

**CITY COUNCIL BUSINESS MEETING AGENDA
BUSINESS MEETING
1705 MAIN STREET, DAPHNE, AL
NOVEMBER 21, 2016**

1. CALL TO ORDER

2. ROLL CALL

INVOCATION / Rev. Tommy Robinson (Pastor) of Christ Presbyterian Church

PLEDGE OF ALLEGIANCE

- 3. APPROVE MINUTES:** Council Meeting Minutes / November 7, 2016 Organizational Meeting Minutes
Council Meeting Minutes / November 7, 2016 Business Meeting Minutes
Council Work Session Minutes / November 14, 2016

PRESENTATION: Eagle Scout Presentation / Samuel Miller

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE / Rudicell

Review minutes / November 14th

1.) Ordinances:

- a.) Appropriation of Funds: 2016 Community Development Block Grant (CDBG): Sewer hookups in the Whispering Pines & Pollard Road Community – City Match / **Ordinance 2016-71**
- b.) Appropriation of Funds: FEMA/HMGP-Hazard Mitigation Grant to Acquire 118 Lakeview Loop / **Ordinance 2016-72**
- c.) Appropriation of Funds: One-Time Lump Sum Pay Adjustment / **Ordinance 2016-73**
- d.) Appropriation of Funds: Replace Mowing Truck (Totaled) / **Ordinance 2016-74**
- e.) Appropriation of Funds: Architectural Services: Landscaping and Ballfield Site Work for Daphne Recreational Facilities / **Ordinance 2016-75**

2.) Resolutions:

- a.) 2016 Community Development Block Grant (CDBG): Sewer Hookups in the Whispering Pines & Pollard Road Community / Approve Advertising for Grant Administration RFP & Engineering RFP / **Resolution 2016-89**
- b.) Setup new Depository Account & Transfer of Funds for Four Cent Gas Tax, and Seven Cent Gas Tax, and move monies from SAIL Site account to MMA Account / **Resolution 2016-90**

3.) Motions:

Motion to waive the \$1,800 permit fee for emergency repairs at the Bounds Family YMCA facility.

4.) Financial Reports:

- Treasurers Report / October 2016
- Sales and Use Tax Collections / September 2016
- Lodging Tax Collections / September 2016

B. BUILDINGS & PROPERTY COMMITTEE - LeJeune

Review Building & Property Committee Minutes / November 7th

C. PUBLIC SAFETY COMMITTEE – Davis**D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Goodlin****E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Coleman**

Review Daphne Museum Minutes / October 10th

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**A. BOARD OF ZONING ADJUSTMENTS – Jones****B. DOWNTOWN REDEVELOPMENT BOARD – Conaway****C. INDUSTRIAL DEVELOPMENT BOARD - Davis**

Review Industrial Development Board Minutes / November 15th

D. LIBRARY BOARD – Rudicell**E. PLANNING COMMISSION – Scott**

Recommendation for Ordinance 2016-62 / Pre-Zoning Fred Corte

F. RECREATION BOARD – LeJeune**G. UTILITY BOARD - LeJeune****6. MAYOR'S REPORT****7. CITY ATTORNEY'S REPORT****8. DEPARTMENT HEAD COMMENTS****9. CITY CLERK'S REPORT**

a.) Veto of Resolution 2016-82

b.) Event Permit / Daphne Witches Ride / Charity / October 29, 2017

c.) Event Permit / City Hope Church / Race for Hope / September 30, 2017

10. PUBLIC PARTICIPATION**11. RESOLUTIONS & ORDINANCES:****RESOLUTIONS**

a.) **Resolution 2016-85**. Declaring Certain Personal Property Surplus / Ford Truck /
Sprayer / Two (2) Toro Workman / Drag Machine

b.) **Resolution 2016-86**. Approving Special Care Facilities Financing Authority Bonds / Pell City

- c.) **Resolution 2016-87** Agreement Concerning Transportation Planning Process for the Eastern Shore Urbanized Area between the County of Baldwin and the Municipalities of Daphne, Fairhope, Spanish Fort, Loxley and the State of Alabama
- d.) **Resolution 2016-88** Retaining Employees Under Merit System
- e.) **Resolution 2016-89** 2016 Community Development Block Grant (CDBG) for: Sewer Hookups in the Whispering Pines & Pollard Road Community / Grant Administration and Engineering Proposal
- f.) **Resolution 2016-90** Setup New Depository Account and Transfer of Funds for: SAIL Site, Four Cent Gas Tax, and Seven Cent Gas Tax

ORDINANCES:

2ND READ

- a.) **Ordinance 2016-62** Pre-Zone Property Located Southeast of Corte Road and County Road 13 / Fred L. Corte
- b.) **Ordinance 2016-68** Rezone: Property Located at the Southwest of the Intersection of Park Drive and Tallent Lane, East of the Future Daphne Sports Complex / Earth, Inc.
- c.) **Ordinance 2016-69** Revisions to the Zoning Map
- d.) **Ordinance 2016-70** Rezone: Property Located at the Southwest Intersection of County Road 64 and Rand Avenue / GCOF Daphne Commercial Property 13-64, LLC

1ST READ

- a.) **Ordinance 2016-71** 2016 Community Development Block Grant (CDBG) for: Sewer Hookups in the Whispering Pines & Pollard Road Community
- b.) **Ordinance 2016-72** Federal Emergency Management Agency (FEMA): Hazard Mitigation Grant Program (HMGP) Disaster Assistance: Teri Lynn Platt c/o Teri Lynn Dyess, 118 Lakeview Loop, Lot 8-Unite 21 Lake Forest
- c.) **Ordinance 2016-73** One-Time Lump Sum Pay Adjustment
- d.) **Ordinance 2016-74** Mowing Vehicle Replacement Appropriation
- e.) **Ordinance 2016-75** Appropriation for Supplemental Landscape & Architecture Aesthetics for the Daphne Recreational Facilities

12. COUNCIL COMMENTS

13. ADJOURN

**CITY OF DAPHNE
CITY COUNCIL**

ROLL CALL

CITY COUNCIL:

COUNCILWOMAN CONAWAY	PRESENT ____	ABSENT ____
COUNCILMAN RUDICELL	PRESENT ____	ABSENT ____
COUNCILMAN COLEMAN	PRESENT ____	ABSENT ____
COUNCILMAN GOODLIN	PRESENT ____	ABSENT ____
COUNCILMAN LEJEUNE	PRESENT ____	ABSENT ____
COUNCILWOMAN DAVIS	PRESENT ____	ABSENT ____
COUNCIL PRESIDENT SCOTT	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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1. CALL TO ORDER

The City Clerk, Rebecca Hayes, called meeting to order at 6:30 P.M.

2. INVOCATION/PLEDGE OF ALLEGIANCE

Father Robert Seawell with the Church of the Apostles gave the invocation.

3. OATHS OF OFFICE:

MAYOR

Oath of Office: Dane Haygood

Judge Michael Hoyt administered the oath of office for Mr. Haygood with his wife Robyn holding the Bible.

COUNCIL

Oath of Office: Pat Rudicell District 2

Judge Michael Hoyt administered the oath of office for Mr. Rudicell with his sister Daphne Robinson holding the Bible.

Oath of Office: Joel Coleman District 3

Judge Michael Hoyt administered the oath of office for Mr. Coleman with his wife Angel holding the Bible.

Oath of Office: Ron Scott District 5

Judge Michael Hoyt administered the oath of office for Mr. Scott with his wife Linda holding the Bible.

Oath of Office: Robin LeJeune District 6

Judge Michael Hoyt administered the oath of office for Mr. LeJeune with his wife Christina holding the Bible.

Oath of Office: Tommie B. Conaway

Judge Lyn Stuart, Acting Chief Justice of the Alabama Supreme Court administered the oath of office for Mrs. Conaway with her grandson Brock holding the Bible.

Oath of Office: Doug Goodlin District 4

Federal Judge Bert Milling administered the oath of office for Mr. Goodlin with his wife Mary holding the Bible.

4. ROLL CALL

MEMBERS PRESENT: Tommie Conaway, Pat Rudicell, Joel Coleman, Doug Goodlin, Ron Scott, Robin LeJeune, Joe Davis.

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Jenny White, Assistant City Clerk; Jay Ross, City, Attorney; Adrienne Jones, Planning Director; David Carpenter, Police Chief; James White, Fire Chief; Richard Johnson, Public Works Director; Kelli, Finance Director; Vickie Hinman, Human Resource Director; David McKelroy, Recreation Director; Margaret Thigpen, Civic Center Director; Richard Merchant, Building Official; Tonja Young, Library Director.

5. **ELECT COUNCIL PRESIDENT:**

Councilman LeJeune nominated Councilman Scott as Council President. There being no other nominations Councilman Scott is Council President.

6. **ELECT COUNCIL PRESIDENT PRO TEM**

Councilman Rudicell nominated Councilwoman Conaway as Council President Pro-tem. There being no other nominations Councilwoman Conaway is Council President Pro-tem.

7. **ESTABLISH TIME AND PLACE OF REGULAR MEETINGS HELD EACH MONTH.**
(1ST & 3RD Monday at 6:30 P.M. (as contained in Council Rules of Procedure)

MOTION BY Councilman LeJeune to establish the 1st & 3rd Mondays of each month for the Council meeting beginning at 6:30 P.M as contained in the Council Rules of Procedure ordinance. *Seconded by Councilman Rudicell.*

MOTION CARRIED UNANIMOUSLY

8. **COUNCIL RULES OF PROCEDURE/ Ordinance 2016-66**

MOTION BY Councilman Rudicell to adopt Ordinance 2016-66. *Seconded by Councilwoman Conaway.*

MOTION CARRIED UNANIMOUSLY

9. **RETAINING OFFICERS**

a.) **RETAINING CITY CLERK / REBECCA HAYES / RESOLUTION 2016-77**

MOTION BY Councilman Rudicell to *waive the reading* of Resolutions 2016-77, 2016-78, 2016-79, 2016-80, 2016-81, 2016-82, 2016-83 and 2016-84. *Seconded by Councilwoman Conaway.*

MOTION BY Councilwoman Conaway to adopt Resolution 2016-77. *Seconded by Councilman Rudicell.*

MOTION CARRIED UNANIMOUSLY

b.) **RETAINING TREASURER / KELLI KICHLER / RESOLUTION 2016-78**

MOTION BY Councilman Rudicell to **adopt** Resolution 2016-78. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

c.) **RETAINING POLICE CHIEF / DAVID CARPENETER / RESOLUTION 2016-80**

d.) **RETAINING CITY ATTORNEY / JAY ROSS / RESOLUTION 2016-81**

MOTION BY Councilwoman Conaway to **adopt** Resolutions 2016-80, and 2016-81. *Seconded by Councilman Rudicell.*

MOTION CARRIED UNANIMOUSLY

e.) **RETAINING FIRE CHIEF / JAMES “BO” WHITE / RESOLUTION 2016-79**

MOTION BY Councilman Rudicell to **adopt** Resolution 2016-79. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

f.) **RETAINING EMPLOYEES UNDER MERIT SYSTEM / RESOLUTION 2016-82**

MOTION BY Councilman LeJeune to **adopt** Resolution 2016-82. *Seconded by Councilman Rudicell.*

MOTION CARRIED UNANIMOUSLY

g.) **RETAIN CITY JUDGE / MICHAEL HOYT / RESOLUTION 2016-83**

MOTION BY Councilwoman Conaway to **adopt** Resolution 2016-83. *Seconded by Councilman Davis.*

MOTION CARRIED UNANIMOUSLY

10. **ASSIGNMENT OF COMMITTEES / RESOLUTION 2016-84**

MOTION BY Councilman Rudicell to **adopt** Resolution 2016-84 as amended to name Councilman LeJeune as chairman of the Buildings & Property Committee. *Seconded by Councilman Coleman.*

MOTION CARRIED UNANIMOUSLY

11. RATIFY USE OF PRESENT BANK DEPOSITORIES AND SIGNATORIES TO THE CITY ACCOUNTS / ORDINANCE 2016-67

MOTION BY Councilman Coleman to waive the reading of Ordinance 2016-67. *Seconded by Councilman Rudicell.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Coleman to adopt Ordinance 2016-67. *Seconded by Councilman Rudicell.*

MOTION CARRIED UNANIMOUSLY

11. ADJOURN

MOTION BY Councilman Rudicell to adjourn. *Seconded by Councilwoman Conaway*

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS THE MEETING ADJOURNED AT 7:30 PM.

Respectfully submitted by,

Rebecca A. Hayes, City Clerk

Certification of Presiding Officer:

Ron Scott,
Council President

1. CALL TO ORDER:

There being a quorum present Council President Scott called the meeting to order at 7:30 p.m.

2. ROLL CALL

COUNCIL MEMBERS PRESENT: Tommie Conaway; Pat Rudicell; Joel Coleman; Doug Goodlin; Ron Scott; Robin LeJeune; Joe Davis

Also Present: Mayor Haygood; Rebecca Hayes, City Clerk; Jenny White, Assistant City Clerk; Jay Ross, City Attorney; Michael Berson, City Attorney; Richard Johnson, Public Works Director; James White, Fire Chief; Margaret Thigpen, Civic Center Director; Adrienne Jones, Planning Director; Kelli Kichler, Finance Director/Treasurer; Tonja Young, Library Director; Vickie Hinman, HR Director; Michael Hoyt, Municipal Judge; David McKelroy, Recreation Director; Kara Wilbourn, Marketing; David Carpenter, Police Chief; Danny Lyndall, Director of Daphne Utilities; Al Guarisco, Village Point Foundation; Dorothy Morrison; Don Ouellette, Environmental Advisory Committee.

Absent: Richard Merchant, Building Official.

3. APPROVE MINUTES:

There being no amendments to the October 17, 2016 council meeting minutes they stand approved as written.

PUBLIC HEARINGS:

1. *Rezone:*

Earth, Inc.

Location:	Southwest of the intersection of Park Drive and Tallent Lane, east of the future Daphne Sports Complex
Present Zoning:	R-3, High Density Single Family Residential District
Requested Zoning:	R-6(G), Garden or Patio Home District
Recommendation:	Unanimous Favorable

Mr. Robert Stankoski, attorney for the developer, gave the presentation. He mentioned that this rezone received an unanimous favorable recommendation from the Planning Commission.

Council President Scott opened the Public Hearing at 7:05 p.m.

Mrs. Pauline Ouellette – Madison Place – spoke against the rezoning.

Council President Scott closed the Public Hearing at 7:07 p.m.

2. *Revision to the City of Daphne Zoning Map*

Recommendation: Unanimous Favorable

Mrs. Adrienne Jones, Planning Director, gave the presentation.

Council President Scott opened the Public Hearing at 7:08 p.m.

No one spoke for or against the revisions to the zoning map.

Council President Scott closed the Public Hearing at 7:08 p.m.

- 3. *Rezone:*** ***GCOF Daphne Commercial Property 13-64***
Location: Southwest intersection of CR 64 and Rand Avenue
Present Zoning: B-2, General Business District
Requested Zoning: R-7(A), Apartments
Recommendation: Favorable

Mr. Doug Bailey, HMR, gave the presentation.

Council President Scott opened the Public Hearing at 7:09 p.m.

No one spoke for or against the rezoning.

Council President Scott closed the Public Hearing at 7:10 p.m.

4. REPORT OF STANDING COMMITTEES:

A. *FINANCE COMMITTEE* – Rudicell

The next meeting will be November 14th at 4:30 p.m.

B. *BUILDINGS & PROPERTY COMMITTEE* – LeJeune

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

C. *PUBLIC SAFETY COMMITTEE* – Davis

The next meeting will be November 21st at 4:30 p.m.

D. *CODE ENFORCEMENT/ORDINANCE COMMITTEE* – Goodlin

The next meeting will be November 21st after the Public Safety meeting.

E. *PUBLIC WORKS COMMITTEE* – Coleman

The committee met today, and the minutes will be in the next packet. The next meeting will be December 5th.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. *Board of Zoning Adjustments* – Adrienne Jones

Reappoint Willie Robison.

MOTON BY Councilman Rudicell to reappoint Willie Robison to the Board of Zoning Adjustments. Term November 2016 – November 2019 (3 year term). Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY

B. *Downtown Redevelopment Authority* – Conaway

The October 26th minutes are in the packet.

MOTION BY Councilman Rudicell to reappoint Doug Bailey to the Downtown Redevelopment Authority. Term March 1, 2016 – March 1, 2022 (6 year term). Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to reappoint Patricia Vanderpool to the Downtown Redevelopment Authority. Term August 6, 2016 – August 6, 2022 (6 year term). Seconded by Councilman Rudicell.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to reappoint Dorothy Morrison to the Downtown Redevelopment Authority. Term November 19, 2016 – November 19, 2022 (6 year term). Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to appoint Belle Laurendine to the Downtown Redevelopment Authority. Term November 7, 2016 – November 7, 2022 (6 year term). Seconded by Councilman Rudicell.

MOTION CARRIED UNANIMOUSLY

C. Industrial Development Board – Davis

The board will meet November 15th at 12:00 p.m. in the Executive Conference room.

D. Library Board – Rudicell

Mrs. Dee Gamble chairman of the Library Foundation thanked council for the funds appropriated in the budget for the Porch Project. She said that she will be at the work session to make a presentation on the project.

E. Planning Commission – Scott

The September 22nd minutes are in the packet along with the staff report for the October 27th meeting.

MOTION BY Councilman Rudicell to set a Public Hearing date for December 19, 2016 and to approve advertising to consider:

Rezoning:	John White-Spunner, Blacksher White-Spunner, Rollins Tindell, Jr., Marl Cummings, and Sean Coley
Location:	Southwest Intersection of County Road 13 and U.S. Highway 90
Present Zoning:	R-3, High Density Single Family Residential District
Requested Zoning:	B-3, Professional Business, B-2, General Business District, B-2(A) General Business Alternate District, R-7(T), Townhouse District and R-7(A), Apartment District; and GC, Golf Course District
Recommendations:	Unanimous favorable recommendation to rezone from R-3 to B-2, General Business District (23.9 acres), B-2(A) General Business Alternate District (11.70 acres) and GC, Golf Course District (4.69 ac). 7 to 0 vote

Unfavorable recommendation to rezone 0.411 acres from R-3 to B-3, Professional Business. 6 to 1 vote
Favorable recommendation to rezone 12.06 acres R-7(T), Townhouse District, with a condition that there shall be a minimum seventy foot (70-ft) wide building setback along the west boundary of said R-7(T) District. 6 to 1 vote

Favorable recommendation to rezone 24.95 acres R-7(A), Apartment District, with a condition that there shall be a minimum one hundred foot (100-ft) wide building setback along the west boundary of said R-7(A) District. 6 to 1 vote

Pre-Zoning: John White-Spunner, Blacksher White-Spunner, Rollins Tindell, Jr., Marl Cummings, and Sean Coley

Location: Southwest Intersection of County Road 13 and U.S. Highway 90

Present Zoning: Un-zoned

Requested Zoning: B-2, General Business District, B-2(A) General Business Alternate District, GC, Golf Course District and R-7(A), Apartment District prior to annexing into the City of Daphne

Recommendation: Unanimous favorable recommendation to pre-zone to B-2, General Business District, B-2(A) General Business Alternate District and GC, Golf Course District . 7 to 0 vote

Favorable Recommendation to pre-zone to R-7(A), Apartment District, with a condition that there shall be a minimum one hundred foot (100-ft) wide building setback along the west boundary of said R-7(A) District. 6 to 1 vote

Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

F. Recreation Board – LeJeune

The Park Planning Team will meet Wednesday at 4:00 p.m. at the Rec Center

G. Utility Board – LeJeune

The minutes for the September 28th meeting are in the packet. They adopted the budget at the October 26th meeting, and the next meeting will be November 30th.

6. MAYOR'S REPORT

Mayor Haygood welcomed and congratulated council. He reported:

1. The City of Daphne has the finest Fire and Police Departments in the county and state. He received a letter of commendation for the Police Department on the professional and comforting way they handled an accident that involved someone from Montrose. The people named Officer Shawn Barnett, but did not get the name of the other officers.

2. Received a letter of appreciation from Commander Woodley of the US Navy. He is commander of LCS #210 known as the Gabrielle Gifford. The ship is currently docked at Austel, and the crew of 53 members worked together with the city's fire department to engage in some training for anti-terrorism and force protection at Fire Station #1. Some of the C Shift are present this evening Lt. Adam Byrd, Brett Camilleri and Jason Kalange. The crew was so appreciative of all the city did to help with the training. There was a great

comradery between them and the firemen. The crew looks forward to letting the Navy know about the relationship and the facility, and they hope that all future LCS crews continue to work together with the Daphne Fire Department.

3. The city was awarded a CDBG Block Grant for the Whispering Pines Sewer project in the amount of \$225,000 which will be available to help low to moderate income families that want to hookup to the sewer.

7. CITY ATTORNEY REPORT:

Mr. Ross introduced Patrick Dungan who is new to the firm, and will be taking Kevin's place and helping him and Michael Berson.

8. DEPARTMENT HEAD COMMENTS:

James White – Fire Chief – thanked council for the vote of confidence in reappointing him as Fire Chief. He mentioned that the state is under a burn ban by the Governor.

David McKelroy – Recreation Director – gave the sports report.

Adrienne Jones – Planning Director – thanked the mayor for the new Planning Commission member. The Commission elected new officers and they are: Chairman - Mr. Bill Scully / Vice Chairman – Beth Bergen / Secretary – Charles Smith

Michael Hoyt – Municipal Judge – thanked council for the reappointment.

9. CITY CLERK'S REPORT:

10. PUBLIC PARTICIPATION

Mr. Richard Jaehne – Bellaton Subdivision – spoke regarding connectivity with Bellaton subdivision and the Balckstone Lake project. He spoke against connecting the two subdivisions.

Mr. William Belfore – 24688 Adalade Lane – spoke regarding his concern for the traffic that will be coming through Bellaton, and the safety of the children. He welcomes the subdivision, but not as a connector.

Mr. Sean Gibbs – invited council to the closing ceremony for Girls Softball, and he looks forward to the new facilities.

Mr. John Lake – 110 Paige Circle – spoke regarding multi-family rezoning and putting the burden on citizens.

Mr. Bob Cak – 9731 Bella Drive – spoke regarding the safety of the children in the Bellaton subdivision if it is connected with Blackstone Lake subdivision.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

NO RESOLUTIONS

ORDINANCES:

2ND READ

- a.) **Ordinance 2016-62.**Pre-Zone Property Located Southeast of Corte Road and County Road 13 / Fred L. Corte
- b.) **Ordinance 2016-63.**Appropriation from the Lodging Tax Funds: Lake Forest Marina Ground Lease, Master Planning, Survey, Permitting, Designing and Maintenance of Channel Markers for the New Daphne Boat Ramp

Ordinance 2016-64. Appropriation from the Lodging Tax Funds: May Day Boat Ramp Removal / Sand Replacement

MOTION BY Councilman Rudicell to adopt Ordinance 2016-64. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

Ordinances 2016-68, 2016-69 and 2016-70 are 1st Read.

12. COUNCIL COMMENTS

Councilwoman Conaway – thanked council for the privilege of being council president pro-tem, and thanked Councilman Rudicell for the great job he did as council president, and congratulated the new members. She is pleased about the CDBG Block Grant, and she thanked Chief White for the invitation to attend the banquet on Saturday. She thanked all the first responders.

Councilman Rudicell – said that that today is his mother’s birthday, and was sad that his parents could not be present tonight due to illness. He thanked everyone for their support, and congratulated the new members.

Councilman Coleman – said he is humbled and honored to be on the council. He thanked Mr. Lake for the popcorn and words of wisdom.

Councilman Goodlin – thanked everyone and especially his wife. He thanked Mr. Rudicell for being a mentor to him with understanding government. He looks forward to serving for the next four years.

Councilman LeJeune – welcomed the new members. He said it is an honor to serve the citizens of Daphne. He looks forward to working with everyone.

Councilman Davis - said his heart goes out to Councilman Rudicell as he and his wife took care of both sets of parents.

Councilman Scott – appreciates council and looks forward to serving together. They have a lot to take care of, and have to deal with growth.

Mayor Haygood said that he and council have to work together, and encouraged everyone to vote tomorrow. He thanked Margaret Thigpen and her staff for their help with the election. He mentioned that this Friday there will be a Veteran’s Day program at Daphne High School. The city combined with the high school for this program.

13. ADJOURN:

MOTION BY Councilwoman Conaway to adjourn. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:00 P.M.

Respectfully submitted by,

Certification of Presiding Officer

Rebecca A. Hayes, City Clerk

Ron Scott, Council President

COUNCIL MEMBERS PRESENT: Tommie Conaway; Pat Rudicell; Joel Coleman; Doug Goodlin; Ron Scott; Robin LeJeune; Joe Davis.

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Jenny White, Assistant City Clerk; Jay Ross, City Attorney; Patrick Dungan, City Attorney; Richard Johnson, Public Works Director; Adrienne Jones, Planning Director; Don Ouellette, Environmental Advisory Committee.

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

1. Ordinance 2016-62 / Pre-zone Property located Southeast of Corte Road and County Road 13 / Fred Corte

Mrs. Jones explained the project and planning process. She reported that in the original Bellaton subdivision plans there were two stubbed out roads intended for future expansion of the subdivision. Residents of Bellaton are concerned with the additional traffic from the new subdivision. The owner worked with the residents on several other issues and resolved them, but connectivity was always planned for Bellaton. She said that the ordinance will be on the Planning Commission's agenda for Thursday.

Mr. John Avent, with Dewberry|Preble-Rish, related that the public benefit of connecting Blackstone Lake to Bellaton would be that once Johnson Road is finished out to County Road 13 there would be quicker response from fire and police service for all residents. He said that his company was involved with the development of Bellaton, and it was always planned to develop out to County Road 13.

Council wanted to know the definition of connectivity and who determines what is "of public benefit".

The ordinance will come back to council with a recommendation from the Planning Commission.

2. PRESENTATION: LIBRARY FOUNDATION / MRS. DEE GAMBLE

Mrs. Gamble presented a power point presentation regarding the addition of a porch at the Library where people would be able to converse. She presented the fund raising project for the addition. She encouraged everyone to give a donation toward the project.

3. DONATION OF LENDING LIBRARY MONUMENT / MRS. ROSEMARY HART

Mrs. Hart described the monument and how the lending library works, and requested the city to find a site where the monument could go. She said that she would provide the books.

Council President Scott said that staff would look for a site and bring back three or four recommendations to the Buildings and Property Committee meeting on December 5th.

4. Anything Else Deemed Necessary

Resolution for the Special Care Facilities Financing Authority of the City of Pell City, AL / Refinance Bonds / Jay Ross.

Mr. Ross stated this resolution came from Maynard Cooper Law Firm. They are refinancing an improvement bond in the amount of \$15.8 million. There will be no effect on the city's debt limit or credit.

Council President Scott requested this be on the agenda for November 21st.

Update on Recreation Facilities / Tim Patton

Mr. Patton presented a power point with current drawings and schedules for how the project will proceed.

Daphne Strike Club / Ruth Seawell

Mr. Ross stated that the Attorney General has the resolution requesting an opinion and they are working on it at this time, but is not sure when it will come out.

Mrs. Seawell is worried that the opinion will not come back before the option on the property expires December 7th. She said that they are on their third extension. The Club would like the city to purchase the property and do a lease/purchase agreement with the club.

Councilman LeJeune suggested they form a committee to discuss the issue and report back to council. The committee will consist of Mayor Haygood, Councilman LeJeune, Councilman Coleman and Mrs. Seawell. Mr. Ross will organize a meeting.

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:00 P.M.

Respectfully submitted by,

Rebecca A. Hayes,
City Clerk

Certification of Presiding Officer:

Pat Rudicell,
Council President

My Eagle Project



Sam Miller

My plan

I'm planning to place 4 bat houses at specific places around the city. The locations are Mayday Park, Bayfront Park, Trione Sports Complex, and the Fire Training Field.

Three of the four bat houses will be 16x30". They will be placed at Mayday Park, Bayfront Park, and Trione Sports Complex. Each of these locations has a birdhouse on a tall pole. Each of these poles can be taken down so the bird house can be cleaned. I plan to mount a bat house just underneath the birdhouse on each pole. Since the poles can be laid down, it will make the mounting process that much safer.

The fourth bat house will be at the Fire Training Field on the wall of the firehouse. It will be about 24x30". I will need a bucket truck to mount this bat house.

This is the blueprint for my bat houses.

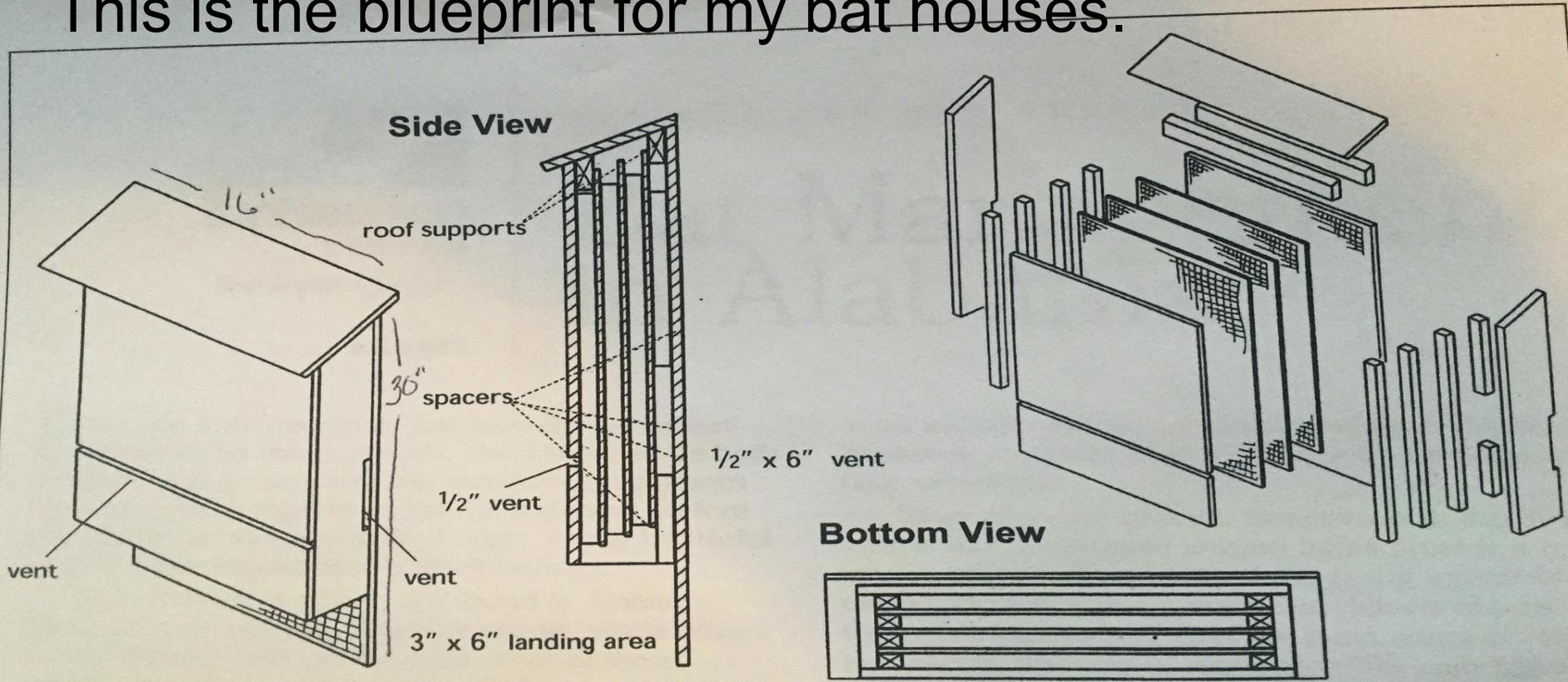
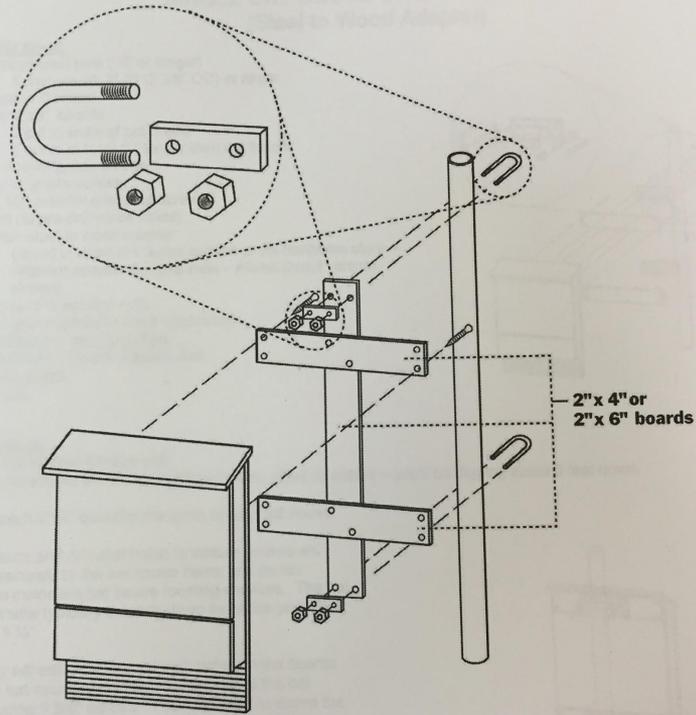


Figure 2. Plan for bat house. Drawing courtesy of Bat Conservation International. For more information, visit BCI's Web site at www.batcom.org.

This is how I'll mount the bat houses on the the poles.



How my project will improve Daphne

- My bat houses will help decrease the amount of mosquitos and mosquito-sized insect in the Daphne area.
- The bat houses will be at four different points in Daphne's outskirts, forming a square that encompasses most of Daphne
- The four points where I plan to place bat houses are in relatively secluded, quiet areas where the bats won't be disturbed, where their guano won't disrupt human activity, and their presence won't be so noticeable (except in the decreased mosquito population).

My Research

- One small bat can eat 1,500 mosquitoes per hour. If you consider that there are 8 hours in a night, one small bat can eat up to 12,000 mosquitoes per night.
- There have been some concerns about bat guano giving off toxic fumes. This will not be a concern with this project because they only reach toxic concentrations in enclosed spaces, such as caves.
- There should be no concerns that bats will disturb human activity because bats are nocturnal.

More of my research

- It may take a year or two for the bats to find my bat houses, so this is more of a long-term investment than immediate gain. However, it will help the bats find a good home, NOT someone's attic.

This is the big brown bat.
This is a non-migratory
species that lives in our area
year-round.



This is the Brazilian free-tailed bat, a migratory species that spends its Summers here and its Winters in Mexico.



- These bats are a useful part of our environment, and can easily become a nuisance without a proper home.
- These bats will help us by eating mosquitoes that cause itchy, annoying bites and may carry West Nile or Zika.
- This is why I am asking for your approval of this project.

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
November 14, 2016
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:30 p.m.

Present were: Councilwoman Mrs. Conaway, Councilman Pat Rudicell, Councilman Doug Goodlin, Councilman Ron Scott, Councilman Robin LeJeune, Councilman Joe Davis, Finance Director Kelli Kichler, Senior Accountant Suzâne Henson, Human Resource Director Vickie Hinman, Revenue Officer Jamie Smith, and City Attorney Jay Ross.

Councilman Joel Coleman arrived at 6:00 p.m.

Also Present: Public Works Director Richard Johnson, Public Works Deputy Director William Eringman, Civic Center Director Margaret Thigpen, City Clerk Rebecca Hayes, Building Inspector Richard Johnson, Environmental Program Manager Ashley Campbell, Community Development Director Adrienne Jones, John Lake, Scott Hutchinson, HMR, Tim Patton, Volkert Engineering and Ms. Selena Vaughn, Village Point Foundation.

I. PUBLIC PARTICIPATION

**A. Hazard Mitigation Grant to acquire 118 Lakeview Loop, Mr. Robert Dyess -
Teri Lynn Platt, c/o Teri Lynn Dyess 118 Lakeview Loop, Lot 8 Unit 21 (PPIN:066532)**

The request from Mr. Russell Dyess for the City to assist with applying for a Hazard Mitigation Grant to acquire his home at 118 Lakeview Loop in Lake Forest subdivision was discussed at November's Building and Property Committee and forwarded to the Finance Committee to discuss an appropriation. Mr. Dyess reviewed the history of flooding for his property. Mr. Merchant and Mrs. Campbell discussed the previous three properties in Lake Forest that were acquired by the City through a Hazard Mitigation Grant.. Discussion continued on the property and it was noted that an appropriation would be addressed later in the meeting with the other appropriations.

II. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

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

Positions

School Crossing Guard (3)
Building Maintenance Tech.
PSW, Sr. – Street
Volunteer Coordinator

Status

Positions Filled!
Posted until filled
Re-post: 11/8-11/22
Scheduling Interviews

Safety Committee

The committee discussed injuries and property damage. Building inspections were performed at City Hall. It was reported extension cords were not being used properly. Committee members are to remind their department supervisors of the requirement of drug/alcohol test after an accident on weekends.

Next Safety Committee meeting: December 3rd @ 10:00 a.m.

Other HR projects/meetings/events:

- Kronos upgrade complete
- Benefits/Payroll Coordinator visited Fairhope Payroll - training in Munis employee deposit procedure – Oct. 12
- New Employee Orientation held on Oct. 18
- Munis training Oct.19
- Benefits/Payroll Coordinator & Sr. HR Specialist attended HR seminar- Oct. 28
- HR Director attended HR Conference – Nov. 4
- Munis ESS upgrade ongoing
- Risk Management audit Nov. 16

- HR Assistant is on leave for 4-6 weeks during Oct. & Nov.

Mr. Scott asked about the open positions and the length of time the positions had been vacant. Mr. Johnson discussed the Building Maintenance position. Discussion was made that the Volunteer coordinator position was posted this summer. The Mayor stated they were reviewing the skillsets of the top 20 applicants. Mrs. Kichler there was an agreement for the last three months of FY2016 and a separate agreement for this fiscal year. The Mayor noted the SARPC agreement had not been signed until about a month ago. Mrs. Kichler stated that the City shares the position with SARPC and the City's match is providing the office space. Ms. Kichler stated SARPC will pay a fixed amount to the volunteer. The SRVP – Senior Retired Volunteer Program is a program where the volunteer works throughout Baldwin County on Senior programs and will be available part of the time to assist with similar programs for the City of Daphne. Mr. Rudicell commented on the need to fill the vacant positions.

III. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – October, 2016

BUSINESS LICENSE COUNT through 10/31/2016	
Issued THIS MONTH:	
NEW Licenses	44
RENEWAL Licenses (2016)	24
PRIOR YEAR Licenses (2015 and Prior)	3
Total Issued THIS MONTH	71
Total Issued THIS MONTH - PREVIOUS YEAR	71
Net Gain/-Loss Current VS Previous Yr MONTH	0
Total Issued YTD 2016	4,702
Total Issued YTD - PREVIOUS YEAR	4,523
Net Gain/-Loss Current VS Previous Yr YTD	+ 179

Code enforcement issued 10 warnings resulting in businesses becoming compliant and \$963 in revenue.

Mrs. Smith reviewed the following reports and information:

- Business License Fees report for March separated by Territory and Status.
- New Businesses with a physical location in Daphne - 11
- Total collections for October 2016 were \$7,104
- YTD collections are up \$1,211 from the previous year.
- Delinquency report showed 8 current delinquencies.

Mr. Davis asked if information could be obtained on businesses that are outside of the City limits but in the City's extraterritorial jurisdiction for annexation purposes. Mrs. Smith explained some businesses in the extraterritorial jurisdiction would have a City of Daphne Business license if they did business in Daphne but all should have a County business license. The Mayor noted that research on these businesses had been done a few years ago. Discussion continued on business licenses recently issued.

IV. CURRENT BUSINESS

A. Approve previous months minutes

The previous minutes were approved.

B. Financial Reports

1. Treasurer's Report: October, 2016

Mrs. Henson reviewed the Treasurer's Report:

Account Type/Title	Bank / Brokerage	Increase (Decrease)			Increase (Decrease)	
		10/31/2016	9/30/2016	from last Month	10/31/2015	from Last Year
Total Unrestricted Cash Balance		12,602,155	13,029,646	(427,491)	\$ 10,228,288	\$ 2,373,867
Total Restricted Cash Balance		9,171,550	9,059,106	112,444	8,208,627	962,923
Total City Cash Balance		\$ 21,773,704	\$ 22,088,752	\$ (315,048)	\$ 18,436,915	\$ 3,336,789
		Encumbrance Total as of 9/30/2016			\$633,724	

Ms. Kichler reviewed the Encumbrance report for the end of FY16 and noted that several of the items would clear off once projects were completed.

Discussion continued on the following items:

- \$5,012 – DHS Communications Equipment – *Mr. Goodlin will follow up with DHS on spending these funds*
- \$30,000 – Civic Center: Electronic Signage – *Mr. LeJeune will place this on the next Buildings and Properties Committee agenda*
- \$30,000 - Long Term Comprehensive Plan – *Mrs. Jones noted that once the Mayor and Planning and Zoning approved the plan it would come before the Council for approval.*

The Treasurer's Report as of October, 2016 Total Unrestricted Cash Balance - \$12,602,155 and Total City Cash Balance - \$21,773,704 was presented to be filed for audit.

2. Sales and Use Taxes: September, 2016

Mrs. Henson reviewed the Sales & Use Tax Reports and Graphs: \$1,246,714 was collected for September, 2016:

- YTD Variance over Budget - \$ 961,484

3. Lodging Tax Collections, September, 2016

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for September, 2016 were \$72,524 which is down (\$12,408) from September 2015's collections of \$84,932 .

- YTD Variance over Budget: \$38,150

4. Lodging Tax Fund : Statement of Rev over Exp, October, 2016

Mrs. Henson reviewed the Lodging Tax Statement of Revenues over Expenditure report for **October**, 2016.

- Unreserved balance for Bayfront related purchases - \$ 1,514,782
- Recreation related purchases balance - \$ 377,133

Mrs. Henson reviewed the Lodging Tax Fund statement and noted this statement is for October (the first month of the fiscal year) so that is why there is little activity shown. Ms. Kichler noted that \$800,000 for Design fees for the Recreation Facilities has been paid so there should not be any more expenditures this large coming out of Lodging Tax Fund.

5. Correction/Court Fund Report, September, 2016

Mrs. Henson reviewed the Correction/ Court Fund Report and reported that no transfers have been required to date this year.

- Court balance - \$211,083
- Corrections balance - \$3,917
- No transfers were required in FY16 from the court portion of the fund to the corrections for the purchase of inmate meals

6. General Fund Budgetary Comparison Schedule, September 2016

7. General Fund Balance Sheet, September 2016

8. General Fund Statement of Rev Over Exp, September 2016

9. Debt Service Fund Statement of Rev Over Exp, September 2016

10. Debt Service Summary Activity for General Fund through September 2016

11. Debt Service Summary Activity for Enterprise Funds through September 2016

12. Agency Funds Combining Statement of Assets and Liabilities, September 2016

13. Special Revenue Funds Balance Sheet, September, 2016
14. Special Revenue Funds Stmt Rev, Exp,&Changes in Fund Balance, September 2016
15. Capital Projects Funds Balance Sheet, September 2016
16. Capital Projects Funds Statement of Rev Over Exp, September 2016
17. Enterprise Funds Statement of Net Position, September, 2016
18. Enterprise Funds Stmt of Rev, Exp, & Changes in Net Position, September 2016

Ms. Kichler reviewed the financial reports:

General Fund

Unassigned fund balance - \$ 12,226,475

Total liabilities, deferred inflow, and fund balances - \$ 20,034,005

General Fund Revenues - \$28,542,531

Required 3 months Reserve per policy - \$7,135,633

Assigned Encumbrances - \$633,724

FY16: \$27,900,000 was budgeted for revenue FY16 ended at \$28,542,000 in revenues

FY16: GAAP Revenues over Expenditures:\$1,704,540 less encumbrances = Budgetary Revenues over Expenditures - \$1,270,214

Revenues received for FY16, the budget process was discussed and the benefit of budgeting contingency funds was discussed.

Debt Service Fund

DEBT SERVICE FUND		AS OF 9/30/2016	
FY2016 YTD Principal payments made	\$	3,603,941	
FY2016 YTD Interest Payments made	\$	1,247,871	
FY2016 TOTAL YTD DEBT PAYMENTS	\$	4,851,812	
FY2016 Remaining Debt payments	\$	-	
Balance of Debt for Warr/Bond Issues	\$	33,270,204	
Balance of Debt for Capital Leases	\$	1,460,888	
TOTAL DEBT BALANCE	\$	34,731,092	

The City's debt repayment process and bond requirements was discussed.

Special Revenue Funds

Fund balance for Special Revenue Funds: : \$3,011,188

Capital Projects Funds

Capital Reserve Fund balance - \$2,454,206

2014 Capital Improvements - \$418,100

2016 Capital Improvements - \$845,204

Enterprise Funds

Transfers required from General Fund to Enterprise fund for net Operating Losses are as follows:

- Solid Waste (*Garbage & Recycling*) – (\$631,716)
- Civic Center – (\$319,654)
- Bayfront – (\$156,801)
- Total transfer to the Enterprise Funds – (\$1,108,171)

Mr. Johnson noted there has been discussion on making a small increase in Garbage fees to offset the transfers required from the General Fund. Mr. Johnson also noted that the C&D permit should be approved soon for the City's landfill and that will help offset County landfill fees. Mr. Davis discussed Lodging Tax paying some insurance and maintenance cost for the Bayfront facility. Mrs. Kichler stated that monies were being spent rapidly from the Lodging Tax. Mr. Scott discussed the restrictions on these funds.

ENTERPRISE FUND - DEBT SUMMARY - AS OF 9/30/2016	
FY2016 YTD Principal payments made	\$ 145,213
FY2016 YTD Interest Payments made	\$ 7,536
FY2016 TOTAL YTD DEBT PAYMENTS	\$ 152,749
FY2016 Remaining Debt payments	\$ -
TOTAL DEBT BALANCE FOR CAPITAL LEASES	\$ 270,666

19. Bills Paid Reports – October, 2016

The Bills Paid Report was presented in the packet.

C. Appropriation Request: (Ordinance)

1. 2016 Community Development Block Grant (CDBG) for: Sewer Hookups in the Whispering Pines & Pollard Road community
 - a. Ordinance: \$25,018 Appropriation for Required Match
 - b. Resolution: Grant Administration & Engineering RFP: Approve Advertising

Mrs. Henson stated this item was forwarded to the Finance Committee from the Building and Property Committee because an appropriation is needed. Mrs. Henson stated there is an ordinance that needs to be approved for the appropriation of the City’s required match for the CDBG Grant for Sewer Hookups in the Whispering Pines & Pollard Road community and a Resolution to approve advertising for a Grant Administration RFP and Engineering RFP as required by the CDBG Grant.

MOTION BY Mr. Scott to recommend to Council to
1. adopt an Ordinance amending the budget to appropriate \$25,018 from Capital Reserve Fund for the City’s match for the CDBG Grant for Sewer Hookups in the Whispering Pines and Pollard Road community.
2. adopt a Resolution approving advertising for a Grant Administrator RFP and Engineering services RFP.
Seconded by Mrs. Conaway.
MOTION CARRIED UNANIMOUSLY

2. FEMA/HMGP-Hazard Mitigation Grant to acquire 118 Lakeview Loop
 Teri Lynn Platt, c/o Teri Lynn Dyess 118 Lakeview Loop, Lot 8 Unit 21 (PPIN:066532)

Mrs. Henson reviewed there is a draft ordinance in the packet showing the match required for this project. FEMA will potentially cover 75% of the project (estimated Market Value \$135,500 - \$33,875 is 25% match required from homeowner or the City). Mrs. Henson noted the draft ordinance includes the estimated demolition cost of \$10,000. Mrs. Campbell stated the monies need to be appropriated before the application is made. Mrs. Campbell asked if the monies were not spent this fiscal year would they be available next fiscal year. Ms. Kichler stated the monies could be encumbered for the next fiscal year.

Mr. Scott recommended the City match up to \$20,000 as an in-kind match which would include the demolition of the building structures. Mr. Merchant discussed previous properties that the City has participated in providing a match and noted each property had different circumstances and issues. Mr. Ross discussed how legal may address any legal exposure and noted the more consistent you can be the better. Mr. Davis discussed additional consideration should be given to properties that have had three or more flooding events.

MOTION BY Mr. Scott to adopt an ordinance appropriating up to \$20,000 out of the General Fund to assist the property owner with the required FEMA 25% match which includes demolition cost.
Seconded by Mr. Davis. AYE: Scott, Goodlin, Conaway, Davis - Nay: Rudicell, LeJeune.
MOTION CARRIED

3. Mayor's Request for One-Time Lump Sum Pay Adjustment

The Mayor discussed giving employees a one-time lump sum pay adjustment. The Mayor stated that the City has had a very good budget year. The Mayor added that employees have recently taken on a larger burden for their portion of employee insurance cost since rates have increased and addressed previous pay scale adjustments (longevity) that were given to employees noting that he felt the lower end of the pay scale was not addressed enough. Mrs. Kichler stated the proposal is net of payroll taxes but retirement would still come out as follows:

- \$250 (net of payroll taxes) for Full-Time employees
- \$150 (net of payroll taxes) for the remaining regularly scheduled on-temporary Part-Time employees
- \$ 75 (net of payroll taxes) for School Crossing Guards and part-time Dispatchers.

Mr. Davis clarified that this is just a one-time pay and would not change employee's future salary.

MOTION BY Mr. Scott to adopt an ordinance appropriating \$82,569 out of the General Fund for a One-Time Lump Sum Employee Pay Adjustment net of payroll taxes but with retirement still being deducted as follows:

- **\$250 (net of payroll taxes) for Full-Time employees**
- **\$150 (net of payroll taxes) for the remaining regularly scheduled on-temporary Part-Time employees**
- **\$ 75 (net of payroll taxes) for School Crossing Guards and part-time Dispatchers.**

Seconded by Mr. LeJeune.

MOTION CARRIED UNANIMOUSLY

4. Replace Mowing Truck-V#1427 (wrecked Oct'16)-New Truck \$27,000- \$15,000 (settlement) = \$12,000 appropriation

Mr. Johnson explained that the Mowing Truck, Vehicle#1427 was rear-ended by another driver while the employee was working. Mr. Johnson noted the other driver was at fault and will be responsible for paying the City the insurance settlement amount of approximately \$15,000. Mr. Johnson reviewed the information included in the packet for the purchase of a new truck off the State of Alabama bid contract. Mr. Johnson stated the purchase cost is \$27,000 including options selected. Discussion continued on the City's insurance coverage on vehicles.

MOTION BY Mr. Scott to adopt an ordinance appropriating \$12,000 (net cost after applying insurance settlement) out of the General Fund for the replacement truck for the Mowing department for a vehicle that was totaled. Seconded by Mr. LeJeune.

MOTION CARRIED UNANIMOUSLY

D. Bids: (Resolution)

1. 2017-A-MONITORING SERVICES FOR DISASTER DEBRIS REMOVAL

Mr. Eringman reviewed the bid submittals received and noted that the City attorney is reviewing the exceptions taken by the apparent low bidder concerning the Davis Bacon Act. City attorney discussed that they were researching the Davis-Bacon Act requirement and they had contacted FEMA representatives and the Department of Labor (DOL) to clarify the requirements. Mr. Ross noted when reviewing the information online it is confusing. Mr. Ross noted during his conversation with the regional director of the DOL the director commented that the website does need to be updated to make it more clear that the Davis-Bacon is required. Mrs. Henson stated the Davis-Bacon Act requirements are included in the bid specifications but due to both vendors having exceptions and various organizations and consultants contacting having different interpretations a legal opinion was requested. Mr. Eringman stated he has been in contact with the low bidder with the clarifications on contract requirements and is waiting for their response back. Mr. Johnson noted these requirements are very important but at this time of the year this contract is not critical which gives us time to review then award the contract. Discussion continued that this bid contract would come back before the Finance Committee at a later date.

E. Setup new Depository Account & Transfer of Funds for SAIL Site, Four Cent Gas Tax, and Seven Cent Gas Tax (Resolution)

Ms. Kichler discussed the current bank where the SAIL Site, Four Cent Gas Tax, and Seven Cent Gas Tax account are held charges higher service fees and therefore the City receives lower interest on these accounts than other banks offer. Ms. Kichler stated she is recommending the Four Cent Gas Tax and Seven Cent Gas Tax accounts be moved to Bryant bank and

to consolidate the SAIL Site account monies into the current MMA account at BBVA Compass Bank. Ms. Kichler stated the SAIL Site monies are not required to be maintained in a separate account so consolidating the fund would be more efficient.

F. Discuss earmarking Surplus Sale money for Sidewalks

Discussion was made at the Building and Property Meeting requesting surplus revenues be earmarked for Sidewalks. Ms. Kichler stated that there was not any large surplus items anticipated for sale at this time that would provide funds for sidewalks. Mr. Johnson stated there was sufficient monies budgeted for FY2017 for sidewalks. Mr. Scott stated he rescinded his request to use surplus monies for sidewalks.

G. Building Permit Fee Waiver Request- \$1,800 Bounds Family YMCA

Ms. Kim Hillman requested the building permit fee be waived for the emergency building repair fee of \$1,800. Ms. Hillman reviewed the services the YMCA offers the community and stated that they do not turn anyone away for not being able to pay fees. Mr. Ross stated Council can waive the building permit fee if it serves a public interest. Discussion continued of other community contributions the City gives the YMCA.

MOTION BY Mr. Scott to recommend to Council to waive the \$1,800 permit fees for emergency repairs at the Bounds Family YMCA facility. Seconded by Mr. Goodlin. AYE: Scott, Goodlin, LeJeune, Davis - NAY: Rudicell, Conaway.

MOTION CARRIED

V. OLD BUSINESS

A. LODGING TAX: Daphne Sports Complex-Timber Removal \$41,336

Mr. Rudicell stated the Timber Removal fees were discussed at last month's Finance Meeting and asked if there was any new information. Mr. Rudicell asked Ms. Kichler to review the invoice presented at last month's meeting. Ms. Kichler stated the invoice included a description of Initial services associated with consulting & timber operations, Geotechnical services & temporary road location with the following breakdown: HMR- \$ 10,492.50, Malone Forestry - \$16,027, and Southeastern Natural Resources - \$14,816.59 for a total of \$41,336. Ms. Kichler stated that originally the understanding was there was supposed to be some revenue received for cutting the trees which would defray cost of services. Mr. LeJeune stated they are working on getting some information to determine if there are monies due from the cut Timber. Mr. Johnson reviewed the process where the Geotechnical company was hired and forestry company was hired to cut the trail for the road. Mr. Johnson discussed that Public Works did not have the equipment needed to install the road and that is why the project had to be hired out. Mr. Johnson stated he had the impression that the broker made his pay from the timber cut but that appears to not be the case. Mr. Johnson noted that Malone Forestry's invoice did come in higher than expected. Mr. LeJeune stated he appreciated Mr. Johnson bringing that information but this needed to be put on hold until further information can be obtained concerning revenues from the cut timber.

B. Appropriation: Architectural Services: Landscaping and Ballfield Site Work for Daphne Recreational Facilities - \$12,000

Mr. Tim Patton stated that the Parks Planning Team met and recommended that additional landscape and architectural features need to be identified to coincide with local coastal aesthetics. Mr. Tim Patton discussed the need to split the architectural services into two phases. Mr. LeJeune discussed the Park Planning Team had done a lot of work and requested an appropriation of \$12,000 for these architectural services.

MOTION BY Mr. LeJeune to adopt an ordinance appropriating \$12,000 out of the Lodging Tax Fund for Architectural services for Landscaping and Ballfield site work. Seconded by Mr. Davis.

MOTION CARRIED

C. Discuss Appropriation from Lodging Tax Fund: Daphne Sports Complex Buffer Zones: Native Species Plantings & Invasive Species Control-\$16,278

Mrs. Campbell discussed that monies are requested to replant the disturbed buffer areas and also need to address some mitigation since the disturbance was not approved or permitted. Mr. Scott asked if it had been determined how many feet had been disturbed and what area the \$16,278 would repair. Mr. Johnson discussed that some of this area is re-vegetating itself. Mrs. Campbell discussed that there was no discussion at the Planning Commission on cutting any trees within the buffer area and actually some large trees were cut in the wetlands and the buffer zone. Mrs. Campbell stated she is requesting monies to repair the buffer zone and that she is not recommending to plant in any area that is not needed. Mrs. Campbell stated if the City does not want to repair the buffer zone area then the project needs to go back before the Planning Commission and a waiver be requested. Mrs. Campbell stated we need to decide if the road can stay. Mrs. Campbell stated there is a letter from the Corps of Engineers in the packet that requires a response from the City.

Mr. LeJeune recommended going back to the Planning Commission and get some approval for what needs to be planted and request a variance for the 30' buffer. Mr. LeJeune stated there was approval to disturb four of the buffer zones so a waiver needs to be requested for this area. Mr. Davis discussed needing to review what they want the wetlands to look like on the outside of the buffer zone and what needs to be planted. Mrs. Campbell noted the buffer is the protection zone.

MOTION BY Mr. LeJeune to move the discussion of the Daphne Sports Complex Buffer Zone back to the Planning Commission in order to request an approval for a variance on the 30' buffer zone that was disturbed during road construction. Seconded by Mr. Davis. Scott - AYE / Goodlin - AYE / LeJeune-AYE / Davis-AYE / Rudicell-AYE / Coleman-AYE / Conaway-NAY.

MOTION CARRIED

VI. ADJOURN The meeting adjourned at 6:33 p.m.

TREASURER'S REPORT

As of October 31, 2016

Account Type/Title	Bank / Brokerage	10/31/2016	9/30/2016	(Decrease) from last Month	10/31/2015	(Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	Compass Bank1	\$ 7,030,944	\$ 7,482,874	\$ (451,930)	\$ 4,780,335	\$ 2,250,609
INVESTMENT FUND	Raymond James	5,454,088	5,439,225	14,863	\$ 5,343,812	\$ 110,276
CREDIT CARD ACCOUNT	Compass Bank3	6,767	742	6,025	\$ 500	\$ 6,267
MUNICIPAL COURT	Compass Bank2	110,356	106,805	3,551	\$ 103,641	\$ 6,715
Total Unrestricted Cash Balance		12,602,155	13,029,646	(427,491)	\$ 10,228,288	\$ 2,373,867
SPECIAL REVENUE FUNDS						
4 CENT GAS TAX	PNC Bank1	217,683	212,408	5,275	159,680	58,003
7 CENT GAS TAX	PNC Bank2	386,573	389,850	(3,277)	463,757	(77,184)
TREE & FLOWER	Compass Bank1	18,926	18,926	(0)	16,666	2,260
SAIL SITE	PNC3/Compass1	1,778	(412)	2,190	812	966
NON-MAJOR STORMS	Compass Bank1	(13,962)	(191,977)	178,015	(894,024)	880,062
BP OIL SPILL	Compass Bank1	-	-	-	426,768	(426,768)
FEDERAL DRUG FORFEITURES	Compass Bank1	184,560	186,104	(1,544)	242,128	(57,568)
LOCAL DRUG FORFEITURES	Compass Bank1	4,804	213	4,591	23,503	(18,699)
LIBRARY	Compass Bank1	13,010	12,052	958	6,398	6,612
CONCESSION STAND	Compass Bank1	-	-	-	-	-
COURT TRAINING & EQUIPMENT	Compass Bank2	35,428	35,998	(570)	33,421	2,007
COURT JUDICIAL ADMINISTRATIVE	Compass Bank2	113,556	110,139	3,417	133,264	(19,708)
COURT CORRECTION	Compass Bank2	217,901	213,962	3,939	187,187	30,714
LODGING TAX	Compass Bank1	1,783,670	1,976,887	(193,217)	2,822,759	(1,039,089)
AGENCY FUNDS						
SELF INSURANCE	Compass Bank1	111,371	109,241	2,130	84,508	26,863
FLEX SPENDING	Compass Bank1	98	9,785	(9,687)	(556)	654
		3,075,397	3,083,176	(7,779)	3,706,271	(630,874)
CAPITAL PROJECT FUNDS						
CAPITAL RESERVE	Wells Fargo Bank1	2,544,987	2,547,309	(2,322)	1,342,117	1,202,870
2014 CAPITAL IMPROVEMENTS	Compass Bank	418,116	646,849	(228,733)	782,272	(364,156)
2016 CAPITAL IMPROVEMENTS	Compass Bank	845,207	845,200	7	-	845,207
		3,808,310	4,039,358	(231,048)	2,124,389	1,683,921
DEBT SERVICE FUNDS						
DEBT SERVICE	Wells Fargo Bank2	2,287,843	1,936,572	351,271	2,377,967	(90,124)
Total Restricted Cash Balance		9,171,550	9,059,106	112,444	8,208,627	962,923
Total City Cash Balance		\$ 21,773,704	\$ 22,088,752	\$ (315,048)	\$ 18,436,915	\$ 3,336,789
Encumbrance Total as of 9/30/2016					\$633,724	

FY 2016
Reserve for Encumbrances
[1003-280281](#)

Highlighted numbers denotes activity during that month

8/31/2016	FY 2005	30,000.00	Civic Center: Electronic Signage
	FY 2010	5,012.18	Daphne High School Communications Equipment
	FY 2015	3,375.00	MS4-Grant Management -Ordinance 2015-42. CIAP/NFWF Grant
		2,637.50	Finance-Fixed Asset Conversion-Tyler Technologies (PO1502084 & 2172)
		30,000.00	Executive-Welcome Signs-City of Daphne - FY15 Capital Budget
		25,017.00	Various-Fiber- FY15 Capital Budget
		<u>672.34</u>	Code Enforcement-Veh/Eq. Lease pymt - FY15 Capital Budget
		61,701.84	
	Total	96,714.02	
9/30/2016	FY 2005	30,000.00	Civic Center: Electronic Signage
	FY 2010	5,012.18	Daphne High School Communications Equipment
	FY 2015	-	MS4-Grant Management -Ordinance 2015-42. CIAP/NFWF Grant
		-	Finance-Fixed Asset Conversion-Tyler Technologies (PO1502084 & 2172)
		30,000.00	Executive-Welcome Signs-City of Daphne - FY15 Capital Budget
		16,119.00	Various-Fiber- FY15 Capital Budget
		<u>-</u>	Code Enforcement-Veh/Eq. Lease pymt - FY15 Capital Budget
		46,119.00	
	Total	81,131.18	
9/30/2016 FINAL	FY 2005	30,000.00	Civic Center: Electronic Signage
	FY 2010	5,012.18	Daphne High School Communications Equipment
	FY 2015	30,000.00	Executive-Welcome Signs-City of Daphne - FY15 Capital Budget
		<u>16,119.00</u>	Various-Fiber- FY15 Capital Budget
		46,119.00	
	FY 2016	20,000.00	Executive - Welcome Signs-City of Daphne - FY16 Capital Budget
		13,994.00	Executive - Website Design & Hosting Fee - PO01602051
		15,704.00	Legislative - Council Chambers Equipment Upgrades - FY16 Capital Budget
		29,158.52	Infrastructure - Sidwalks-FY16 Capital Budget
		315,595.44	Fire St. #2 Building Improvements (144000-592102 - FY16)
		8,527.03	Infrastructure - Ord. 2016-47-Fannon Property
		91,600.10	ADEM Grant Match - Ord. 2015-76
		4,536.00	Assistance to Firefighter Grant Match
		4,577.57	FD - North America Fire Equipment PO01602107
		3,900.00	CH Facilities - HR New Door
		10,000.00	FD - Property on Milton Jones Rd.- Ord. 2016-50 (144000-59220)
		30,000.00	Long Term Comprehensive Plan
	<u>5,000.00</u>	Parks - Padlocks for Ballfields @ High School	
		552,592.66	
	Total	633,723.84	

SALES & USE TAXES

*Adjusted to accrued collections

ACTUAL COLLECTIONS

FY 2016 BUDGET vs ACTUAL

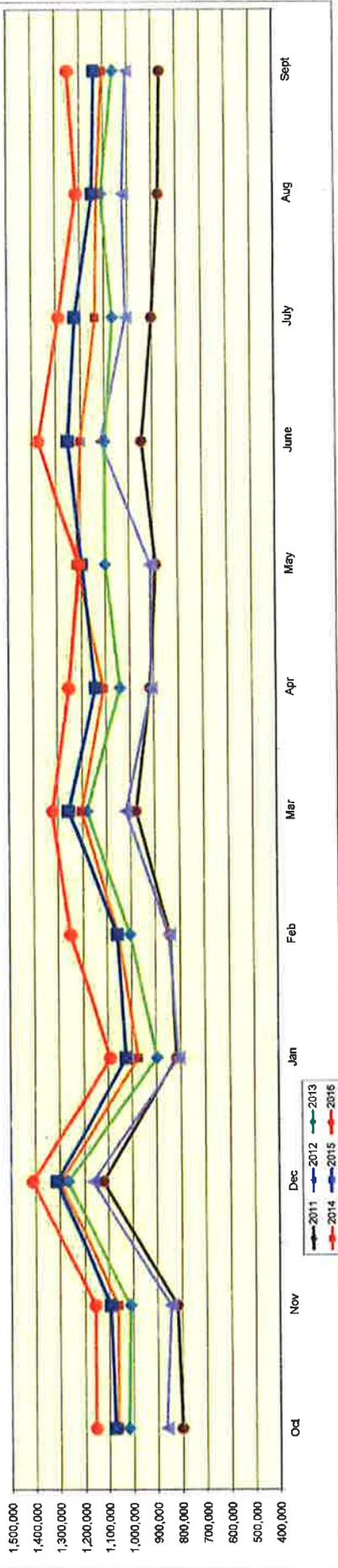
	7/8 Year					Sparklines	Budget	Monthly Variance	YTD Variance	(Under) Monthly Budget
	2012	2013	2014	2015	2016					
October	864,727.27	1,019,065.37	1,062,861.14	1,073,290.88	1,154,933.34		1,091,054	63,879.34	63,879.34	5.9%
November	845,342.45	1,011,813.96	1,061,121.86	1,092,961.96	1,157,742.46		1,111,050	46,692.46	110,571.80	4.2%
December	1,165,135.62	1,266,051.50	1,299,075.20	1,312,012.89	1,411,946.31		1,333,727	78,219.31	188,791.11	5.9%
January	809,785.59	895,717.19	974,224.69	1,023,171.34	1,089,869.73		1,040,105	49,764.73	238,555.84	4.8%
February	845,101.34	1,004,349.50	1,051,602.29	1,056,996.02	1,250,035.09		1,074,489	175,546.09	414,101.93	16.3%
March	1,018,721.43	1,181,007.55	1,205,342.67	1,256,397.38	1,322,579.37		1,277,191	45,388.37	459,490.30	3.6%
April	911,438.60	1,039,769.87	1,110,085.05	1,144,698.61	1,252,906.65		1,163,643	89,263.65	548,753.95	7.7%
May	911,839.30	1,098,548.05	1,218,956.40	1,198,226.99	1,209,149.30		1,218,058	(8,908.70)	539,845.25	-0.7%
June	1,114,149.53	1,097,507.32	1,202,126.66	1,252,030.17	1,376,077.74		1,272,751	103,326.74	643,171.99	8.1%
July	1,010,193.08	1,065,215.02	1,139,120.72	1,222,993.95	1,287,651.05		1,160,473	127,178.05	770,350.04	11.0%
August	1,021,267.76	1,110,126.44	1,129,483.17	1,148,890.48	1,215,286.39		1,148,176	67,110.39	837,460.43	5.8%
September	1,004,661.04	1,058,958.43	1,104,411.74	1,138,473.73	1,246,713.97		1,122,690	124,023.97	961,484.40	11.0%
Totals	11,522,363.01	12,848,130.20	13,558,411.59	13,920,144.40	14,974,891.40		14,013,407			

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

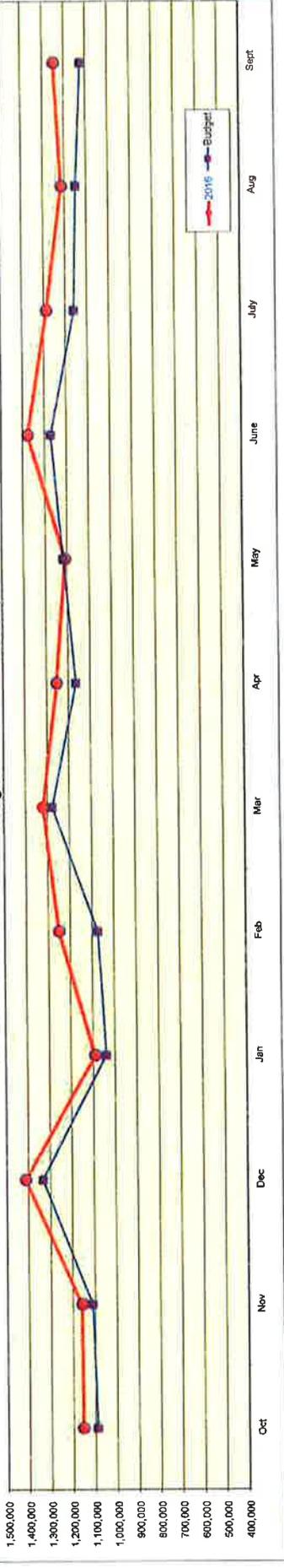
Fiscal Year Changes Year Over Year

	\$ Change					Percent Change				
	2012-2013	2013-2014	2014-2015	2015-2016	Annual % Change	2012-2013	2013-2014	2014-2015	2015-2016	Annual % Change
October	154,338.10	43,795.77	10,429.74	81,642.46	11.5%	17.8%	4.3%	1.0%	7.6%	2.7%
November	166,471.51	49,307.90	31,840.10	64,780.50	11.5%	19.7%	4.9%	3.0%	5.9%	2.7%
December	100,915.88	33,023.70	12,937.69	99,933.42	11.5%	8.7%	2.6%	1.0%	7.6%	2.7%
January	85,931.60	78,507.50	48,946.65	66,698.39	11.5%	10.6%	8.8%	5.0%	6.5%	2.7%
February	159,248.16	47,252.79	5,393.73	193,039.07	11.5%	18.8%	4.7%	0.5%	18.3%	2.7%
March	162,286.12	24,335.12	51,054.71	66,181.99	11.5%	15.9%	2.1%	4.2%	5.3%	2.7%
April	128,331.27	70,315.18	34,613.56	108,208.04	11.5%	14.1%	6.8%	3.1%	9.5%	2.7%
May	186,708.75	120,408.35	(20,729.41)	10,922.31	11.5%	20.5%	11.0%	-1.7%	0.9%	2.7%
June	(16,642.21)	104,619.34	49,903.51	124,047.57	11.5%	-1.5%	9.5%	4.2%	9.9%	2.7%
July	55,021.94	73,905.70	83,873.23	64,657.10	11.5%	5.4%	6.9%	7.4%	5.3%	2.7%
August	88,858.68	19,356.73	19,407.31	66,395.91	11.5%	8.7%	1.7%	1.7%	5.8%	2.7%
September	54,297.39	45,453.31	34,061.99	108,240.24	11.5%	5.4%	4.3%	3.1%	9.5%	2.7%
Annual \$ \$ Cha	1,325,767.19	710,281.39	361,732.81	1,054,747.00	11.5%	11.5%	5.5%	2.7%		

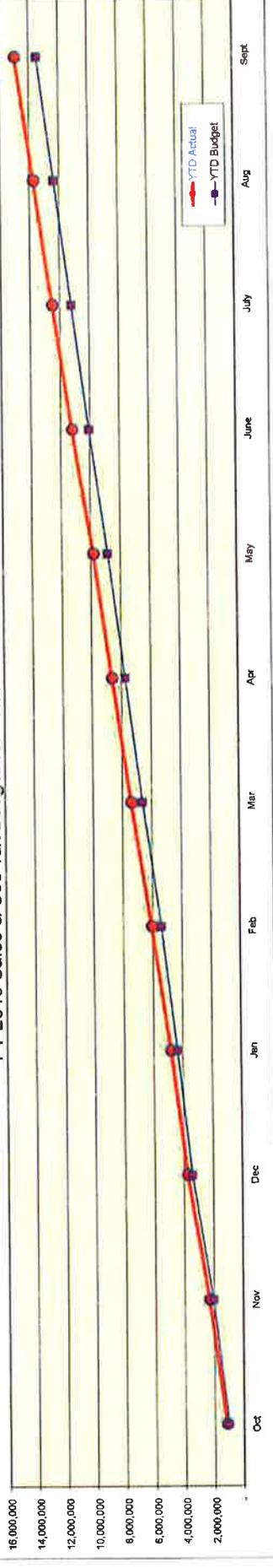
Sales & Use Tax Comparisons



FY 2016 Sales & Use Tax Budget vs. Actual - Monthly



FY 2016 Sales & Use Tax Budget vs. Actual - YTD



MONTHLY LODGING TAX COLLECTIONS

*Based on Accrued Collections

ACTUAL COLLECTIONS		FY 2016 BUDGET vs. ACTUAL					10 Year Spark Line	
		Budget	Monthly Variance	YTD Variance	% Over / (Under)	Monthly Budget		
October	82,326.38	76,494.96	5,831.40	5,831.40	7.6%			
November	77,075.08	70,694.40	6,380.68	12,212.08	9.0%			
December	67,742.93	64,152.54	3,590.39	15,802.47	5.6%			
January	69,451.25	70,905.79	(1,454.54)	14,347.93	-2.1%			
February	84,997.02	84,192.65	804.37	15,152.30	1.0%			
March	104,422.79	107,795.78	(3,372.99)	11,779.31	-3.1%			
April	95,497.23	84,458.03	11,039.20	22,818.51	13.1%			
May	104,483.34	104,577.65	(94.31)	22,724.20	-0.1%			
June	126,568.77	113,862.33	13,186.44	35,910.64	11.6%			
July	148,367.00	138,661.90	9,705.10	45,615.74	7.0%			
August	79,694.02	86,164.99	(6,470.97)	39,144.77	-7.5%			
September	72,524.28	73,518.97	(994.69)	38,150.08	-1.4%			
Total	1,113,150.09	1,075,000.01	38,150.08					

Ord 1997-28 adopted December 6, 1997, incr levy from 3% to 4%
 Ord 2014-06 adopted February 17, 2014, incr levy from 4% to 6% - effective for Collections for April 2014, reflected in May 2014

ACTUAL COLLECTIONS

	EX 11	FY 12	FY 13	EX 14	FY 15	FY 16	10 Year Spark Line
October	56,001.39	52,002.53	51,578.40	48,992.05	74,581.63	82,326.38	
November	48,329.73	47,568.08	43,459.48	43,912.92	77,289.64	77,075.08	
December	47,210.56	42,279.22	40,495.14	39,122.53	69,585.61	67,742.93	
January	49,006.12	41,917.34	47,548.01	43,198.04	72,323.09	69,451.25	
February	43,052.68	47,346.50	54,207.03	49,784.71	92,153.01	84,997.02	
March	67,422.43	70,058.33	64,325.47	71,954.97	112,752.43	104,422.79	
April	48,487.83	51,939.06	47,434.55	86,245.34	101,196.07	95,497.23	
May	57,880.48	54,740.45	68,448.49	107,155.55	108,715.74	104,483.34	
June	67,544.77	69,822.91	71,090.69	127,920.37	111,337.21	126,568.77	
July	78,631.86	79,417.80	94,310.47	139,397.37	140,897.70	148,367.00	
August	52,820.33	50,417.73	52,427.99	93,733.35	90,758.34	79,694.02	
September	45,216.75	46,968.89	45,148.35	71,790.24	84,931.51	72,524.28	
Total	659,604.93	654,478.84	680,474.07	922,597.44	1,136,521.98	1,113,150.09	

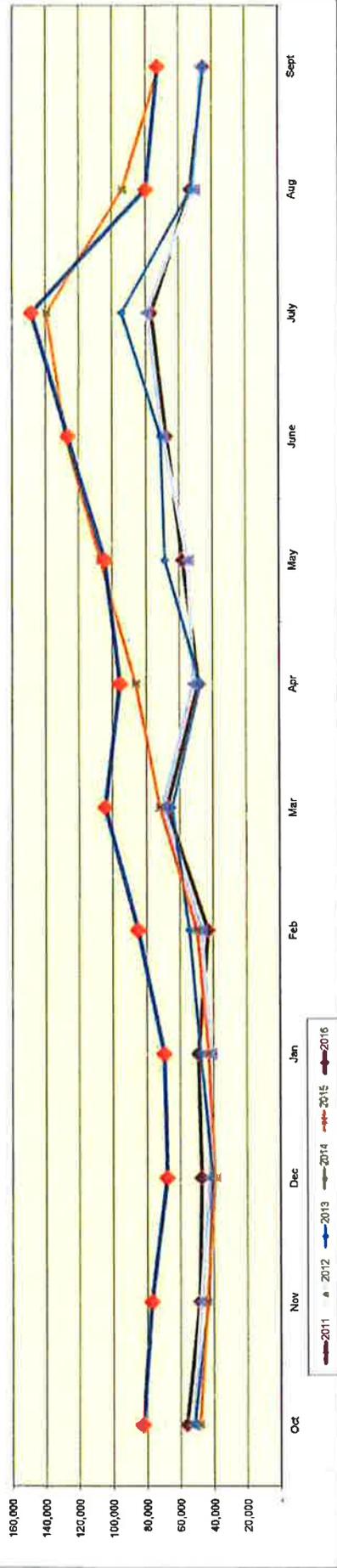
CHANGE IN PERCENTAGE

	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016
October	-7.7%	-0.8%	-6.6%	36.1%	9.4%
November	-1.6%	-9.5%	1.0%	43.2%	-0.3%
December	-11.7%	-4.4%	-3.5%	43.6%	-2.7%
January	-16.9%	11.8%	-10.1%	40.3%	-4.1%
February	9.1%	12.7%	-8.9%	46.0%	-8.4%
March	3.8%	-8.9%	10.6%	36.2%	-8.0%
April	6.6%	-9.5%	45.0%	14.8%	-6.0%
May	-5.7%	20.0%	36.1%	1.4%	-4.1%
June	3.3%	1.8%	44.4%	-14.9%	12.0%
July	3.5%	15.8%	32.3%	1.1%	5.0%
August	-4.8%	3.8%	44.1%	-3.3%	-13.9%
September	3.7%	-4.0%	37.1%	15.5%	-17.1%
% Change	2.4%	-0.8%	3.8%	18.8%	

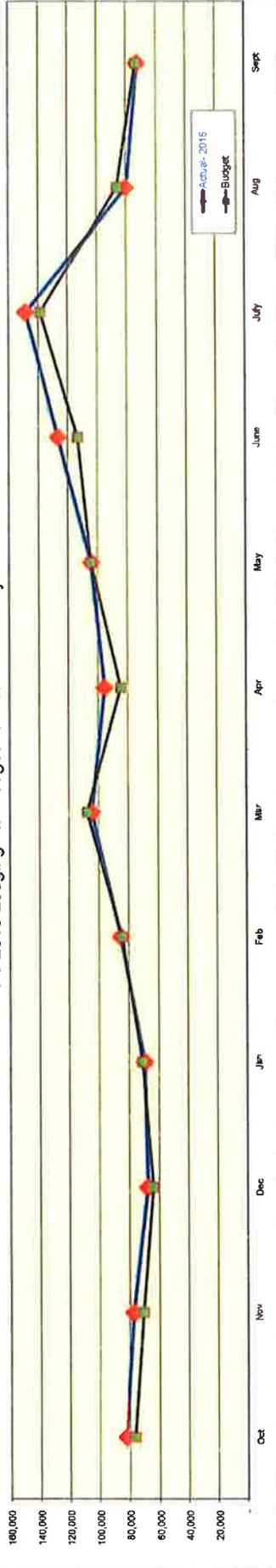
CHANGE IN DOLLARS

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	9 Year Spark Line
October	16,595.83	(3,999.86)	(424.13)	(3,196.35)	26,199.58	7,744.75	
November	14,566.36	(761.65)	(4,108.60)	453.44	33,376.72	(214.56)	
December	15,639.18	(4,931.34)	(1,784.08)	(1,372.61)	30,463.08	(1,842.68)	
January	6,122.42	(7,088.78)	5,630.67	(4,349.97)	29,125.05	(2,871.84)	
February	(3,945.64)	4,293.82	6,860.53	(4,422.32)	42,368.30	(7,155.99)	
March	14,650.91	2,635.90	(5,732.86)	7,629.50	40,797.46	(8,329.64)	
April	6,956.78	3,451.23	(4,504.51)	38,810.79	14,950.73	(5,698.84)	
May	(8,940.48)	(3,140.03)	13,708.04	38,707.06	1,560.19	(4,232.40)	
June	(12,278.07)	2,278.14	1,267.78	56,829.68	(16,583.16)	15,231.56	
July	(15,274.61)	2,785.94	14,892.67	45,086.90	1,500.33	7,469.30	
August	(10,503.25)	(2,402.60)	2,010.26	41,305.36	(2,975.01)	(11,064.32)	
September	(7,446.04)	1,752.14	(1,820.54)	26,641.89	13,141.27	(12,407.23)	
Total	16,143.39	(5,126.09)	25,995.23	242,123.37	213,924.54	(23,371.89)	

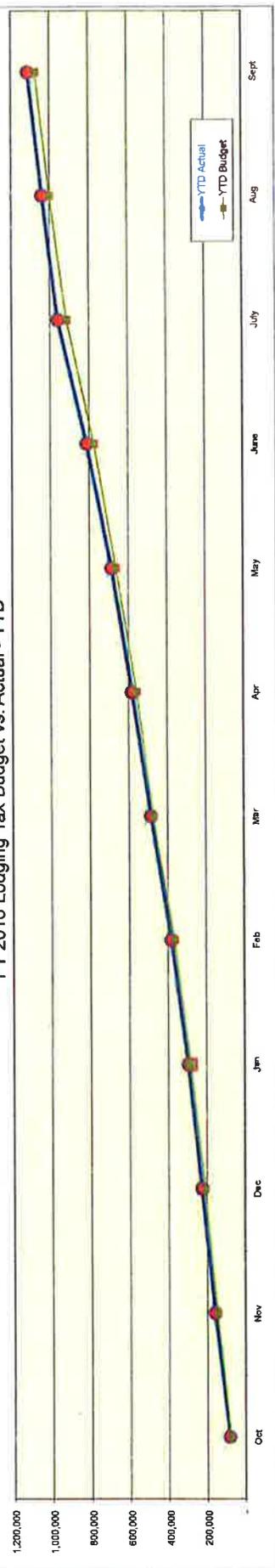
Lodging Tax Comparisons Year over Year



FY 2016 Lodging Tax Budget vs. Actual - Monthly



FY 2016 Lodging Tax Budget vs. Actual - YTD



Buildings & Property Committee Meeting
Monday, November 7, 2016, 4:30 p.m.
City Hall, Executive Conference Room,
1705 Main Street, Daphne, AL 36526

Committee Minutes:

Present: Chair Councilman John Lake; Councilwoman Tommie Conaway; Councilman Pat Rudicell; Councilman Ron Scott; Councilman Robin LeJeune; Councilman Elect Joe Davis; and Councilman Elect Doug Goodlin

Also Present: Mayor Dane Haygood; Rebecca Hayes, City Clerk; Jenny White, Assistant City Clerk (Recording Secretary); Richard Johnson, Director Public Works; BJ Eringman, Deputy Director Public Works; Adrienne Jones, Planning Director; Suzanne Henson, Senior Accountant; Margaret Thigpen, Civic Center Director; David McKelroy, Director Recreation; Ashley Campbell, Environmental Programs Manager; Selena Vaughn, Village Point Foundation, Chair; Dorothy Morrison, Beautification Committee and member of the Downtown Redevelopment Authority; Patrick Dungan; Misty Gray; Al Guarisco; Ken Balme; Cara Stallman; Tom Walker; Russell Dyess; and Tim Patton

Absent: Richard Merchant, Floodplain Manager, Building Inspection; Rick Whitehead, IT Coordinator, Tonja Young, Library Director; Councilwoman Angie Phillips; Councilman Randy Fry; and Jay Ross, City Attorney

1. CALL MEETING TO ORDER / ROLL CALL

There being a quorum present Chair Councilman John Lake called the meeting to order at 4:30 pm.

2. APPROVAL OF MINUTES: October 3, 2016

MOTION BY Councilwoman Tommie Conaway to approve the October 3, 2016 minutes. Seconded by Councilman Ron Scott. All in favor, AYE.

MOTION CARRIED UNANIMOUSLY

3. DAPHNE CENTRAL PARK REPORT (OCTOBER): Richard Johnson

Richard Johnson discussed the upcoming Disc Golf Tournament at Daphne Central Park scheduled for Sunday, November 27, 2016 with approximately 100 players.

Richard noted they're moving ahead with connecting the trail between the swimming pool and racquet court to Central Park.

Richard discussed upcoming projects. Richard noted they had completed a plan set for the next expansion of the walking trail on north side of the east side of park. They're working on fence quotes along with signage for holes going into benches and waste bins to match west side of park.

Councilman Ron Scott requested benches at Daphne Central Park. Richard Johnson confirmed Public Works is building benches in house for park.

4) SURPLUS PROPERTY (OCTOBER): Suzanne Henson

RESOLUTION 2016 – A resolution declaring certain personal property surplus and authorizing the mayor to dispose of such property.

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

WHEREAS, the items listed below are recommended for disposal.

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

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

Dept.	EQ/VEH#	Description	VIN/SN
Fire	834	1999 Ford PU BRT Red	1FTRX17WXXNC31441
Parks	105	1998 Smithco Sprayer	2815422141
Parks	931	2002 Toro Workman	210001311
Parks	1188	2006 Toro Workman	
Parks	935	John Deere 12000A Drag Machine	TC1200A100964

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

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

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2016.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

MOTION BY Councilman Ron Scott to recommend to council to allow staff to dispose of surplus property for proceeds and earmark for sidewalks. Seconded by Councilwoman Tommie Conaway. All in favor, AYE.

MOTION CARRIED UNANIMOUSLY

5) CIVIC CENTER & BAYFRONT PAVILLION REPORT (OCTOBER): Margaret Thigpen

Margaret Thigpen gave the Civic Center & Bayfront Report for October 2016.

Civic Center Report:

- October 2016 revenue for the Civic Center totaled \$21,374.00 / Increase from October 2015
- FY 2016-2017 YTD Projected Year End Revenue / \$128,270.50
- October 2016 Deposits / \$16,334.00
- FY 2016-2017 YTD Deposits / \$16,334.00

Bayfront Park Pavilion Report:

- October 2016 Revenue / \$10,222.00 / Increase from October 2015
- FY 2016-2017 YTD Projected Year End Revenue / \$37,495.00
- October 2016 Deposits / \$11,783.00
- FY 2016-2017 YTD Deposits / \$11,783.00

Reminder Note: Bayfront – Per Richard Merchant

- On record \$122,330.00 in improvements thus far at Bayfront Pavilion
- Appraisal was for \$295,000.00
- ½ the appraised amount is what we have to work within = \$147,500.00
- This leaves roughly \$25,170.00 for improvements
- The first to fall off due to the 10 year rule will be \$40,000.00 on July 11, 2019.

Daphne Convention & Visitor's Bureau

- DiscoverDaphne.org
- Facebook – featuring an attraction every other week or so
- Alabama Coasting - ads and article – quarterly distribution, 2,000 condo rooms, 70+hotels

Upcoming Public Events / Consumer Shows

- Eastern Shore Chamber of Commerce (ESCC) Tourism Council – November 17, 2016
- Tourism / Hotel Meeting – December 1, 2016
- Mobile Bridal Directory – continuing advertisement

Councilman Robin LeJeune inquired about occupancy of the Eastern Shore Chamber of Commerce at the Welcome Center in Daphne.

Margaret Thigpen announced Casey Zito is the new president of the Eastern Shore Chamber of Commerce. Margaret commented a meeting with the Eastern Shore Chamber of Commerce (ESCC) Tourism Council is on schedule for November 17, 2016 and the Welcome Center in Daphne will be a topic of discussion.

Chair Councilman John Lake commented this should be on the next Buildings and Property Meeting on December 5, 2016 for further discussion.

6) BUILDING INSPECTION MONTHLY REPORT (OCTOBER): Ashley Campbell

Ashley Campbell gave the Building Inspection Monthly Report for October.

- Total Building Permits / 130
- Total Permit Building Permit Fees / \$30,076.59
- New Home Permits / 14
- CO's / 13

7) RECREATION REPORT (OCTOBER): David McKelroy

David McKelroy gave the Recreation Report for October 2016. David reported a grinder pump went down at Trione Sports Complex. David commented soccer and football are at conclusion. We will overseed fields with rye grass next week with a two week closing for fields to germinate.

David announced basketball registration is in process. They will utilize Daphne East Elementary, Daphne Elementary and Daphne Middle School for practice and games.

Councilwoman Tommie Conaway addressed concern from public participation at last meeting on park upgrades. David commented this would be discussed at the next Recreation Board Meeting on Wednesday, November 9, 2016 at the Recreation Center.

8) LIBRARY REPORT (OCTOBER): – Tonja Young

Tonja Young was not present at meeting to give Library Report for October 2016.

Councilman Ron Scott asked if Library Foundation was on agenda for November 14, 2016. Rebecca Hayes confirmed they're on agenda.

9) VILLAGE POINT BAYFRONT PROPERTIES (OCTOBER): Selena Vaughn

Selena Vaughn gave the Village Point Bayfront Properties Report for October 2016. Selena commented we need a new liaison in the absence of Councilman Randy Fry to move forward with the presentation of Bay Front Drive design for city.

Selena commented that Ashley Campbell, Mikel Corporaal, Fred Nation and herself worked in the park last week on clean up. Selena said the plan is to clean the park twice a year with the next clean up planned for spring of 2017. Selena complemented the workers on their hard work along with Public Works assistance on replacing a chain saw during cleanup.

Chair Councilman John Lake noted in the past they used a private company on cleanup of the park. Selena was interested in going back to a private company.

Councilman Ron Scott suggested grant writer, Cara Stallman look at grants for cleanup of park. Cara Stallman commented she would at options.

Chair Councilman John Lake mentioned lodging taxes for utilization at Bayfront Park.

Councilman Robin LeJeune commented we should get at proposal at this time on cleanup of parks as were looking at grants.

10) OLD BUSINESS

(a) Strike Team Building at Trione, Land Use Requirements

No Discussion.

(b) City of Daphne, Alabama and Lake Forest Property Owners Association (LFPOA) Ground Lease Lake Forest Marina

Richard Johnson gave an update that state lands engineering department has completed a set of plans for the replacement of boat ramp and pier at no charge for Lake Forest Marina. Richard commented they would also pursue plans for May Day. Richard noted we could pursue the 1st phase of project to address boat ramp and pier. One Hundred and Eighty-Nine Thousand (\$189,000) can be applied toward these improvements with ADA compliance. Polyethylene grated decking recommended. We're working with the mayor on options.

Councilman Robin LeJeune inquired on whether application for grant was submitted within deadline. Ashley Campbell commented yes we met the deadline.

Mayor Dane Haygood commented expectation of award time frame is next fiscal year of 2018.

(c) Ordinance 2016-12, May Day Boat Ramp, Final Resolution on Sand

No discussion.

11) NEW BUSINESS

(a) Human Resources Door: Richard Johnson

Richard Johnson discussed prior quotes received for the Human Resources door. Richard noted a purchase requisition was prepared and they were about to authorize work. Mayor suggested an alternative location (SW corner of Benefits Office) and relayed that the contractor would install the door at the new location for the same price quoted. The contractor was not made aware that the new location involved cutting through a thick masonry wall (the original exterior of City Hall). After this discovery contractor said they would not install the door for the same price. Richard requoted the job showing preferred location with details and received only one quote from the original contractor.

The original quote \$3,190 has been encumbered. The new location is \$3,000 more than originally appropriated. Vickie Hinman would like to get this work done. We have two options:

1. Go back to the B&P/Finance Committee for additional appropriation of \$3K
2. See if City Hall Maintenance Budget can absorb the \$3K increase.

**MOTION BY Councilman Ron Scott to recommend to council additional appropriation of \$3K for Human Resources door. Seconded by Councilman Robin LeJeune. All in favor, AYE.
MOTION CARRIED UNANIMOUSLY**

(b) Russell Dyess to Discuss City Partnering on Hazard Mitigation Grant to Acquire Home at 118 Lakeview Loop

Russell Dyess presented plea to city for partnering with him on Hazard Mitigation Grant to acquire his home at 118 Lakeview Loop reference four (4) flood insurance claims on property.

**MOTION BY Councilman Ron Scott to recommend initiation of paperwork on process of Hazard Mitigation Grant Program (HMGP) Disaster Assistance for Russell Dyess home at 118 Lakeview Loop. Councilman Pat Rudicell recommended Russell Dyess present presentation at Finance Meeting on Monday, November 14, 2016 at 4:30 p.m. The 25% cost share for the grant will be reviewed. Seconded by Councilwoman Tommie Conaway. All in favor, AYE.
MOTION CARRIED UNANIMOUSLY**

(c) Certificate of Insurance for Events Permits on Non-City Events on City Property

Rebecca Hayes presented the certificate of insurance for events permits on non-city events on city property to committee for discussion.

**MOTION BY Councilman Robin LeJeune to move discussion of certificate of insurance for events permits on non-city events on city property to Ordinance Committee. Seconded by Councilwoman Tommie Conaway. All in favor, AYE.
MOTION CARRIED UNANIMOUSLY**

12) ANY OTHER BUILDINGS & PROPERTY BUSINESS

No further business discussed on other buildings and property business.

13) PUBLIC PARTICIPATION:

No public participation.

14) NEXT MEETING

Next meeting scheduled for December 5, 2016.

15) ADJOURN

**MOTION BY Chair Councilman John Lake to adjourn meeting at 4:18 p.m. Seconded by Councilman Robin LeJeune. All in favor, AYE.
MOTION CARRIED UNANIMOUSLY**

Old Methodist Church Museum of Daphne

Meeting Minutes

October 10, 2016

I. Call to order

Ken Balme called to order the regular meeting, followed by reciting the Pledge of Allegiance.

II. Attendees: Mickey Boykin, Ken Balme, Rachel Burt, Lucy Cunningham, , Lee Swetman, Dooley & Scott Berry, Stephanie Middleton, Mildred Foster, Kara Welborne (City Marketing Coordinator) , Pete Brantley, Helen Baroco, Emily Hammond

III. Approval of minutes from last meeting: September 12, 2016

IV. Treasures Report: Period 8/31/16 – 9/31/16 Beginning Balance \$5,324.02 Total deposits \$346 (misc sales, donations & Jubilee Festival) Checks \$40.34 & \$21.26 for web site & Fair supplies respectively. Ending balance \$5,608.00. Petty cash \$22.83 We have no more of the Haunted Baldwin books and no more will be available.

V. Volunteer Assignments/Schedules- 5th Saturday of October falls on Boo by the Bay event. We will be closed prior to event.

VI. Committee Reports

- a) *Exhibits/Events:* Jubilee Festival a success with profits \$181.24. BC Fair also a success. The maypole was popular. Any new exhibits on hold for now.
- b) *Publicity/Social Media:* We are out of Melting Pot of People fliers. We might want to get more from Baldwin County Archives. Oct events have been updated.
- c) *Cemetery:* If anyone has time, Helen has the cleaner for the headstones.
- d) *Fund Raising & Volunteer Recruitment:*
- e) *Special Tours :* Lucy will host visitors tomorrow 10/11.
- f) *Archives, Curation:*

VII. Unfinished/Ongoing business

- a) *Planning Calendar*
- b) *Building improvements:* Shannon will check to see about cutting a hole or such in the curbs for drainage. See Brick sells...
- c) *Boo by the Bay-* Sat. 10/29 The event will be advertised to be from 6-9. This will give a set cutoff time. Harriot Outlaw has been running a series of ghost stories about Baldwin County. Ken & Kara will be running these on our

and the City's Facebook page. Harriot and others will be here for storytelling. The paranormal group will be here about 5PM to set up. Instead of moving around, everything will be at the museum vicinity and possibly The Texas house. Parking @ Bayside a possibility, so we can utilize our parking lot. Stephanie will try to contact the Brunell family to ask access to the yard and/or home. Stephanie will also make lemonade and we will all bring cookies or such. Scott and Dooley will decorate. Mickey will contact Public Works to ask about water and/or ice. Ken also suggested a costume contest. It was decided/voted on \$50 for 1st prize, \$25 2nd, & \$10 3rd. Ken might also contact to see if any vendors from the farmers market would like to set up in parking lot. Football schedules will affect some of our participation.... :)

- d) **Brick Fundraiser:** Michael w/Acme Brick projected for the 14x12 area to be 760-1000 pavers needed for the area. He will email Dooley an estimate, but ball parked about \$650-\$700. That is before taxes, if we are not exempt. It would be approximately \$20 per engraved brick. The load would be delivered to Public Works to be installed when they could (after the 1st of the year). Beautification Committee will help with the costs of the new landscaping that will accompany the brick installation. It was suggested to sell each brick for \$30 with sale starting in time for the Holidays. Engraved/shipping costs are lower if ordered in lots of 100.

VIII. New Business & Announcements

- **RSVP Program:** Retired Seniors Volunteer Services. A group dedicated to coordinating volunteers across several counties to serve at different capacities. Ken contacted Charles Smith (the person in charge) to add the museum to the list. RSVP office will be in Daphne working with the new City Volunteer Coordinator. They carry a supplemental insurance in case of accidents and do basic background checks.

IX. Adjournment

Ken Balme adjourned the meeting.

Minutes submitted by: Rachel Burt

Next regular meeting: Monday November 14, 2016

1. CALL TO ORDER/ROLL CALL

There being a quorum present the chairman called the meeting to order at 12:05 p.m.

MEMBERS PRESENT – Toni Fassbender; Doug Bailey; Dan Romanchuk; Denis Kearney; John Cox.

Absent: Pokey Miller.

Also present – Rebecca Hayes, recording secretary; Mayor Haygood; Michael Berson, Councilman Joe Davis.

Toni updated members regarding the Davis-Bacon Act saying that it does apply, but it will not affect the quotes. She signed the letter for the property owner and the acceptance of the EDA grant.

2. APPROVE MINUTES

MOTION BY Doug Bailey to approve the September 26, 2016 meeting minutes. Seconded by John Cox.

MOTION CARRIED UNANIMOUSLY

3. PUBLIC PARTICIPATION

No one spoke.

4. OLD BUSINESS

a.) DISC Update

Toni reported that the first position in the grant regarding roadway will not affect the selling of property.

Engineering Services

The members discussed engineering for the project. The quote from Dewberry is \$161,750 and the amount in the grant was \$162,041.95 so there is some leeway.

MOTION BY Dan Romanchuk to authorize the chairman to sign the scope of service agreement with Dewberry not to exceed \$161,750. Seconded by John Cox.

MOTION CARRIED UNANIMOUSLY

Bank Quotes for Loan / Match for the EDA Grant

The board discussed the quotes from several banks.

MOTION BY Dan Romanchuk to authorize the chairman to execute all necessary documents related to the loan with Capstone Bank. Seconded by Doug Bailey.

MOTION BY Dan Romanchuk to amend the motion to include the names of signatories for bank accounts: Toni Fassbender, Doug Bailey, Dan Romanchuk and Rebecca Hayes. Seconded by Doug Bailey.

VOTE ON AMENDMENT

MOTION CARRIED UNANIMOUSLY

VOTE ON ORIGINAL MOTION AS AMENDED

MOTION CARRIED UNANIMOUSLY

Grant Consultant

The members will wait to assign a grant consultant until they get a quote from Grant Management, LLC.

Next Steps for the DISC project

Discussion was held on the need to formulate a process for the project so it to run smoothly. Michael will work on putting something together for discussion.

5. TREASURERS REPORT: JUNE 2016

Cash Balance September 30, 2016	\$300,266.99
Cash Balance October 31, 2016	\$310,417.82

MOTION BY John Cox to accept the Treasurers report with a balance of \$310,417.82 as of October 31, 2016. Seconded by Doug Bailey.

MOTION CARRIED UNANIMOUSLY

6. NEW BUSINESS

No new business.

7. REPORT FROM BALDWIN COUNTY ECONOMIC DEVELOPMENT ALLIANCE

No report.

8. OTHER BUSINESS

No other business to discuss.

MOTION BY John Cox to adjourn. Seconded by Doug Bailey.

MOTION CARRIED UNANIMOUSLY

There being no further business to discuss the meeting adjourned at 1:35 p.m.

Submitted by:

Certification of Presiding Officer:

Rebecca Hayes, Secretary

Toni Fassbender, Chairman

Rebecca A. Hayes

From: Adrienne Jones
Sent: Friday, November 18, 2016 12:57 PM
To: Rebecca A. Hayes
Subject: Daphne Planning Commission Action regarding Ordinance 2016-62

At the November 17, 2016 Regular Meeting, the Daphne Planning Commission considered the following item:

A. PRE-ZONING AMENDMENT ORDINANCE 2016-62 CITY COUNCIL ON NOVEMBER 7, 2016 REMANDED APPLICATION BACK TO THE PLANNING COMMISSION TO CONSIDER REMOVING TWO INGRESS/EGRESS CONNECTIONS TO BELLATON SUBDIVISION.

And;

The Planning Commission took the following action:

UNANIMOUSLY APPROVED A MOTION THAT THE TWO INGRESS/EGRESS CONNECTIONS BETWEEN BLACKSTONE LAKES PROPOSED PUD AND BELLATON SUBDIVISION REMAIN.



Adrienne Jones
Planning Director
ajones@daphneal.com
City of Daphne, Alabama - "The Jubilee City"
Phone: 251-621-3184 Web: www.daphneal.com



The Jubilee City

INTERNAL MEMORANDUM

To: Rebecca Hayes, City Clerk
From: Mayor Dane Haygood
Date: November 14, 2016
Re: Veto of Resolution 2016-82

WHEREAS Section 11-45-4 of the Code of Alabama authorizes the Mayor to veto ordinances and resolutions passed by the Council and states, "if the mayor shall disapprove of any ordinance or resolution transmitted to him as provided in Section 11-45-3, he shall, within 10 days of the time of its passage by the council, return the same to the clerk with his objections in writing, and the clerk shall make report thereof to the next regular meeting of the city council"; and

WHEREAS, the City Council passed Resolution No. 2016-82 at its organizational meeting on November 7, 2016; and

WHEREAS, Resolution No. 2016-82 relates to "classified officers and employees" as well as "all other officers and employees of the City" and specifically provides for (i) the continuance of "classified officers and employees", presumably over the next four year term; (ii) that "all other officers and employees of the City paid out the General Fund of the City" shall continue in their positions at the same terms and compensation and (iii) that "all other officers and employees of the City paid out the General Fund of the City" shall "serve at the will of the City Council, or its designee"; and

WHEREAS, the City of Daphne has no positions which are classified as officers of the City which would require the reappointment for said officers through the four year term other than those specifically contemplated and adopted by Resolutions 2016-77 (City Clerk), 2016-78 (Treasurer), 2016-69 (Fire Chief), 2016-80 (Police Chief), 2016-81 (City Attorney), 2016-83 (Municipal Judge); and

Ordinance No. 2016-82 is in direct conflict with Alabama law (i) by stating that "employees paid out of the General Fund of the City" continue to serve "at the will of the City Council" and (ii) providing for the continuance of employees and non-city council appointed officer positions;

NOW THEREFORE, I, Dane Haygood, Mayor of the City of Daphne, Alabama, do hereby VETO and disapprove Resolution No. 2016-82 for the reasons stated above. This VETO is filed with the City Clerk on the date signed below and the City Clerk shall report the same to the next regular meeting of the Council.

DATED this the 14th day of November, 2016.



Dane Haygood, Mayor

RESOLUTION NO. 2016-82

Retaining Officers & Employees Under Merit System

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, IN THE STATE OF ALABAMA:

SECTION 1: That all classified officers and employees of the City of Daphne so designated under the merit system, are continued by virtue of law; that all other officers and employees of the City paid out of the General Fund of the City are hereby continued in such positions upon the terms and upon the basis of compensation heretofore existing as may be hereafter modified, such to serve at the will of the City Council, or its designee.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this 7th day of November, 2016.

Dane Haygood,
Mayor

ATTEST:

Rebecca A. Hayes,
City Clerk



City of Daphne Event Permit Application

Date of Application: November 2, 2016 Permit Requested: Event/Fundraiser Parade/Run Band

Contact Information

Organization Name: Citizen (To Benefit a Charity or Animal Shelter)

Contact Name: Harry Johnson E-mail Address: hpjprop@bellsouth.net

Address: 1203 Highway 90, Daphne, AL 36526

Primary Phone Number: 251-454-7550 Secondary: _____

Event Information

Event Name: Daphne Witches Ride (Bicycle) Event Date: October 29, 2017

Event Location: City Hall # Participants/Vehicles: 500

Start Time: 5:00 p.m. Stop Time: 6:00 p.m. Assembly Time: 3:30 p.m.

Special Requests: Roads closed at Belrose and Main - S. Main and College - College and 6th Street

N. 6th Street and Belrose - (See Attached Map) Road Closures Requested: Yes No

Special Instructions

See Attached Map of Requested Route

Approval: Internal Use Only

Date Routed: November 3, 2016

Fire Dept: *James White*

Police Dept: *Richard D. Johnson, PE*

Public Works: Richard D. Johnson, PE

Digitally signed by Richard D. Johnson, PE
DN: cn=Richard D. Johnson, PE, ou=City of
Daphne, ou=Division of Public Works,
email=richjohnson@daphneal.com, c=US
Date: 2016.11.09 15:46:35 -0600

Parks & Recreation: N/A

Only required if event takes place near Daphne parks

For Special Event/Band Permits:

Council Member: _____

Parade/Run Permits ONLY

Fee Paid: \$ _____ N/A Waived

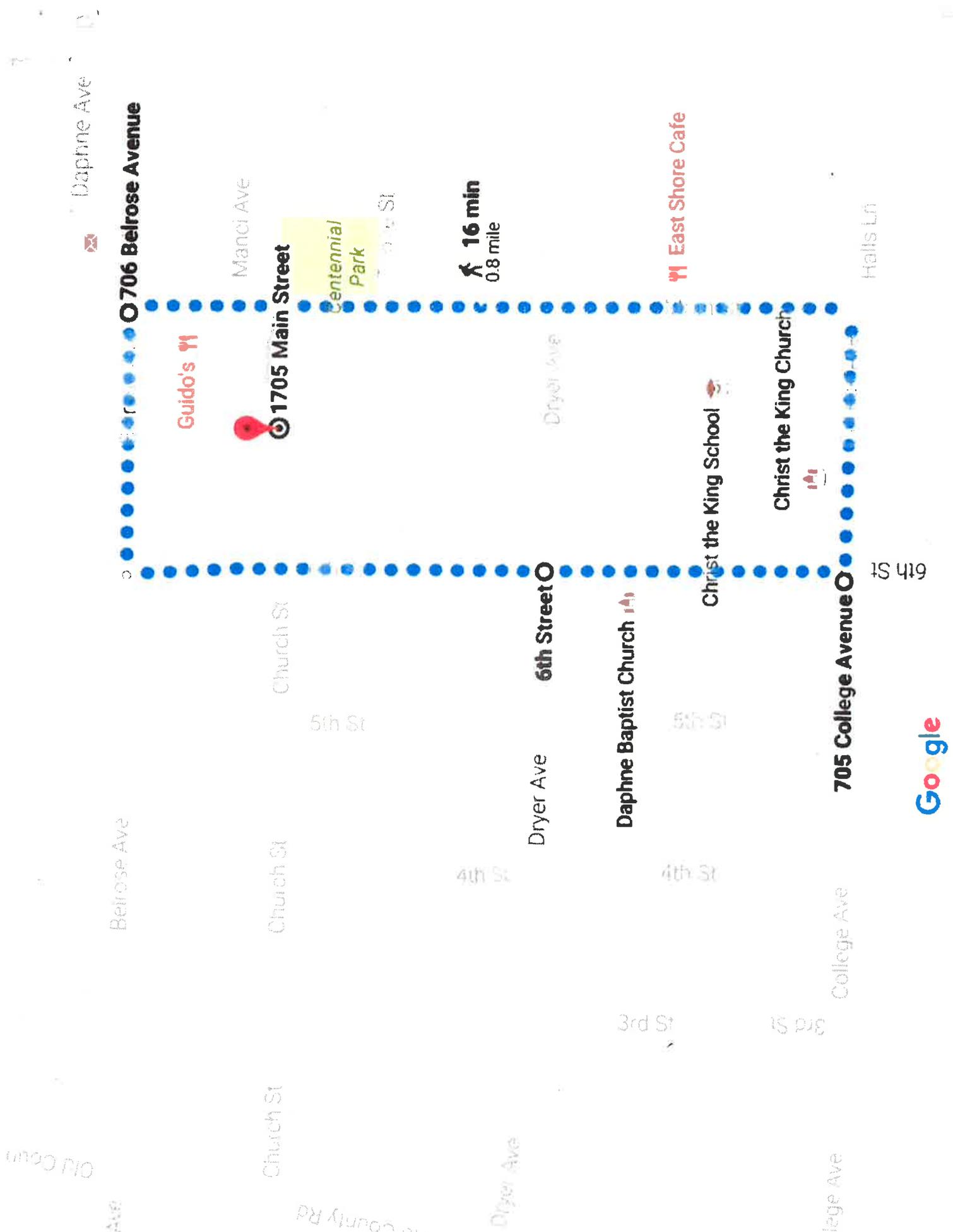
Insurance Filed N/A

For Parade/Run Permits & Use of City Grounds:

City Council: 11-21-2016

Date of Approval

Route Selection: 1 2 3 4



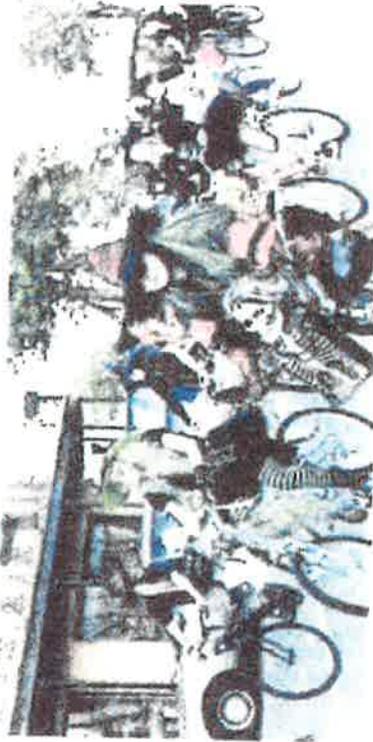
Barre3 Mobile will offer classes for the next three Saturday mornings at Bellingrath Gardens and Homes. File

Michelle Matthews mmatthews@a1.com

WITCH, PLEASE

The annual Witches Ride, made famous in Fairhope, is coming to Mobile, as a fundraiser for Delta Dogs, a nonprofit that helps provide free veterinary care to the community in need. Wearing fantastic witch costumes, riders will go on a 3-mile bike parade around downtown Mobile, followed by a Black Hat block party with live music, libations and food from food trucks and the event's host, The Blind Mule.

Mobile Witches Ride, 3:30-7 p.m. Today, The Blind Mule, 57 N. Claiborne St., \$30 registration fee to ride (until event sells out), free admission to block party.



The Fairhope Witches Ride has been such a success that the event is being replicated in Mobile for the first time on Sunday afternoon. Provided

ers at the Frank Brown International Writers Festival, Steve Harnish

COLUMNS AND COCKTAILS
Historic Mobile Preservation Society's fourth annual fundraiser, Columns and Cocktails, celebrates the recipients of the 2016 Historic Preservation Awards. The event takes place at pool at the historic Antoinette Apartments, W **Columns and Cocktails, 5:30 p.m. Thursda Antoinette Apartments, 960 Government Si per person, www.historicmobile.org or 251-6161.**



City of Daphne Event Permit Application

Date of Application: October 13, 2016 Permit Requested: Event/Fundraiser Parade/Run Band

Contact Information

Organization Name: City Hope Church
Contact Name: Ashley Briggs E-mail Address: ashleygbriggsfsu@gmail.com
Address: 7275 Northbrook Circle, Spanish Fort, AL 36527
Primary Phone Number: 251-406-0991 Secondary: _____
City/State/Zip Code

Event Information

Event Name: Race for Hope Event Date: September 30, 2017
Event Location: City Hall # Participants/Vehicles: +500
Start Time: 8:00 a.m. Stop Time: 12:00 p.m. Assembly Time: 6:30 a.m.
Special Requests: _____
Road Closures Requested: Yes No

Special Instructions

Race for Hope will run on Route 3.

Approval: Internal Use Only

Date Routed: October 13, 2016
Fire Dept: _____
Police Dept: Richard D. Johnson
Public Works: Johnson, PE
Parks & Recreation: N/A
Only required if event takes place in the near Daphne parks.

For Special Event/Band Permits:

Council Member: _____
District # Signature

For Parade/Run Permits & Use of City Grounds:

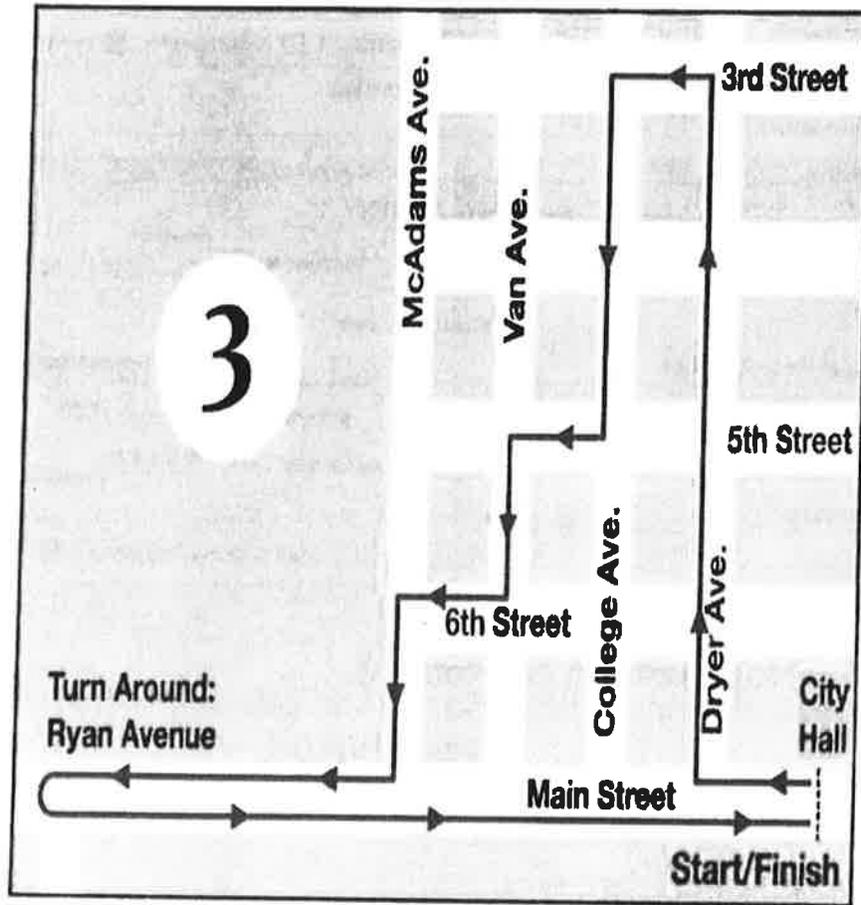
City Council: November 21, 2016
Date of Approval

Parade/Run Permits ONLY

Fee Paid: \$ _____ N/A Waived

Insurance Filed N/A

Route Selection: 1 2 3 4



RESOLUTION 2016 - 85

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

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

WHEREAS, the items listed below are recommended for disposal.

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

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

DEPT	EQ/VEH#	DESCRIPTION	VIN / SN
Fire	834	1999 FORD TRUCK PU BRT RED	1FTRX17WXXNC31441
Parks	105	1998 Smithco Sprayer	2815422141
Parks	931	2002 Toro Workman	210001311
Parks	1188	2006 Toro Workman	
Parks	935	John Deere 12000A Drag Machine	TC1200A100964

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

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

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2016.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

CITY OF DAPHNE

RESOLUTION 2016-86

**RESOLUTION APPROVING BONDS PURSUANT TO
SECTION 11-62-1 OF THE CODE OF ALABAMA (1975)**

WHEREAS, The Special Care Facilities Financing Authority of the City of Pell City, Alabama, a public corporation organized under the laws of the State of Alabama (the “Issuer”), pursuant to the authority and provisions of Chapter 62 of Title 11 of the Code of Alabama 1975 (the “Enabling Act”), proposes to issue its revenue bonds in an amount not to exceed \$60,000,000 (the “Bonds”) to provide financing for the benefit of Noland Health Services, Inc., a nonprofit corporation organized under the laws of the State of Delaware (the “User”).

WHEREAS, the Issuer proposes to use the proceeds of the Bonds to (i) refinance certain outstanding indebtedness on certain health care facilities of the Issuer, including long-term acute care facilities (“LTAC”), skilled nursing facilities (“SNF”), assisted living facilities (“AL”), specialty care assisted living facilities (“SCALF”), independent living apartments (“IL”), extended care centers, community centers, nursing homes and related support facilities, offices, medical services and equipment (collectively, the “Existing Facilities”), and (ii) to finance the costs of acquiring and the costs of reimbursement for certain new facilities and additions, renovations and improvements to, and equipment for, certain health care facilities of the Issuer, including long-term acute care facilities, skilled nursing facilities, assisted living facilities, specialty care assisted living facilities, independent living apartments, extended care centers, community centers, nursing homes and related support facilities, offices, medical services and equipment (collectively, the “New Facilities” and together with the Existing Facilities, the “Bond-Financed Facilities”).

WHEREAS, the Bond-Financed Facilities are or will be located throughout the State of Alabama, and a portion of the Bond-Financed Facilities are or will be located in the City of Daphne, Alabama.

WHEREAS, the Bond-Financed Facilities located in the City of Daphne, Alabama, are or will be located at the following location(s) (principal use and estimated proceeds of the Bonds to be spent at such location(s) noted in parentheses): Eastern Shore (SNF) (\$15,820,043), 101 Villa Drive, Daphne, AL 36526.

WHEREAS, by agreement with the Issuer, all of the Bond-Financed Facilities will be leased to the User, as the initial manager or operator thereof. The User is expected to sublease portions of the Bond-Financed Facilities to one or more of its wholly owned affiliates.

WHEREAS, the Bonds will be limited obligations of the Issuer and will be payable solely from the rentals payable by the User and any other revenues or receipts derived by the Issuer from the Bond-Financed Facilities. The lease agreement between the Issuer and the User will provide for the payment of rentals by the User sufficient to pay debt service on the Bonds when due. The Bonds will be secured under an agreement whereby the Issuer will pledge the rentals and other receipts from the Bond-Financed Facilities for the benefit of the holders of the Bonds. The Bonds will not be general obligations of the Issuer and will not in any way constitute a debt, liability or obligation of the State of Alabama or any political subdivision of the State of Alabama. The Bonds will not be payable from any tax revenues.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY the City Council of the City of Daphne, Alabama, as follows:

1. That the City Council hereby consents to and approves the issuance of the Bonds for the purposes set forth herein, and that such consent and approval is being given pursuant to, and solely for the purposes of, the provisions of Section 11-62-1 of the Enabling Act.

2. That such consent and approval should not be construed as expressing any view whatsoever as to the financial feasibility of the Bond-Financed Facilities or the adequacy of any security provided for the Bonds.

3. That this Resolution or the consents and approvals set forth herein shall never be taken to impose any liability or obligation of any kind whatsoever upon the City of Daphne, Alabama.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA
this _____ day of _____, 2016.

**CIT OF DAPHNE
A ALABAMA MUNICIPAL CORPORATION**

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

**CITY OF DAPHNE
RESOLUTION 2016-87**

**An Agreement Concerning a Transportation Planning Process for the Eastern Shore
Urbanized Area between the County of Baldwin and the Municipalities of Daphne,
Fairhope, Spanish Fort, Loxley and the State of Alabama**

BE IT RESOLVED CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that the Mayor of the City is hereby authorized, requested, and directed to execute for and on behalf of the City, an agreement by and between the Municipalities of Daphne, Fairhope, Spanish Fort, and Loxley, and the County of Baldwin, and the State of Alabama; which said agreement entitled “An Agreement Concerning a Transportation Planning Process for the Eastern Shore Urbanized Area between the County of Baldwin and the Municipalities of Daphne, Fairhope, Spanish Fort, Loxley and the State of Alabama,” is attached and made a part hereof.

ADOPTED THIS THE ____ DAY OF _____, 2016.

Dane Haygood, Mayor
City of Daphne, Alabama

ATTEST:

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

RESOLUTION NO. 2016-88

RETAINING EMPLOYEES UNDER THE MERIT SYSTEM

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, IN THE STATE OF ALABAMA:

Except for the position of Municipal Judge, which has been provided for pursuant to Resolution No. 2016-83, all classified employees of the City of Daphne so designated under the City's merit system are continued by virtue of law; that all employees of the City paid out of the General Fund of the City are hereby continued in such positions upon the terms and upon the basis of compensation heretofore existing as may be hereafter modified.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this the ____ day of November, 2016.

**Dane Haygood,
Mayor**

ATTEST:

**Rebecca A. Hayes,
City Clerk**

RESOLUTION # 2016-89

**2016 Community Development Block Grant (CDBG) for: Sewer Hookups in the
Whispering Pines & Pollard Road community**

Grant Administration and Engineering Proposal

WHEREAS, on October 31, 2016 the City of Daphne was awarded Community Development Block Grant (CDBG) funds from the Alabama Department of Economic and Community Affairs (ADECA) for Program Year 2016 made available through the United States Department of Housing and Urban Development (HUD); and

WHEREAS, the project requires both Professional Engineering and Grant Administration Services; and

WHEREAS, requires that Professional Services be procured in accordance with Circular A-102, Attachment O, issued by the Office of Management and Budget, and the "Modified" Common Rule as Adopted by the State of Alabama in an open and competitive manner;

NOW, THEREFORE IT BE RESOLVED that the City of Daphne authorizes the placement of appropriate advertisements, letters and postings soliciting Requests for Proposals from qualified engineering and grant administration firms for said services.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, THIS _____ DAY OF _____, 2016.**

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

(To Print this page, press the "Print" button on your browser. To return to the previous page, close this window.)

OFFICE OF THE GOVERNOR

Robert Bentley
Governor

www.adeca.alabama.gov



ALABAMA DEPARTMENT OF ECONOMIC
AND COMMUNITY AFFAIRS

Jim Byard, Jr.
Director

(334) 242-5525

State of Alabama

October 28, 2016

Gov. Bentley awards Community Development Block Grants for sewer repairs, upgrades in Baldwin County

MONTGOMERY— The cities of Foley and Daphne will complete sewer improvement projects to alleviate potential health hazards with the help of Community Development Block Grants totaling nearly \$700,000 awarded by Gov. Robert Bentley.

With a \$450,000 grant, Foley will rehabilitate brittle, cracked clay sewer lines in a section of the southeastern part of the city. A \$225,163 grant will help Daphne to extend public sewer service to the Whispering Pines community.

"Community Development Block Grants enable progress on vital projects that local governments would otherwise be unable to complete," Bentley said. "I am pleased to work in partnership with community leaders in Foley and Daphne to complete these sewer projects which will provide a reliable and essential service to residents."

Foley will rehabilitate 22,920 feet of sewer lines in a section of the city just south of the intersection of U.S. Highway 98 and Alabama Highway 59. The old sewer lines – installed in the 1960s – have deteriorated over time leading to frequent leaks, backups and overflows particularly after heavy rainfall. The project will use new piping that is fitted inside the existing lines, eliminating the time and expense of digging up and the old lines and other utilities. Major streets included in the project are South Pecan Street, East Azalea Avenue, South Juniper Street and East Orange Avenue. Riviera Utilities, the city's utilities board, is contributing \$690,000 toward the improvement project.

Daphne is extending sewer service to 35 households in the Whispering Pines community where residents have relied on often faulty septic systems that are prone to backups and overflows. The grant will fund the connection of the homes to city's sewer system. The project area includes Parker Lane, Whispering Pines Road and Pollard Road. Daphne is contributing \$25,018 toward the project.

The Alabama Department of Economic and Community Affairs is administering the grants from funds made available by the U.S. Department of Housing and Urban Development. "ADECA's Community Development Block Grants are important investments in the quality of life for Alabama communities,"

ADECA Director Jim Byard Jr. said. "This year, ADECA received 108 applications for projects that support economic and community development. We were able to award 54 projects totaling \$17.5 million in investments. I am proud of the projects chosen this year, especially this project to benefit the residents of Daphne and Foley."

ADECA administers an array of programs supporting law enforcement and traffic safety, economic development, energy conservation, water resource management and recreation development.

Bentley notified Foley Mayor John Koniar and Daphne Mayor Dane Haygood that he had approved the grants.

Contact Mike Presley or Jennifer Ardis

For more information, visit: <http://www.adeca.alabama.gov/>

Resolution 2016-90

**Setup new Depository Account and Transfer of Funds for:
SAIL Site, Four Cent Gas Tax, and Seven Cent Gas Tax**

WHEREAS, the Code of Alabama authorizes and legislates that Gas Tax funds must be maintained in separate accounts; and

WHEREAS, it is necessary to retain certain banking services for the administration and disbursement of such Gas Tax funds and the SAIL site fund; and

WHEREAS, funds are requested to be transferred to new accounts in order to be more consistent with the administration and services other City's accounts currently have; and

WHEREAS, the rates and services of several financial institutions were evaluated; and

WHEREAS, staff has made recommendations for the award of such banking services.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED THAT the Mayor and City Council of the City of Daphne hereby designate the following banks as depositories for the funds:

1. SAIL Site Fund—close account and transfer funds to General Fund at BBVA Compass
2. Seven Cent Gas Tax Fund – Bryant Bank
3. Four Cent Gas Tax Fund – Bryant Bank

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2016.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Daphne, Alabama, that the Mayor and Finance Director are hereby authorized to take all the steps necessary to complete the transfer of SAIL Site Fund, Seven Cent Gas Tax Fund, and Four Cent Gas Tax Fund from PNC Bank to the banks specified above.

APPROVED AND ADOPTED by the City Council of the City of Daphne this _____ day of _____, 2016.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2016-62**

**Ordinance to Pre-Zone Property Located
Southeast of Corte Road and County Road 13
Fred L. Corte**

WHEREAS, Fred L. Corte as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property that is currently under County zoning as RA, Rural Agricultural, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, to be pre-zoned as PUD, Planned Unit Development, prior to annexing into the City of Daphne; and

WHEREAS, said real property is Southeast of Corte Road and County Road 13, and more particularly described as follows:

Legal Description for Pre-zone:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, SAID POINT ALSO KNOWN AS THE SOUTHWEST CORNER OF BELLATON SUBDIVISION, PHASE ONE AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2194-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE NORTH 00 DEGREES 17 MINUTES 39 SECONDS EAST, ALONG THE WEST MARGIN OF SAID BELLATON SUBDIVISION, PHASE ONE, FUTURE BELLATON SUBDIVISION, PHASE FOUR, AND A PROJECTION THEREOF, A DISTANCE OF 724.68 FEET TO A CAPPED REBAR; THENCE RUN NORTH 00 DEGREES 16 MINUTES 25 SECONDS EAST, A DISTANCE OF 1267.60 FEET; THENCE RUN NORTH 00 DEGREES 40 MINUTES 23 SECONDS EAST, A DISTANCE OF 59.95 FEET TO A CAPPED REBAR ON THE SOUTH MARGIN OF BALDWIN COUNTY FARM TO MARKET ROAD (A.K.A. CORTE ROAD); THENCE RUN NORTH 58 DEGREES 32 MINUTES 58 SECONDS WEST, ALONG AN OLD FENCE ON THE SOUTH MARGIN OF SAID BALDWIN COUNTY FARM TO MARKET ROAD, A DISTANCE OF 355.59 FEET TO A CAPPED REBAR; THENCE RUN NORTH 60 DEGREES 39 MINUTES 04 SECONDS WEST, ALONG SAID OLD FENCE ON THE SOUTH MARGIN OF SAID ROAD, A DISTANCE OF 824.19 FEET TO A CAPPED REBAR; THENCE RUN NORTH 79 DEGREES 30 MINUTES 38 SECONDS WEST, ALONG SAID FENCE AND ROAD, A DISTANCE OF 40.53 FEET TO A CAPPED REBAR; THENCE RUN NORTH 89 DEGREES 21 MINUTES 29 SECONDS WEST, ALONG SAID FENCE AND ROAD, A DISTANCE OF 262.67 FEET TO A CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 57 SECONDS WEST, A DISTANCE OF 2641.94 FEET TO A CAPPED REBAR; THENCE RUN SOUTH 89 DEGREES 33 MINUTES 48 SECONDS EAST, A DISTANCE OF 1325.31 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 73.53 ACRES, MORE OR LESS, AND LIES IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

WHEREAS, at the regular Planning Commission meeting on August 25, 2016, the Commission considered said request and set forth a favorable recommendation; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on October 17, 2016; 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 to PUD, Planned Unit Development, City of Daphne. Upon annexation of the property prior to the expiration of the pre-zoning as set forth in Section IV, the property shall be assigned the zoning district in accordance with the pre-zoning and the zoning ordinance and zoning map be amended to reflect the said zoning. Should annexation not occur prior to the expiration of this pre-zoning as set forth in Section IV, this pre-zoning shall have no effect and the designation of a zoning district for the property shall be set forth in the annexation ordinance.

Until such time as the property is annexed to the City of Daphne, the property shall remain in the unincorporated area of Baldwin County and zoned in accordance with the Baldwin County Commission's zoning plan. The County's zoning for the property at the time the request for pre-zoning was submitted was RA, Rural Agricultural, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne.

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. Should the pre-zoning become null and void, the applicant may reapply for pre-zoning at any time as long as an annexation petition is pending.

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

**Dane Haygood,
Mayor**

ATTEST:

**Rebecca A. Hayes,
City Clerk**

BLACKSTONE LAKES PUD STANDARDS

Blackstone Lakes, a Planned Unit Development (PUD), is a 73.53 acre site located one-quarter of a mile east of County Road 13 and is bound on the north side by Corte Road and on the east side by Bellaton Subdivision Phases 1 and 4. The property is presently in the extraterritorial jurisdiction of the City of Daphne and is located in Baldwin County Planning District 15 and is zoned RA – Rural Agriculture. Application has been made to the City of Daphne to Pre-zone this property as a PUD.

The proposed development consists of 175 single family lots, with 123 lots at 52' wide and a minimum of 6,000 sq. ft., and 52 lots at 70' wide and a minimum of 10,500 sq. ft. The proposed density of the development is 2.38 units per acre. There are 20.73 acres, or 28.19% of the total site, proposed as common area. These common areas consists of buffers, storm-water detention areas, and 7.50 acres of recreational area.

The residential lots shall have the following standards:

The 52' wide lots are to have building setbacks of 25' on the front and rear, 6' on the sides, and 15' on the street sides. The 70' wide lots are 30' on the front and rear, 10' on the sides, and 15' on the street sides. The maximum building heights for all residential lots are to be as per the City's R-3 zoning district. The maximum building coverage of each residential lot is 38%.

All utilities will be constructed underground and water, sewer, electric, and telephone are all available to the site. All roadways within the development, except for one area described below, will be public and sidewalks will be located on both sides of the proposed roadways. Sidewalks will be installed by the home builder at the time of house construction and will be required to be ADA compliant. All construction will be in accordance to the standards of the City of Daphne.

The storm-water management system will be designed in accordance with the standards of the City of Daphne. All storm-water facilities and structures outside of public right-of-ways will be maintained by the P.O.A. and not the City of Daphne.

A landscape plan will be provided as part of the subdivision process. The required landscaping will be provided in the common areas and installed during construction of the infrastructure adjacent to those common areas. Any additional landscaping will be provided by the home builders and/or the lot owners.

The PUD Master Plan proposes a mix in residential building types. As a public benefit the developer proposes to make connection to and pave Corte Road from County Road 13 to just beyond the entrance of the proposed development. This will provide connectivity from the existing Bellaton development to County Road 13, and also provide additional access to Bellaton for police, fire, ambulance, garbage service, and school buses. Due to Corte Road being a County Road, all improvements will be designed and constructed to County Standards.

The southernmost 34 lots, Lots 142-175, are proposed as a senior living section within the development with a proposed gated entryway. During the subdivision process, the developer will coordinate with emergency services, garbage services, and utility companies to provide an agreed upon method for access, whether by means of a code or keyed access. The developer plans to coordinate with the Public Works department for curbside garbage pickup service. The roadways within this section will be private and privately maintained. It is also understood that any storm related debris will not be picked up by the City along the private roadways.

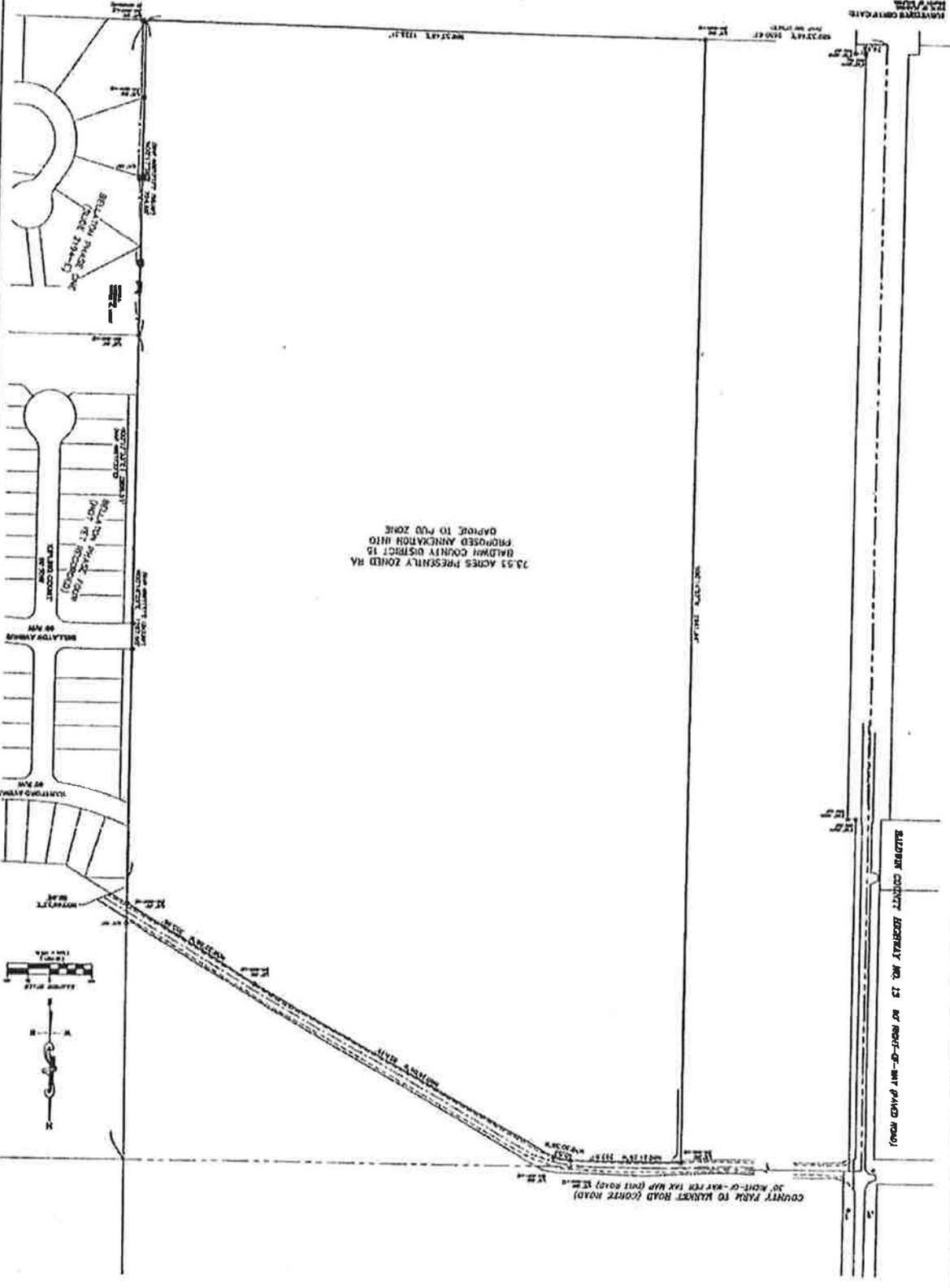
Covenants and Restrictions will provide for the formation of a Property Owner's Association for the Blackstone Lakes development whereby maintenance responsibilities of the private roads, drainage infrastructure outside of public and private roadways, and common areas will be established. It is anticipated that the senior living section will have separate maintenance responsibilities than the remaining property owners of the Blackstone Lakes development but all will be under a Master set of Covenants and Restrictions. These Covenants and Restrictions will be for the Blackstone Lakes development and will not in any way be a part of the existing Bellaton development.

EXHIBIT A
LEGAL DESCRIPTION FOR FRED L. CORTE PROPERTY (PRE-ZONING)

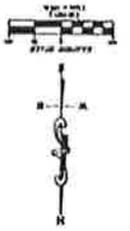
BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, SAID POINT ALSO KNOWN AS THE SOUTHWEST CORNER OF BELLATON SUBDIVISION, PHASE ONE AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2194-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE NORTH 00 DEGREES 17 MINUTES 39 SECONDS EAST, ALONG THE WEST MARGIN OF SAID BELLATON SUBDIVISION, PHASE ONE, FUTURE BELLATON SUBDIVISION, PHASE FOUR, AND A PROJECTION THEREOF, A DISTANCE OF 724.68 FEET TO A CAPPED REBAR; THENCE RUN NORTH 00 DEGREES 16 MINUTES 25 SECONDS EAST, A DISTANCE OF 1267.60 FEET; THENCE RUN NORTH 00 DEGREES 40 MINUTES 23 SECONDS EAST, A DISTANCE OF 59.95 FEET TO A CAPPED REBAR ON THE SOUTH MARGIN OF BALDWIN COUNTY FARM TO MARKET ROAD (A.K.A. CORTE ROAD); THENCE RUN NORTH 58 DEGREES 32 MINUTES 58 SECONDS WEST, ALONG AN OLD FENCE ON THE SOUTH MARGIN OF SAID BALDWIN COUNTY FARM TO MARKET ROAD, A DISTANCE OF 355.59 FEET TO A CAPPED REBAR; THENCE RUN NORTH 60 DEGREES 39 MINUTES 04 SECONDS WEST, ALONG SAID OLD FENCE ON THE SOUTH MARGIN OF SAID ROAD, A DISTANCE OF 824.19 FEET TO A CAPPED REBAR; THENCE RUN NORTH 79 DEGREES 30 MINUTES 38 SECONDS WEST, ALONG SAID FENCE AND ROAD, A DISTANCE OF 40.53 FEET TO A CAPPED REBAR; THENCE RUN NORTH 89 DEGREES 21 MINUTES 29 SECONDS WEST, ALONG SAID FENCE AND ROAD, A DISTANCE OF 262.67 FEET TO A CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 14 MINUTES 57 SECONDS WEST, A DISTANCE OF 2641.94 FEET TO A CAPPED REBAR; THENCE RUN SOUTH 89 DEGREES 33 MINUTES 48 SECONDS EAST, A DISTANCE OF 1325.31 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 73.53 ACRES, MORE OR LESS, AND LIES IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

DATE	1987
PROJECT	23.33 ACRES PRESERVATION ZONED RA
PREPARED BY	DEWBERRY - PRR/RLR-RSH
SCALE	1" = 40'
DATE	1-20-87
BY	RLR
CHECKED BY	RLR
DATE	1-20-87
APPROVED BY	RLR

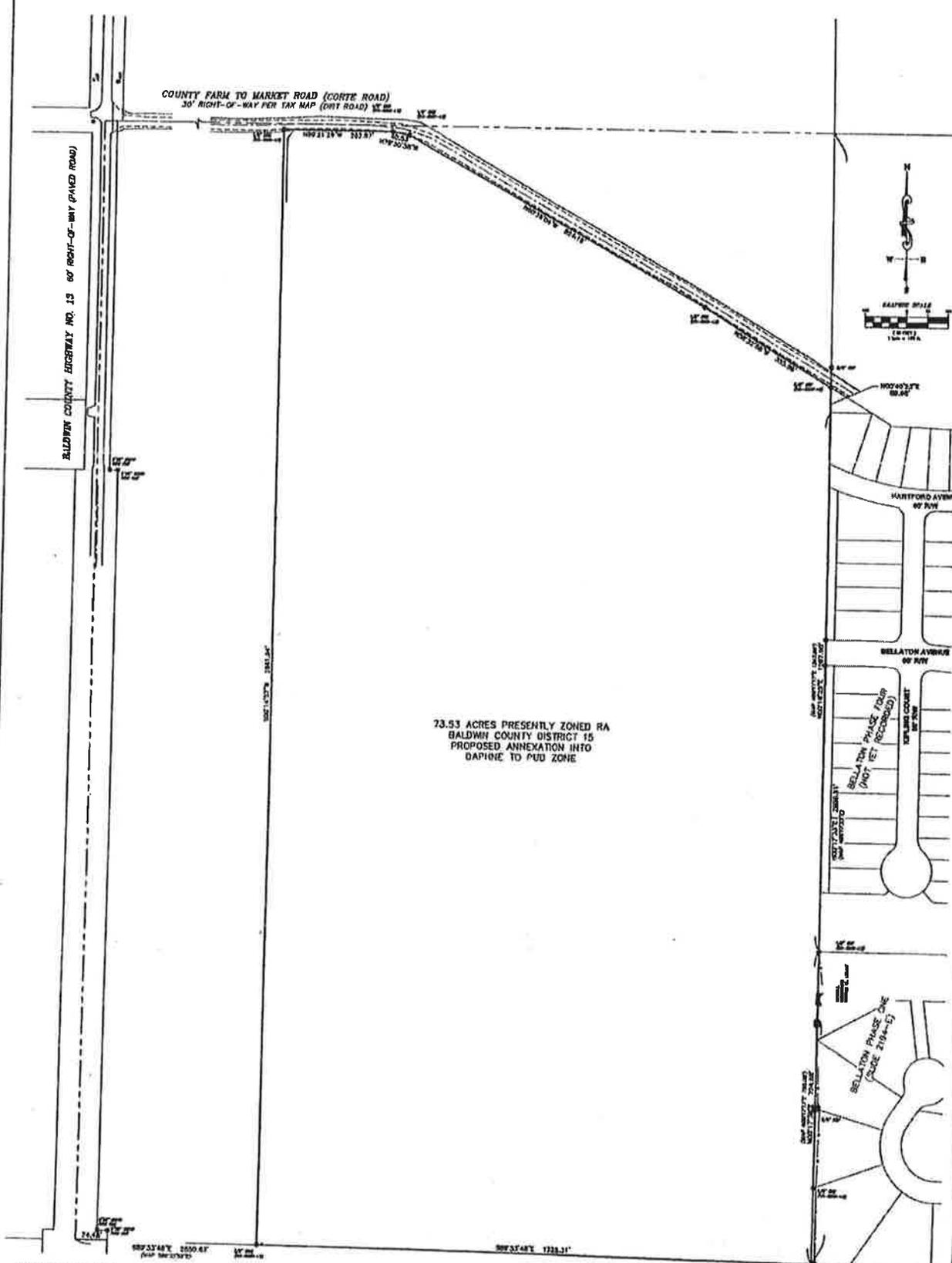
EXHIBIT B ZONING DISPLAY



23.33 ACRES PRESERVATION ZONED RA
PROPOSED ANNEXATION AND
DAPURE TO RUD ZONE



STATE OF TEXAS
COUNTY OF BROWN
I, R. L. RAY, Surveyor, do hereby certify that the foregoing plat is a true and correct copy of the original as recorded in my office.
R. L. RAY
Surveyor



23.53 ACRES PRESENTLY ZONED RA
BALDWIN COUNTY DISTRICT 15
PROPOSED ANNEXATION INTO
DAPHNE TO PUD ZONE

SURVEYOR'S CERTIFICATE:
COUNTY OF BALDWIN
STATE OF ALABAMA

WE, THE UNDERSIGNED, A FIRM OF LICENSED SURVEYORS AND LAND SURVEYORS OF BALDWIN, ALABAMA, HEREBY STATE THAT WE ABOVE IS A
FIRM OF BALDWIN COUNTY, ALABAMA, DISTRICT 15, AND WE HAVE CONDUCTED THE FOLLOWING SURVEY IN ACCORDANCE WITH THE PROVISIONS OF THE
ALABAMA SURVEYING ACT, AS AMENDED.

WE HEREBY CERTIFY THAT WE ARE A FIRM OF LICENSED SURVEYORS AND LAND SURVEYORS OF BALDWIN, ALABAMA, DISTRICT 15, AND WE HAVE CONDUCTED THE FOLLOWING SURVEY IN ACCORDANCE WITH THE PROVISIONS OF THE ALABAMA SURVEYING ACT, AS AMENDED.

WE HEREBY CERTIFY THAT WE ARE A FIRM OF LICENSED SURVEYORS AND LAND SURVEYORS OF BALDWIN, ALABAMA, DISTRICT 15, AND WE HAVE CONDUCTED THE FOLLOWING SURVEY IN ACCORDANCE WITH THE PROVISIONS OF THE ALABAMA SURVEYING ACT, AS AMENDED.

DATE: 6-25-2016
BY: [Signature]
SURVEY NOT VALID WITHOUT SIGNATURE AND SEAL.

EXHIBIT B ZONING DISPLAY

JUNE 26, 2016 - SHEET 1 OF 1

BOUNDARY SURVEY					
OWNER	D.E.D.	OWNER	A.E.F.	GRID	D.E.A.
ENO	J.W.E.	SURVEYOR	D.E.O.	PROJ. MGR.	J.D.A.
Dewberry		PREBLE-RISH		SCALE 1"=80'	
				PROJ. NO. 200602650	
				FILE NUMBER 40202650	
				SHEET 1 OF 1	

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2016-68**

**Ordinance to Rezone Property Located
Southwest of the Intersection of Park Drive and Tallent Lane, East of the Future Daphne
Sports Complex
Earth, Inc.**

WHEREAS, Earth Inc. as the owner of certain real property located within the City of Daphne, Alabama, has requested that said property be rezoned from R-3, High Density Single Family Residential District to R-6(G), Garden or Patio Home District; and,

WHEREAS, said real property is located at the Southwest of the intersection of Park Drive and Tallent Lane, east of the future Daphne Sports Complex, and more particularly described as follows:

LEGAL DESCRIPTION

Beginning at the Southwest corner of Lot 27, Northern Division of Jackson Oaks Subdivision, as recorded in Map Book 3, Page 28 and recorded in Map Book 7, Page 36 Probate Court Records, Baldwin County, Alabama, run North 88°-49'-48" East, along the South line of said Lot 27, a distance of 271.86 feet; thence North 89°-13'-17" East, along the South line of Lot 28 In said subdivision, a distance of 226.43 feet; thence South 00°-39'-37" West, along the West right-of-way line of Tallent Lane, 19.86 feet; thence South 89°-07'-36" West, along the North boundary of property now or formerly of Revelation Missionary and property now or formerly of Felix B. Harrison, a distance of 414.49 feet; thence South 00°-16'-05" East, along the West line of said Harrison property and said Revelation Missionary property, a distance of 419.4 feet; thence North 89°-14'-00" East, along the South boundary of said Revelation Missionary property, a distance of 400.6 feet; thence South 00°-08'-04" East, along the West line of property now or formerly of the City of Daphne, 417.85 feet; thence South 89°-15'-47" West, along the North boundary of property now or formerly of Plan B Investments, LLC, a distance of 499.17 feet; thence North 00°-05'-40" West, along the East line of property now or formerly of the City of Daphne, a distance of 855.55 feet to the Point of Beginning.

WHEREAS, at the City of Daphne Planning Commission meeting on September 22, 2016 the Commission considered said request and set forth a unanimous favorable recommendation to the City Council of the City of Daphne that said property be rezoned; and,

WHEREAS, due notice of said proposed rezoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on November 7, 2016; and,

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

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

SECTION I: ZONING

That above described real property is hereby rezoned from R-3, High Density Single Family Residential District to R-6(G), Garden or Patio District, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

SECTION III: REPEALER.

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

SECTION IV: SEVERABILITY.

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

SECTION V: EFFECTIVE DATE.

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

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

Dane Haygood,
Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

EARTH, INC.

ZONING AMENDMENT REVIEW

SOUTHWEST OF THE INTERSECTION OF PARK DRIVE
AND TALLENT LANE, EAST OF THE DAPHNE
SPORTS COMPLEX

EXHIBIT "A"

STATE OF ALABAMA)
COUNTY OF BALDWIN)

DESCRIPTION OF PROPERTY TO BE REZONED FROM R-3, HIGH DENSITY
SINGLE FAMILY RESIDENTIAL, TO AND R-6(G) GARDEN OR PATIO
HOME:

Beginning at the Southwest corner of Lot 27, Northern Division of Jackson Oaks Subdivision, as recorded in Map Book 3, Page 28 and recorded in Map Book 7, Page 36 Probate Court Records, Baldwin County, Alabama, run North 88°-49'-48" East, along the South line of said Lot 27, a distance of 271.86 feet; thence North 89°-13'-17" East, along the South line of Lot 28 In said subdivision, a distance of 226.43 feet; thence South 00°-39'-37" West, along the West right-of-way line of Tallent Lane, 19.86 feet; thence South 89°-07'-36" West, along the North boundary of property now or formerly of Revelation Missionary and property now or formerly of Felix B. Harrison, a distance of 414.49 feet; thence South 00°-16'-05" East, along the West line of said Harrison property and said Revelation Missionary property, a distance of 419.4 feet; thence North 89°-14'-00" East, along the South boundary of said Revelation Missionary property, a distance of 400.6 feet; thence South 00°-08'-04" East, along the West line of property now or formerly of the City of Daphne, 417.85 feet; thence South 89°-15'-47" West, along the North boundary of property now or formerly of Plan B Investments, LLC, a distance of 499.17 feet; thence North 00°-05'-40" West, along the East line of property now or formerly of the City of Daphne, a distance of 855.55 feet to the Point of Beginning.

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2016-69**

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

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on September 22, 2016 favorably recommended to the City Council of the City of Daphne certain amendments to the Daphne Land Use and Development Ordinance / Zoning District Map approved and adopted by No. 2011-54 and 2015-67; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of 2015-67; and

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

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on November 7, 2016; and

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

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

SECTION I: ZONING DISTRICT MAP

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

SECTION II: REPEALER

Ordinance No. 2011-54, Appendix H “Exhibit A”, and Ordinance No. 2015-67 are hereby repealed, and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

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

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

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Zoning & Street Map Codifications August 1, 2015 through September 31, 2016

Application	Council Approval Date	Council Action Ordinance #		Property Size
Annexation				
John W. West Ins#1544824	November 2, 2015	2015-63		0.31 ac
Cadence Bank Ins# 15844827	November 2, 2015	2015-66		1.08 ac
Steiner Property with R-1 zoning Ins#1550839	January 4, 2016	2015-74		67 ac
Red Barn, LLC Ins#1557448	February 15, 2016	2016-10		110.5 acres
County Road 64 Ins#1571312	May 2, 2016	2016-27		9.6 ac
Bills #2, LLC Ins# 1587425	August 1, 2016	2016-45		73.76 ac
Rezoning or Prezoning				
		Ordinance #	Old/New Zoning Classification	
John W. West Ins# 15844826	November 2, 2015	2015-62	ETJ/prezone to B-1, Local Business	0.31 ac
Cadence Bank Ins# 15844825	November 2, 2015	2015-65	R-4 to rezone to PUD (Single Family Townhouses)	6.19 ac
Cadence Bank Ins# 15844826	November 2, 2015	2015-64	ETJ-RSF-2 prezone to PUD (Single Family Townhouses)	1.08 ac
Red Barn, LLC Ins#1557449	February 15, 2016	2016-09	ETJ prezone to R-2, R-3, R-6G	110.5 ac
The Bill's LLC #2 Ins# 1564976	March 21, 2016	2016-21	ETJ prezone to B-3	73.76 ac
Christ the King Parish Ins#1590275	April 18, 2016	2016-25	R-2 rezone to B-1	0.5182 ac
Elizabeth Wright Ins#1581534	July 20, 2016	2016-28	B-3 rezone to B-1(a)	0.63 ac
Daphne Rudicell Robinson Ins#1581535	July 20, 2016	2016-38	B-2 to MU	0.5 ac
McBride & Romero Ins# 158558	August 1, 2016	2016-41	R-1 to B-2	5.39 ac
AJD Family Partnership Ins# 158559	August 1, 2016	2016-42	B-1 to B-2	10.38 ac
Eastern Shore Associates, LLC Ins# 158560	August 1, 2016	2016-43	B-2 to R-7T	4.36 ac
Anne K. Irvine Ins# 158561	August 1, 2016	2016-44	R-4 to B-2	1.19 ac
Street Acceptance				
		Resolution #	\$ Maintenance Bond \$--exp.	Linear Feet
Retreat at Tiawasee Lake Shore Drive	January 4, 2016	2016-01	\$168,000 Bond exp, 12/2017	4250
	January 4, 2016	2016-02	n/a	
Brookhaven Subdivision	March 7, 2016	2016-14	\$13,802.15 exp, 3/18	438
Caroline Woods	March 7, 2016	2016-15	\$14,805.28 exp, 3/18	815.69

City GIS Zoning, Street and City Limits shapefiles have been updated to include all applicable above noted amendments.

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2016-70**

**Ordinance to Rezone Property Located at the
Southwest Intersection of County Road 64 and Rand Avenue
GCOF Daphne Commercial Property 13-64, LLC**

WHEREAS, GCOF Daphne Commercial Property 13-64, LLC as the owner of certain real property located within the City of Daphne, Alabama, has requested that said property be rezoned from B-2, General Business District to R-7(A), Apartment District; and,

WHEREAS, said real property is located at the Southwest intersection of County Road 13 and Rand Avenue, and more particularly described as follows:

LEGAL DESCRIPTION

Lot 2 GCOF & WSR 64-13 replat slide 2514 as recorded in the Probate Records of Baldwin County.

WHEREAS, at the City of Daphne Planning Commission meeting on September 22, 2016 the Commission considered said request and set forth a unanimous favorable recommendation to the City Council of the City of Daphne that said property be rezoned; and,

WHEREAS, due notice of said proposed rezoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on November 7, 2016; and,

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

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

SECTION I: ZONING

That above described real property is hereby rezoned from B-2 General Business District to R-7(A) Apartment District, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

SECTION III: REPEALER.

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

SECTION IV: SEVERABILITY.

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

SECTION V: EFFECTIVE DATE.

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

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

Dane Haygood,
Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

**GCOF
EXHIBIT "A"
LEGAL DESCRIPTION**

**LOT 2 GCOF & WSR 64-13 REPLAT SLIDE 2514 AS RECORDED IN THE PROBATE RECORDS OF
BALDWIN COUNTY.**

ORDINANCE 2016-71

2016 Community Development Block Grant (CDBG) for: Sewer Hookups in the Whispering Pines & Pollard Road community

WHEREAS, Ordinance 2016-56 approved and adopted the Fiscal Year 2017 Budget on September 20, 2016; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2017 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2017 budget; and

WHEREAS, Resolution 2016-40 approved the application to ADECA for the 2016 CDBG Grant for sewer hookups in the Whispering Pines & Pollard Road community; and

WHEREAS, on October 31, 2016 the City of Daphne was awarded Community Development Block Grant (CDBG) funds from the Alabama Department of Economic and Community Affairs (ADECA) for Program Year 2016 made available through the United States Department of Housing and Urban Development (HUD).

NOW, THEREFORE IT BE RESOLVED that the City of Daphne

1. Accepts the grant award from ADECA in the amount of \$225,163.80, and
2. Agrees to provide a cash match in the amount of **\$25,018.20** from the ***Capital Reserve Fund*** for the Sewer hookups in the Whispering Pines and Pollard Road community (*total project cost -\$250,182*); and
3. Authorizes the Mayor to sign the grant start up documents, the grant agreement, and other grant related documents on behalf of the City.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2016.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Ordinance 2016-72
Federal Emergency Management Agency (FEMA): Hazard Mitigation Grant Program
(HMGP) Disaster Assistance: Teri Lynn Platt c/o Teri Lynn Dyess, 118 Lakeview Loop,
Lot 8-Unit 21 Lake Forest

WHEREAS, Ordinance 2016-56 approved and adopted the Fiscal Year 2017 Budget on September 19, 2016; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2017 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2017 budget; and

WHEREAS, on January 13, 2016 Governor Bentley requested a federal disaster due to severe storms, tornadoes, straight-line winds, and flooding during the period of December 23-31, 2015; and

WHEREAS, on January 21, 2016, FEMA declared the event a Major Disaster Declaration; Alabama Severe Storms, Tornadoes, Straight line Winds, and Flooding (DR-4251); and

WHEREAS, the declaration activates the FEMA Hazard Mitigation Grant Program (HGMP). The HMGP provides grants to states and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Long-term mitigation measures may include but not be limited to; property acquisition and structure demolition, property acquisition and structure relocation, structure elevation, mitigation reconstruction, dry flood proofing, etc.; and

WHEREAS, the HGMP requires a state or local government sponsor 25% cost share for the grant; and

WHEREAS, the home Teri Lynn Platt, c/o Teri Lynn Dyess 118 Lakeview Loop, Lot 8 Unit 21 (PPIN:066532) in Lake Forest was flooded during past rain events and the residence has an estimated market value of \$135,500; and

WHEREAS, the property owners have requested to participate in the FEMA HMGP National Flood Insurance Program Buyout where the home would be purchased by FEMA with FEMA providing 75% of the approved market value of the residence; and with the homeowner or sponsor providing the additional 25% share (*estimated \$33,875*); and

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

- 1) The City of Daphne shall sponsor the approved qualifying grant application with the following conditions:
 - a. The property owner shall handle the entire FEMA HMGP application process; and
 - b. A General Fund appropriation not to exceed **\$20,000** less any in-kind labor/cash match as incurred for expenses such as demolition of the home shall be appropriated; and the Fiscal Year 2017 Budget is hereby amended to include this appropriation, and
 - c. The City will retain ownership of the vacant lot (118 Lakeview Loop: PPIN:066532) and shall deed restrict the lot to remain as floodway green space
- 2) The Mayor is hereby authorized to execute such proposal and any and all additional documents necessary to carry out the purpose of requesting such funds from FEMA.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____ 2016.

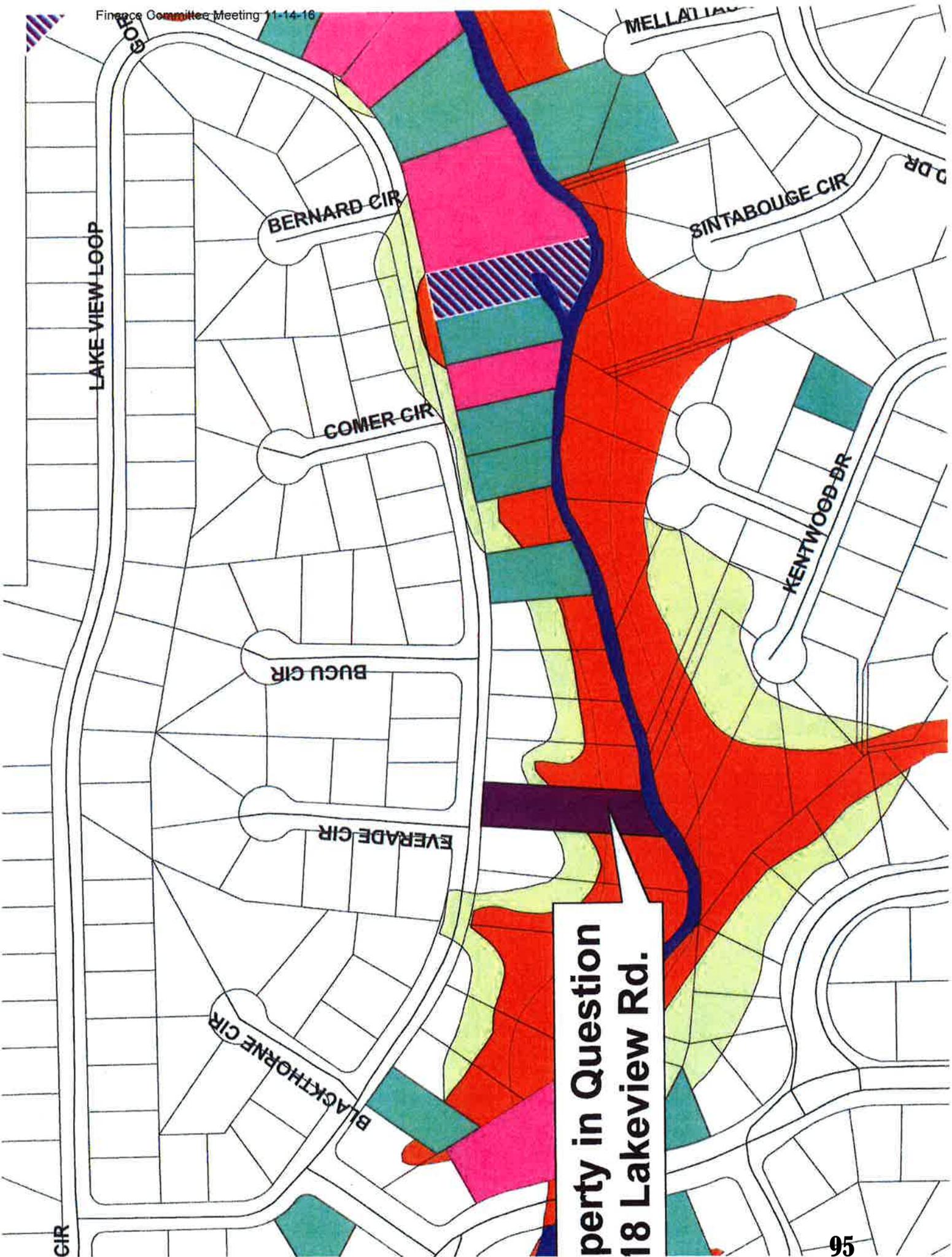
ATTEST:

Dane Haygood, Mayor

Rebecca A. Hayes, City Clerk

Summary of Daphne Hazard Mitigation Grant Program Property Acquisitions in Lake Forest

Property Address	Year of Grant	Total Grant Amount	75% (Amount paid by FEMA)	Match Paid by City of Daphne	Match Paid by Property Owner
104 Gordon Circle	2016	\$162,825	\$122,119	\$10,000 (in kind only)	\$30,706
140 Lakeview Loop	2012	\$141,560.13	\$106,170.10	\$35,390.03	\$0.00
103 Gordon Circle	2010	\$211,653.91	\$158,740.43	\$52,913.48	\$0.00



**perty in Question
18 Lakeview Rd.**

ORDINANCE 2016-73

One-Time Lump Sum Pay Adjustment

WHEREAS, Ordinance 2016-56 approved adopted the Fiscal Year 2017 Budget on September 19, 2016; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2017 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2017 budget; and

WHEREAS, the adopted budget does not include an appropriation for a One-Time Lump Sum Pay Adjustment for Full and Part-Time employees; and

WHEREAS, the City Council of the City of Daphne, Alabama, has determined that for work to be performed by Daphne employees during the period of November 24th, 2016 to December 7th, 2016, shall be paid the additional sum net of payroll taxes (retirement will be deducted) as follows:

- \$250 (*net of payroll taxes*) for Full-Time employees
- \$150 (*net of payroll taxes*) for the remaining regularly scheduled on-temporary Part-Time employees
- \$ 75 (*net of payroll taxes*) for School Crossing Guards and part-time Dispatchers.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that: the Fiscal Year 2017 Budget is hereby amended to include an appropriation in the amount of \$82,569 for Full-Time employees to receive an additional sum of \$250 (Net of payroll taxes) and Part-Time employees to receive an additional sum of \$150 (Net of payroll taxes) or \$75 (net of payroll taxes) as indicated above.

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

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

ONE TIME PAY INCREASE SCENARIOS

		One Time Adjustment	1.45% Security	6.20% Medicare	Average 6.50% Retirement	Total
\$250.00 One Time Pay Full Time Employees	257	64,250.00	931.63	3,983.50	4,176.25	73,341.38
Part Time Employees						
\$75 One Time Pay School Crossing Guards and PT Dispatchers	10	750.00	10.88	46.50	48.75	856.13
\$150 One Time Pay	12	1,800.00	26.10	111.60	117.00	2,054.70
Total		66,800.00	968.60	4,141.60	4,342.00	76,252.20
\$270.71 One Time Pay Full Time Employees	257	69,572.47	1,008.80	4,313.49	4,522.21	79,416.97
Part Time Employees						
\$81.21 One Time Pay School Crossing Guards and PT Dispatchers	10	812.10	11.78	50.35	52.79	927.01
\$162.43 One Time Pay	12	1,949.16	28.26	120.85	126.70	2,224.97
Total		72,333.73	1,048.84	4,484.69	4,701.69	82,568.95

ORDINANCE 2016 - 74
Mowing Vehicle Replacement Appropriation

WHEREAS, Ordinance 2016-56 approved and adopted the Fiscal Year 2017 Budget on September 19, 2016; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2017 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2017 budget; and

WHEREAS, the adopted budget does not include an appropriation for a replacement vehicle for the Mowing department that was damaged in a recent accident; and

WHEREAS, the City's insurance carrier has deemed the 2012 Ford F150 truck (*Vehicle#1427*) to be "totaled" as a result of the accident and the City will receive a settlement amount of \$15,000; and

WHEREAS such vehicle is required in order to complete daily public works operations.

WHEREAS, staff has requested to apply the settlement of \$15,000 towards a purchase of a 2016 Ford F250 for \$27,000 (*from the state bid contract*) to replace the totaled vehicle.

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

1. The Fiscal Year 2017 Budget is hereby amended to include a General Fund appropriation in the amount of \$12,000.
2. The insurance settlement of \$15,000 be applied for the replacement of the 2012 Ford F150 Truck and equipment.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this _____ day of _____, 2016.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Ordinance 2016-75
Appropriation for Supplemental Landscape & Architecture Aesthetics
for the Daphne Recreational Facilities

WHEREAS, Ordinance 2016-56 approved and adopted the Fiscal Year 2017 Budget on September 19, 2016; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2017 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2017 budget; and

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

WHEREAS, the City of Daphne has contracted with two design firms: Hutchinson, Moore & Rauch, LLC and Lose and Associates to design the Daphne Sports Complex and Mott MacDonald to design the improvements for Lott Park and Trione Park; and

WHEREAS, the firm of Volkert, Inc. has been contracted to provide project management of the design of the Daphne Sports Complex, the Lott Park Improvements and the Trione Park Improvements; and

WHEREAS, the City of Daphne established a Parks Planning Team to provide guidance regarding recreational needs and reviews of the proposed park improvements and during their November 9, 2016 meeting agreed that additional landscape and architectural features be identified to coincide with local coastal aesthetics; and

WHEREAS, the Parks Planning Team has agreed that a local firm be contracted with to identify additional landscape and architectural aesthetic features for providing to the Daphne Sports Complex design firm for incorporating into the corresponding facility designs; and

WHEREAS, the project management firm has been instructed contract with up to two local architectural firms to provide additional aesthetic suggestions for the Parks Planning Team to concur with and for the design firm to incorporate into the Daphne Sports Complex architectural design;

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

1. Volkert, Inc. shall contract with up to 2 local landscape architectural and building architectural firms to meet with the City's designated representatives to identify and select additional aesthetic features that coincide with local coastal concepts; and
2. An appropriation in the amount of \$12,000 from the Lodging Tax Fund shall be appropriated for these Architectural services and the Fiscal Year 2017 Budget is hereby amended to include this appropriation; and
3. Authorize the Mayor to execute an agreement to amend the City's current parks project management contract for an amount of \$12,000 to work with local architectural firms to provide additional architectural aesthetic alternatives.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA,
THIS _____ DAY OF _____, 2016

ATTEST:

Dane Haygood, Mayor

Rebecca A. Hayes, City Clerk



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE
CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

October 27, 2016

South Alabama Branch
Regulatory Division

SUBJECT: Department of the Army File SAM-2016-00906-JEB, City of Daphne

City of Daphne, Public Works Department
Attention: Mr. Richard D. Johnson, P.E.
Public Works Director
26435 Public Works Road
Post Office Box 400
Daphne, Alabama 36526

Dear Mr. Johnson:

The purpose of this letter is to reply to your September 7, 2016 letter and September 28, 2017 e-mail regarding the unauthorized fill road in wetlands at the Park Drive Tract in Daphne. The work is related to an on-going timber harvesting operation associated with development of the City of Daphne sports complex. The work was performed in Sections 7 and 8, Township 5 South, Range 2 East at Latitude 30.623719° North and Longitude 87.900160° West, Daphne, Alabama.

Section 404 of the Clean Water Act requires a Department of the Army (DA) permit be obtained for the placement or discharge of dredged and/or fill material into a waters of the United States, including wetlands, prior to conducting the work (33 U.S.C.1344). Yancey Branch is a water of the United States.

Based upon our September 19, 2016 site visit with City of Daphne representatives and Mr. Jim Jeeter of the Alabama Forestry Commission, it does not appear the wetland road crossing will qualify for the Section 404 forestry exemption. Specifically, the City of Daphne Forestry Management Plan indicates that the intent of the silviculture activities performed on the tract are to change the use of the site from forestry to recreational use. The timber removal operation appears to be site preparation for construction of the proposed sports complex. This opinion is supported by Mr. Jim Jeeter, Alabama Forestry Commission, in his enclosed letter. A change of use for this road crossing will require a Department of the Army permit along with compensatory wetland mitigation.

Nothing in this letter shall be construed as excusing you from compliance with other federal, state, or local statutes, ordinances, or regulations that may affect this work.

-2-

We are furnishing copies of this letter to Alabama Department of Environmental Management, Attention: Mr. Dylan Hendrix, Mobile Branch Coastal Section, 3664 Dauphin Street, Suite B, Mobile, Alabama 36608 and the City of Daphne, Attention: Ms. Ashley Campbell, Environmental Programs Manager, Post Office Box 400, Daphne, Alabama 36526.

Please acknowledge in writing, within 15 calendar days from receipt of this letter, your intentions concerning resolution of this matter, either through site restoration, compliance with Alabama Forestry Commission regulations, or submission of an after-the-fact permit application.

Please refer to file number SAM-2016-00906-JEB in future correspondence, or if you have any questions concerning this matter, you may call Mr. Eric Buckelew at (251) 690-3184.

Sincerely,


Sheri M. Zettle, P.G.
Chief, South Alabama Branch
Regulatory Division

Enclosures



ALABAMA FORESTRY COMMISSION

PROTECT • SUSTAIN • EDUCATE

www.forestryalabama.gov

Northwest Regional Office
8135 McFarland Boulevard
Northport, Alabama 35476
205-333-1590

September 26, 2016

Mr. Eric Buckelew
Project Manager
USACE – Mobile District

Mr. Buckelew:

On Monday the 19th of September 2016, the following met with you on site to discuss the status of the Daphne Sports Complex.

Jim Jeter, Ray Clifton, Rickey Fields – Alabama Forestry Commission
Ashley Campbell and Mikel Corporall – City of Daphne

The issue in question was: Do the silvicultural activities performed on the 120+/- tract, known as the Daphne Sports Complex, meet the compliance criteria for the 404(f) forestry exemption for obtaining an individual permit for operating in a wetland?

One of the conditions that must be met for the exemption to be valid is: The activity is part of an established (i.e., ongoing) silvicultural, farming, or ranching operation and not a new use to which the wetland was not previously subject. It is of my opinion that the activities conducted in the delineated wetlands by the City of Daphne do not meet the criteria for the 404(f) exemption for forestry activities for the following reason:

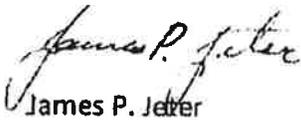
The City of Daphne submitted a written "Forest Management Plan" to be reviewed by the Alabama Forestry Commission. Although this is not a requirement of the 404(f) exemption, it does serve as a "notice of intent" for the use of the property by the current landowner. In this plan the tract is described in its entirety as a contiguous 120+/- parcel that will be developed for active and passive recreation activities. It is clear that silvicultural activities have taken place; however, it is also clear from the written plan and conversations with City of Daphne officials that the intent of the silvicultural activities performed on the tract, as a whole, are to change the use from forestry to a park (i.e., recreation use).

Mr. Eric Buckelew
Project Manager
USACE – Mobile District

In fact, these activities would be considered pre-construction activities and subject to an NPDES permit from ADEM as well.

Recreation use does not fall under the 404(f) exemption just because forestry/silvicultural operations were used as part of the development. A clearer example would be the cutting of trees to build a Walmart or a real estate harvest of trees for the building of a housing development.

Sincerely,



James P. Jeter
BMP Coordinator
Alabama R.F. #881