

**CITY OF DAPHNE
CITY COUNCIL BUSINESS MEETING AGENDA
JANUARY 19, 2005**

- 1. CALL TO ORDER**
- 2. ROLL CALL/INVOCATION:
PLEDGE OF ALLEGIANCE**
- 3. APPROVE MINUTES:** January 3, 2005

PROCLAMATION: Arbor Day / Marjorie Bellue

PROCLAMATION/PRESENTATION: Old Methodist Museum

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE - Scott

- a.) Review minutes meeting held January 10th
- b.) MOTION: Approve payment to DHS for Benefit of the Percussion Ensemble
- c.) Appropriate Funds: **Ordinance 2005-02**
 - 1.) Daphne Middle School Fence & Gates
 - 2.) Office Renovations - City Hall / Executive / Legislative Offices
- d.) Bid Awards:
 - 1.) Janitorial Supplies / Mobile Janitorial & Paper Co. / **Resolution 2005-05**
 - 2.) Laptop Computers / Gateway Co., Inc. / **Resolution 2005-06**
- e.) Prepaid Travel / Rebecca Hayes / Certified Municipal Clerk Training / February 22-25 / Tuscaloosa, AL / **Resolution 2005-04**
- f.) Treasurers Report / December 31, 2004
- g.) Sales & Use Tax Collections / November 30, 2004

B. BUILDINGS AND PROPERTY COMMITTEE- Lake
Review minutes meeting held January 7th

C. PLANNING/ZONING/CODE ENFORCEMENT - Barnette

D. PUBLIC SAFETY/ORDINANCE COMMITTEE- Burham

- a.) Amend Ordinance 2003-17 - Mardi Gras Ordinance / **Ordinance 2005-03**
- b.) Resolution Authorizing Overtime Compensation for Salaried Employees During Declared Emergencies of the City of Daphne

E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY - Yelding

- a.) Review minutes meeting held December 17, 2004
- b.) Review Beautification minutes meeting held December 3, 2004
- c.) Review Daphne Museum minutes meeting held November 8, 2004
- d.) Review Daphne Museum minutes meeting held December 13, 2004

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments -

B. Downtown Redevelopment Authority - Barnette

C. Industrial Development Board - Yelding

D. Library Board - Lake

E. *Planning Commission* - Barnette
Review minutes meeting held December 16th

F. *Recreation Board* - Burnam

G. *Utility Board* - Scott

6. **REPORTS OF THE OFFICERS:**

A. *Mayor's Report*

a.) *Parade Permit / Shadow Barons / Mardi Gras*

B. *City Attorney's Report*

C. *Department Head Comments*

7. **PUBLIC PARTICIPATION:**

8. **RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS:**

RESOLUTIONS:

a.) **Prepaid Travel/Rebecca Hayes..... /Resolution No. 2005-04**

c.) **Bid Award: Janitorial Supplies / Mobile Janitorial & Paper Company..... /Resolution No. 2005-05**

d.) **Bid Award: Laptop Computers / Gateway Co., Inc. /Resolution No. 2005-06**

ORDINANCES:

a.) **Control Weeds and Junk Vehicles in Daphne..... /Ordinance No. 2005-01**

b.) **Appropriate Funds: Install Fence and Gates: DMS Athletic Fields City Hall Renovations..... /Ordinance No. 2005- 02**

c.) **Amending Ordinance 2003-17 / Mardi Gras Ordinance..... /Ordinance No. 2005-03**

d.) **Authorizing Overtime Compensation for Salaried Employees During Declared Emergencies of the City of Daphne..... /Ordinance No. 2005-04**

9. **COUNCIL COMMENTS**

10. **ADJOURN**

**CITY OF DAPHNE
CITY COUNCIL MEETING**

ROLL CALL

CITY COUNCIL:

CALL VOTES

COUNCILMAN YELDING	PRESENT___	ABSENT___
COUNCILWOMAN BARNETTE	PRESENT___	ABSENT___
COUNCILMAN LAKE	PRESENT___	ABSENT___
COUNCILMAN BURNAM	PRESENT___	ABSENT___
COUNCILMAN SCOTT	PRESENT___	ABSENT___
COUNCILWOMAN LANDRY	PRESENT___	ABSENT___
COUNCILMAN PALUMBO	PRESENT___	ABSENT___
MAYOR SMALL	PRESENT___	ABSENT___

CITY CLERK:

DAVID L. COHEN	PRESENT___	ABSENT___
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CITY ATTORNEY:

CITY ATTORNEY JAY ROSS	PRESENT___	ABSENT___
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MINUTE NOTES:

1. CALL TO ORDER

Council President Burnam called meeting to order at 6:30 P.M.

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Pastor Joe Drake from the Abundant Life Christian Center gave the invocation.

COUNCIL MEMBERS PRESENT: Bailey Yelding; Cathy Barnette; John Lake; Greg Burnam; Ron Scott; Regina Landry; August Palumbo; Mayor Small.

Also present: David Cohen, City Clerk, Rebecca Hayes, Executive Secretary to City Clerk; Jay Ross, City Attorney; Tim Fleming, Attorney; Sharon Cureton, Human Resource Director; Mr. Bill Eady, Planning Department Director; David Carpenter, Police Chief; Ronnie Phillips, Building Inspection Director Dale Foster, Librarian; Ken Eslava, Public Works Director; David McKelroy, Recreation Director; Sandra Morse, Civic Center Director; Kim Briley, Finance Director; Employees of the City; Bob Segalla, Utility Board; Al Guarisco Village Point Foundation; Starke Irvine, DRA; Willie Robinson, BZA.

3. APPROVE MINUTES OF MEETING HELD: January 3, 2005

MOTION BY Mr. Lake to adopt the minutes of the January 3, 2005 meeting. *Seconded by Mrs. Landry.*

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

4. REPORTS OF STANDING COMMITTEES:

A. FINANCE COMMITTEE - Scott

No report.

B. BUILDING/PROPERTY COMMITTEE - Lake

No report. The Committee will meet Friday January 7th at the Civic Center

C. PLANNING/ZONING/CODE ENFORCEMENT - Barnette

No report.

D. PUBLIC SAFETY/ORDINANCE COMMITTEE - Burnam

No report. The Committee will meet January 11th 6:00 p.m. at the Justice Center.

E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY - Yelding

No report.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments -

There will not be a meeting in January.

B. Downtown Redevelopment Authority -

The next meeting will be January 11th at 5:15 p.m.

C. Industrial Development Board -Yelding

No report.

the developer time to get the figures together, and actually show them what they are going to do. The Mayor asked for a motion from the Council so that they can carry on with this project.

MOTION BY Mr. Yelding to approve the Letter of Intent to Aronov Realty which allows them to work toward the development agreement. *Seconded by Mr. Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

B. City Attorney's Report

Mr. Ross reported on the McMillan Bluff lawsuit saying as of today no order has been put forth by Judge Floyd, and as soon as it comes he will circulate it to the Council.

C. Department Heads Comments:

Dale Foster - The Friends of the Library will sponsor a seminar on the Dead Sea Scrolls on Monday, January 10th at 6:30 p.m. at the Recreation Center. He said refreshments will be served.

David Cohen - The dedication of Park and naming the pavilion is tentatively set for either February 25th or March 4th, which are Fridays.

7. PUBLIC PARTICIPATION:

No one spoke.

8. RESOLUTIONS, ORDINANCES, & OTHER BUSINESS:

RESOLUTIONS:

a.) Prepaid Travel / David Cohen / ACCMA 2005 Winter Conference /Resolution No. 2005-01

b.) Acceptance of Streets & Drainage /
Casa di San Francesco Subdv. Phase II. /Resolution No. 2005-02

MOTION BY Mr. Lake to *waive the reading* of Resolution Nos. 2005-01 and 2005-02. *Seconded by Mr. Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mr. Lake to adopt Resolution Nos. 2005-01 and 2005-02. *Seconded by Mr. Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

ORDINANCES:

- a.) Amend the Land Use Ordinance / Overlay District. /Ordinance No. 2004-50
- b.) Amend the Land Use Ordinance / Multi-Use District. /Ordinance No. 2004- 51
- c.) Adopting a Pay and Classification Plan /Ordinance No. 2004-52

MOTION BY Mr. Lake to *waive the reading* of Ordinance 2004-50. *Seconded by Mr. Scott .*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mr. Lake to adopt Ordinance 2005-50. *Seconded by Mr. Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mr. Lake to *waive the reading* of Ordinance 2004-51. *Seconded by Mrs. Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mr. Lake to adopt Ordinance 2004-51. *Seconded by Cathy Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mr. Lake to *waive the reading* of Ordinance 2004-52. *Seconded by Mr. Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mr. Lake to adopt Ordinance 2004-52 with the change to Section 3, number 2, the next to the last sentence to read "adjusted to the next step up to the c oset pay rate they are currently being paid." *Seconded by Mr. Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

9. COUNCIL COMMENTS:

Mr. Yelding wished the Council and everyone a happy New Year. He hopes they have a really good 2005.

Mrs. Barnette wished everyone a happy New Year. She said she thinks the city has a lot of great things in store for it in 2005, and they look forward to continuing to make the citizens proud of them.

Mr. Scott wished everyone a happy New Year.

Mrs. Landry wished everyone a happy New Year. She said she is looking forward to 2005, and working with all her co-workers. She stated she appreciated the citizens patience and loyalty in letting the new people get themselves familiar with everything. She said it has already been a great experience, and she is looking forward to the next year.

Mr. Palumbo thanked the Department Heads for their input for the last year on the pay plan, in particular he wanted to thank Mrs. Cureton, because she has been the person in point in the jungle patrol on this issue. Sometimes it has been somewhat unfair, she inherited the plan, so to speak, when she came into office, and so did the Council. He

**JANUARY 3, 2004
CITY OF DAPHNE, AL
CITY COUNCIL MEETING
6:30 PM**

pointed out that several on the Council felt that reclassification was sorely needed, and that is why it passed unanimously. Having said that, he said they were not presented with a whole lot of alternatives, and for the employees, when the first check comes out, and their pay was not adjusted they way they thought it would be, he strongly suggested they sit down with their Department Head, and they will explain to them the pay plan. One of the reservations he had was the fact that the 25 step pay increases will be reduced to 20, and the 2½% yearly increase will be reduced to 2%, and in some cases less than 2%. He did not know if anyone thought it was a panacea, it isn't, however, to reiterate, in order to get everyone up to speed, as Mr. Yelding said they are not going to cure all the ills, again, and without a better alternative, and for the sake of getting them on board, the Council came through unanimously. He thanked Mr. Scott, because the Finance Committee put in a lot of time in on the plan. He wished everyone a happy New Year, he said he thinks it will be a good one for Daphne.

10. ADJOURN

MOTION BY Mr. Lake to adjourn.

Seconded by Mrs. Barnette.

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 6:50 P.M.

Respectfully submitted by,

David L. Cohen, City Clerk, MMC

Certification of Presiding Officer:

Greg Burnam
Council President
Date & Time Signed:

The Daphne Old Methodist Church and Cemetery
The Daphne Museum

Recognizes

Helen Callaway

For her enthusiasm, commitment and leadership in organizing and
directing the formative years of this museum.

December 2004

Mickey Bayless
President

COMMENDATION

MRS. HELEN CALLAWAY

MRS. CALLAWAY SERVED AS PRESIDENT OF THE MUSEUM BOARD FROM SEPTEMBER 1999 THROUGH OCTOBER 2004. DURING THIS TIME SHE WAS INSTRUMENTAL IN THE ORGANIZATION OF THE MUSEUM, THE RECRUITMENT OF VOLUNTEERS, THE FORMAL OPENING AND DEDICATION CEREMONY IN MAY OF 2001, AND THE CONTINUING SUCCESS OF THE MUSEUM. UNDAUNTED, SHE HAS TACKLED THE MAYOR, THE CITY COUNCIL, AND STATE REPRESENTATIVES WHENEVER THE NEED AROSE IN ORDER TO ACCOMPLISH GOALS SHE HAD SET FOR THE MUSEUM.

MRS. CALLAWAY IS TO BE HIGHLY COMMENDED FOR A LIFETIME OF SERVICE TO HER COMMUNITY. HER TRUE CHARACTER IS REFLECTED IN HER HARD WORK AND DEDICATION TOWARD MAKING DAPHNE A BETTER PLACE TO LIVE FOR ALL RESIDENTS. SHE IS TRULY A ROLE MODEL FOR ALL.

**CITY COUNCIL MEETING
STANDING COMMITTEE RECOMMENDATIONS:**

FINANCE COMMITTEE REPORT

BUILDINGS & PROPERTY COMMITTEE REPORT

PLANNING/ZONING/CODE ENFORCEMENT COMMITTEE REPORT

PUBLIC SAFETY/ORDINANCE COMMITTEE REPORT

PUBLIC WORKS/BEAUTIFICATION/MUSEUM COMMITTEE REPORT

**CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
JANUARY 10, 2005
4:00 P.M.**

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:05 P.M.

Present were Councilman Bailey Yelding; Councilwoman Regina Landry; Finance Director Kim Briley; Senior Accountant Suzânnne Henson; and Accountant I Belinda Job.

Also in attendance were Mayor Fred Small; Councilman Gus Palumbo; Councilman John Lake and Public Works Director Ken Eslava.

Chairman Ron Scott was absent. Councilman Bailey Yelding presided over the meeting.

II. PUBLIC PARTICIPATION

A. Discuss Policy – Contributions to School Groups

Councilman Gus Palumbo discussed the proposed policy regarding contributions to school groups and organizations. Mr. Palumbo discussed he is not opposed to a procedure being put in place, such as to require the request be submitted in writing accompanied by a letter from the Principal of the School stating the school organization, the purpose of the money and the total amount the organization needs to raise. However, he is opposed to a cap being placed on the amount of money to be given. Discussion continued he is also opposed to the policy restricting the requests to "Invitational Events at National Level of Competition or greater". Mr. Palumbo further discussed the support the City gives the schools by maintaining the athletic facilities which includes labor, equipment, as well as supplies. Discussion continued he is not opposed to the City's support of the Athletic Programs as long as other programs have the same opportunity to obtain help from the City. Mr. Palumbo discussed if a cap is placed on contributions for school groups and organizations such as the band, dance team, etc., then a cap should be placed on all programs across the board.

Councilman John Lake noted his personal experiences with fund raising efforts have shown that if the City is not supporting local school groups and organizations, then the Local and Business Communities may view the groups as not being worthwhile organizations to support. Discussion continued this would have an adverse effect on fund raising efforts. Mr. Lake discussed it is important that the City not place a cap on the amount of money that can be requested as it is unknown what type of opportunities may arise in the future. Discussion continued that each request should be considered on a case by case basis, taking into consideration the type of event and the total amount of money needed.

Councilwoman Regina Landry discussed the proposed policy is only a draft, that it continues to be a work in progress. Ms. Landry noted she has heard the Daphne Middle School Football Team has made a request for the City to purchase its football uniforms because they were the Baldwin County Champs. Discussion continued it is for requests such as this that a policy is needed and that it should be a policy that the Council can agree on. Mr. Yelding noted this matter has gone beyond the Finance Committee's ability to make any type of recommendation at this time, that it should be referred back to a work session for further discussion with the full Council.

Motion by Ms. Landry to refer the "Proposed Contributions to School Groups Policy" back to the next Council Work Session for further discussion and Council input. Seconded by Mr. Yelding.

B. Insurance Renewal – Robbie Robertson, John A. Robertson Insurance Agency, Inc.

Mr. Robbie Robertson, the City's insurance agent, discussed February 26, 2005 is the renewal date for the City's insurance coverage and explained the process for the renewal. Mr. Robertson noted as the renewal date draws near, he meets with the individual Department Heads to obtain the necessary information. Discussion continued by meeting directly with the Department Heads, he is able to gain a better insight into what the City's insurance needs are. Mr. Robertson noted when seeking quotes, the more comfortable the companies feel, the better premium they will give. Discussion continued the information obtained along with the City's last Audited Financial Report is submitted to 3-4 markets. Mr. Robertson noted the City is currently with Alabama Municipal Insurance Corporation (AMIC). Discussion continued they have given the City good service. Mr. Robertson further discussed that municipalities have different insurance requirements and noted AMIC can tailor the policy to make sure that the City is properly protected. Mr. Robertson noted once the quotes are received, he will contact Ms. Briley and bring them before the Finance Committee at their February 14, 2005 meeting.

III. ISSUES REQUIRING ACTION BY CITY COUNCIL

A. Daphne High School Band Appropriation Request

Councilman Gus Palumbo discussed a request from the Daphne High School Percussion Ensemble for a contribution to their fund raising efforts to attend the World Championship Percussion Competition in Dayton, Ohio in April 2005. Mr. Palumbo discussed Council previously approved a motion to send the request for a contribution in the amount of \$1,500 back to the Finance Committee for approval. Mr. Palumbo requested the Finance Committee make a recommendation for the upcoming Council Meeting. Mr. Lake noted the funds are in the current budget. (Undesignated FY 2005 contributions total \$1,500)

Motion by Ms. Landry to recommend to Council to approve payment of \$1,500 to Daphne High School, for the Benefit of the Percussion Ensemble to assist with expenses at the World Championship Percussion Competition in Dayton, Ohio in April 2005. Seconded by Mr. Yelding.

B. Daphne Middle School Appropriation Request – Fence/Gates

Mr. Anthony Sampson, Principal of Daphne Middle School, discussed a request for the City to appropriate \$25,000 to be used to build a fence with gates around the athletic fields at Daphne Middle School. Discussion continued there are agreements currently in place with the City of Daphne with regard to the City's use of the Middle School facilities for its Soccer Program, City Leagues, etc. Discussion continued the City has performed a substantial amount of work at the school facilities and provides a great deal of support for the Daphne Athletic Programs. Mr. Sampson noted the existing athletic field at Daphne High School is currently a shared facility between Spanish Fort Middle School, Daphne Middle School, Daphne High School Varsity/Junior Varsity. Discussion continued with so many users of the High School's facility, the Daphne Middle School sees it as a worthwhile endeavor to build a football field within the City that will not only service the Middle School activities, but service the City League Football games, soccer, etc. and alleviate some of the usage of the Daphne High School facilities.

Discussion continued the fence around the field would address safety issues and also provide a means of producing revenue for the Middle School. Discussion continued the Daphne Middle School currently has no source of revenue for its athletic department to assist with maintenance or purchasing uniforms, equipment, etc., unless a fund raiser is held.

Mr. Eslava discussed his FY 2005 Capital Appropriation Requests included \$25,000 for fencing in the football/soccer field area. Discussion continued the field would be fenced off in such a manner that it could accommodate small stadium seating (bleachers) within the confines of the fence. Mayor Small asked if the fenced area will be big enough to house a track around the outside as well as bleachers. Mr. Eslava noted there would be enough room for the track to be located inside the fenced area as well as enough room on the South side for small stadium type seating. Discussion continued it would also allow the middle school to capture the revenues for gate funds, parking, refreshment stands, etc. Mr. Eslava noted the Daphne Middle School has

already purchased the seed for the field and the Public Works Department will assist the school with applying it in the spring. Discussion continued that improvements have also been made to the irrigation system to accommodate football fields. Ms. Landry noted the lighting is already in place on the field. Mr. Eslava noted by fencing in the fields, it would keep vehicles off the fields during non-sporting event activities and protect the integrity of the turf as well as the irrigation system. Discussion continued the fence will also prevent balls from bouncing into Whispering Pines Road and small children from venturing too close to the street. Mayor Small discussed the City uses the field for soccer and that providing the fencing will make it safer. Mr. Eslava also noted the fencing contractor has agreed to waive all labor costs for installation, the City is only providing materials.

Mr. Yelding asked if the new "stacking lane" has had any affect on the area. Mr. Eslava noted it has cleaned up some of the mud that existed on the sides of the road where people were pulling off and parking. Discussion continued that there is a need to look at paving down the side of the road to create parking spaces in that area.

Motion by Mr. Yelding to recommend to Council to adopt an ordinance amending the budget to appropriate funds in the amount of \$25,000 to provide materials for a fence and gates to be installed around the athletic fields at Daphne Middle School. Seconded by Ms. Landry.

C. City Hall - Legislative/Executive Office Renovation Appropriation Request

Mayor Small discussed a request for funds in the amount of \$27,555.18 to renovate the offices of the Mayor, Mayor's Assistant, City Clerk, and City Clerk's Assistant. Discussion continued the majority of the furniture cost will be for a high counter desk in the City Clerk's Assistant's Office in order to provide some privacy to the work area. Discussion continued that this office serves as a lobby for anyone waiting to see the Mayor or the City Clerk and there is no work area privacy at this time.

Motion by Mr. Yelding to recommend to Council to adopt an ordinance amending the budget to appropriate funds in the amount of \$27,555.18 to renovate the offices of the Mayor, Mayor's Assistant, City Clerk, and City Clerk's Assistant. Seconded by Ms. Landry.

D. Bid Awards

1. 2005-I-Janitorial Supplies

Ms. Henson discussed the bids received and explained that the bidder had to bid on at least 80% of the items listed in order to be qualified. Discussion continued the spreadsheet contained in the Finance Committee packet shows a comparison of the qualified bidders and the items that all qualified bidders bid on. Ms. Henson noted the spreadsheet also includes the previous year's prices for comparison. Discussion continued it is the recommendation of the Public Works Department to award the janitorial supplies bid to Mobile Janitorial. Ms. Landry asked which departments used these items. Ms. Henson noted these items are used by all departments (Public Works, Jail, Civic Center, BayFront...).

2. 2005-J-Laptop Computers

Ms. Henson discussed 12 bid invitations were mailed with 3 bids received. Discussion continued it is the recommendation of David Cohen, City Clerk to award the bid to the lowest bidder, Gateway Companies, Inc..

Motion by Ms. Landry to recommend to Council to award the following bids:

- a) 2005-I-Janitorial Supplies – Award to the lowest bidder meeting specifications, Mobile Janitorial, for unit costs as specified in bid.***
- b) 2005-J-Laptop Computers – Award to the lowest bidder, Gateway Computers, for a cost of \$1,196 per laptop computer. Seconded by Mr. Yelding.***

E. Prepaid Travel: Rebecca Hayes, City Clerk Assistant

Mr. Yelding discussed a prepaid travel request in the amount of \$140 for Rebecca Hayes, City Clerk Assistant, to attend the Winter 2005 Certification Training Institute for Municipal Clerks in Tuscaloosa, Alabama on February 22-25, 2005.

Motion by Ms. Landry to recommend to Council to approve prepaid travel in the amount of \$140 for Rebecca Hayes, City Clerk Assistant, to attend the Winter 2005 Certification Training Institute for Municipal Clerks in Tuscaloosa, Alabama on February 22-25, 2005. Seconded by Mr. Yelding.

F. Disaster Recovery Initiative Grant

Ms. Briley discussed a letter received from the State of Alabama regarding grant money that is available, noting it would follow the basic rules and guidelines that the Community Development Block Grants follows. Ms. Briley discussed she met last week with Mayor Small, Ken Eslava, Art Rigas and Janey Galbraith, who has served as the City's grant consultant on previous CDBG Grants, and it was determined that the Well Road extension is a project that would qualify for this grant. Discussions continued it could be used as an evacuation route as well as provide the much needed east/west corridor in the City. Ms. Briley noted the deadline for requesting an application to apply is January 15, 2005, therefore, a letter will need to be sent this week. Discussion continued this will be brought back before the Finance Committee to discuss the match and grant requirements at a later date. At that time the Council would determine whether to move forward with the formal application. This is only a letter of interest in the grant. Ms. Briley noted ADECA will hold public hearings on the matter and that there is some discussion that the coastal counties could possibly have less of a match than some of the northern counties.

Motion by Ms. Landry authorize the Mayor to submit application for the Disaster Recovery Initiative Grant through the Alabama Department of Economic and Community Affairs (ADECA). Seconded by Mr. Yelding.

IV. CURRENT BUSINESS

A. Appropriation Request – Daphne Dance Team

Tabled until the Contribution to School Groups Policy is in place.

B. Appropriation Request – Spanish Fort High School

Ms. Briley noted it was mentioned at the December 15, 2004 work session that Spanish Fort High School had asked the City to make a contribution; however, no other information has been received regarding the request.

Discussion continued no action will be taken on this matter.

C. Mayor's Administrative Assistant Position

Mayor Small discussed he would like to begin advertising for the Mayor's Administrative Assistant position. Mayor Small discussed that he would be requesting that funds be appropriated if someone is selected to fill the position prior to when monies are anticipated to be available for this position. Discussion continued that at this time he just wanted to keep Council informed that the City will be advertising for the position.

V. FINANCIAL REPORTS

A. Treasurers Report As of December 31, 2004

Ms. Briley noted the bank statements have not been received as of the date of the Finance Meeting, therefore, the treasurers report will be included in the Council packet.

Note: Total cash increased \$ 422,800 over November 2004. This is expected for this time of year.

B. Sales Tax Collection Graphs – November 30, 2004

Ms. Briley discussed collections for November 2004 were \$103,176.59 above collections for November 2003; and \$147,152.73 above budget for the month. As of November 30, 2004 (2nd month of the fiscal year), actual collections exceed budget by \$313,930 (23.54%). Discussion continued November 2004 was another strong month.

C. Bills Paid – December 31, 2004

The bills paid report was included in the Finance Committee packet.

VI. ADJOURN

The meeting was adjourned at 4:50 P.M.

**BALL PARKS- SCHOOLS
 FY2005 BUDGET
 PARKS & PLAYGROUNDS DEPARTMENT
 CAPITAL EQUIPMENT PURCHASES, CONSTRUCTION PROJECTS, AND/OR
 NEW LINE ITEMS**

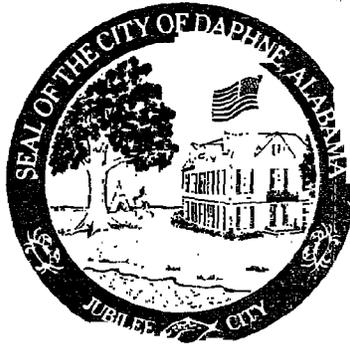
DESCRIPTION	CODE	TOTAL
INSTALL FENCE AND GATES AROUND ATHLETIC FIELDS AT DMS	B	\$25,000.00

The fence and gates around the athletic fields at Daphne Middle School would help keep traffic from driving on the fields and damaging the new irrigation. This would also upgrade the fields.

TOTAL **\$25,000.00**

CODES (A) Capital Equipment Purchases
 (B) Construction Projects

FRED SMALL
MAYOR
DAVID L. COHEN, MMC
CITY CLERK
KIMBERLY M. BRILEY
FINANCE DIRECTOR/TREASURER
DAVID B. CARPENTER II
CHIEF OF POLICE
A. MUND HANSON
FIRE CHIEF



COUNCIL MEMBERS

BAILEY YELDING, JR.
DISTRICT 1
CATHY BARNETTE
DISTRICT 2
JOHN L. LAKE
DISTRICT 3
GREG W. BURNAM
DISTRICT 4
RON SCOTT
DISTRICT 5
REGINA LANDRY
DISTRICT 6
AUGUST A. PALUMBO
DISTRICT 7

M E M O

TO: Finance Committee
FROM: Mayor Small 
SUBJECT: Renovation
DATE: January 5, 2005

This is a request for funds to renovate the front offices which includes the Mayor, Mayor's Assistant, City Clerk, and City Clerk's Assistant. These offices, as I am sure you have noticed, are very much in need of renovation. A local decorator has volunteered her time to assist with this process.

The funds requested will go toward paint, furniture, blinds, drapes, carpet, and purchasing and re-framing pictures as outlined below:

Blinds	\$ 475.00
Furniture	\$18,000.00
Carpet	\$ 3,958.50
Paint & Misc.	\$ 1,621.68
Drapes	\$ 2,500.00
Pictures	\$ 1,000.00
Total	\$27,555.18

Other quotes were requested for the carpet, but no one responded. The quote sheets are attached for review.

INTEROFFICE MEMORANDUM

TO: FINANCE DEPARTMENT
FROM: PUBLIC WORKS DEPARTMENT
SUBJECT: JANITORIAL BID 2005-I
DATE: 1/7/2005

A handwritten signature in black ink, appearing to be 'K. K. K.', is written over the 'FROM' and 'SUBJECT' lines of the memorandum.

After review and comparison of all bids submitted for janitorial supplies, it is the recommendation of the Public Works Department to award the bid to Mobile Janitorial. Please review spreadsheet comparisons as backup documentation to this recommendation.

CITY OF DAPHNE

BID OPENING MINUTES BID DOCUMENT NO: 2005-I-JANITORIAL SUPPLIES JANUARY 5, 2005 10:30 A.M. CITY HALL

Those present were as follows:

Ms. Suzanne Henson	Sr. Accountant
Ms. Stephnie Merchant	Executive Secretary
Mr. Ken Eslava	Public Works Director

12 bid invitations were mailed/picked up , 8 sealed bids were received.

Ms. Stephnie Merchant opened the bids presented and the bids were read aloud as follows:

VENDOR

TOTAL UNIT COST

*Comparison removing non-bid items and non-qualifying bids (vendor required to bid on 80% of items)

Gulf Supply Company Inc.	\$1,823.47
Dees Paper Company <small>*(Prices good 1 yr-KC Products, 3Mnths-Can Liners, 6 Mnths all others)</small>	*\$1,545.16
Liberty Linen	\$1,944.31
Standard Equipment Company, Inc.	\$1,826.79
Mobile Janitorial and Paper Company	\$1,553.45
Dade Paper Company <small>(Bid Cost Constant Through 06/30/05)</small>	\$1,648.24
<small>(Bid Cost Constant Through 06/30/06)</small>	\$1,833.68
Unisource	(Did not Bid 80%)
Alabama Institute for Deaf & Blind	(Did not Bid 80%)



Suzanne Henson, Sr. Accountant

PRODUCT DESCRIPTION	PREVIOUS BID PRICES	GULF SUPPLY	DEES PAPER	LIBERTY LINEN	STANDARD EQUIP.	MOBILE JANITORIAL	DADE PAPER	DADE PAPER
			PRICES GOOD 6/30/06	PRICES GOOD 6/30/06	PRICES GOOD 6/30/06	PRICES GOOD 6/30/06	PRICES GOOD 6/30/05	PRICES GOOD 6/30/06
PAPER PRODUCTS								
Toilet Tissue Soft - White 2-ply	27.85	31.75	29.99	34.07	31.80	27.50		
Toilet Tissue Procter & Gamble Charm'n Double Roll - White 2-ply/340 sheets					26.50	36.23		
Toilet Tissue Kimberly Clark Jr Jumbo - White 2-ply/1000'					18.30	22.50		
Jr Jumbo Dispenser (2 Roll)					36.90			
Facial Tissue Marcal Fluff Out - White 2-ply/100 sheets					13.70			
Roll Towel - White 2-ply/90 sheets					17.36			
Hardwood Roll Towel - Natural 8" x 350'					15.39			
Hardwood Roll Towel Dispenser					64.94			
Multi-fold Paper Towel - White/250 sheets 9.125" x 9.5"					18.15			
Multi-fold Paper Towel Dispenser					21.18			
Centerpull Towels - White 2-ply/600'					23.26			
Centerpull Towel Dispenser					15.28			
Napkin - Beverage					14.85			
Napkin - Lunch Diner					35.45			
Cup Plastic Sweetheart Clarity - Clear 10 oz.					52.13			
Cup Plastic Sweetheart Clarity - Clear 12 oz.					60.39			
Cup Plastic Sweetheart Clarity - Clear 16 oz.					76.40			
Cup Paper Portion 1 oz.					27.92			
Cup Paper Portion 2 oz.					35.22			
Fork Plastic Extra Heavy - Clear					29.10			
Spoon Plastic Extra Heavy - Clear					29.10			
Knife-Plastic Extra Heavy - Clear					29.10			
Plate Foam 3 Compartment 10 1/4"					25.34			
Plate Foam 6"					17.58			
Plate Foam 9"					17.58			
Plate Plastic 6"					24.83			
Plate Plastic 9"					26.97			
Aluminum Foil Heavy Duty Reynolds 18" x 500'					36.63			
Plastic Wrap Reynolds 18" x 2000'					20.51			
Ziploc Storage Bags - Quart					24.16			
Ziploc Storage Bags - Gallon					19.72			
TOTAL PAPER PRODUCTS	6115.57	1051.23	759.80	1027.43	905.74	755.43	764.85	901.62
SUPPLIES								
Broom Standard Janitor, 24 lb. Corn					4.19			
Gloves Latex w/Powder - Med., Lg., X-Lg.					2.59			
Gloves Latex Powder Free - Med., Lg., X-Lg.					3.60			
Gloves Poly Food Service - Med., Lg., X-Lg.					0.50			
Gloves Nitrile - Med., Lg., X-Lg.					5.25			

DaDe
PRICES GOOD
FOR 1 YR ON KC
PRODUCTS. 3

PRICES
GOOD THRU
6/30/06

PRICES GOOD
THRU 6/30/06

PRICES GOOD
THRU 6/30/05

PRICES GOOD
THRU 6/30/06

2005-I JANITORIAL SUPPLIES

COMPARISON REMOVING NON-BID ITEMS AND NON-QUALIFYING BIDS TO PREVIOUS BID

PRODUCT DESCRIPTION	PREVIOUS BID PRICES	GULF SUPPLY	DEES PAPER	LIBERTY LINEN	STANDARD EQUIP.	MOBILE JANITORIAL	DADE PAPER
Mop Handle Fiberglass Quick Change Saddle Head	4.25	6.74	7.93	48.25	7.25	4.98	
Mop Head Cotton - Quick Change Saddle - 24 oz.	35.76	3.06	34.13	36.54	32.16	46.56	
Wet Floor Sign	14.41	11.15	9.47	13.73	8.25	16.91	
TOTAL SUPPLIES	79.92	42.51	72.20	114.65	66.61	97.25	
TOILETRIES							
Sanitary Napkin Guards Feminine Pads - Regular	38.33	37.29	33.80	28.48	34.12	42.60	
Tampoon Tampax w/Cardboard Applicator - Regular	48.41	57.05	66.80	56.29	61.00	59.00	
Hair and Body Shampoo - 1000 ml.	46.34	43.00	52.40	45.17	48.39	56.00	
Dispenser for Hair and Body Shampoo	NB	0.00	10.40	8.48	4.00	4.00	
TOTAL TOILETRIES	133.08	137.34	163.40	138.42	147.51	161.60	172.87
CLEANERS/DEODORIZERS							
All Purpose Cleaner Pine-Sol Lemon Scent - 144 oz.	23.04	24.73	21.99	27.00	23.49	24.37	25.60
Bathroom Cleaner Lysol 94201 - Heavy Duty Disinfectant	42.84	14.31	11.49	12.68	11.01	11.59	13.48
Bleach Industrial Ultra Chlorox - Gallon	9.04	8.40	10.50	12.53	11.20	11.23	14.56
Clorox Cleanup Spray Bottle - 32 oz.	29.16	26.25	28.60	23.50	33.98	26.50	37.30
Clorox Disinfecting Wipes	31.80	31.41	37.20	33.98	33.37	35.95	35.95
Deodorizer Metered Aerosol Cans (All Scents) - 7 oz.	45.99	34.40	20.79	34.27	28.82	34.20	41.40
Dishwashing Liquid	4.42	4.76	10.86	4.15	37.64	7.28	6.00
Dishwashing Liquid Dawn - 50 oz.	26.76	26.60	26.36	33.00	26.24	28.50	30.00
Dishwasher Powder Cascade 34034 - 85 oz.	35.70	33.00	33.04	38.47	35.42	33.18	26.90
Hand Soap Liquid Antibacterial 7.5 oz. Pump	22.22	19.38	22.99	22.27	19.65	21.87	24.50
Hand Soap Liquid - Gallon	16.45	2.96	5.04	4.65	5.69	4.38	6.00
Hand Sanitizer Purell 8 oz.	36.20	38.23	41.48	43.07	38.97	36.11	40.25
Hand Soap Foaming 1,000 ml.	NB	43.90	44.51	52.67	34.38	35.07	33.45
Foaming Soap Dispenser	NB	0.00	21.45	0.00	4.45	0.00	0.00
Laundry Detergent - 50 lb. Container	31.80	11.75	37.41	21.33	17.98	24.50	22.50
SOS Steel Wool Soap Pads - Heavy Duty	16.30	2.33	3.50	38.13	32.15	35.25	3.02
Stainless Steel Polish/Cleaner Aerosol Cans - Twinkie 17 oz.	27.96	41.55	28.94	68.33	60.55	31.90	71.80
Toilet Bowl Deodorizer w/Hangar	5.45	8.10	33.50	7.20	6.09	7.02	7.30
Urinal Screen Deodorizer	14.01	15.87	13.45	8.73	26.75	18.45	8.85
Window Cleaner w/sprayer 32 oz.	16.08	44.18	16.15	53.93	46.59	32.50	19.50
TOTAL CLEANERS/DEODORIZERS	435.22	432.11	458.42	548.21	535.03	457.27	480.10
TRASH BAGS/SUPPLIES							
Trash Liner 12 x 17 - 6 mic. 4 Gal. Natural	8.75	10.00	13.01	15.60	13.15	12.27	17.90
Trash Liner 20 x 22 - 6 mic. 7 Gal. Natural	8.75	15.00	18.68	22.93	19.33	17.59	25.65
Trash Liner 33 x 39 - 1.3 mil. 30 Gal. Black	14.40	16.81	13.76	20.47	12.65	15.83	18.92
Trash Liner 33 x 39 - .9 mil. 30 Gal. Black	10.40	16.81	14.26	15.00	13.26	12.78	19.61
Trash Liner 40 x 46 - 1.3 mil. 45 Gal. Black	22.40	17.18	20.36	16.40	12.15	21.82	27.05
Trash Liner 40 x 46 - .9 mil. 45 Gal. Black	18.90	16.56	14.01	14.40	13.92	12.19	18.61
Poly Bag 1.75 mil. 10 x 8 x 24	26.95	67.92	42.01	28.27	48.59	34.15	54.10
TOTAL TRASH BAGS/SUPPLIES	110.55	160.28	136.09	133.07	132.95	126.63	181.84
GRAND TOTAL	1367.64	1823.47	1545.16	1944.31	1826.79	1553.45	1648.24

FRED SMALL
MAYOR
DAVID L. COHEN, MMC
CITY CLERK
KIMBERLY M. BRILEY
FINANCE DIRECTOR/TREASURER
DAVID B. CARPENTER II
CHIEF OF POLICE
A. MUND HANSON
FIRE CHIEF



COUNCIL MEMBERS

BAILEY YELDING, JR.
DISTRICT 1
CATHY BARNETTE
DISTRICT 2
JOHN L. LAKE
DISTRICT 3
GREG W. BURNAM
DISTRICT 4
RON SCOTT
DISTRICT 5
REGINA LANDRY
DISTRICT 6
AUGUST A. PALUMBO
DISTRICT 7

MEMO

To: Kim Briley, Finance Director
From: David Cohen, City Clerk
Subject: Laptop Bids
Date: January 5, 2005

I have reviewed the bids. They all appear to be valid. The Gateway laptop bid meets all requirements and has the lowest price at \$1196. My recommendation is to purchase five at this time and the remainder when all software has been received and wireless system has been installed for Daphne City Hall.

CITY OF DAPHNE

**BID OPENING MINUTES
BID DOCUMENT NO: 2005-J-LAPTOP COMPUTERS
JANUARY 5, 2005
11:30 A.M.
CITY HALL**

Those present were as follows:

Ms. Suzanne Henson Sr. Accountant
Mr. David Cohen City Clerk

12 bid invitations were mailed/picked up by contractors 3 sealed bids were received.

Mr. Cohen opened the bids presented and the bids were read aloud as follows:

VENDOR	UNIT COST	BID BOND
Hi-Tech Computer Systems, Inc.	\$ 1,296.00/ea \$12,960.00/Qty-10	Cert CK
Computer Backup, Inc.	\$ 1,299.00/ea \$12,890.00/Qty-10	Cert Ck
Gateway Computers	\$ 1,196.00/ea \$11,960.00/Qty-10	Bid Bond



Suzanne Henson, Sr. Accountant

Bidder must submit complete technical specifications specifying manufacturer, model, component manufacturers, models and component warranty information for Laptop computers.

LAPTOP COMPUTERS:

- Manufacturer: Dell; Gateway; Acer; Hewlett Packard; Panasonic; Toshiba; IBM only
- Processor: Intel Pentium M – 1.4 GHz Laptop
- Memory: 2 MB Cache
- RAM: 512GB DDR RAM
- Video: Extreme Graphics Video
- Hard Drive: 40 MB Hard Drive
- Operating System: Windows XP Professional O/S (no: home edition)
- Network Adaptor: 10/100 Network Card
- Networking: Built-in Wireless Lan – 802.11B/802.11G
- Modem: 56K Data/Fax Modem
- Drives: DVD/CD-RW
- Ports: (2) USB Ports / Video Port
- Primary Battery: 5 Hour Battery
- Display: 15" Viewable Screen
- Software: Anti-Virus Installed; MSOffice Basic w/Word, Excel, & Outlook Installed
- Warranty: One Year Warranty – with extension option

***All software CD's, Certificates of Authenticity, and manuals required for operation/restoration of Laptop must be supplied upon delivery.**

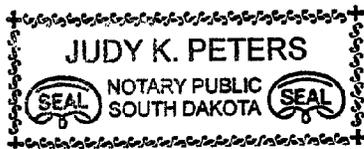
NOTE: BID COST MUST INCLUDE ALL CHARGES/FEEES (DELIVERY...)

- > The City of Daphne anticipates purchasing multiple units (10) but reserves the right to select the quantity desired.
- > Additional purchases may be required throughout the year, cost must remain constant for the period of one year from award of contract. Laptop Computers must be of comparable quality or better (based on market availability).

COST FOR (1) ONE LAPTOP COMPUTER \$ 1,196.00

COST FOR (10) LAPTOPS \$ 11,960.00
(Cost must not include taxes – City is Tax-exempt)

THE BIDDER ACKNOWLEDGES WITH THE SUBMISSION OF A BID THAT HE/SHE HAS REVIEWED THE TERMS AND CONDITIONS OF THIS BID AND ACCEPTS THEM.



COMPANY: GATEWAY COMPANIES, INC

[Handwritten Signature]
 Owner or Authorized Signature
KEITH J. FRAUENDORFER MGR BIDS/PROPOSALS
 (Please print name)

THIS BID MUST BE NOTARIZED

Sworn to and subscribed
 BY: **Keith J. Frauendorfer**
 before me this *27th* day of *December*, *2004*.
Judy K. Peters
 NOTARY PUBLIC

PREPAID TRAVEL REQUEST FORM

EMPLOYEE NAME/TITLE REBECCA HAYES

DEPARTMENT LEGISLATIVE

DATES OF TRAVEL FEBRUARY 22-25, 2005

SCHOOL/ORGANIZATION CERTIFIED MUNICIPAL CLERKS TRAINING

LOCATION FOR TRAINING: CITY/STATE TUSCALOOSA, AL

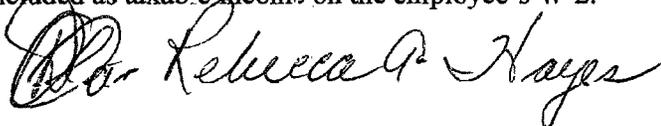
REGISTRATION FEE 165.00

LODGING 158.00

TOTAL ADVANCE REQUESTED 140.00
(\$35 x # OF DAYS)

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

Employee Signature



Department Head Approval

8064
Vendor #

120200 / 52211 /
Dep: Org # Object # Proj #

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

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

College of Continuing Studies

Professional and Management
Development Programs

THE UNIVERSITY OF
ALABAMA
CONTINUING STUDIES

MEMORANDUM



TO: Alabama Municipal Clerks
FROM: Tommy Pow, Program Manager
DATE: December 13, 2004
SUBJECT: Winter 2005 Certification Training Institute for Municipal Clerks and Administrators & Master Municipal Clerk Academy

The Certification Training Institute for Municipal Clerks (CMC) and Master Municipal Clerk Academy will be held on February 23-25, 2005, at the Paul W. Bryant Conference Center, 240 Bryant Drive, Tuscaloosa. **The programs will begin at 8:00 a.m. on Wednesday, February 23, and will end at 12:00 p.m. on Friday, February 25.**

Blocks of rooms at special rates are being held for participants at the following facilities:

Sheraton Four Points
320 Bryant Drive
Tuscaloosa, AL 35401
Ph: 205-752-3200
Rates: \$79 single, \$85 double,
plus lodging tax

Hampton Inn
600 Harper Lee Drive
Tuscaloosa, AL 35404
Ph: 205-553-9800
Rates: \$75 single or \$75
double, plus lodging tax
(includes continental breakfast)

Be sure to mention you are with the Institute or the Academy when you make your reservation. **Please reserve rooms by January 22.**

The fee for each participant is **\$165.00**. Please register by February 9, 2005, to insure sufficient enrollments to conduct these programs. We encourage new participants to begin certification training this session. Completion of all Institute phases will fulfill the educational requirement for the professional designation of Certified Municipal Clerk (CMC).

To reserve your slot, please send the enclosed registration form no later than **February 9, 2005**. Or you may phone in registration to (205) 348-3000 or FAX to (205) 348-6614.

If you register and find you cannot attend, please contact The University of Alabama 10 (ten) working days prior to the program and you will receive a full refund. If you are unable to give the full two-week notice, a \$40 administrative fee will be charged against your refund. Refunds cannot be made after a course has begun; however, a substitute participant may be designated in place of a registrant who cannot attend.

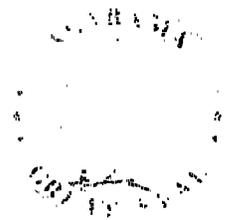
If you have attended sessions previously, please remember to bring your course notebook.



2nd Floor Martha Parham West
Box 870388
Tuscaloosa, Alabama 35487-0388

OFFICE OF THE GOVERNOR

BOB RILEY
GOVERNOR



STATE OF ALABAMA

December 21, 2004

ALABAMA DEPARTMENT OF ECONOMIC
AND COMMUNITY AFFAIRS

JOHN D. HARRISON
DIRECTOR

MEMORANDUM

TO: The Chief Elected Officials

FROM: John D. Harrison
Director

SUBJECT: Disaster Recovery Initiative Grant
(Hurricane Ivan)

The Alabama Department of Economic and Community Affairs (ADECA) is requesting information related to damage resulting from Hurricane Ivan. Specifically, the Department is attempting to identify activities necessary for disaster relief, long-term recovery, and mitigation to assist with the plan to distribute over \$11 million in the Disaster Recovery Initiative (DRI) grant funds from the U.S. Department of Housing and Urban Development (HUD). The grant activities will be governed by the Community Development Block Grant (CDBG) rules and eligibility requirements, and both entitlement and non-entitlement communities will qualify to participate.

Please submit to ADECA, Attn. Shabbir Olia, a list of activities together with costs related to public utilities, buildings and facilities, debris removal, and private housing affected by Hurricane Ivan that do not qualify for reimbursements from the Federal Emergency Management Administration (FEMA), assistance from the Small Business Administration (SBA), private insurance or other sources. Please submit the information no later than January 15, 2005. A local match of 10 percent will apply, and under certain circumstances the DRI grant may be used as local match for assistance from other sources.

The requested information will assist ADECA in developing a grant distribution plan that targets grant assistance to areas with the strongest disaster needs and for activities with the most impact. The plan will be available for public comments and submitted to HUD for review and approval.

If there are any questions, please contact Al Jones at 334-353-2028.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Harrison".

John D. Harrison
Director

JDH:SAO:md

TREASURER'S REPORT

As of December 2004

TO: FINANCE COMMITTEE

FROM: KIMBERLY BRILEY, FINANCE DIRECTOR/TREASURER

ACCT TITLE	BANK	BALANCE
GENERAL FUND & ENTERPRISE FUNDS		
MMA ACCT	COMPASS	\$5,040,786.59
OPERATING ACCT	COMPASS	(\$263,602.12)
PAYROLL ACCT	COMPASS	(\$21,962.05)
MUNICIPAL COURT	COMPASS	\$266,348.33
		\$5,021,570.75
SPECIAL REVENUES FUND		
SAIL SITE	FIRST GULF	\$2,809.42
4 CENT GAS TAX	FIRST GULF	\$126,741.13
7 CENT GAS TAX	FIRST GULF	\$78,145.97
		\$207,696.52
CAPITAL PROJECTS FUND		
CDBG LOAN REPAY	COMPASS	\$5,809.48
CAPITAL GROWTH	SOUTHTRUST	\$1,770,933.30
97 WARRANT CONS	SOUTHTRUST	\$4,797.34
99 WARRANT CONS	REGIONS	\$953,795.14
2000 CONSTRUCTION	REGIONS	\$89,601.53
		\$2,824,936.79
DEBT SERVICE FUND		
DEBT SERVICE	SOUTHTRUST	\$1,179,141.97
		\$9,233,346.03

SALES & USE TAXES

ACTUAL COLLECTIONS

	1999	2000	2001	2002	2003	2004	2005	Actual-2005	Budget	Monthlv Variance	YTD Variance	% of Budget
October	505,823.52	523,515.85	565,075.77	671,689.04	636,482.64	697,830.58	833,700.71	833,700.71	666,924	166,776.88	166,776.88	25.01%
November	477,755.53	535,573.14	591,377.80	650,308.98	646,534.10	710,788.74	813,965.33	813,965.33	666,813	147,152.73	313,929.61	22.07%
December	677,887.14	730,634.15	803,488.81	888,086.66	892,208.68	941,151.87	-	-	894,141	-	-	-
January	486,672.84	540,442.67	557,344.42	639,638.85	590,727.65	697,083.68	-	-	639,900	-	-	-
February	493,806.01	540,963.07	587,990.90	602,215.06	632,694.31	688,421.54	-	-	638,318	-	-	-
March	604,374.14	595,340.89	602,504.29	710,960.77	705,390.20	848,156.86	-	-	750,404	-	-	-
April	546,865.63	535,336.42	649,639.77	629,853.17	692,148.44	752,039.55	-	-	687,815	-	-	-
May	552,248.34	618,037.66	684,188.67	668,867.28	702,692.15	757,610.49	-	-	706,814	-	-	-
June	592,710.00	657,414.17	693,747.71	731,684.73	752,688.04	818,209.20	-	-	764,508	-	-	-
July	558,101.54	627,156.12	622,924.98	679,602.58	721,790.90	803,051.14	-	-	731,063	-	-	-
August	572,426.86	618,088.96	652,404.99	657,027.91	799,993.63	745,320.33	-	-	711,532	-	-	-
September	587,326.23	623,657.72	660,492.09	644,827.41	715,641.36	830,260.80	-	-	725,140	-	-	-
Totals	6,534,029.78	7,110,160.82	7,751,160.20	8,144,772.44	8,428,932.10	9,289,924.78	1,647,666.04	1,647,666.04	8,583,372	313,929.61		

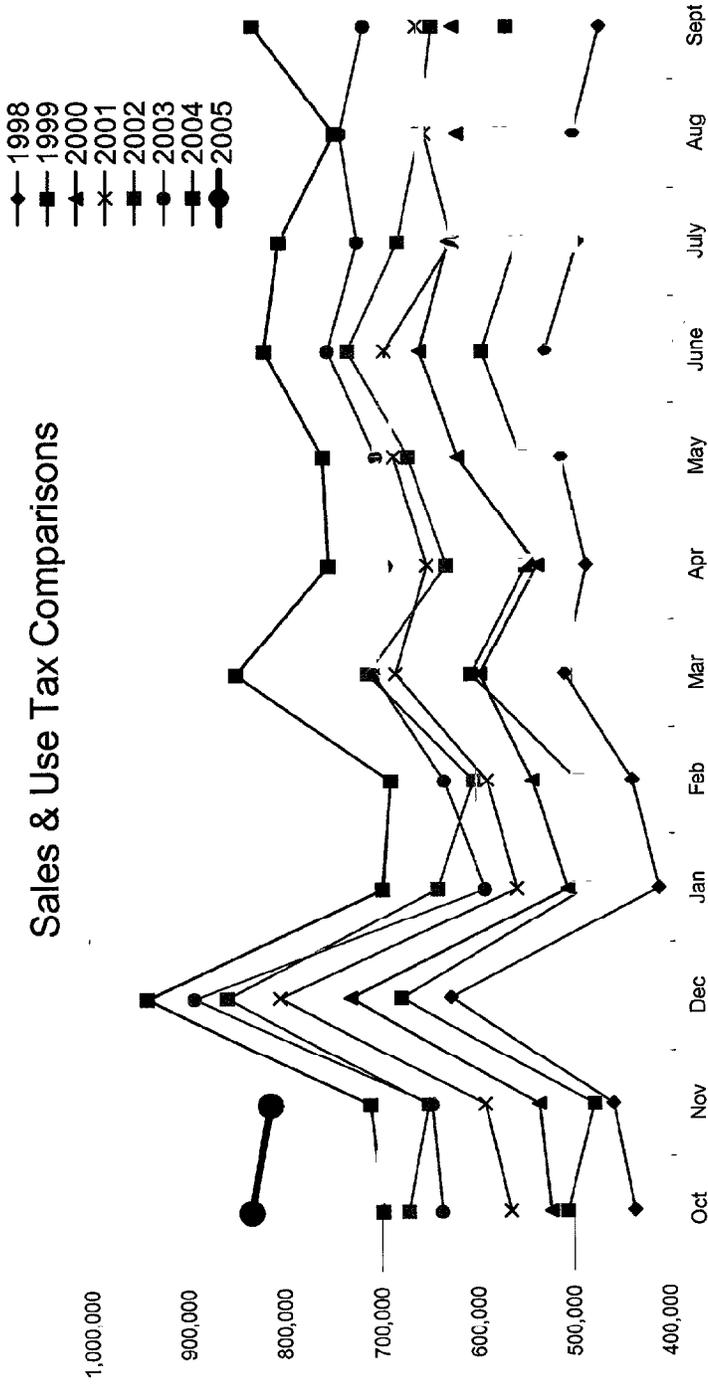
FISCAL YEAR COMPARISONS

	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005
October	17,682.33	41,559.92	106,623.27	(35,216.40)	61,347.94	135,870.13	3.50%	7.94%	18.87%	-5.24%	8.64%	19.47%
November	57,817.61	55,804.86	58,931.18	(3,774.88)	64,264.64	103,176.59	12.10%	10.42%	9.97%	-0.58%	8.94%	14.52%
December	52,747.01	72,854.66	54,597.85	34,122.02	48,943.19	-	7.78%	9.97%	6.80%	3.98%	5.49%	-
January	17,769.83	52,901.79	82,294.43	(49,911.20)	106,356.03	-	3.65%	10.49%	14.77%	-7.85%	18.00%	-
February	47,155.06	47,027.83	14,224.16	30,439.25	55,767.23	-	9.55%	8.69%	2.42%	5.05%	8.81%	-
March	(9,033.25)	87,163.40	28,456.48	(5,570.57)	142,766.66	-	-1.49%	14.54%	4.17%	-0.78%	20.24%	-
April	(11,559.21)	114,303.35	(19,786.60)	62,295.27	59,891.11	-	-2.11%	21.35%	-3.05%	9.89%	8.65%	-
May	65,789.32	66,151.01	(15,321.39)	33,824.87	54,918.34	-	11.91%	10.70%	-2.24%	5.47%	7.82%	-
June	64,704.17	36,333.54	37,937.02	20,983.31	85,541.16	-	10.92%	5.53%	5.47%	6.21%	8.71%	-
July	71,054.58	(4,231.14)	56,677.60	42,188.32	81,260.24	-	12.76%	-0.67%	8.10%	6.21%	11.28%	-
August	45,662.10	34,316.03	4,622.92	82,965.72	5,326.70	-	7.98%	5.55%	0.71%	12.63%	0.72%	-
September	56,331.49	36,834.37	(15,664.68)	70,813.95	114,619.44	-	9.93%	5.91%	-2.37%	10.98%	16.02%	-
Annual \$ Change	476,131.04	641,019.38	393,592.24	284,159.66	860,992.68	239,046.72	7.18%	9.02%	5.08%	3.49%	10.21%	

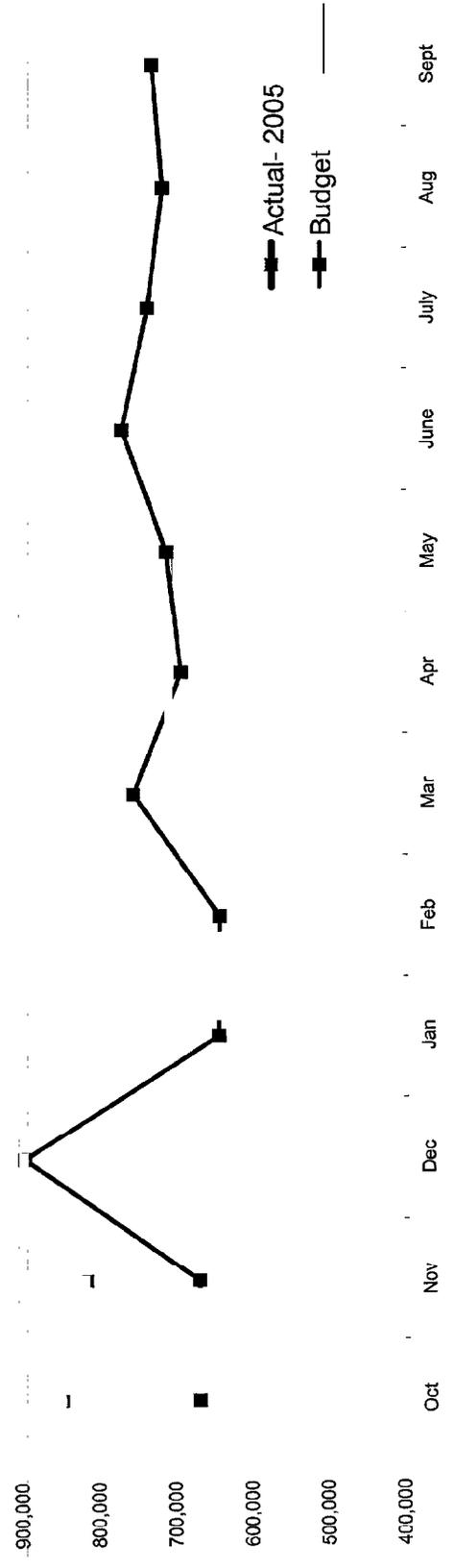
TOTAL collections: FY 04	9,289,925	1,647,666
TOTAL est. bdgt coll: FY 04	8,583,372	1,333,736
Budgeted Dollar Decrease 04/05	(706,553)	313,930
Budgeted Percent Decrease	-7.61%	23.54%

TOTAL collections: 11-30-04	1,647,666
Budgeted: 10-1-04 to 11-30-04	1,333,736
Actual Col>(<)Budget, 11-30-04	313,930
% Over(Under) Budget, 11-30-04	23.54%

Sales & Use Tax Comparisons



Fiscal 2005: Sales & Use Tax Budget vs. Actual Comparison



Buildings and Property Committee Meeting

January 7, 2005

10:00 a.m.

Daphne Civic Center

Present: Councilman John Lake, Chairman, Mayor Fred Small, Councilman August A. Palumbo, Ken Eslava, Public Works Director, and Sandra Morse, Director, Daphne Civic Center.

The meeting was called to order at 10:00 a.m. The Committee discussed the usage agreement for the Eastern Star Building. Mayor Small stated that it would cost at least \$50,000 to upgrade the structure as new windows, electric service, and more would be needed. The Committee agreed that the dollar amount that would be paid by FEMA and the insurance company is forthcoming. Obtaining this information would help them to know what other monies would be needed for the project. Councilman Palumbo discussed the plans for the old Planning Department building. The Committee along with Mr. Eslava agreed that the metal frame of the building could be used by the Public Works Department to build a storage facility.

Mayor Small stated that it would take 2 years to get a new building started because of lead time needed for plans, plan review, and revision, etc.

Councilman Palumbo discussed the need to look at long range plans for the Eastern Star Building. Short term plans included possible usage by the Planning Department and long range plans included allowing a university or college to use the building for courses. This would provide a college/university campus in the city limits of Daphne. The Committee further discussed the positive benefits of having a college or university in Daphne. Mayor Small stated that he will continue to look into usage of the facility.

Chairman Lake stated that a goal should be to put the location of as many city services as possible closer for ease of use by citizens. Mayor Small stated that he had been in discussion with other departments with that goal in mind.

Councilman Palumbo questioned whether the City owned the Eastern Star Building or not. Chairman Lake stated that he spoke with City Attorney Jay Ross and was informed that the City did have a deed for the property. (Note: Please see attached deed)

Motion by Councilman Palumbo to send a recommendation to the Finance Committee to approve the estimated \$50,000.00 to renovate the Eastern Star Building and that the City of Daphne move forward with this project for temporary use by the Planning Department for long term value of the property. **Seconded** by Mayor Small. **Motion Approved**

The Committee discussed the City's position with reference to the proposed leasing of School Board Property. All facets of the proposal were discussed. The Committee

discussed the possibility of the city reviewing possible available land in Daphne for future growth possibilities.

Ms. Morse discussed the need for a letter to be sent to the Highway Department requesting directional signage from all major highways to the Daphne Civic Center. Ms. Morse stated that these would be like the large green signs on I-10. Ms. Morse stated that the Civic Center sees over 200,000 visitors each year. The facility is also used in emergency situations as well and that between the Civic Center, the Library, and Recreation over ½ million people come to the complex. With new events and current events growing, the signage is truly needed. Mayor Small stated that he will send a letter to the Highway Department requesting directional signage from areas such as I-10 east and west, Hwy. 98 east and west, Hwy. 64, and any other major roads leading to the facility.

Ms. Morse presented to the Committee a list of all the buildings and property owned and leased by the City of Daphne. During review of the list, Mr. Ken Eslava, Public Works Director stated that there were one or two new additions that needed to be added to the list. Mr. Eslava stated that he will supply this information to Ms. Morse who will make the revisions to the list and present the finished list to the Buildings and Property Committee and full Council.

Ms. Morse presented a memo to the Buildings and Property Committee concerning a wildlife warning for Bayfront Park. Ms. Morse requested that the Committee consider all risks associated with Bayfront Park and the Village Pointe Preserve lands with respect to wildlife hazards to those who visit these areas. (See Attached Memo) Ms. Morse also stated that the City's insurance carrier made clear the importance of the posting of signs clearly stating all possible dangers. Mr. Eslava, Public Works Director stated that his department will put a fence around the swing that the Parks Department placed at Bayfront Park and post additional signage. (See attached Memo)

The Committee discussed upgrading Mayday Park as well as discussing electronic signage. Ms. Morse also discussed the need for new flooring for the stage floor at the Civic Center. The original flooring that was used was a masonite product. The masonite pulls moisture and buckles. Ms. Morse stated that this problem has existed for quite some time and every possible solution that they could come up with has been tried to stop the buckling. The buckling is a serious liability issue. Ms. Morse stated that she will provide the Committee with other possible flooring solutions.

The Committee set a regular meeting date for the first Friday in each month to be held in the Mayors office at 10:00 a.m.

The Committee adjourned the meeting at 11:45 a.m.

Respectfully submitted by
Sandra Morse

INTEROFFICE MEMORANDUM

TO: BUILDINGS AND PROPERTY COMMITTEE
FROM: SANDRA MORSE, DIRECTOR DAPHNE CIVIC CENTER/BFP
SUBJECT: WILDLIFE WARNING
DATE: 1/13/2005
CC: FILE

I make request to the Buildings and Property Committee to consider all risks associated with Bayfront Park and Village Pointe Preserve lands with respect to wildlife hazards to those who visit these areas. As alligators and dangerous snakes inhabit those areas my concern is for those who may think that the areas are totally safe for children, pets, and adults to freely visit. There have been several dogs eaten by alligators in the area in the past. City employees from time to time have seen 1 to 4 alligators at the waters edge.

The Public Works (Parks) Department has placed a swing for children near the water for visitors to enjoy. A sign was placed next to the swing which read "Beware of Alligators and Snakes". This sign was removed recently. I have no knowledge of who removed the sign. Another concern is the large amount of broken glass that is just at the waters edge which could cause serious damage to pets and humans alike.

I spoke with the insurance agent for the City of Daphne and he could not over stress the need for ample signage stressing all possible dangers to visitors to the park.

If someone is injured or worse on City property many liability issues could arise concerning possible unsafe areas. I would like this Committee and Council to be informed of all possible risks to citizens and visitors to the park as well as to be comfortable with all liability issues.

INTEROFFICE MEMORANDUM

TO: DAPHNE CITY COUNCIL
FROM: SANDRA MORSE, DIRECTOR, DAPHNE CIVIC CENTER
SUBJECT: WAIVED EVENTS
DATE: 1/13/2005
CC: FILE

FYI

As authorized by Ordinance No. 2004-49 the following events were or will be held at the Daphne Civic Center with fees waived.

December 7, 2004	PTA Meeting
January 6, 2005	Meeting for the Mayor and Council of Daphne, the Mayor and Council of Spanish Fort, Randy Davis, and County officials.
February 14, 2005	PTA Meeting
April 19, 2005	PTA Meeting

COUNTY OF BALDWIN

CORNER OF MAIN ST. & TRIDINE ST.

KNOW ALL PERSONS BY THESE PRESENTS, we, ARON COVIN, LUCILLE ROBBINS and EDNA PATRICK, as Trustees of DAPHNE CHAPTER NUMBER 383, ORDER OF THE EASTERN STAR, an unincorporated association, hereinafter referred to as Grantors, for and in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable consideration in hand paid to us by THE CITY OF DAPHNE, ALABAMA, a Municipal Corporation, hereinafter referred to as Grantee, do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Grantee, the following described real property situated in Baldwin County, Alabama, to-wit:

From the Northwest corner of Section 20, Township 5 South, Range 2 East, run South on the Section line 675 feet and thence East 25 feet to the beginning corner on the East side of the highway; thence run East 100 feet to a corner on the South side of a 30 foot street; thence run South 50 feet to a corner; thence run West 100 feet to a corner on the East side of the highway thence run North 50 feet to the beginning corner.

TO HAVE AND TO HOLD the aforesaid premises unto the said Grantee, its heirs and assigns, in fee simple forever.

IN WITNESS WHEREOF, DAPHNE CHAPTER NUMBER 383, ORDER OF THE EASTERN STAR, has caused these presents to be executed on this the 7th day of MAY, 1987.

STATE OF ALABAMA, BALDWIN COUNTY

I hereby certify the instrument was filed on

MAY 19 1987

10:50 AM

and the same was returned, recorded in the Public Office of the Judge of Probate of Baldwin County, Alabama.

RP

ARON COVIN, as Trustee of Daphne Chapter 383, Order of the Eastern Star

LUCILLE ROBBINS, as Trustee of Daphne Chapter 383, Order of the Eastern Star

EDNA PATRICK, as Trustee of Daphne Chapter 383, Order of the Eastern Star

Grantor's Address: Daphne Chapter 383 Order of the Eastern Star P. O. Box 144 Daphne, AL 36526

287-051

Trustee's Address:
P.O. Drawer 400
Daphne, Alabama 36526

STATE OF ALABAMA
COUNTY OF BALDWIN

I, the undersigned authority, a Notary Public in and for said County and State, do hereby certify that Aron Covin, Lucille Robbins and Edne Patrick, whose names as Trustees of Daphne Chapter 383, Order of the Eastern Star, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they executed the same voluntarily for and as the act of the said Daphne Chapter 383, Order of the Eastern Star, on the day the same bears date.

GIVEN under my hand and seal on this the 7th day of
MAY, 1987.

Anne Wilkins
Notary Public
My Commission Expires 11/1/90



Prepared by:
CLAUDE E. BANKESTER
WILKINS, BANKESTER & BILES, P.A.
Attorneys at Law
P.O. Box 562
Robertsdale, Alabama 36567

JAN/12/2005/WED 05:11 PM

08/17/2001 13:15
JUN -07 01 (THU) 13:47

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SAPTS

RUSS&JORDAN

TEL: 334 432 9080

P. 002

PAGE 02

P. 005

WARRANTY DEED

COUNTY OF BALDWIN

KNOW ALL PERSONS BY THESE PRESENTS, that we, ARON COVIN, LUCILLE ROBBINS and ROSE PATRICK, as Trustees of DAPHNE CHAPTER NUMBER 383, ORDER OF THE EASTERN STAR, an unincorporated association, Grantors, for and in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable consideration in hand paid to us by THE CITY OF DAPHNE, ALABAMA, a municipal corporation, Grantee, the receipt of which is hereby acknowledged, do hereby GRANT, BARGAIN, SELL, AND CONVEY unto the said Grantee, the following described real property situated in Baldwin County, Alabama, to-wit:

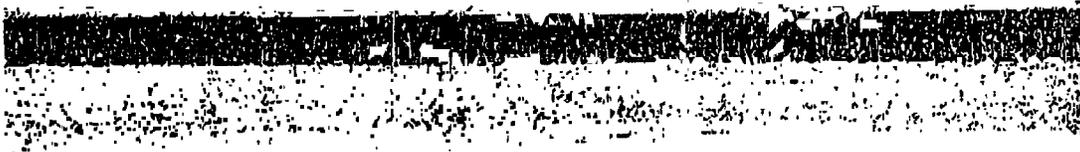
Lots One (1), Two (2) and Three (3), in Block B of the subdivision known as Ellenwood, as per plat thereof recorded in Map Book 1, Pages 109 and 110, Baldwin County Probate Records.

TOGETHER WITH ALL AND SINGULAR, the rights, members, privileges, tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns, in fee simple forever. And DAPHNE CHAPTER NUMBER 383, ORDER OF THE EASTERN STAR does covenant with the said Grantee that it is lawfully seized in fee simple of the said premises; that it is in the quiet and peaceable possession of the same; that it has a good right to sell and convey the same as aforesaid; that said premises are free from all liens and encumbrances; and that it will and its successors and assigns shall forever warrant and defend the title to and the possession of the same unto the said Grantee, its successors and assigns against the lawful claims of all persons whomsoever.

This conveyance is made upon the condition that use of the above described property shall be subject to the following restrictions, which are expressly declared to be conditions

REC-287
PAGE 0153



subsequent on breach of which, continuing for thirty (30) days after notice thereof shall have been recorded in the Office of the Judge of Probate of Baldwin County, Alabama, title to the property shall revert to and be vested in the Grantor, its successors or assigns, to whom a right of re-entry is expressly reserved.

Said restrictions are as follows:

Said property shall be used for the direct support of the regular operation of Grantee's Police Department, including youth activities sponsored by such department, provided, however, that such property shall not be used for any of the following purposes:

1. Drug or alcoholic treatment facility.
2. Distribution of meals or food.
3. Welfare activities.
4. Unsupervised youth activities.

IN WITNESS WHEREOF, DAPHNE CHAPTER NUMBER 383, ORDER OF THE EASTERN STAR, has caused these presents to be executed on this the

7th day of MAY, 1987.



Aron Cowin
ARON COWIN, as Trustee of
Daphne Chapter 383, Order of
the Eastern Star

Lucille Robbins
LUCILLE ROBBINS, as Trustee of
Daphne Chapter 383, Order of
the Eastern Star

Edna Patrick
EDNA PATRICK, as Trustee of
Daphne Chapter 383, Order of
the Eastern Star

Grantor(s) Address:
Daphne Chapter 383
Order of the Eastern Star
P. O. Box 144
Daphne, AL 36526

Grantor(s) Address:
P. O. Box 400
Daphne, Alabama 36526

STATE OF ALABAMA
BALDWIN COUNTY

62274

STATE OF ALABAMA)
COUNTY OF BALDWIN)

MODIFICATION OF RESTRICTIONS

WHEREAS, ARON COVIN, LUCILLE ROBBINS, AND EDNE PATRICK, as trustees of **DAPHNE CHAPTER NUMBER 383, ORDER OF THE EASTERN STAR**, an incorporated association, did previously convey to the **CITY OF DAPHNE, ALABAMA**, a municipal corporation, by warranty deed which instrument was recorded in the office of the Judge of the Records of the office of Probate of Baldwin County Alabama, in Real Property Book 287, Page 0453 and 0454; being the following described real property to wit:

Lots One (1), Two (2) and Three (3), in Block B of the Subdivision known as Ellenwood, as per plat thereof recorded in Map Book 1, Pages 109 and 100, Baldwin County Probate Records.

WHEREAS, since that time the **DAPHNE CHAPTER NUMBER 383, ORDER OF THE EASTERN STAR** is no longer in existence and all rights and real property owned by said chapter is now vested into **THE GRAND CHAPTER OF THE ORDER OF THE EASTERN STAR OF ALABAMA**; and,

WHEREAS, THE CITY OF DAPHNE, ALABAMA, a municipal corporation, desires to have removed one of the restrictions contained in said original instrument which conveyed the described real property to **THE CITY OF DAPHNE, ALABAMA**, a municipal corporation, and **THE GRAND CHAPTER OF THE ORDER OF THE EASTERN STAR OF ALABAMA**, an incorporated association, does consent to the same.

**MODIFICATION OF RESTRICTIONS
PAGE 2**

NOW THEREFORE, known all persons by these presents that ANN C. HENLEY, WORTHY GRAND MATRON, JACQUELINE MOTLEY, GRAND SECRETARY, UVETA STEWART, PGM, CHAIRMAN, GRAND TRUSTEE, ELOISE LASHLEY, PGM, GRAND TRUSTEE, AND STITES WALLER, PGP, GRAND TRUSTEE, THE GRAND CHAPTER OF THE ORDER OF THE EASTERN STAR OF ALABAMA, do hereby relinquish and remove that provision of the original conveyance to THE CITY OF DAPHNE, that limited the use of the subject real property for the "direct support of the regular operations of the grantee's police department," but that all other restrictions as contained in the original conveyance are hereby affirmed.

IN WITNESS WHEREOF, THE GRAND CHAPTER OF THE ORDER OF THE EASTERN STAR OF ALABAMA, has caused these presents be executed on this the *17th* day of October, 2001.

Ann C. Henley
ANN C. HENLEY, WORTHY GRAND MATRON



STATE OF ALABAMA
COUNTY OF *Jefferson*

I, the undersigned Notary Public, in and for said State and County, hereby certify that ANN C. HENLEY, WORTHY GRAND MATRON, whose name is signed to the foregoing conveyance, and, who is known to me, acknowledged before me on this day that, being informed of the content of said conveyance, executed the same voluntarily on the day same bears date.

Given under my hand and seal this *17th* day of October, 2001.



Janice J. [Signature]
NOTARY PUBLIC

My Commission Expires *October 2005*

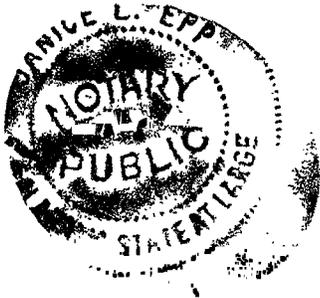
MODIFICATION OF RESTRICTIONS
PAGE 3

Jacqueline Motley
JACQUELINE MOTLEY, GRAND SECRETARY

STATE OF ALABAMA
COUNTY OF *Jefferson*

I, the undersigned Notary Public, in and for said State and County, hereby certify that **JACQUELINE MOTLEY, GRAND SECRETARY**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the content of said conveyance, executed the same voluntarily on the day same bears date.

Given under my hand and seal this the *17th* day of October, 2001.



Janice L. Epp
NOTARY PUBLIC
My Commission Expires: *October 2005*

Uveta Stewart
UVETA STEWART, PGM, CHAIRMAN, GRAND TRUSTEE

STATE OF ALABAMA
COUNTY OF *Jefferson*

I, the undersigned Notary Public, in and for said State and County, hereby certify that **UVETA STEWART, PGM, CHAIRMAN, GRAND TRUSTEE**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the content of said conveyance, executed the same voluntarily on the day same bears date.

Given under my hand and seal this the *17th* day of October, 2001.



Janice L. Epp
NOTARY PUBLIC
My Commission Expires: *October 2005*

MODIFICATION OF RESTRICTIONS
PAGE 4

Eloise Lashley
ELOISE LASHLEY, PGM, GRAND TRUSTEE

STATE OF ALABAMA
COUNTY OF *Jefferson*

I, the undersigned Notary Public, in and for said State and County, hereby certify that **ELOISE LASHLEY, PGM, CHAIRMAN, GRAND TRUSTEE**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the content of said conveyance, executed the same voluntarily on the day same bears date.

Given under my hand and seal this the 17th day of October, 2001.



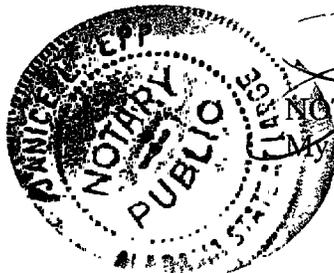
J. Epp
NOTARY PUBLIC
My Commission Expires: *October 2005*

Stites Waller
STITES WALLER, PGP, GRAND TRUSTEE

STATE OF ALABAMA
COUNTY OF *Jefferson*

I, the undersigned Notary Public, in and for said State and County, hereby certify that **STITES WALLER, PGP, GRAND TRUSTEE**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the content of said conveyance, executed the same voluntarily on the day same bears date.

Given under my hand and seal this the 17th day of October, 2001.



J. Epp
NOTARY PUBLIC
My Commission Expires: *October 2005*

MODIFICATION OF RESTRICTIONS .
PAGE 5

GRANTEE'S ADDRESS:

THE CITY OF DAPHNE
Post Office Box 400
Daphne, AL 36526

THIS INSTRUMENT PREPARED BY:

Jay M. Ross
ROSS & JORDAN, L.L.C.
Post Office Box 210
Mobile, AL 36601
(251) 432-5400

State of Alabama, Baldwin County
I certify this instrument was filed
and taxes collected on:

2001 October -24 8: 8AM

Instrument Number	622792	Pages	5
Recording	15.00	Mortgage	
Deed		Min Tax	
Index		DP	1.00
Archive	3.00		

Adrian T. Johns, Judge of Probate

**CITY OF DAPHNE
PUBLIC WORKS COMMITTEE
DECEMBER 17, 2004**

I. CALL TO ORDER

The November meeting of the Public Works Committee was called to order at 8:07 a.m. on Friday, December 17, 2004.

Attendees: Councilman Bailey Yelding, Councilwoman Cathy Barnette, Councilman John Lake, Mayor Fred Small, Ken Eslava, Melvin McCarley, Stephanie Merchant, Trey Jinright

II. PUBLIC PARTICIPATION & CORRESPONDENCE

A. Correspondence

The committee reviewed and discussed miscellaneous outgoing and incoming correspondence from November and December 2004.

B. Work Request Report

The committee reviewed and discussed the work order report for November 2004.

III. OLD BUSINESS

A. Minutes from Meeting - November 16, 2004

The committee reviewed and discussed the minutes from the Public Works Committee meeting held November 16, 2004. Councilman Lake motioned to approve the minutes, Councilwoman Barnette seconded the motion.

B. Employee Reclassification Plan

Mr. Eslava expressed his appreciation to the City Council for seeing the reclassification plan through. He stated that the Finance Committee recommended implementation of phases one and two of the reclassification plan. He stated that omitting phase three at this time was a good choice considering the fact that personnel and capital issues had not yet been addressed. He stated that the plan would accomplish what it was intended to do in Public Works by bringing up the entry pay level.

IV. NEW BUSINESS

A. Capital Equipment & Personnel - FY05 Budget

The committee set a work session for December 22 at 10:00 a.m. to discuss equipment and personnel needs for Public Works.

V. DIRECTOR'S REPORT

F. Smart Growth Planning/Stormwater Seminar

Mr. Eslava discussed "smart growth" development and environmental plans that were addressed at a recent stormwater seminar.

- G. 2004 NRCS Projects
Mr. Eslava informed the committee that he had met with the district conservationist at Bryant's Gully off Santa Rosa. He advised the committee that the gully would be covered by NRCS at an approximate cost of \$150,000.
- H. Sidewalk Projects
Mr. Eslava informed the committee that the \$95,000 anticipated for sidewalk funding was no longer available. He stated that there was only \$10,000 left due to project overruns on the North Main Street extension project. Mayor Small informed the committee that he and the finance director were working to resolve the issue with ALDOT.
- I. Lake Forest Lake
The committee discussed a letter, addressed to Mayor Small from Lake Forest Property Owners Association, offering the lake to the City of Daphne. Mr. Eslava stated that he would like to schedule a work session with the city council where he will present all information, reports, risk assessments and proposals. The committee discussed the pros and cons of acquiring the lake.
- J. Yancey Branch
Mr. Eslava informed the committee that he was working with ADEM on resolving the issue with the dirt pit that has caused the majority of the sedimentation problems in Yancey Branch. The committee discussed the situation in detail.
- K. County Road 13 Extension
Mr. Eslava informed the committee of plans to extend County Road 13 to I-10 and widen Highway 90.
- L. Deer Park
Mr. Eslava updated the committee on the status of Deer Park. He advised the committee that the Beautification Committee would be contributing funds to the project.
- M. Storm Drain Marking
Mr. Eslava informed the committee that he was working with the Eagle Scout program that will be installing storm drain markers throughout the city. Councilwoman Barnette informed the committee of a program that is funded through the NEP.

VI. SOLID WASTE AUTHORITY

VII. BEAUTIFICATION COMMITTEE

VIII. MUSEUM COMMITTEE

IX. ENGINEER REPORT

X. FUTURE BUSINESS

A. Next Meeting - Friday, January 28 at 8:00 a. m.

XI. ADJOURNMENT

The meeting adjourned at 9:04 a.m.

**CITY OF DAPHNE
BEAUTIFICATION MEETING
DECEMBER 3, 2004**

I. CALL TO ORDER

The meeting was called to order at 10:15 a.m.

Present: Karen Belina, Jerry Guillotte, Caro' Turner, Stephnie Merchant, Chris Stanton

II. PUBLIC PARTICIPATION

III. OLD BUSINESS

- A. Minutes - November 6, 2004
The committee reviewed and approved the minutes from November 6, 2004.
- B. Christmas 2004
The committee finalized plans for Christmas decorations. The committee discussed placing lighted decorations at the corners of the major intersections as opposed to doing entire stretches in some areas. Mr. Stanton advised the committee that 21 trees need to be replaced by next year.
- C. Marshall Parsons Care Package Collections
The members brought in items to send to Marshall. Stephnie advised the committee that the package would be mailed the following week.
- D. Azalea Trail
No discussion.
- E. Arbor Day - Saturday, February 26, 2005
The committee briefly discussed Arbor Day 2005 and agreed to discuss plans in more detail at the January meeting.
- F. Deer Park
Stephnie informed the committee that Mr. Esava was currently working with Maria Bueche on plans for the walking trail/park area.
- G. Birdhouses for Jubilee Courtyard
The committee discussed involving the elementary school classes in the painting/decorating the birdhouses for the courtyard.
- H. Mardi Gras 2005 - First Parade Friday, January 28
The committee discussed plans for Mardi Gras 2005.
- I. Beautification Workshop Relocation
No discussion.

IV. NEW BUSINESS

- A. 2005 Beautification Awards ATTACHMENT
The committee discussed the beautification award program. Each member is responsible for submitting their recommendations for each category at the meeting in March, and the committee will vote at April's meeting. Mrs. Guillotte agreed to oversee the award program.

V. FUTURE BUSINESS

- A. Next Meeting - January 7, 2005

VI. ADJOURNMENT

Old Methodist Church Museum of Daphne
Minutes - November 8, 2004

The regular monthly meeting of the Old Methodist Church Museum of Daphne was held on November 8, 2004 at the museum.

ATTENDEES: Tote Brantley, Mickey Boykin, Al Guarisco, Camilla Butler, Emily Hammond, Polly Gregorius, Patsy Lindsey, Lucy Cunningham, Doris Allegri, Pat Tippit, Pat Box, Candice Bishop, Joan Crowder, and Betty Baker.

CALL TO ORDER: The meeting was called to order by President Mickey Boykin.

TREASURER'S REPORT: The balance on hand for Friends of the Old Methodist Church Museum of Daphne, Inc. account as of October 11, 2004 was \$6,416.24. Balance on hand for the Old Methodist Church and Cemetery account was with interest \$15,068.63 both reports were accepted as presented.

NEW OFFICERS: Assumed their duties as elected.

COMMITTEE REPORTS;
Telephone: No report

Fund Raising: The committee report for the 'Christmas By The Bay' at the Civic Center was too high for the museum to participate.

Discussion on the floor about special advertisement to raise funds. It was mentioned that we should make arrangements to get the book "Daphne" on the Daphne Website. Candice agreed to check into it for the museum.

EXHIBITS: No report

PUBLICITY: Jodi said she had taken to Maria Nichols article about the Bay Boats with picture from the museum and crediting the museum and a phrase about the museum being open. It was too late for December 2004, Jubilee Magazine. Jodi has given Maria Nichols some articles in hopes that it will be in the July 2005 magazine and there is the phrase about the museum being open.

We are tabling the Mrs. Pomroy and pie social until January 2005. (This was not brought up: Doris, Al, and Jodi were at the church and Joe Patrick, reporter for the Bulletin was doing a story on the history of the church in an article he was working.)

Not mentioned Mickey was able to get the pictures in the paper about the new elected board.

Al mentioned that we needed to keep up the scrapbook and pictures. Doris was going to give pictures to the Bulletin.

(Note; 'The Christmas By The Bay' was going to charge us somewhere about \$325.00 to participate in there event. The church is a place where we can have our own events to draw a crowd to sell our books.)

CEMETEREY: Doris reported that the city was continuing to clean up after Ivan. We even got an story out in the papers about the clean up. Some graves are badly damaged. Doris said we needed to thank the city for the good job they have done. (need pictures for scrapbook on this story)

Doris announced that the Bulletin had some unclaimed pictures.

VOLUNTEERS: Emily as for volunteers to work for Patsy Lindsey on November 20th as she would be out of town. Patsy and Helen Callaway were going to change dates.

UNFINISHED AND ONGOING BUSINESS: Doris said Public Works Department continues to clean the church cemetery of debris. Candice reported they are waiting on the glass for the widow.

BALDWIN COUNTY MUSEUM COMMETTEE: No report.

SPECIAL TOURS: Emily reported that the group came from Foley the day of the tree removal. They all enjoyed the visit. No report on the ROTC group as Helen Callaway was absent.

JOHN DAVIS ESTATE: The charge of \$100.00 for the inscription was announced.

No report on the Walding Property.

REVIEW OF BYLAWS: Mickey reported that she didn't have time as of yet to work on them. Jodi suggested that we may want to check on copyrighting the cemetery and the church in case organizations may want to take pictures and then sell them for a fund raiser. (Since the inter net.) It maybe that it is a public place and you may not be able to do so. We need to look further into this or just drop it. This is in the future.

NEW BUSINESS: Al announced that Dick Scott didn't get to go on the cemetery trip to Montgomery, November 6, 2004. Al suggested that we ask Dan Allison with the Alabama Historical Commission to come and give a talk on cemeteries in Baldwin County as her schedule permitted.

Emily called our attention to the fact that Christmas and New Year was coming up. What should be do as to holding the museum open? Yvon Silcox made the motion that we close the museum from Friday - Sunday for Christmas and the same for New Year. Patsy Box seconded the motion and all were in favor.

Al gave the report of sending the pictures for the church and a brief history to Area Churches in Montgomery. He gave the cost of taking the pictures having them developed and mailed to the appropriate place for publishing. Helen Callaway said she would give so much money for the cause. Jodi added that she was using one of the pictures that Al took to put in the Jubilee Breeze with an article she was submitting that would be good advertisement for the museum. Jodi made the motion to pay Al \$15.28 and Patsy Lindsey seconded. Motion carried.

Dillard display case was unable to get one.

A person wanted to know if he could sell some of his pictures at the Museum he had taken in London. Discussion was had about this and all believed it was best not to let this happen. We are a museum supported by City of Daphne and we have no authority to let him set up selling at the museum.

Mickey said Joy McClay with the Women's Missionary group at the Methodist Church on Main Street will take a picture of the church to help them raise funds.

Old Methodist Church Museum of Daphne
Minutes - December 13, 2004

The regular monthly meeting of the Old Methodist Church Museum of Daphne was called to order by the President Mickey Boykin.

ATTENDEES: Tot Brantley, Mickey Boykin, Al Guarisco, Polly Gregorius, Patsy Lindsey, Lucy Cunningham, Doris Allegri, Margie Waldrop, Carol Hafner, Pat Tippit, Jean Yuille, Helen Callaway, Jear Nelson, Joan Crowder

MINUTES: Read and approved with a correction of treasurer's report of \$15.00 to Al for pictures not \$15.23 as read.

TREASURER'S REPORT: The Old Methodist Church and Cemetery of Daphne Balance on hand as of 11/30/04 - \$15,197.31 after the sale of 4 books and interest of \$8.68. Friends of the Old Methodist Church Museum of Daphne, Inc. period ending 11/30/04 - expense of \$15.00 and donation to the Baldwin Historical Soc of \$31.00 giving a balance of \$6,432.24. Both reports were accepted as read.

Discussion: Pat gave report of 420 book sold and will be reported on next month's report. 120 books and the Museum will break even.

STANDING: No report.

EXHIBIT: No report.

PUBLICITY - Mickey submitted to the Register the sell of the book "Daphne" for \$25.00 for the Christmas season. She also has it in the retail shop at the Library. Jodi reported no other publicity. After January book back at the regular price.

Emily and Helen to help on the Pie Social with Jodi.

CEMETERY: Doris Allegri ask if we should put flowers on the Davis grave. It was noted that the city had flowers that could be place on the grave after the freeze.

VOLUNTEERS: Church will be closed Christmas and New Years.

UNFINISHED BUSINESS: On going renovations glass still needs to be fixed.

BALDWIN COUNTY MUSEUM COMMITTEE: Mickey told of the tragic accident that took the life of Josie Parmer (who is with the Baldwin Museum.) The accident was December 11, 2004 and Mickey ask for our prayers for the family.

SPECIAL TOURS: No report.

JOHN DAVIS ESTATE: No report.

WALDING PROPERTY: Mrs. Walding is giving the property to the museum and will get the description. We had agreed to pay the legal fee. It was suggested that she give it to the city attorney to complete.

REVIEW OF BY LAWS: No report.

NEW BUSINESS: Alabama Historical work shop gave talk. She is trying to take pictures of every grave as money is available.

We need to get the Gardiner permission regarding any of the pictures of the O'Neal pottery pictures collection. This is just a statement.

Jodi wrote letters to Mayor Brown, former mayor thanking him for his help and letter to new Mayor Small inviting him to visit the museum at his convenience. It was suggested that the officers met with the Mayor Small after January 2005.

Open House: Talked about a Tea Social tabled to next meeting.
Next Meeting, January 10, 2005.

Polly made motion to adjourn the meeting and Al second. There being no further business, the meeting was adjourned.

Respectfully submitted

Joan White Crowder, Secretary

CITY COUNCIL MEETING
REPORTS OF SPECIAL COMMITTEES

NOTES:

BOARD OF ZONING ADJUSTMENTS REPORT:

DOWNTOWN REDEVELOPMENT AUTHORITY REPORT:

INDUSTRIAL DEVELOPMENT BOARD:

LIBRARY BOARD:

PLANNING COMMISSION REPORT:

RECREATION BOARD REPORT:

UTILITY BOARD REPORT:

**THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF DECEMBER 16, 2004
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.**

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CALL TO ORDER:

The Chairman stated the number of members present constitutes a quorum and the regular meeting of the City of Daphne Planning Commission was called to order at 6:07 p.m.

CALL OF ROLL:

Members Present:

Fred Small, Mayor
Brian Dekle*
John Barry
Warren West, Vice Chairman
Ken Day, Chairman
Cathy Barnette, Councilwoman
John Coulter, Secretary
Ed Kirby

Members Absent:

Larry Chason

**Mr. Dekle requested to be excused at 6:55 p.m.*

Staff Present:

William H. Eady, Sr., Director of Community Development
Jan Dickson, Planning Coordinator
Jay Ross, Attorney
Tim Fleming, Associate Attorney

The Chairman stated the first order of business is the call to order. He stated please let the record reflect that Mr. Chason is not present. The next order of business is approval of the minutes of the November 18, 2004 regular meeting.

APPROVAL OF MINUTES:

The minutes of the November 18, 2004 regular meeting was considered for approval. A copy of the minutes were furnished previously to us. If there are no additions, deletions, or corrections at this time, the Chair would entertain a motion.

A **Motion** was made by Mr. West and **Seconded** by Mr. Coulter **to approve the minutes. The Motion carried unanimously.**

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments -

There will not be a meeting in January.

B. Downtown Redevelopment Authority -

The next meeting will be January 11th at 5:15 p.m.

C. Industrial Development Board -Yelding

No report.

D. Library Board - Lake

The minutes for December 13th meeting are in the packet. There is an unexpired term on the Library Board that needs to be filled.

MOTION BY Mr. Lake to nominate Cassandra Day to fill the unexpired term of Ms. Julia Marshall on the Library Board term ending September 30, 2005. Seconded by Mr. Yelding.

Discussion was held regarding submitting a resume when nominating someone to a Board.

Mr. Lake said Ms. Day was unanimously recommended by the Library Board to fill the unexpired term.

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

E. Planning Commission - Barnette

The Site Review meeting will be January 19th 9:00 a.m. in the Council Chambers, and the Planning Commission will meet January 27th at 6:00 p.m. She announced for those interest in the Belrose and Bayside Academy discussions, they hope to have a public meeting scheduled, and that date will be announced at the next Council meeting.

F. Recreation Board - Burnam

No report.

G. Utility Board - Scott

No report.

6. REPORTS OF THE OFFICERS:

A. Mayor's Report

a.) Report on Malbis TIC

The Council at the last Council meeting authorized the Mayor and the City Attorney to hire Bond Counsel to discuss a Memorandum of Understanding with Aronov Realty on the Malbis TIC project. The Mayor met with Bond Counsel and they have come up with a Letter of Intent instead of a Memorandum of Understanding. This will give

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The Chairman stated the next order of business is site plan review for Baldwin County Endodontics.

NEW BUSINESS:

SITE PLAN REVIEW:

File S04-24:

Site: Baldwin County Endodontics

Location: Lot 6 of Jackson Oaks Subdivision Between U. S. Highway 98 and Main Street
Area: 0.85 Acres ±
Owner: T & M, L.L.C. - Tres Manasco
Engineer: Hutchinson, Moore & Rauch - Ray Moore or Scott Hutchinson

An introductory presentation was given by Mr. Ray Moore, representing Hutchinson, Moore & Rauch, requesting site plan review for the placement of a professional medical office building located between U. S. Highway 98 and Main Street on Lot 6 of Jackson Oaks Subdivision. He stated I know that we had a lot of discussion with regard to the site plan one of which was the storm water runoff. Mr. Hutchinson did talk to the owner and what we are going to do is put a manhole with a weir intercepting the line that is already exists to the South. We are going to install what is called a snout to filter out trash and hydrocarbons from entering into the system. Basically, the site plan stands as it was presented the other day. It has onsite detention which will be underground. The pipes which will be installed will be flat in order to filter out any siltation. It will be the responsibility of the property owner to maintain and clean out the pipes. The owner is planning to build on the West or the Main Street side and there will be enough room for an additional building in the future. I will happy to answer any questions you may have.

The Chairman stated do any of the Commissioners have any questions or comments.

Mr. West stated there was some discussion with regard to the signs and I would like to ask Mr. Kirby if he is satisfied.

Mr. Kirby stated yes sir.

Mr. West stated there was some discussion. He stated if he is satisfied, then I am satisfied.

Mr. Moore stated there was some discussion, but it turned out that we were talking about the same thing and everything is just fine.

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The Chairman stated do any of the Commissioners have any further questions or comments. If there is no objection, the Chair would entertain a motion.

A Motion was made by Mr. Dekle and **Seconded** by Mr. Kirby **to approve the Site Plan for Baldwin County Endodontics. The Motion carried unanimously.**

The Chairman stated the next order of business is final plat review for Bellaton Subdivision, Phase One.

FINAL PLAT REVIEW:

File SDF04-19:

Subdivision: Bellaton, Phase One

Location: At the intersection of State Highway 181 and Austin Road
Area: 35.49 Acres ±, (59) lots
Owner: County Club Development - Trae Corte
Engineer: Engineering Development Services - David Diehl or Jason Estes

An introductory presentation was given by Mr. Estes, representing Engineering Development Services, requesting final plat approval of a thirty-five acre subdivision consisting of fifty-nine lots located at the intersection of State Highway 181 and Austin Road. He stated we have not completed construction, but we have posted a financial guarantee. At the work session that was a question with regard to the performance bond and since this time we have added the City of Daphne to the bond, but Baldwin County was opposed to the addition of the city. They are responsible for the maintenance of the streets so they want the performance bond in their name. At the work session, there was some discussion about the subdivision being annexed into the city. If the subdivision is annexed into the City of Daphne, the City will be provided with a bond for the maintenance of the streets. I will be happy to answer any questions you may have.

The Chairman stated I appreciate you responding the comments made at site review. He stated do any of the Commissioners or Mr. Eady have any questions or comments. If there is no objection, the Chair would entertain a motion.

A Motion was made by Mr. West and **Seconded** by Mr. Dekle **to grant Final Plat approval to Bellaton Subdivision, Phase One. The Motion carried unanimously.**

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The Chairman stated the next order of business is final plat review for La Casa di San Francesco Subdivision, Phase II.

File SDF04-20:

Subdivision: La Casa di San Francesco, Phase II

Location: On Pollard Road between Randall Avenue and County Road 64

Area: 2.41 Acres \pm , (13) lots

Owner: Olde Towne Developmente, L.L.C. - Starke Irvine

Engineer: Hutchinson, Moore & Rauch - Ray Moore or Scott Hutchinson

An introductory presentation was given by Mr. Ray Moore, representing Hutchinson, Moore & Rauch, requesting final plat approval of a two and a half acre subdivision consisting of thirteen lots located on Pollard Road between Randall Avenue and County Road 64. He stated actually we did not add thirteen lots. We took four from Phase One, changed them, and added them to Phase Two. All of the utilities are in, we have had an inspection of the roadways, and so we are basically here tonight to ask for final approval. I will be happy to answer any questions you may have.

The Chairman stated based on the information that is contained in the file, everything seems to be in order. He stated do any of the Commissioners or Mr. Eady have any questions or comments. If there is no objection, the Chair would entertain a motion.

A Motion was made by Mr. Kirby and Seconded by Mr Barry to grant Final Plat approval to La Casa di San Francesco Subdivision, Phase II. The Motion carried unanimously.

The Chairman stated the next order of business is preliminary/final plat review for Higbee Subdivision.

PRELIMINARY/FINAL PLAT REVIEW:

File SDPF04-25:

Subdivision: Higbee

Location: On the Northwest side of the intersection of County Road 13 and Whispering Pines Road

Area: 77.6 Acres \pm , (2) lots

Owner: Richard Higbee

Agent: George Roberds

Engineer: Garsed Land Survey - Pete Garsed

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An introductory presentation was given by Mr. George Roberds, representing the owner, Mr. Richard Higbee, requesting preliminary/final plat approval of a seventy-seven acre consisting of two lots located on the Northwest side of the intersection of County Road 13 and Whispering Pines Road. He stated this is a request from the owner to subdivide this property into two parcels. One of the parcels will be twenty acres which fronts on County Road 13 and the other one is fifty-seven acres and fronts on Whispering Pines Road.

The Chairman stated this is a pretty straightforward subdivision at this stage anyway. He stated do any of the Commissioners or Mr. Eady have any questions or comments.

Mr. Coulter asked where the ingress and egress would be for the parcel which is located on Whispering Pines Road.

Mr. Roberds stated sir, I think that you are thinking about the subdivision which comes after this request.

The Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments. He opened the floor to public participation. With no adjacent property owners present, he closed public participation. If there is no objection, the Chair would entertain a motion.

A Motion was made by Mr. Kirby and Seconded by Mr. Dekle to grant Preliminary/Final Plat approval to Higbee Subdivision. The Motion carried unanimously.

The Chairman stated the next order of business is preliminary plat review for Madison Place Subdivision, Phase Two.

PRELIMINARY PLAT REVIEW:

File SDP04-19: (REVISION)

Subdivision: Madison Place, Phase Two

Location: Northeast of the intersection of Parker Lane and Whispering Pines Road, East and adjacent to Madison Place, Phase One

Area: 9.99 Acres \pm , (27) lots

Owner: Elite Development, L.L.C. - Clarence Burke

Engineer: Engineering Development Services - David Diehl or Jason Estes

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An introductory presentation was given by Mr. Estes, representing Engineering Development Services, requesting revised preliminary plat approval of a nine-acre subdivision consisting of twenty-seven lots located Northeast of the intersection of Parker Lane and Whispering Pines Road just East and adjacent to Madison Place, Phase One. He stated we have actually brought this to you before, but the preliminary plat changed to incorporate some of the property to the North.

The Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments. If there is no objection, the Chair would entertain a motion.

A Motion was made by Mr. Dekle and **Seconded** by Mr. Barry **to grant Revised Preliminary Plat approval to Madison Place Subdivision, Phase Two. The Motion carried unanimously.**

Ms. Dickson asked did you ask for public participation.

The Chairman stated I did not.

Mr. Dekle asked for a revision.

Ms. Dickson stated I advertised because he submitted it as a revised preliminary.

The Chairman stated I had it in my notes to do so and did not. He stated I apologize. He opened the floor to public participation. With no adjacent property owners present, he closed public participation. Is that acceptable to Counsel?

Mr. Ross stated yes, it is.

The Chairman stated the next order of business is preliminary plat review for Rolling Hill Place Subdivision.

File SDP04-21:

Subdivision: Rolling Hill Place

Location: On Rolling Hills Drive between Hope Drive and Calverdale Circle

Area: 6.66 Acres ±, (23) lots

Owner: Friday Construction Company - Mike Commiskey

Engineer: Hutchinson, Moore & Rauch - Ray Moore or Scott Hutchinson

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An introductory presentation was given by Mr. Ray Moore, representing Hutchinson, Moore & Rauch, requesting preliminary plat approval of a six-point six-acre subdivision consisting of twenty-three lots located on Rolling Hills Drive between Hope Drive and Calverdale Circle. He stated this is the piece that everyone remembers that we rezoned to R-4, High Density Single Family, zone. The proposal is to develop twenty-three lots under the R-4, High Density Single Family, requirements. All of the utilities are available. If you look at the right-hand side, this is the area in which we are proposing to be the entrance road into the site. On the left-hand side, there is a series of gullies and a really bad gulley on the North side of that. What we are planning to do there is to put a detention pond and drop down and go into another detention pond. We are also going to do an additional step to place rip rap, and granite stones to slow the velocity of the water down as it goes onto Rolling Hills. We are not required to do that, but we have been around long enough to know that there is a drainage problem in Lake Forest Subdivision. The storm water drainage, although it is not required, it will be set up as a staged event for additional protection. We know there is a lot of concern in there so that is why we are doing that. This will be the first subdivision in Lake Forest Subdivision to have onsite detention. Under your regulations, we are going to install sidewalks, underground utilities, and street lights. Referring to the landscape plan, there are two items in there. In the cul-de-sac in the middle we plan to put plantings and a six-foot high shadow box fence and carry it to the lot to the right. We did not plan to do this landscaping, but hopefully in working with Mr. Eslava, the Public Works Director, we can put a group of Crepe Myrtles in there. We do plan to make the property to the North a common area and pave a lane in there for access to the golf course. Also, if you remember from site review we are going to do some buffering in there. These areas show up on the preliminary plat as no clear zones on the perimeter. I will be happy to answer any questions you may have.

The Chairman stated it has certainly been a long journey, but it seems as if you have responded to all of the concerns which were expressed.

Mr. Moore stated we tried to go in there and do what we were asked to do.

The Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments.

Ms. Barnette stated yes, I have a question. She stated you said with the assistance of Mr. Eslava, the Public Works Director, you were going to plant Crepe Myrtles. Does that mean that the city is going to do that?

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Mr. Moore stated no, we are going to do that. He stated what I meant was we did not show that on the landscape plan and he helped point that out.

Mr. Dekle stated that is city right-of-way and they need permission to do that.

Mr. Moore stated the other areas are common areas, but we have to get permission to place anything on the right-of-way.

Mayor Small asked if this was something the city would have to maintain.

Mr. Moore stated that is something that we can work out through the restrictive covenants.

Mr. Barry asked do we know if this is going to be brought in by the Lake Forest Property Owners Association as members of the association.

Mr. Moore stated I know that Mr. Commiskey has been in touch with that Board throughout the entire process and they have talked. He stated I think at this point until we actually get preliminary plat approval there was no sense in signing on the dotted line.

Mr. Barry stated it seems to me that is the way that it would need to go.

Mr. Moore stated I think that is the way it is going to go, but I cannot stand here and tell you that tonight. He stated there has been a lot of discussion with Mr. Commiskey and Friday Construction so I do not know why that could not occur. Mr. Kirby can tell you that there has been a lot of discussion with the Board.

Mr. Kirby stated there has been a lot of discussion and the Board would welcome them into the association.

The Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments. He opened the floor to public participation. With no adjacent property owners present, he closed public participation. If there is no objection, the Chair would entertain a motion.

A Motion was made by Mr. West and Seconded by Mr. Kirby to grant Preliminary Plat approval to Rolling Hill Place Subdivision. The Motion carried unanimously.

The Chairman stated the next order of business is preliminary plat review for Austin Park Subdivision.

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File SDP04-20:

Subdivision: Austin Park

Location: On County Road 54 West, North and West of Garrett Road
Area: 38.33 Acres \pm , (75) lots
Owner: Atilio Corte, Jr.
Engineer: Hutchinson, Moore & Rauch - Ray Moore or Scott Hutchinson

An introductory presentation was given by Mr. Ray Moore, representing Hutchinson, Moore & Rauch, requesting preliminary plat approval of a thirty-eight acre subdivision consisting of seventy-five lots located on County Road 54 West immediately North and West of Garrett Road. He stated the water service is provided by Belforest Water Authority and the sanitary sewer service is provided by Baldwin County Sewer Service. The storm water was designed similar to Rolling Hill Place with staged storm water detention. What we have is two to three ponds and we were concerned about recharge so we will have two ponds which will actually hold water. Over on the Austin Brook side we have two ponds which have fountains and are a very nice amenity item. They actually hold water and serve two functions. One is detention and the other is retention. We planned to do the same thing in this subdivision. In the horse shoe in the middle near the cul-de-sac, we will have a pond with a fountain. On the lower left hand corner of the property we will have to do the same thing there also. There is something also that does not show up here. There is a strip that runs along Austin Brook Subdivision past the pond area which will have an interconnection to this subdivision in order to have a connection to the amenities. One of the questions that was asked a site preview was regard to Belforest Water Authority's ability to provide fire protection. We furnished Mr. Eady with some of the ISO records and ratings during the construction of Austin Bridges Subdivision, Units One and Two. The only thing that has changed since this time is almost directly across the street from our drive way is the location of the Belforest Volunteer Fire Department sits. To the Northeast of there is the location of the new well or tank for the Belforest Water Authority. I know that it has been a problem and you want them to tell us the potential for fire protection, but they will not.

Mr. West stated that is great. He stated I understand what you are saying, but I want to know what the ISO ratings are and will it be sufficient to protect these people. That is all I am asking for.

Mr. Moore stated the ISO is the people who come in and rate the water system and fire department.

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Mr. Moore stated there is a group of different things that they go in and rate the whole surrounding area on fires and response time. He stated it is well within its range to insure the people out there.

Mr. Dekle asked how this development tested out for the twenty-five year flood design.

Mr. Moore stated what we are doing out there is not only do we comply with the regulations for a twenty-five year flood, but designed it as a staged development for a ten and a five-year flood also. We are doing a staged release which is better than what we are required to do.

Mr. West asked if the sanitary sewer system was a low pressure system and what the cost was to the property owner.

Mr. Moore stated the sanitary sewer system is low pressure.

Mr. West stated I do not think the people who buy this lots understand the cost associated with a low pressure system.

Mr. Moore stated these are new houses. He stated they are paying for it, but it is included in the price of the home. It is not an afterthought.

Ms. Barnette asked if the infrastructure was such to support this development. Are they four or six inch lines and are they new or existing?

Mr. Moore stated the largest line within the subdivision is going to be three inch. He stated a low pressure system is designed with the fact that not all of the services are being utilized at the same time.

Ms. Barnette stated I was looking at it from the standpoint that the Utilities Board of the City of Daphne would not do a three-inch line.

Mr. Moore stated we are looking at doing a three-inch line in Ottawa Springs on County Road 13.

Ms. Barnette stated a four-inch line.

Mr. Moore stated it is a four inch line on County Road 13, but a three inch line coming out of the subdivision.

Mr. Moore stated the line that is connecting to this development which runs North and South is an eight-inch line.

Mayor Small stated I was just wondering in a development like this couldn't the developer do a gravity type system.

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Mayor Small asked wouldn't that be less expense on the property owners, as well as, for the sewer companies.

Mr. Moore stated it is a lot more expensive to do that and feed it into a pump station. He stated a pump station runs from eighty to ninety thousand dollars for one pump.

The Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments. He opened the floor to public participation. With no adjacent property owners present, he closed public participation. If there is no objection, the Chair would entertain a motion.

A Motion was made by Mr. Kirby and **Seconded** by Mr. Barry **to grant Preliminary Plat approval to Austin Park Subdivision. The Motion carried unanimously.**

The Chairman stated the next order of business is preliminary plat review for Churchill Subdivision.

File SDP04-22:

Subdivision: Churchill

Location: On U.S. Highway 31 near Shambo Road
Area: 34.43 Acres \pm , (78) lots
Owner: Robert Bertagnolli
Engineer: Hutchinson, Moore & Rauch - Ray Moore or Scott Hutchinson

An introductory presentation was given by Mr. Ray Moore, representing Hutchinson, Moore & Rauch, requesting preliminary plat approval of a thirty-four acre subdivision consisting of seventy-eight lots located on U.S. Highway 31 near Shambo Road. He stated it is very similar to the previous one, but smaller than Austin Brook Subdivision. I will be happy to answer any questions you may have.

The Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments.

Mr. West asked if the sanitary sewer system was the same type as the other subdivisions, low pressure.

Mr. Moore stated yes sir.

Mr. West stated if I were to pursue that, then how would I do that because I think it will have an impact in the long haul. He stated I think we are taking the easiest and the cheapest way out. Ultimately, it will be the responsibility of the owner later in life and it could be real serious.

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Mr. West asked can we outline standards which would designate whether or not it would be a low pressure system.

Mr. Dekle stated Mr. West you have to understand that you are dealing with primarily farmland and flat lots. He stated if you raise the property to have a different type of sanitary sewer you have affected everyone around you. It cannot be done. People have been using low pressure sanitary sewer for years. It is not a big surprise or a tremendous expense. It is a fact of life, but you cannot go building up your lot to make your sewer work properly.

Mr. West stated you can build the proper to a level in which it will drain because I speak from experience. He stated it can be done. I think it is something we should address because I think we are going at it blindly.

Mr. Barry stated we are going to be looking at what we should do and what we should be telling development. He stated he is doing it the way that we have told him it needs to be done. This should be one of the things that we put in for the committee to look at. I think that we are talking about something that we should be looking at as a side issue.

Mr. West stated I would agree with that if I could get a commitment that we would take a look at it. He stated I know we are trying to get people into a home at a certain price in order to sell it.

Mr. Moore stated Mr. West we need help from you.

Mr. West stated I do not know the solution is, but I know it is a problem.

The Chairman stated your concerns are duly noted. He stated I think to sort of paraphrase this is the media we have within the Land Use and Development Ordinance.

Mr. West stated I will agree with that.

Mr. Moore stated Mr. West we are putting in a deceleration lane along with a turn lane.

Mr. West stated I think that is great. He stated thank you. A lot of people will thank you besides me. Highway 31 is a very dangerous area dangerous before you going emptying the subdivision traffic onto it.

The Chairman stated do any of the Commissioners or Mr. Eady have any further questions or comments. He opened the floor to public participation. With no adjacent property owners present, he closed public participation. If there is no objection, the Chair would entertain a motion.

**THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF DECEMBER 16, 2004
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.**

SUMMARIZATION OF MINUTES:

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A Motion was made by Mr. Kirby and **Seconded** by Mr. Barry **to grant Preliminary Plat approval to Churchill Subdivision. The Motion carried unanimously.**

The Chairman stated the next order of business is administrative presentation. He stated under this we will address the site plan review which is sort of a late addition for Lot 6 of TimberCreek Office Park, Unit One, the Office Building for Allen Cox as an addendum to your work session packet.

ADMINISTRATIVE PRESENTATION:

Mr. Dekle requested to be excused at 6:55 p.m.

The Chairman stated please let the minutes reflect that Mr. Dekle requested to be excused.

An introductory presentation was given by Mr. Allen Cox, the owner, requesting site plan review for the placement of an office building located on the Northwest side of Alabama Highway 181 and Interstate 10 on Lot 6 of TimberCreek Office Park, Unit One. He stated basically, we were confused about the time frame for submitting and approval. This is a one thousand six hundred square foot office building. I am responsible for all of the construction within that subdivision. I am the architectural review board there, and we have three other buildings under construction. All of the plans are in order and have been submitted to Mr. Eady for review. All it does is gives me a thirty-day head start since my current office building has been sold. If you can do it I would appreciate it. I will be happy to answer any questions you may have.

The Chairman stated the site, grading/drainage, and landscape plan seems to be in order and have been reviewed by Mr. Eady. He stated do any of the Commissioners have any questions or comments.

Ms. Barnette stated I know that you are out of time or missed the deadline, but is this typically done. She stated I appreciate the ability of site preview for us to go through and work out the kinks and the questions. I do not feel that we have done that with this project. I have not seen this or had ample time to go through this like we do on site review. I feel a little uncomfortable without really discussing it.

The Chairman stated it is not very often, but I do recall on occasion we have made an exception for site plan review. Is that not right Mr. Eady?

Mr. Eady stated particularly when are the improvements are in place. He stated all you are looking at here is a building on a lot.

**THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF DECEMBER 16, 2004
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.**

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Mr. Eady stated the plans were not complete at the time the work session was held. He stated he sold his building in August 2004 and he does not have a place to go. He wants to begin his construction in January and if we hold it over for another month, then he cannot begin construction until February so because it is a very simple matter we elected to bring it to the Planning Commission now.

Mr. Barry questioned the location of the property and requested to see an overlay map.

Mr. Eady stated we have already approved the subdivision.

Mr. Barry stated I know. He stated I just was trying to get it in my mind which one of the lots you were asking for so you are in the circle where a lot of construction is being done.

Mr. Cox stated there are three buildings under construction now.

Mr. Barry stated my point being we have already looked at this circle so it is just a matter of the owner is here to ask for approval. If we were going to make an exception, then this would be the one that I would agree with.

Mr. Cox stated I am also the architectural review board. He stated we just basically screwed up is what I am trying to say.

The Chairman stated I hope that addressed your concerns.

Ms. Barnette stated if it is the will of the Planning Commission, then you all seem to have been through all of this, but I have not been involved.

Mayor Small stated I do kind of agree with Ms. Barnette, but we do know Mr. Cox and what type of development that he has brought forth. He stated it is true that some of us are not use to this and do not want to make mistakes. We think we do need a little bit of caution in bringing some up after site preview, but it is something I do feel comfortable with because I do know the area.

Mr. Barry stated I do not want to set a precedent here, but I do feel comfortable because he is the owner and the architectural committee.

The Chairman stated do any of the Commissioners have any further questions or comments. If there is no objection, the Chair would entertain a motion.

A Motion was made by Mr. Kirby and Seconded by Mr. Coulter to approve the Site Plan for Lot 6 of TimberCreek Office Park, Unit One, the Office Building for Allen Cox. The Motion carried. Ms. Barnette abstained.

**THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF DECEMBER 16, 2004
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.**

SUMMARIZATION OF MINUTES:

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Ms. Dickson asked who abstained.

Ms. Barnette stated I did.

Ms. Dickson stated I do not understand why.

Ms. Barnette stated I explained why.

Ms. Dickson stated oh, if you did, then I missed it.

Mr. Day stated she feel uncomfortable with the proposal, but the motion carried.

Ms. Dickson stated thank you.

The Chairman stated the next order of business is administrative presentation.

An introductory presentation was given by Mr. Eady, Director of Community Development, of a proposed resolution by the City Council to rename Cummings Lane to Captain's Lane. He stated we talked at the work session about the gentleman that lives at 6403 Cummings Lane located on the West side of Main Street. He is requesting that the existing name be changed to Captain's Lane. The proposal has come before the City Council and they recommended that it come before the Planning Commission. We contacted Baldwin County Emergency Communication District which is in charge of 911 addressing for Baldwin County and they gave us the letter in your packet requesting that the name not be changed because there is a street existing named Captain O'Neal Drive in Daphne. The Community Development Department suggests that your recommendation to City Council be that the name not be changed. This does not mean that the street cannot be changed to a different name just not to Captain's Lane.

The Chairman stated we need to make a recommendation with regard to the name change.

Mr. Eady stated yes sir.

The Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments. If there is no objection, the Chair would entertain a motion.

A Motion was made by Mr. Kirby and Seconded by Mr. Barry for the negative recommendation by the Planning Commission to the City Council of Daphne for request by Mr. Joseph D. Williams to change the name of Cummings Lane to Captain's Lane.

**THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF DECEMBER 16, 2004
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.**

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Upon roll call vote, *the Motion carried.*

Mayor Small	Aye
Mr. Barry	Aye
Mr. West	Aye
Mr. Day	Aye
Ms. Barnette	Aye
Mr. Coulter	Aye
Mr. Kirby	Aye

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

ATTORNEY'S REPORT:

Mr. Ross, Attorney, stated the only thing that I have to report is the Municipal Informational Directional Sign Ordinance has been worked on by Mayor Small, Mr. Eady, Mr. Cox, and myself this week and some additional proposed changes have been suggested to accommodate some concerns that Mr. Cox had about the areas of development. We will have the completed draft to Mr. Eady by Monday and I will ask him to circulate it for your review after Mr. Cox's attorney looks it over. It may change again after Mr. Cox's attorney looks at it, but I think we have fine tuned it a little bit more. That is all I have.

The Chairman stated thank you. He stated the next order of business is the Planning Commission Discussion.

PLANNING COMMISSION DISCUSSION:

The Chairman stated at the site preview meeting we were asked to form a committee to address those concerns expressed with regard to densities. He stated I want to apologize because I had drafted a proposed chart for that committee, but I have misplaced it so I will have to reconstruct it. I will have it for you prior to the site preview meeting to let you know what our task at hand is so we can move forward.

ADJOURNMENT:

The Chairman stated with that Happy Holidays and Happy New Year, do any of the Commissioners or Mr. Eady have any questions or comments. If there is no objection, the Chair would entertain a motion to adjourn.

**THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF DECEMBER 16, 2004
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.**

SUMMARIZATION OF MINUTES:

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A Motion was made and Seconded to adjourn. The Motion carried unanimously.

There being no further business, the meeting was adjourned at 7:12 p.m.

Respectfully submitted by:

Jan Dickson, Planning Coordinator

APPROVED: January 27, 2004

Kenneth Day, Chairman

**THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF DECEMBER 16, 2004
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.**

SUMMARIZATION OF MINUTES:

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CITY COUNCIL MEETING
MAYOR'S REPORT

NOTES:

CITY OF DAPHNE PARADE PERMIT

ORGANIZATION: *Shadow Barons*

CONTACT PERSON: *Damon Henderson*

ADDRESS: *P. O. Box 2770
Daphne, AL 36526*

PHONE NUMBER (HOME): *990-9268 (Home)*
PHONE NUMBER (BUSINESS): *533-4263 (Cell #)*

TYPE OF PARADE: *Mardi Gras*

DATE OF PARADE: *February 5, 2005 Saturday
Rain Date: Sunday February 6, 2005
@2:00 PM*

ROUTE TO BE TRAVELED: *See attached map*

APPROXIMATE # OF PEOPLE & CARS: *400 people - 30 vehicles - 8 floats*

START TIME: *6:45 PM*

STOP TIME: *8:45 PM*

ASSEMBLY AREA/STREET: *Civic Center*

ASSEMBLY TIME: *5:00 PM*

APPROVAL

POLICE: *Chief David Carpenter:*

FIRE: *Chief Mund Hanson*

PUBLIC WORKS: *Ken Eslava*

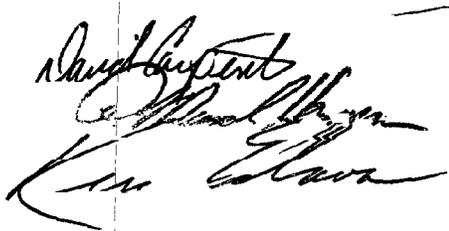
CITY COUNCIL:

SPECIAL INSTRUCTIONS:

DATE ROUTED:

January 3, 2005

NOTIFICATION:



CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

**CITY COUNCIL MEETING
RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS**

NOTES:

RECOMMENDATIONS

COUNCIL COMMENTS:

**RESOLUTION 2005- 04
PREPAID TRAVEL**

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

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

***Rebecca Hayes, City Clerk Assistant, Certified Municipal Clerks Training, February
22-25, 2005, Tuscaloosa, AL - \$140***

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

**APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL, CITY OF DAPHNE,
ALABAMA on this 19th day of January , 2005.**

**Greg Burnam
Council President
Date & Time Signed:**

**Fred Small
Mayor
Date & Time Signed:**

ATTEST:

**David L. Cohen
City Clerk MMC**

**RESOLUTION NO. 2005-05
2005-I-JANITORIAL SUPPLIES**

WHEREAS, The City of Daphne is required under section 4 1-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$7,500; and

WHEREAS, The City of Daphne acknowledges that the cost for the JANITORIAL SUPPLIES will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the JANITORIAL SUPPLIES and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the JANITORIAL SUPPLIES be awarded to Mobile Janitorial and Paper Company.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Mobile Janitorial and Paper Company for unit cost as bid herein and made a part hereof for BID SPECIFICATION NO. 2005-I-JANITORIAL SUPPLIES.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 19th day of January, 2005.

**GREG BURNAM
COUNCIL PRES DENT**
Date & Time Signed:

**FRED SMALL
MAYOR**
Date & time Signed:

ATTEST:

**David L. Cohen
City Clerk MMC**

2005-1 JANITORIAL SUPPLIES

COMPANY NAME *Mobile*

PRODUCT DESCRIPTION	UNIT	UNIT PRICE	MANUFACTURER PRODUCT NAME	ITEM NUMBER	EXCEPTIONS
Trash Liner 23 x 17 x 47 - 1.3 mil. 45 Gal. White	100/case	20.82	<i>Inteplast</i>	<i>SL43475HK</i>	<i>BLACK</i>
Trash Liner 22 x 14 x 56 - 3 mil. 65 Gal. Clear	100/case	<i>NB</i>			
Poly Bag 1.75 mil. 10 x 8 x 24	500/case	34.15	<i>TYCO</i>	<i>TF 10824X3C</i>	
TOTAL TRASH BAGS/SUPPLIES		\$			
GRAND TOTAL		\$			

THE BIDDER ACKNOWLEDGES WITH THE SUBMISSION OF A BID THAT HE/SHE HAS REVIEWED THE TERMS AND CONDITIONS OF THIS BID AND ACCEPTS THEM. BID SHEETS MUST BE SIGNED BY COMPANY OWNER OR AUTHORIZED PERSONNEL AND NOTARIZED.

COMPANY NAME *Mobile Janitorial & Paper Co.*
 ADDRESS *1582 Leroy Stevens Rd, Mobile, AL 36695*
 FEDERAL ID# *63-0880252*
 PHONE NUMBER *251-633-5505*
 FAX NUMBER *251-633-5535*

Roy A. Fillingim
 AUTHORIZED SIGNATURE
 PRINT NAME
 Roy A. Fillingim

Sworn to and subscribed before me this *4* day of *January*, 2005.

Luzina L. McHaffey
 Notary Public

2005-1 JANITORIAL SUPPLIES

COMPANY NAME *Mobile Janitorial*

PRODUCT DESCRIPTION	UNIT	UNIT PRICE	MANUFACTURER PRODUCT NAME	ITEM NUMBER	EXCEPTIONS
Hand Soap Liquid - Gallon	Gallon	4.38	Killiard	00396	
Hand Sanitizer Purell 8 oz.	12/case	36.11	Gojo	965212	
Hand Soap Foaming 1,000 ml.	4/case	35.07	ProLink	RH200	2-2000 ml
Foaming Soap Dispenser	Each	FREE			
Hand Cleaner Heavy Duty Lime w/commmeal 2,00 ml.	4/case	45.20	ProLink	WH202	NOT Lime - with Scrubbers
Hand Cleaner Dispenser	Each	FREE	ProLink	YH200	
Laundry Detergent - 50 lb. Container	Each	24.50	ABC	PA136	
SOS Steel Wool Soap Pads - Heavy Duty	15/box	35.25	Clorox	88320	
SOS Heavy Duty Scrubber Sponges	24/box	33.43	Clorox	91039	
Stainless Steel Polish/Cleaner Aerosol Cans - Twinkle 17 oz.	12/case	31.90	ProLink	YA007	
Toilet Bowl Deodorizer w/Hanger	12/case	7.02	Fresh	12-488	
Urinal Screen Deodorizer	12/case	18.45	Fresh	12-USPB	
Window Cleaner w/sprayer 32 oz.	12/case	32.50	GlassPlus	7084	
Window Cleaner Windex Outdoor w/Hose Attachment 32 oz.	8/case	NB			
TOTAL CLEANERS/DEODORIZERS \$					
TRASH BAGS/SUPPLIES					
Trash Liner 12 x 17 - 6 mil. 4 Gal. Natural	1000/case	12.27	Inteplast	EL171806N	2000/cs
Trash Liner 20 x 22 - 6 mil. 7 Gal. Natural	1000/case	17.59	Inteplast	EL202206N	2000/cs
Trash Liner 15 x 9 x 23 - .9 mil. 10 Gal. Black	1000/case	15.83	Inteplast	EC245306K	
Trash Liner 33 x 39 - 1.3 mil. 30 Gal. Black	100/case	15.83	Tyco	LBF3340X4B	1.7 MIL
Trash Liner 33 x 39 - .9 mil. 30 Gal. Black	100/case	12.78	Inteplast	SL3339XPK	150/cs
Trash Liner 40 x 46 - 1.3 mil. 45 Gal. Black	100/case	21.82	Tyco	LBF4046X4B	1.7 MIL
Trash Liner 40 x 46 - .9 mil. 45 Gal. Black	100/case	12.19	Inteplast	SL4046XPK	
Trash Liner 38 x 60 - 1.3 mil. 65 Gal. Black	100/case	21.83	Tyco	LBF3658X30	1.5 MIL
Trash Liner 23 x 10 x 40 - 1.5 mil. Grey	200/case	20.82	Inteplast	SL4347SHK	BLACK COLOR 100/cs
Trash Liner 38 x 60 - 2 mil. 65 Gal. Grey	100/case	NB			
Trash Liner 15 x 9 x 32 - 1.3 mil. 30 Gal. White	500/case	17.87	Inteplast	SL2432XHW	.5 MIL

PRODUCT DESCRIPTION	UNIT	UNIT PRICE	MANUFACTURER	ITEM NUMBER	EXCEPTIONS
TOTAL SUPPLIES \$					
TOILETRIES					
Hand Sanitizer	Case	34.12	Harpson	147A	
Hand Soap	Case	61.00	Harpson	TE00	
Hand Paper	Case	NB			
Hand Paper	Case	NB			
Hand Paper	Case	48.59	Hillyard	35723	
Hand Paper	Case	4.00	Hillyard		
Hand Paper	Case	NB			
TOTAL TOILETRIES \$					
CLEANERS/DEODORIZERS					
Ammonia	Case	30.20	Fresh	61933	12oz 6/bx
Ammonia	Case	24.97	Clorox	35417	
Ammonia	Case	11.59	Lysol	94501	4 gal/case
Ammonia	Case	11.53	Clorox	05490	96oz
Ammonia	Case	62.60	Hillyard	01065	
Ammonia	Case	36.90	Johnson	94367	
Ammonia	Case	21.50	Clorox	35419	7/c0
Ammonia	Case	33.37	Clorox	01593	55/pk
Ammonia	Case	34.20	Fresh		
Ammonia	Case	7.23	Hillyard	374	4 gal/case
Ammonia	Case	28.10	Dawn	45112	3-55oz/c0
Ammonia	Case	NB			
Ammonia	Case	39.13	Clorox	34955	
Ammonia	Case	21.87	Dial	38014	

2005-I JANITORIAL SUPPLIES

COMPANY NAME *Mobile Janitorial*

PRODUCT DESCRIPTION	UNIT	UNIT PRICE	MANUFACTURER PRODUCT NAME	ITEM NUMBER	EXCEPTIONS
Cup Paper Portion 2 oz.	5,000/case	32.35	Genpak	F200	
Fork Plastic Extra Heavy - Clear	1,000/case	25.00	Polar	72123 72123	
Spoon Plastic Extra Heavy - Clear	1,000/case	25.00	Polar	72124	
Knife Plastic Extra Heavy - Clear	1,000/case	25.00	Polar	72121	
Fork Plastic Extra Heavy - White Wrapped	1,000/case	27.41	Max	464WF	
Spoon Plastic Extra Heavy - White Wrapped	1,000/case	27.40	Max	449WS	
Plate Foam 3 Compartment 10 1/2"	500/case	24.48	Genpak	81300	
Plate Foam 6"	1,000/case	16.33	Genpak	80600	
Plate Foam 9"	500/case	16.33	Genpak	80900	
Plate Plastic 6"	1,000/case	29.73	Genpak	60600	
Plate Plastic 9"	500/case	31.02	Genpak	60900	
Table Skirting Pleated Plastic Self-Adhesive - White	25/case	60.25	Converting	63100	12/cs
Aluminum Foil Heavy Duty Reynolds 18" x 500'	Each	23.57	Disable	81805	
Plastic Wrap Reynolds 18" x 2000'	Each	13.20	AEP	18.2000	
Ziploc Storage Bags - Quart	500/box	29.93	Ziploc	94601	
Ziploc Storage Bags - Gallon	250/box	19.62	Ziploc	94602	

TOTAL PAPER PRODUCTS \$

SUPPLIES

Broom Standard Janitor, 24 lb. Corn	Each	5.87	Abco	Janitor	
Gloves Latex w/Powder - Med., Lg., X-Lg.	100/box	2.95	Safety Zone		
Gloves Latex Powder Free - Med., Lg., X-Lg.	100/box	3.05	Safety Zone		
Gloves Poly Food Service - Med., Lg., X-Lg.	100/box	5.58	Safety Zone		
Gloves Nitrile - Med., Lg., X-Lg.	100/box	6.50	Safety Zone		1000/cs Min Order
Mop Handle Fiberglass Quick Change Saddle Head	Each	7.25	Continental	608	
Mop Head Cotton - Quick Change Saddle - 24 oz.	12/case	32.16	TuWay	5020	

2005-I JANITORIAL SUPPLIES

COMPANY NAME *Mobile Janitorial*

PRODUCT DESCRIPTION	UNIT	UNIT PRICE	MANUFACTURER	ITEM NUMBER	EXCEPTIONS
Hand Towel	Each	27.50	Diversity Pro	5001ST	
Hand Towel	Each	36.23	Charmin	4414W3	
Hand Towel	Each	NB			
Hand Towel	Each	22.56	Diversity Pro	100002	
Jr. Jumbo Dispenser (2 Roll)	Each	29.74	Bay West	887	
Facial Tissue Kimberly Clark Kleenex Boutique - White 2-ply/95 sheets	30/case	NB			
Facial Tissue Marcal Fluff Out - White 2-ply/100 sheets	30/case	12.50	Marcal	2930	
Roll Towel Kimberly Clark Premiere - White 1-ply/75 sheets	20/case	NB			
Roll Towel Procter & Gamble Bounty - White 2-ply/64 sheets	30/case	NB			
Roll Towel - White 2-ply/90 sheets	30/case	19.87	Bay West	303	
Roll Towel Kimber Clark Wypall L30	30/case	NB			
Hardwound Roll Towel - Natural 8" x 350'	12/case	15.20	Diversity Pro	350HN	
Hardwound Roll Towel Dispenser	Each	29.00	San Jamar	T150wh	
Multi-fold Paper Towel - White/250 sheets 9.125" x 9.5"	16/case	20.31	Bay West	505	
Multi-fold Paper Towel Dispenser	Each	16.06	Continental	990w	
Centerpull Towels - White 2-ply/600'	6/case	29.93	Bay West	6002	
Centerpull Towel Dispenser	Each	28.00	Bay West	68100	
Napkin - Beverage	4,000/case	12.40	Marcal	28	
Napkin - Lunch/Dinner	1,000/case	28.75	Atlantic	09480	Packed 6000/case
Cup Plastic Sweetheart Clarity - Clear 10 oz.	1,000/case	41.08	Wincup	P12CN	2500/cs
Cup Plastic Sweetheart Clarity - Clear 12 oz.	1,000/case	17.41	Wincup	P12CN	
Cup Plastic Sweetheart Clarity - Clear 16 oz.	1,000/case	25.08	Wincup	P16CN	
Cup Foam Sweetheart Thin Walled/Super Insulating Trophy 8 oz.	1,000/case	NB			
Cup Foam Sweetheart Thin Walled/Super Insulating Trophy 12 oz.	1,000/case	NB			
Cup Paper (Hot Beverage) Sweetheart - 12 oz.	1,000/case	NB			
Cup Paper Portion 1 oz.	5,000/case	38.25	Genpak	F100	

**RESOLUTION NO. 2005 - 06
2005- J- LAPTOP COMPUTERS**

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$7,500; and

WHEREAS, The City of Daphne acknowledges that the cost for the LAPTOP COMPUTERS will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the LAPTOP COMPUTERS and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the LAPTOP COMPUTERS be awarded to Gateway Companies, Inc.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Gateway Companies, Inc. for a cost of \$1,196/each as specified in BID SPECIFICATION NO: 2005-J-LAPTOP COMPUTERS.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 19th day of January , 2005.

**GREG BURNAM
COUNCIL PRES DENT**
Date & Time Signed:

**FRED SMALL
MAYOR**
Date & Time Signed:

ATTEST:

**David L. Cohen
City Clerk, MMC**

**CITY OF DAPHNE
ORDINANCE NO.: 2005-01**

**AN ORDINANCE TO PROVIDE FOR THE CONTROL
OF WEEDS AND JUNK VEHICLES WITHIN
THE CITY OF DAPHNE, ALABAMA**

WHEREAS, the City Council of the City of Daphne, Alabama desires to promote the health, welfare and safety of the citizens of the City; and,

WHEREAS, the City Council of the City of Daphne, Alabama has determined that the allowing of property within the City of Daphne to become overrun with weeds and junk vehicles is detrimental to the health, welfare and safety of the citizens of the City; and,

WHEREAS, the City Council of the City of Daphne, Alabama desires to promote the health, welfare and safety of the citizens of the City by providing for the appropriate regulation of weeds and junk vehicles within the City and police jurisdiction thereof.

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

SECTION I: DEFINITIONS

- A. The following words, when used in this Ordinance shall have the meaning ascribed to them, except where the context clearly indicates otherwise or requires a different meaning:
1. "Citation" shall mean a notice charging the violation of this Ordinance which directs anyone in violation to pay the prescribed fine or appear in municipal court to answer the charge or charges of violations.
 2. "Corrective notice" shall mean a courtesy notice or other communication to advise anyone that there may be a violation of this Ordinance that may require corrective action on the part of the recipient of the notice.

3. "Junk vehicles" shall mean automobiles, trucks, vans, boats, two-wheel and/or four-wheel motorized vehicles that do not have lawfully affixed thereto an unexpired license plate, and/or are in states of disrepair, disassembly, rusted through, wrecked or appearing to be wrecked, and/or are not otherwise capable of being driven or operated for its intended purpose, and boat trailers, utility trailers, horse or livestock trailers or other trailers of other use that are wrecked or appearing to be wrecked and/or in states of disrepair, disassembly, and/or rusted through, that do not have lawfully affixed thereto an unexpired license or tag and/or which are otherwise not capable of performing its intended use.
4. "Owner" shall mean the last person or entity against whom ad valorem taxes were assessed for subject real property.
5. "Occupant" shall mean the person or entity in current possession or control of subject real property.
6. "City" shall mean the City of Daphne, Alabama and its police jurisdiction.
7. "Underbrush" shall mean a dense growth of shrubs and/or small scrub trees, and or which bear seeds of a wingy or downy nature, which attain a growth higher than twelve (12) inches from ground level.
 1. "Exempt Property" shall mean a vacant and/or undeveloped lot.
 2. "Disturbed Property" shall mean a vacant lot which has been cleared but otherwise not improved upon.

SECTION II: AREAS SUBJECT TO ORDINANCE.

Unless specifically stated otherwise or where the context clearly indicates otherwise or requires a different meaning, each provision of this Ordinance shall apply to all real property within the City other than exempt property as described above.

SECTION III: STANDARD FOR MAINTENANCE OF LOTS OR PARCELS OF REAL PROPERTY.

- (a) **WEEDS:** It shall be the duty and responsibility of every owner or occupant of any parcel of real property (other than "exempt property" as previously defined in this Ordinance), to keep said property clean and to remove from the property within the time frame so required by the correction notice issued by the City all weeds and underbrush with a growth higher than twelve (12) inches, and/or dead trees, garbage, debris, and such other things favorable to the harboring of rodents, reptiles, mosquitoes or other insects or creatures which will adversely affect public health and safety.
- (b) **DISTURBED PROPERTY:** It shall be the duty and responsibility of every owner or occupant of any parcel of real property other than "exempt property" as described above, to grass said parcel and install erosion control measures on said parcel in compliance with the City of Daphne Land Use Ordinance (currently titled Ordinance No. 2002-22) within 30 days from clearing said lot or parcel.
- (c) **JUNK VEHICLES:** It shall be the duty and responsibility of every owner or occupant of real property to remove from the real property within the time frame so required by the correction notice issued by the City all junk vehicles as previously defined in this Ordinance.

SECTION IV: ENFORCEMENT PROCEDURES.

- A. When any police officer or other employee of the City designated by law or Ordinance as an enforcement officer finds any violation of any provision of this Ordinance which he is authorized or required to enforce, such person may issue on forms provided by the City, a municipal offense citation and deliver it to the person in violation, directing the person to appear in the Municipal Court of the City of Daphne at a time and date stated thereon to answer to the charge or charges of the violation, which shall be stated in the citation.
- B. If the violation is the first charge violation of such provision of this Ordinance within a twelve (12) month period, such person, in lieu of appearing in the Municipal Court at the time and date stated in the citation, may pay a fine of fifty dollars (\$50.00), plus the costs of court within ten (10) calendar days from the date of issuance of the citation. Such payment to be tendered to the office of the Municipal Court Clerk for the use of the City as may be designated by law.
- C. The police officers and other employees of the City, designated by law or Ordinance as enforcement officers and authorized to issue

citations as above provided, are hereby authorized to swear out warrants or execute affidavits or complaints charging persons with the violations of this Ordinance without first having issued a citation for such violation.

- D. Any employee of the City designated by the Mayor or Chief of Police may issue corrective notices to persons, corporations, establishments, companies, owners, tenants, occupants and agents found to be in violation of any provision of this Ordinance. The issuance of such corrective notice is not necessary for the prosecution of violations of this Ordinance.

SECTION V: FAILURE TO COMPLY WITH NOTICE.

Any person, corporation, company, firm, business, institution, owner, lessee, agent, tenant or occupant who has been served with a corrective notice in accordance with the provisions of this Ordinance and who shall neglect or shall refuse or shall fail to fully comply with the corrective notices so ordered and/or within the time frame so ordered therein shall be in violation of this Ordinance.

SECTION VI: PENALTIES.

Any person found guilty of violating any provision of this Ordinance shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), or by imprisonment in the City Jail for a period not exceeding six (6) months, or both, or, in the alternative, may be sentenced to pick up litter or any other lawful remedial action which the Municipal Judge deems appropriate. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

SECTION VII: LIEN ON REAL PROPERTY.

If the recipient of a corrective notice fails to fully comply with the same as set forth hereinabove, the City may, exclusive of the provisions of this Ordinance, pursuant to the provisions of Alabama Code 1975, §11-67-20 et seq. (as amended) declare the property a public nuisance and abate the same in accord with such statutory authority.

SECTION VIII: 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 the 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 IX: REPEALER.

Ordinance number 1978-3 is hereby specifically repealed. All other Ordinances or parts of Ordinances in conflict with this Ordinance are to the extent of such conflict hereby repealed.

SECTION X: EFFECTIVE DATE.

This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Daphne and publication as required by law.

APPROVED AND ADOPTED this day of , 2004.

THE CITY OF DAPHNE

**GREG BURNAM
COUNCIL PRESIDENT**

Date & Time Signed:

**FRED SMALL
MAYOR**

Date & Time Signed:

ATTEST:

**DAVID COHEN
CITY CLERK, MMC**

ORDINANCE 2005- 02

An Ordinance Appropriating Funds

**Installation of Fence and Gates: DMS Athletic Fields
City Hall Office Renovations**

WHEREAS, Ordinance 2004-31 approved and adopted the Fiscal Year 2005 Budget November 1, 2004; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2005 budget, the City Council has determined that certain additional appropriations are required and should be approved and made a part of the Fiscal Year 2005 budget.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2005 Budget is hereby amended to include the following:

- General Fund:
 - \$ 25,000- Fence and Gates at Daphne Middle School Athletic Fields
 - \$ 27,555- City Hall Executive and Legislative Office Renovations
 - \$ 52,555

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this
day of _____, 2005.

Greg Burnam
Council President
Date & Time Signed:

Fred Small
Mayor
Date & Time Signed:

ATTEST:

David L. Cohen, City Clerk, MMC

Final Version 1/13/05

ORDINANCE 2005-03
CITY OF DAPHNE

ORDINANCE TO AMEND ORDINANCE 2003-17
ESTABLISHING POLICIES FOR MARDI GRAS PARADES

WHEREAS, the City of Daphne Public Safety Committee at their regular meeting held on January 11, 2005, considered certain amendments to the Ordinance To Establish Policies of Mardi Gras Parades and setforth an **affirmative recommendation** to the City Council of the City of Daphne that said amendments should be affirmed; and,

WHEREAS, due notice of the said amendment has been presented to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and,

WHEREAS, the Mayor and City Council of the City of Daphne, after due consideration, deemed that the amendments requested are proper and believe it to be in the best interest of the City that said amendments be affirmed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THAT SECTIONS "6" AND "9" OF ORDINANCE 2003-17 SHALL BE AND ARE HEREBY AMENDED AS FOLLOWS:

1. SECTION SIX: Section Six of Ordinance 2003-17 is hereby deleted in its entirety and replaced as follows:

SECTION SIX: THROWS

A. Throws shall be limited to the following:

1. Trinkets

- a. Doubloons (plastic, wood, or aluminum).
- b. Beads (no glass beads allowed).
- c. Plastic air inflated items such as frogs, hand grenades, billy clubs, cigars, toothbrushes, etc.
- d. Soft stuffed toys.
- e. Frisbees, coasters, and skimmer rings (8" or less).
- f. Empty plastic cups.
- g. Stemmed roses.
- h. Clothing items approved by the Mardi Gras organization such as caps, garters, sun visors, etc.
- i. Serpentine.

2. Candies / Foodstuffs

- a. Any type of soft candy wrapped in plastic or twist wrapper.
- b. Bubble gum must be twist wrapped.
- c. Peanut butter and taffy kisses.
- d. Peanuts, popcorn, crackers and crackerjacks must be in bags.

3. Moon Pies

- a. All moon pies made in compliance with the rules, regulations and standards applicable thereto established by the United States Food and Drug Administration, regardless of place of manufacture.

B. The following throws are strictly prohibited:

1. Trinkets

- a. Rubber balls or other hard type balls.
- b. Hard or heavy bean bags.
- c. Glass products of any type.

2. Moon pies

- a. Moon pies not made or manufactured in compliance with the rules, regulations and standards of the United States Food and Drug Administration, and so indicated on its packaging.

3. Candies / Foodstuffs

- a. Candies or foodstuffs in pasteboard boxes of any type.
- b. Kool pops.
- c. Candy apples.
- d. Bubble gum that is not twist wrapped.
- e. Candy canes or stick candies.
- f. Frozen candy bars or any of the above listed allowable foodstuffs frozen.

C. The handing of throws directly from the floats is strictly prohibited.

- 2. **SECTION NINE:** Section Nine of Ordinance 2003-17 is hereby deleted in its entirety and replaced as follows:

SECTION NINE: TRASH

That all trash shall be kept on the float until the end of the parade. The float shall be clean and free of debris prior to transporting said float to its place of storage, but in not event, less than 1 hour after the end of the parade. Maskers shall not throw trash from the float before or during the parade. Each masker shall be fined twenty-five dollars (\$25.00) for throwing trash from the float. Each instance shall constitute a separate offense.

3. SEVERABILITY

If any article, section, sentence, clause or phrase in this Ordinance is, for any reason, held to be invalid or unconstitutional by declaration of any Court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of this Ordinance.

4. REAFFIRMATION

That all other sections of Ordinance 2003-17 not specifically referenced or amended herein shall remain in full force and effect.

5. EFFECTIVE DATE

That the provisions of this ordinance shall become effective upon the approval and publication as prescribed by law.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
DAPHNE, ALABAMA this day of , 2005.**

FRED SMALL, MAYOR

ATTEST:

DAVID L. COHEN, CITY CLERK, CMC

**CITY OF DAPHNE
ORDINANCE NO: 2005- 04**

**A ORDINANCE AUTHORIZING OVERTIME COMPENSATION FOR
SALARIED EMPLOYEES DURING DECLARED EMERGENCIES OF
THE CITY OF DAPHNE, ALABAMA**

WHEREAS, the City Council of the City of Daphne, Alabama desires to promote the health, welfare and safety of the citizens of the City by fairly compensating the employees of the City of Daphne; and,

WHEREAS, the City Council of the City of Daphne, Alabama has determined that in order to promote and maintain a peaceful community and the order of justice within the City of Daphne, it shall be necessary, to compensate salaried employees for hours of work performed in excess of their normal 40 hour work week in times of emergencies existing in the City of Daphne and/or within the limits of police jurisdiction thereof as so declared by the Governor of the State of Alabama and/or such other competent authority,

WHEREAS, the City Council of the City of Daphne, Alabama desires to promote the health, welfare and safety of the citizens of the City by so ordering the authorization of emergency overtime pay for salaried employees during stated emergencies affecting the City of Daphne;

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

SECTION I: COMPENSATION OF SALARIED EMPLOYEES FOR OVERTIME WORK PERFORMED DURING STATES OF EMERGENCY AFFECTING THE CITY OF DAPHNE, ALABAMA.

(a) In the event of an emergency affecting the City of Daphne as declared by the Governor of the State of Alabama, the Mayor shall have the authority to declare a state of emergency and utilize salaried employees to aid the city during normal and extended work hours. In the event an emergency is so declared the Mayor declares a state of emergency, salaried employees shall receive additional compensation at the rate of one and one-half (1 ½) times their "calculated hourly wage" for each hour worked in excess of 40 hours per week. "Calculated hourly wage" shall be determined by dividing the salaried employee's annual salary by 2,080.

SECTION II: CONFLICT WITH OTHER ORDINANCES

Any Ordinance heretofore adopted by the City Council of the City of Daphne, Alabama which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

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 the 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 DATE

This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Daphne.

APPROVED AND ADOPTED this day of , 2005.

THE CITY OF DAPHNE

GREG BURNAM
COUNCIL PRESIDENT
Date & Time Signed:

FRED SMALL
MAYOR
Date & Time Signed:

ATTEST:

DAVID COHEN, CITY CLERK, MMC