	7053	MECHANIC, SENIOR	N	14
	0459	PUBLIC WORKS/EMA ASSISTANT	N	14
	0025	EXECUTIVE SECRETARY	N	14
**	2240	CODE ENFORCEMENT OFFICER, SENIOR	N	14
**	0065	COMMUNITY OUTREACH SPECIALIST	N	14
**	0056	MARKETING COORDINATOR	N	14

16	0023	ASSISTANT CITY CLERK	N	16
	0027	AUDIO-VISUAL MANAGER	N	16
	5540	GIS TECHNICIAN	N	16
	8050	LIBRARY SUPV, CIRCULATION	E	16
	8040	LIBRARY SUPV, TECHNICAL SERVICES	E	16
17	1023	ACCOUNTANT	E	17
	6840	BUILDING INSPECTOR	N	17
	2545	CHIEF CORRECTIONS OFFICER	N	17
	2550	COMMUNICATIONS SUPERVISOR	N	17
	0010	JAIL ADMINISTRATIVE TECHNICIAN	N	17
	2022	MUNICIPAL COURT ADMINISTRATOR	E	17
**	6845	PUBLIC WORKS INSPECTOR	N	17
	0050	SALES MANAGER	E	17
	6870	SITE CONTAINMENT INSPECTOR	N	17
18	2332	BUILDING MAINTENANCE SUPERVISOR	N	18
	8068	CHILDREN'S LIBRARIAN	E	18
	7023	EQUIPMENT MAINTENANCE SUPERVISOR	N	18
	4522	GROUNDS SUPERVISOR	N	18
	0450	OPERATIONS MANAGER	N	18
	7515	PARKS MAINTENANCE SUPERVISOR	N	18
	0130	PAYROLL/BENEFITS COORDINATOR	E	18
	5550	PLANNER	E	18
	4023	PUBLIC WORKS SUPERVISOR	N	18
	8045	REFERENCE LIBRARIAN	E	18
**	0135	SAFETY COORDINATOR	E	18
**	8066	YOUNG ADULT LIBRARIAN	E	18
19	7530	RECREATION PROGRAMS COORDINATOR	E	19
	0160	REGISTERED NURSE	N	19

20	7525	ATHLETIC COORDINATOR	E	20
	4024	PUBLIC WORKS SUPERVISOR, SENIOR	N	20
	1522	REVENUE OFFICER	E	20
22**	6880	ENVIRONMENTAL PROGRAMS MANAGER	E	22
	1100	INFORMATION TECHNOLOGY COORDINATOR	E	22
**	2334	FACILITIES MANAGER	E	22
23**	1022	ACCOUNTANT, SENIOR	E	23
24**	0055	COMMUNICATIONS & MARKETING OFFICER	E	24
**	0060	COMMUNICATIONS MANAGER	E	24
26	0022	CITY CLERK	E	26
27	6022	SUPERINTENDENT, PUBLIC WORKS	E	27
	5530	DEPUTY DIRECTOR, COMMUNITY DEVEL.	E	27
**	0110	MANAGEMENT/BUSINESS ANALYST	E	27
29	8020	DIRECTOR, LIBRARY	E	29
	7520	DIRECTOR, RECREATION	E	29
	0036	DIRECTOR, CIVIC CENTER	E	29
**	6024	DEPUTY DIRECTOR, PUBLIC WORKS	E	29
32**	0036	DIRECTOR, CVB & CIVIC CENTER	E	32
	1020	DEPUTY DIRECTOR, FINANCE	E	32
36	6822	BUILDING OFFICIAL	E	36
	1020	DIRECTOR, FINANCE	E	36
	0520	DIRECTOR, HUMAN RESOURCES	E	36
	5535	DIRECTOR, PLANNING	E	36

38	6019	DIRECTOR, PUBLIC WORKS	E	38
40**	0100	CITY ADMINISTRATOR	E	40

**** Job Descriptions & Pay Established or Revised, Not Council Approved Yet**

0100	CITY ADMINISTRATOR	E	40
0110	MANAGEMENT/ BUSINESS ANALYST	E	27
0036	DIRECTOR, CVB & CIVIC CENTER	E	32
0060	COMMUNICATIONS MANAGER	E	24
0055	COMMUNICATIONS & MARKETING OFFICER	E	24
8066	YOUNG ADULT LIBRARIAN	E	18
6880	ENVIRONMENTAL PROGRAMS MANAGER	E	22
1022	ACCOUNTANT, SENIOR	E	23
6845	PUBLIC WORKS INSPECTOR	N	17
1105	IT TECHNICIAN	N	14
2334	FACILITIES MANAGER	E	22
6024	DEPUTY DIRECTOR, PUBLIC WORKS	E	29
0065	COMMUNITY OUTREACH SPECIALIST	N	14
0056	MARKETING COORDINATOR	N	14
2240	CODE ENFORCEMENT OFFICER, SENIOR	N	14
0135	SAFETY COORDINATOR	E	18

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2015-03**

**Ordinance to Pre-Zone Property Located
On the South Side of U.S. Highway 90 at Renaissance Boulevard
George Kalasountas**

WHEREAS, George Kalasountas as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property be pre-zoned from RSF-1, Single Family Residential District, Baldwin County District 15 to B-2, General Business; R-7(T), Townhouse and R-1, Low Density Single Family Residential District, City of Daphne; and

WHEREAS, said real property is on the south side of U.S. Highway 90 at Renaissance Boulevard, and more particularly described as follows:

DESCRIPTION OF PROPERTY TO BE REZONED TO B-2:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET; THENCE RUN SOUTH 89°51'27" WEST, 605.05 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET; THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET; THENCE RUN NORTH 00°36'00" EAST, 407.87 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING NORTH 00°36'00" EAST RUN 300.13 FEET TO POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NUMBER 90 (80 FOOT RIGHT-OF-WAY); THENCE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, RUN NORTH 88°55'49" EAST, 841.46 FEET; THENCE RUN NORTH 89°01'56" EAST, 124.50 FEET; THENCE DEPARTING THE SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 259.25 FEET, CHORD BEARS SOUTH 06°36'27" EAST AND MEASURES 258.77 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 47.35 FEET, CHORD BEARS SOUTH 27°59'32" EAST AND MEASURES 47.35 FEET; THENCE RUN SOUTH 88°55'49" WEST, 1021.12 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.76 ACRES, MORE OR LESS.

BEING LOT 1, A REPLAT OF PROPERTY FOR GEORGE KALASOUNTAS #2, AS PER PLAT RECORDED ON SLIDE NO. 2520-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

DESCRIPTION OF PROPERTY TO BE REZONED TO R-7(T):

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM

THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET; THENCE RUN SOUTH 89°51'27" WEST, 181.07 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING SOUTH 89°51'27" WEST, RUN 423.98 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET; THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET; THENCE RUN NORTH 00°36'00" EAST, 407.87 FEET; THENCE RUN NORTH 88°55'49" EAST, 1021.12 FEET; THENCE ALONG A CURVE CONCAVE NORTHEASTWARDLY HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 68.74 FEET, CHORD BEARS SOUTH 30°41'20" EAST AND MEASURES 68.73 FEET; THENCE RUN SOUTH 00°23'29" EAST, 362.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.06 ACRES, MORE OR LESS. BEING LOT 2, A REPLAT OF PROPERTY FOR GEORGE KALASOUNTAS #2, AS PER PLAT RECORDED ON SLIDE NO. 2520-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

DESCRIPTION OF PROPERTY TO BE REZONED TO R-1:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN SOUTH 89°51'27" WEST, 181.07 FEET; THENCE RUN NORTH 00°23'29" WEST 362.66 FEET; THENCE ALONG A CURVE CONCAVE NORTHEASTWARDLY HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 290.16 FEET, CHORD BEARS SOUTH 39°01'35" EAST AND MEASURES 289.49 FEET; THENCE RUN SOUTH 00°31'35" EAST, 137.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.00 ACRES, MORE OR LESS. BEING LOT 3, A REPLAT OF PROPERTY FOR GEORGE KALASOUNTAS #2, AS PER PLAT RECORDED ON SLIDE NO. 2520-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

WHEREAS, at the Special Called City of Daphne Planning Commission meeting on October 30, 2014, the Commission considered said request and three motions were made and failed which resulted in a unfavorable recommendation regarding said property pre-zoning request; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on January 20, 2015; and,

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

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

SECTION I: ZONING

That above described real property is hereby pre-zoned from RSF-1, Single Family Residential District, Baldwin County District 15 to B-2, General Business; R-7(T), Townhouse District and R-1, Low Density Single Family Residential District, City of Daphne and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

SECTION II: REPEALER.

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

SECTION III: SEVERABILITY.

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

SECTION IV: EFFECTIVE AND EXPIRATION DATE.

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

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

Dane Haygood,
Mayor

ATTEST:

Rebecca Hayes,
City Clerk

EXHIBIT "A"
PRE-ZONING APPLICATION
PROPERTY ON SOUTH SIDE OF U.S. HWY 90 ACROSS FROM RENAISSANCE BLVD.
DESCRIPTION OF PROPERTY TO BE PRE-ZONED

DESCRIPTION OF PROPERTY TO BE REZONED TO B-2:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET; THENCE RUN SOUTH 89°51'27" WEST, 605.05 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET; THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET; THENCE RUN NORTH 00°36'00" EAST, 407.87 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING NORTH 00°36'00" EAST RUN 300.13 FEET TO POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NUMBER 90 (80 FOOT RIGHT-OF-WAY); THENCE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, RUN NORTH 88°55'49" EAST, 841.46 FEET; THENCE RUN NORTH 89°01'56" EAST, 124.50 FEET; THENCE DEPARTING THE SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 259.25 FEET, CHORD BEARS SOUTH 06°36'27" EAST AND MEASURES 258.77 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 47.35 FEET, CHORD BEARS SOUTH 27°59'32" EAST AND MEASURES 47.35 FEET; THENCE RUN SOUTH 88°55'49" WEST, 1021.12 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.76 ACRES, MORE OR LESS.
BEING LOT 1, A REPLAT OF PROPERTY FOR GEORGE KALASOUNTAS #2, AS PER PLAT RECORDED ON SLIDE NO. 2520-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

DESCRIPTION OF PROPERTY TO BE REZONED TO R-7(T):

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET; THENCE RUN SOUTH 89°51'27" WEST, 181.07 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING SOUTH 89°51'27" WEST, RUN 423.98 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET; THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET;

EXHIBIT "A"
PRE-ZONING APPLICATION
PROPERTY ON SOUTH SIDE OF U.S. HWY 90 ACROSS FROM RENAISSANCE BLVD.
DESCRIPTION OF PROPERTY TO BE PRE-ZONED

THENCE RUN NORTH 00°36'00" EAST, 407.87 FEET; THENCE RUN NORTH 88°55'49" EAST, 1021.12 FEET; THENCE ALONG A CURVE CONCAVE NORTHEASTWARDLY HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 68.74 FEET, CHORD BEARS SOUTH 30°41'20" EAST AND MEASURES 68.73 FEET; THENCE RUN SOUTH 00°23'29" EAST, 362.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.06 ACRES, MORE OR LESS. BEING LOT 2, A REPLAT OF PROPERTY FOR GEORGE KALASOUNTAS #2, AS PER PLAT RECORDED ON SLIDE NO. 2520-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

DESCRIPTION OF PROPERTY TO BE REZONED TO R-1:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN SOUTH 89°51'27" WEST, 181.07 FEET; THENCE RUN NORTH 00°23'29" WEST 362.66 FEET; THENCE ALONG A CURVE CONCAVE NORTHEASTWARDLY HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 290.16 FEET, CHORD BEARS SOUTH 39°01'35" EAST AND MEASURES 289.49 FEET; THENCE RUN SOUTH 00°31'35" EAST, 137.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.00 ACRES, MORE OR LESS. BEING LOT 3, A REPLAT OF PROPERTY FOR GEORGE KALASOUNTAS #2, AS PER PLAT RECORDED ON SLIDE NO. 2520-F OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2015-04**

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

**Property Located on the South Side of U.S. Highway 90 at Renaissance Boulevard
George Kalasountas**

WHEREAS, on the 23rd day of September, 2014, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

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

WHEREAS, after proper publication, a public hearing was held by the City Council on December 15, 2014 concerning the petition for annexation; and

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne at a Special Called meeting on October 30, 2014 and a favorable recommendation with appropriate zoning as determined by the City Council was approved for the City Council to consider said request for annexation and said property; and

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

SECTION ONE: ANNEXATION

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

SECTION TWO: DESCRIPTION OF TERRITORY

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

DESCRIPTION:

COMMENCING AT A CAPPED REBAR FOUND ON THE NORTH RIGHT-OF-WAY LINE OF MALBIS LANE (50 FOOT RIGHT-OF-WAY), SAID POINT BEING SITUATED NORTH 00°03'47" WEST, 1459.33 FEET AND NORTH 83°26'27" WEST, 1091.70 FEET FROM

THE PURPORTED SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 02°29'02" WEST, 410.61 FEET; THENCE RUN NORTH 36°55'32" WEST, 282.98 FEET; THENCE RUN SOUTH 89°45'52" WEST, 101.89 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN SOUTH 89°51'27" WEST, 605.05 FEET; THENCE RUN SOUTH 89°36'45" WEST, 202.10 FEET; THENCE RUN SOUTH 89°39'51" WEST, 210.15 FEET; THENCE RUN SOUTH 89°37'12" WEST, 226.55 FEET; THENCE RUN NORTH 00°36'00" EAST, 708.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NUMBER 90 (80 FOOT RIGHT-OF-WAY); THENCE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, RUN NORTH 88°55'49" EAST, 841.46 FEET; THENCE RUN NORTH 89°01'56" EAST, 124.50 FEET; THENCE DEPARTING THE SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 259.25 FEET, CHORD BEARS SOUTH 06°36'27" EAST AND MEASURES 258.77 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 406.25 FEET, CHORD BEARS SOUTH 36°19'46" EAST AND MEASURES 404.41 FEET; THENCE RUN SOUTH 00°31'35" EAST, 137.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.82 ACRES, MORE OR LESS.

SECTION THREE: MAP OF PROPERTY

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

SECTION FOUR: PUBLICATION

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

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

Dane Haygood,
Mayor

ATTEST:

Rebecca Hayes,
City Clerk

ORDINANCE 2015-05

GRANT MANAGEMENT FOR THE TIAWASEE CREEK COASTAL IMPACT ASSISTANCE PROGRAM (CIAP) AND NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF) GRANT TIAWASEE CREEK RESTORATION

WHEREAS, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

WHEREAS, the City with large grants (\$500,000.00+) has always sought out grant management assistance to ensure compliance with all federal, state and local grant requirements; and

WHEREAS, the City's attorney and finance department recommends that a grant manager be hired to manage the Tiawasee Creek Restoration project; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2015 Budget is hereby amended to include a General Fund appropriation in the amount of \$25,000.00 for the procurement of a grant manger to assist with its CIAP-NFWF grant project and the Mayor is hereby authorized to execute all agreements required for the completion of these projects.

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

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

ORDINANCE 2015-06

APPROPRIATING FUNDS FOR RECONSTRUCTION OF FLUMES, DITCHES&INLETS ALONG COUNTY ROAD 13

WHEREAS, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

WHEREAS, the City of Daphne received 16.5 inches of rainfall for the period of April 29-30, 2014; and

WHEREAS, as a result of such heavy rains, the flumes, ditches and inlets along CR13 sustained severe damage; and

WHEREAS, the City of Daphne did receive and review bids for the repair of the Reconstruction of Flumes, Ditches & Inlets along County Road 13 and has determined that the bid as presented is reasonable (*Construction- \$313,356 + CE&I & Material Testing -\$59,538 = \$372,894 Total project cost*); and

WHEREAS, FEMA grant monies are available for 75% of the project cost (\$279,670) for the Reconstruction of Flumes, Ditches & Inlets along County Road 13; and

WHEREAS, the State of Alabama EMA monies are available for 12.5% of the project cost (\$46,612) for the repair of the Reconstruction of Flumes, Ditches & Inlets along County Road 13; and

NOW, THEREFORE, BE IT ORDAINED, that:

1. The City Council of the City of Daphne deems this project is key to the recovery efforts associated with this rain event and the repair of this public infrastructure is necessary to preserve the health, safety, and convenience of the public.
2. This project is a qualifying FEMA and State EMA PA, Cat D project at a guaranteed 87.5 percent reimbursement (\$326,282).
3. Ordinance 2014-24 appropriated \$14,250 for engineering on this project.
4. *Fiscal Year 2015 Budget is hereby amended to include an appropriation in the amount of \$32,362 from the General Fund for the repair of the Reconstruction of Flumes, Ditches & Inlets along County Road 13 cost not reimbursed by FEMA and the State EMA.*
5. The Mayor is hereby authorized to make application with FEMA and the State of Alabama EMA 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 ____ DAY OF _____, 2015.

Dane Haygood, Mayor

Attest:

Rebecca A. Hayes, City Clerk

ORDINANCE 2015-07

Appropriating Funds for Piedmont Circle Drainage Repairs

WHEREAS, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

WHEREAS, the City of Daphne received 16.5" of rainfall for the period of April 29-30, 2014; and

WHEREAS, as a result of such heavy rains, Piedmont Circle Drainage sustained severe damage; and

WHEREAS, the City of Daphne did receive and review bids for the repair of the Piedmont Circle Drainage Repairs and has determined that the bid as presented is reasonable (*Construction- \$57,671 + CE&I & Material Testing -\$27,076 = \$84,747 Total project cost*); and

WHEREAS, the City provided some in-kind services, NRCS monies are available for 75% of a portion of the Engineering Fees(\$10,252) , and FEMA (75%) and EMA (12.5%) grant monies are available for the remainder of the project cost (\$62,193) for the Piedmont Circle Drainage Repairs.

NOW, THEREFORE, BE IT ORDAINED, that:

1. The City Council of the City of Daphne deems this project is key to the recovery efforts associated with this rain event and the repair of this public infrastructure is necessary to preserve the health, safety, and convenience of the public.
2. This project is a qualifying partial NRCS and FEMA and State EMA PA, Cat D project at a guaranteed 87.5 percent reimbursement (\$72,445).
3. Ordinance #2014-24 appropriated \$7,875 for engineering on this project.
4. ***Fiscal Year 2015 Budget is hereby amended to include an appropriation in the amount of \$4,427 from the General Fund for the repair of the Piedmont Circle Drainage Repairs cost not reimbursed by FEMA and the State EMA.***
5. The Mayor is hereby authorized to make application with FEMA and the State of Alabama EMA 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 ____ DAY OF _____, 2015.

Dane Haygood, Mayor

Attest:

Rebecca A. Hayes, City Clerk

ORDINANCE 2015-08

**Appropriating Funds for Rolling Hills Drive (South) Grade, Drain, Base & Pave
(Project #04-2014-RE06)**

WHEREAS, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

WHEREAS, the City of Daphne received 16.5" of rainfall for the period of April 29-30, 2014; and

WHEREAS, as a result of such heavy rains, Rolling Hills Drive (South) sustained severe damage; and

WHEREAS, the City of Daphne did receive and review bids for the repair of the Rolling Hills Drive(South) Grade, Drain, Base & Pave project and has determined that the bid as presented is reasonable (*Construction- \$578,798 + CE&I & Material Testing -\$112,843 = \$691,641 Total project cost*); and

WHEREAS, FEMA and State of Alabama EMA grant monies are available for Category D (*Drainage*) of the project cost (\$192,705) for the Rolling Hills Drive(South) Grade, Drain, Base & Pave project; and

NOW, THEREFORE, BE IT ORDAINED, that:

1. The City Council of the City of Daphne deems this project is key to the recovery efforts associated with this rain event and the repair of this public infrastructure is necessary to preserve the health, safety, and convenience of the public.
2. This project is a qualifying FEMA and State EMA PA, for the Category D portion of the project (\$192,705).
3. Ordinance #2014-24 appropriated \$48,438 for engineering on this project.
4. ***Fiscal Year 2015 Budget is hereby amended to include an appropriation in the amount of \$450,498 from the General Fund for the repair of the Rolling Hills Drive (South) Grade, Drain, Base & Pave project cost not reimbursed by FEMA and the State EMA.***
5. The Mayor is hereby authorized to make application with FEMA and the State of Alabama EMA 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 ____ DAY OF _____, 2015.**

Attest:

Dane Haygood, Mayor

Rebecca A. Hayes, City Clerk

**CITY OF DAPHNE
ORDINANCE NO. 2015-09**

**AN ORDINANCE TO TRANSITION THE POSITION OF TREASURER TO THE
FINANCE DIRECTOR**

WHEREAS, there exist certain overlapping duties and functions between the Office of the Treasurer and the Finance Director; and

WHEREAS, the position of Finance Director is currently vacant; and

WHEREAS, the Office of the Treasurer is currently filled by the senior accountant who has performed admirably to service the needs of the City; and

WHEREAS, the current Treasurer has agreed to voluntarily resign from the position of Treasurer to be effective upon the commencement date of the new Finance Director; and

WHEREAS, the position of Treasurer has heretofore been uncompensated; and

WHEREAS, City Council of the City of Daphne, after due consideration believes the duties and liabilities of the Office of the Treasurer demand that the position of Treasurer be compensated; said funding will enable the Treasurer of the City to confidently serve the City;

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

SECTION I: GENERAL PROVISIONS

A. Treasurer's Salary

The position of Treasurer of the City of Daphne as shall be compensated in the amount of \$12,000 per year for serving as Treasurer. Treasurer compensation shall be paid in the same manner and method of any other City employee as determined by the policies and procedures of the City of Daphne.

B. Current Treasurer

The current appointed Treasurer has tendered her resignation as Treasurer of the City of Daphne effective upon the start date of the Finance Director. Outgoing Treasurer shall remain as the Senior Accountant with the City of Daphne and shall be awarded a one-step pay raise effective as of the date of the authorization of this Ordinance.

C. Proposed Treasurer

The City Council hereby authorizes the Mayor to fill the Finance Director position at a salary level not to exceed Grade 36 Step 16. The City Council hereby appoints the new Finance Director of the City of Daphne as Treasurer effective upon the start date of employment as Finance Director. The Finance Director shall serve as Treasurer as long as the Financial Director is employed with the City of Daphne as the Finance Director.

SECTION II: REPEALER

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

SECTION III: SEVERABILITY

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

SECTION IV: EFFECTIVE DATE.

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

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

Attest:

Dane Haygood, Mayor

Rebecca A. Hayes, City Clerk