

**CITY OF DAPHNE
CITY COUNCIL BUSINESS MEETING AGENDA
FEBRUARY 21, 2005**

- 1. CALL TO ORDER**
- 2. ROLL CALL/INVOCATION:
PLEDGE OF ALLEGIANCE**
- 3. APPROVE MINUTES:** February 9, 2005

PROCLAMATION: Recognition of Marge Scott

PRESENTATION: Introduce People to People Student Ambassadors / Day Fillingim

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE – Scott

Review Minutes Meeting Held February 14th

- a.) 2005 Insurance Renewal / **MOTION**
- b.) Appropriate Funds: / **Ordinance 2005-06**
 - 1.) Property & Liability Insurance / \$8,347
 - 2.) Police Firing Range / \$1,200
 - 3.) Gulf Coast Zydeco Music Festival / \$25,000
 - 4.) Storage Building - Recreation & Beautification / \$40,000
- c.) Prepaid Travel / Ken Eslava / Denise Penry / Tony Cross / Nat'l Hurricane Conf./ New Orleans, LA
Resolution 2005-14
- d.) Approve City Attorney NLC Conference / Washington, D.C. / Registration / **MOTION**
- e.) Police Department Credit Card Request / **Resolution 2005-15**
- f.) Cooperative Purchasing Association of South Alabama / **Resolution 2005-16**
- g.) Authorize Retreat Mediator Contract / Bill Hart / **MOTION**
- h.) Declare Surplus Property: Football Helmets / **Resolution 2005-17**
- i.) Approve Refund: EMC Fire Truck Equipment / **MOTION**
- j.) Treasurers Report / 1-31-05
- k.) Review Sales & Use Tax Collection

B. BUILDINGS AND PROPERTY COMMITTEE- Lake

Review minutes meeting held February 4th
MOTION: Regarding Fundraising Booth

C. PLANNING/ZONING/CODE ENFORCEMENT - Barnette

D. PUBLIC SAFETY/ORDINANCE COMMITTEE- Burnam

**E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY - Yelding
MOTION: From Beautification Committee**

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 January 27th**
- F. Recreation Board - Burnam**
- G. Utility Board – Scott**

6. REPORTS OF THE OFFICERS:

A. Mayor’s Report

- a.) Parade Permit / United States Sports Academy / 5K & 1 Mile Fun Run

B. City Attorney’s Report

C. Department Head Comments

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS:

RESOLUTIONS:

- a.) Prepaid Travel / Ken Eslava / Denise Penry / Tony Cross
2005 Nat’l Hurricane Conf. /Resolution No. 2005-14
- c.) Authorizing Issuance of Credit Cards / Police Field
Operations Captain. /Resolution No. 2005-15
- d.) Authorizing the Mayor to Enter Into an Agreement for membership
in the Cooperative Purchasing Assoc of South AL. /Resolution No. 2005-16
- e.) Declaring Certain Property Surplus and Authorizing Disposition /Resolution No. 2005-17
- f.) ALDOT Industrial Access Road Grant on the North Side
Of Interstate I-10 /Resolution No. 2005-18
- g.) Alabama Coastal Connection Scenic By-Way. /Resolution No. 2005-19

ORDINANCES:

- a.) Appropriating Funds / Police Firing Range / Property Liability Insurance /
2005 Gulf Coast Zydeco Festival / Storage Bldg. /Ordinance No. 2005-06

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

MAYOR SMALL

PRESENT__ ABSENT__ __

CITY CLERK:

DAVID L. COHEN

PRESENT___ ABSENT___

CITY ATTORNEY:

CITY ATTORNEY JAY ROSS

PRESENT__ ABSENT

MINUTE NOTES:

**CITY COUNCIL MEETING
MINUTES**

NOTES:

COMMITTEE RECOMMENDATIONS

1. CALL TO ORDER

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

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

COUNCIL MEMBERS PRESENT: Cathy Barnette; John Lake; Greg Burnam; Ron Scott; Regina Landry; August Palumbo;

ABSENT: Bailey Yelding

Also present: Mayor Small; David Cohen, City Clerk, Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; Tim Fleming; Attorney; Bill Eady, Planning Department Director; David Carpenter, Police Chief; Ronnie Phillips, Building Inspection Director; Sharon Cureton, Human Resource Director; Ken Eslava, Public Works Director; David McKelroy, Recreation Director; Kim Briley, Finance Director; Dale Foster, Librarian; Capt. Kenny Hanak, Fire Department; Art Rigas, Utility Director; Bob Segalla, Utility Board; Al Guarisco Village Point Foundation; Starke Irvine, DRA; Lon Johnston, Utility Board, Willie Robison, BZA, Anita Rigas, Library Board; John Coulter, IDB.

ABSENT: Sandra Morse, Civic Center Director; Mund Hanson, Fire Chief.

3. APPROVE MINUTES OF MEETING HELD: January 19, 2005

MOTION BY Mrs. Barnette to adopt the minutes of the January 19, 2005 meeting. <i>Seconded by Mr. Lake.</i>

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

PRESENTATION: Noco Howell / Silver Hair Legislators

Mrs. Howell explained to the Council how and when the Silver Hair Legislators came into existence. She also reported to the Council what they did and how they were elected. She invited any Council member who was of retirement age to run for this office.

PROCLAMATION: Arbor Day / Proclaim February 26, 2005 as Arbor Day.

Mayor Small read the proclamation and presented it along with the Public Works Director, Ken Eslava, to Marjorie Bellue.

4. REPORTS OF STANDING COMMITTEES:

A. FINANCE COMMITTEE - Scott

The next meeting will be February 14th at 4:00 pm in the Executive Council Chambers. He asked the Department Heads to get information that they would like on the Finance agenda to Mrs. Briley by Thursday.

B. BUILDING/PROPERTY COMMITTEE - Lake

The Committee met last Friday, and the minutes will be in the next packet.

C. PLANNING/ZONING/CODE ENFORCEMENT - Barnette

No report.

D. PUBLIC SAFETY/ORDINANCE COMMITTEE - Burnam

No report. There are some Ordinances that will be considered later in the meeting. Mrs. Briley mentioned that Ordinance 2005-04 needs to go before the Finance Committee.

E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY - Yelding

The minutes were handed out before the Council meeting. Mrs. Barnette mentioned an Ordinance for Emergency funds to repair concrete panels at May Day Park that will be considered later in the meeting. The Public Works meeting has been changed to the first Friday of every month at 8:00 am at the Public Works Building.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. *Board of Zoning Adjustments* -

There will not be a meeting in February or March.

B. *Downtown Redevelopment Authority* - Barnette

The next meeting will be February 15th 5:15 p.m. in the Executive Chambers. Mrs. Barnette reported the Authority had a joint meeting with the Beautification Committee and the Daphne Study Club to discuss the Jubilee Courtyard, and some potential compromises. A report on that is forth coming.

C. *Industrial Development Board* -Yelding

No report. The Mayor mentioned taking action in raising the lodging tax, and a portion of that tax can go to the Industrial Development Board, and at some point in time they may get enough money to build a spec building on the property to lease or sell.

Mr. Lake asked that they look at the possibility, if they do take this action, (this money has been used to pay for the bay front property) the Council needs to look long term with the lodging tax, not just using it to pay for the bay front property, but to also use it for recreational property in general. There are several new hotels coming into Daphne, and maybe they can look at using money from that to purchase a large tract of land for recreation.

Mr. Scott said the Finance Committee is looking into that, it is on the agenda for Monday. He said they will have a lot of input as far as what they will do with the dollars, if they decide to increase the lodging tax.

D. *Library Board* - Lake

The minutes for the January 10th meeting are in the packet. The Library Board has changed the meeting time to 4:30 p.m.

Dale Foster introduced the Volunteer of the Year, Ms. Linda Roberts. Mr. Foster said the Library has received about 30 grants and Ms. Roberts is responsible for several of them.

E. *Planning Commission* - Barnette

The minutes for the last meeting will be in the next packet. The Site Review meeting will be Wednesday, February 16th, and the Planning Commission meeting has been changed to Tuesday, February 22nd at 6:00 p.m. in the Council Chambers.

MOTION BY Mrs. Barnette to set Public Hearings on March 21, 2005 to consider the following amendments to the Land use Ordinance:

- a.) **Municipal Information Signs**
- b.) **Daphne Zoning Map**
- c.) **Olde Towne District Map**
- d.) **Village Overlay Map**

Seconded by Mr. Lake.

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

The height variance on the agenda has been withdrawn and will go before the Planning Commission.

F. *Recreation Board* - Burnam

No report.

G. *Utility Board* - Scott

The Board had a special called meeting Thursday, and the minutes will be in the next packet.

6. REPORTS OF THE OFFICERS:

A. *Mayor's Report*

- a.) *ABC License / Ollie's Barbecue / 020 Restaurant Retail Liquor*

MOTION BY Mrs. Barnette to approve the Liquor License / 020 - Restaurant Retail Liquor - for Ollie's Barbecue. *Seconded by Mrs. Landry.*

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

- b.) *ABC License / Bayside Academy Annual Fund Raiser / 140 Special Events Retail*

MOTION BY Mrs. Barnette to approve the Liquor License / 140 - Special Events Retail - for Bayside Academy for their annual fund raiser. *Seconded by Mrs. Landry.*

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

c.) Contract for Bond Counsel

Mayor Small reported to the Council regarding the contract with Miller, Hamilton saying that it needs to be ratified by the Council.

MOTION BY Mr. Lake to ratify the contract retaining Miller, Hamilton, Snider & Odom, L.L.C. as Bond Counsel for the Malbis TIC Project. *Seconded by Mr. Scott.*

Discussion was held by Council regarding some of the things listed that will be an extra cost to the city.

Council asked that the motion be amended to strike the fifth (5th) paragraph on page two (2) regarding billing for long distance telephone calls, photocopies, extraordinary postage, freight and other transportation services, secretarial overtime and fees paid on the cities behalf.

Mr. Lake agreed to the amendment.

Mr. Scott agreed to the amendment.

MOTION BY Mr. Lake to ratify the contract retaining Miller, Hamilton, Snider & Odom, L.L.C. as Bond Counsel for the Malbis TIC Project with the amendment striking the fifth (5th) paragraph on page two (2) regarding billing for long distance telephone calls, photocopies, extraordinary postage, freight and other transportation services, secretarial overtime and fees paid on the cities behalf and authorize the Mayor to renegotiate the contract. *Seconded by Mr. Scott.*

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

d.) Resolution Authorizing the Update of Volunteer Firefighter and rescue Squad Rosters: Workers Compensation Insurance / Resolution 2005-12

This will be considered under Resolutions.

e.) Natural Resources Conservation Services Grant: Bryant's Gulley / Worchester Drive / Resolution 2005-13

The City received a grant from the Natural Resources Conservation Services for Bryant's Gulley and Worchester Drive to repair some of the damage to this area.

f.) Declaration of Emergency & Appropriation of Funds: May Day Park Concrete Panels / Ordinance 2005-05

This is to repair the concrete panels down at the park, otherwise the park will have to be closed.

g.) Lease Agreement for Planning Department

The Planning Department is currently housed at the Fire Station at TimberCreek. They are trying to find a building that is bigger to house all their files, and also one that is closer to City Hall. FEMA will pay 75% of the rental fee. The building is on County Road 64 near the Public Works facility. Mayor Small said there will be an amendment to the time frame of the lease, instead of a 24 month lease, it will state month to month, with a guaranteed lease for two years with a ninety day notice prior to end of lease.

MOTION BY Mr. Lake to enter into a lease agreement for an office for the Planning Department with the amendments: a month to month lease, two year guaranteed lease, and ninety day notice prior to end of lease. *Seconded by Mrs. Landry.*

AYE Barnette, Lake, Burnam, Landry, Palumbo

ABSTAIN Scott

NAY NONE OPPOSED

MOTION CARRIED

The Mayor announced the City received the Alabama Department of Transportation Enhancement Grant for \$814,900. He said he will let the City Clerk explain the details of that grant. Mayor Small recognized that Mr. Eslava, the Public Works Director, had applied and received a \$10,000 grant several months ago for recycling. This grant allows them to go into apartments and condominium complexes to get them on the recycle schedule, and to collect recycling items.

B. City Attorney's Report

Mr. Ross said there were several matters of pending litigation that need to be discussed in Executive Session.

C. Department Heads Comments:

Chief Carpenter said that Mardi Gras season there was a large turn out, and it went well.

Ken Eslava said the declaration of emergency for May Day Park is due to the serious deterioration of the concrete ramps over recent years. It is to the point that in a few weeks they will have to close the park. He gave an update on County Road 64 saying the paving and striping should be completed this Wednesday, and the traffic signals are on order. He said they have finally settled with FEMA for funds for all the restoration from hurricane Ivan, the city parks, public access to the bay and so forth, although they have already started with those repairs, now they have the funds. He commented on the intersection at Santa Rosa and Main Street which has been threat to public safety for years, and they have their feet dug in for a pretty exhaustive study by working with ALDOT and historic information as well. They have done a traffic study that was just finished yesterday and he quoted some figures from that study. He said most of the traffic problems are northbound Main Street verses eastbound Santa Rosa traffic. For seven days they clocked 136 cars going from 55 - 59 miles and hour on northbound Main Street, 59 cars going from 50-64 miles an hour, 45 cars going from 65-69 miles an hour, 34 cars going from 70-74 miles and hour, and in excess of 75 miles an hour there were 20. This was on north bound Main Street approaching Santa Rosa. He said Santa Rosa traffic did not fare any better. 50-55 miles an hour there were 6, 60-64 miles an hours there were 2, there were somebody going 70-74 and someone going in excess of 75 miles an hour. Mr. Eslava said no doubt they will be addressing the speeding problems in the area while working with ALDOT and, hopefully, come up with a solution for that intersection.

6:30 PM

Mr. Eady said the Council needs to appoint someone to the BZA. There will be a meeting in April so they need to appoint someone before that time.

David Cohen explained the \$814,900 Transportation grant awarded to the city the first of February. The details are outlined in a memo sent to the Council, which is spread out upon these minutes.

7. PUBLIC PARTICIPATION:

Mr. Lon Johnston - 316 Whiting Court - thanked Mr. Eslava for checking into the Santa Rosa and Main Street traffic problems. He asked the Council President that at a future meeting to have the IDB Board give a complete update of the land use out there, the option, the way it is to be financed and so forth, because he does not think the public is very clear on this. Mr. Johnston asked that his next statement be included in the minutes in it's entirety. He spoke regarding the requested height variance. His statement is spread out upon these minutes as given to the City Clerk.

Mr. Tom Hess - spoke regarding businesses being required to ask for ID when using a credit card. He said this would cut down on credit card fraud.

Mr. Anthony Samson - Principal at Daphne Middle School - spoke regarding the Ordinance appropriating funds to build a fence around the soccer field, asking for the Council's support regarding this Ordinance.

Mr. Willie Robison - asked the council when rescheduling Council meetings to consider a night other than Wednesday, when a lot of folks go to church.

8. RESOLUTIONS, ORDINANCES, & OTHER BUSINESS:

RESOLUTIONS:

- a.) To Honor Specialist Paul J. Bueche. /Resolution No. 2005-07
- c.) Annexation / Bellaton Subdivision. /Resolution No. 2005-08
- d.) Acceptance of Streets & Drainage / TimberCreek Commercial Subdv.
Resubdv. Of Parcel "A" Unit Three. /Resolution No. 2005-09
- e.) Acceptance of Streets & Drainage / Brookside Subdv. /Resolution No. 2005-10
- f.) Acceptance of Streets & Drainage / Timber Creek Commercial Subdv.
Phase Three, Resubdv. of Lot 4 /Resolution No. 2005-11
- g.) Authorizing the Update of Volunteer Firefighter and Rescue Squad Rosters:
Workers Compensation Insurance /Resolution No. 2005-12
- h.) Natural Resources Conservation Services Grant /
Bryant's Gulley / Worchester Drive /Resolution No. 2005-13

MOTION BY Mr. Lake to waive the reading of Resolution No. 2005-07, 2005-08, 2005-09, 2005-10, 2005-11, 2005-12, 2005-13. *Seconded by Mrs. Barnette.*

**FEBRUARY 9, 2005
CITY OF DAPHNE, AL
CITY COUNCIL MEETING
6:30 PM**

Mr. Scott said that to him it is somewhat defeating the purpose to have a Resolution to honor someone that has died in the service of the country without having it read. He said he would appreciate it if the Clerk would read it.

Mrs. Barnette mentioned an error in Resolution 2005-09, the date seems to be incorrect on the date of acceptance of streets and drainage, it should be January 26, 2005.

Council agreed to take each Resolution separately.

Mr. Lake withdrew his motion to waive the reading of the Resolutions.

Mrs. Barnette withdrew her second to waive the reading of the Resolutions.

MOTION BY Mrs. Barnette to have the City Clerk read Resolution 2005-07. *Seconded by Mr. Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

The City Clerk read Resolution 2005-07.

MOTION BY Mrs. Barnette to adopt Resolution No. 2005-07. *Seconded by Mr. Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to wave the reading of Resolution No. 2005-08. *Seconded by Mr. Scott.*

Council discussed the whether this would be a strain on resources for Public Safety and Public Works because of the travel distance involved.

The Planning Commission gave a favorable recommendation on this annexation.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to adopt Resolution No. 2005-08. *Seconded by Mrs. Landry.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

FEBRUARY 9, 2005
CITY OF DAPHNE, AL
CITY COUNCIL MEETING
6:30 PM

MOTION BY Mr. Lake to waive the reading of Resolution Nos. 2005-09, 2005-10, 2005-11,. *Seconded by Mr. Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mr. Lake to adopt Resolution Nos. 2005-09, 2005-10, 2005-11. *Seconded by Mrs. Landry.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mr. Lake to waive the reading of Resolution Nos. 2005-12 and 2005-13. *Seconded by Mrs. Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

*MOTION BY Mr. Lake to adopt Resolution Nos. 2005-12 and 2005-13. *Seconded by Mrs. Barnette.**

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

ORDINANCES:

2nd READ

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

2nd READ

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

2nd READ

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

d.) **Declaring of Emergency & Appropriation of Funds:**
May Day Park Concrete Panels /Ordinance No. 2005-05

MOTION BY Mr. Lake to waive the reading of Ordinance 2005-01. *Seconded by Mrs. Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

**FEBRUARY 9, 2005
CITY OF DAPHNE, AL
CITY COUNCIL MEETING
6:30 PM**

9. COUNCIL COMMENTS:

Mrs. Barnette said that the Mardi Gras season was very nice. She gave kudos to the Police Department and Public Works for a job well done.

Mr. Lake said he heard a lot of good comments on Daphne's parades. He said he attended the Don Q Ball Monday night, and he wanted to compliment the group because it was one fantastic ball, it was very enjoyable. was a very nice ball.

Mr. Scott commented on Mr. Johnston's comments during public participation, saying Daphne is such a wonderful city, and part of the charm of Daphne is it's diversity, and the city goes from different income levels from different housing prices, from bay front property to a lot of property that the city, in the wisdom of previous councils, has acquired for citizens for a long term. He lives near the only tower high rise in Daphne, and he does not think it is offensive. He agreed with the comment about it being a well thought out project, it is one of which will attract a high level of income, and he realizes that there a lot of challenges that they need to look at, and he is not making a comment as to whether they need to pass a height variance or not, but he does think that they need to consider all the citizens of Daphne, and to consider what bringing a development like this into the city will do for the city.

Mrs. Landry commended Sandra and the Civic Center for the great balls that they put on. Also, she had family in for the parades, and their comments were how safe they felt and how clean the city was. She complimented the Police Department and Public Works Department for making the citizens feel safe and keeping Daphne clean.

Mr. Burnam said he missed Captain Hanak during the Department Heads comments and asked if he had any comments.

Captain Hanak said no comment.

MOTION BY Mrs. Barnette to enter into Executive Session to discuss pending litigation. <i>Seconded by Mr. Lake.</i>
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AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

Council entered into Executive Session at 7:55 p.m.

Council returned from Executive Session at 8:59 p.m.

**FEBRUARY 9, 2005
CITY OF DAPHNE, AL
CITY COUNCIL MEETING
6:30 PM**

MOTION BY Mrs. Landry suspend the rules to consider a motion to direct the City Attorney along with Jerry Speegle to settle the Spanish Fort Causeway suit for \$50,000. Seconded by Mrs. Barnette.

ROLL CALL VOTE

Barnette	Aye	Landry	Aye
Lake	Aye	Palumbo	Aye
Burnam	Aye		
Scott	Aye		

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Landry to direct the City Attorney in conjunction with Jerry Speegle to settle the Spanish Fort Causeway lawsuit for the sum of \$50,000 paid to the City of Daphne by the Baldwin County Tax Revenue Office. Seconded by Mr. Palumbo.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

10. ADJOURN

MOTION BY Mrs. Barnette to adjourn. Seconded by Mrs. Landry.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:45 P.M.

Respectfully submitted by,

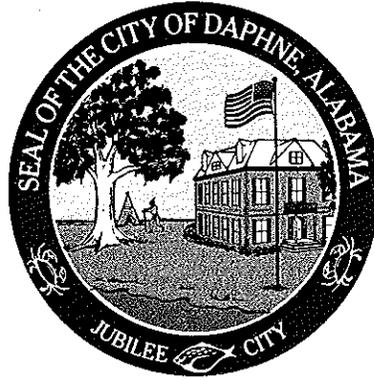
David L. Cohen, City Clerk, MMC

Certification of Presiding Officer:

Greg Burnam
Council President
Date & Time Signed: _____

**FEBRUARY 9, 2005
CITY OF DAPHNE, AL
CITY COUNCIL MEETING
6:30 PM**

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: City Council and Mayor
From: David Cohen, City Clerk *DC*
Subject: Transportation Enhancement Program Grants
Date: February 9, 2005

The City of Daphne was successful in its grant applications for five of five grants applied for. The grants are for bicycle/pedestrian concrete sidewalks that are eight feet wide. The total cost for the project is \$1,018,700. The grant is for 80% or \$814,900. The city will be required to match 20% or \$203,740. These grants are restricted to bid only with no in-kind match. They do allow engineering cost to be included. The break down on cost and location are the following:

- a. The total cost for Whispering Pines Road from Main Street to Pollard Road project is \$374,500 with a break down of \$299,600 grant and \$74,900 match.
- b. The total cost for Whispering Pines Road from Pollard Road to Hwy 13 project is \$216,400 with a break down of \$173,120 grant and \$43,280 match.
- c. The total cost for Park Drive from Main Street to Pinehill Drive project is \$185,500 with a break down of \$148,400 grant and \$37,100 match.
- d. The total cost for County Road 64 from U.S. 98 to Pollard Road project is \$189,800 with a break down of \$151,840 grant and \$37,960 match.
- e. The total cost for Daphne Avenue from Main Street to U.S. Highway 98 project is \$52,500 with a break down of \$42,000 grant and \$10,500 match.

OFFICE OF THE GOVERNOR

STATE CAPITOL
MONTGOMERY, ALABAMA 36130

BOB RILEY
GOVERNOR



(334) 242-7100
FAX: (334) 242-0937

STATE OF ALABAMA

February 2, 2005

The Honorable Fred Small
Mayor of the City of Daphne
P. O. Box 400
Daphne, Alabama 36526

Re: Transportation Enhancement Program

Dear Mayor Small:

This letter is to advise you that your five FY 2005 applications for Federal Transportation Enhancement funds have been approved for the bicycle/pedestrian facilities in Daphne in the amount of \$814,960.00. Congratulations! I am very pleased to advise you of the award of these funds to these worthwhile projects.

Mr. Robert J. Jilla, Multimodal Transportation Engineer in the Alabama Department of Transportation, will be in contact with you concerning the requirements that will have to be followed in administering this project. If you have any questions concerning this matter, please call Mr. Jilla at (334) 353-6405. Again, sincere congratulations.

Sincerely,

A handwritten signature in black ink, appearing to read "BR", with a long, sweeping flourish extending to the right.

Bob Riley
Governor

BR/CWCjr/rac

c: Senator Bradley Byrne
Representative Randy Davis
Mr. Joe D. Wilkerson
Mr. D. J. McInnes
Mr. Robert J. Jilla
Mr. R. F. Poiroux
File

February 9, 2005

Height Variance: Multiple-Level High Rise Condominium

The proper protocol to be followed is first to the Planning Commission for evaluation and study, thence to Council with their recommendation.

In this instance their recommendation should include provision for a well-advertised public hearing. It is my opinion that a large number of Daphne residents oppose multilevel high rise facilities and should have the opportunity to be heard.

It should be recognized that this first foray into high-rise condos, if approved, opens the door to additional high-rise condos in the same geographical area. In fact, prior information suggests there is at least two other high-rise condo proposals just waiting in the wings. It is my belief Montrose and Fairhope would vigorously oppose high-rise condos in their communities leaving Daphne to this type development.

A further thought is for the need for a traffic analysis and the impact of one or more high-rise condos to a growing Hwy 98 traffic nightmare.

My main point is that Council should stimulate dissemination of this proposal to Daphne residents and not rush to judgement. THIS REPRESENTS YET ANOTHER POTENTIAL MAJOR CHANGE TO THE CHARACTER OF DAPHE AND OUR QUALITY OF LIFE.

Finally, a plea to the Media representation here tonight to alert the public to this serious issue to our community. Not just listed innocuously in the Council agenda as a quote "Height Variance/Chanchula Energy Corporation" without definition or explanation.

Lon D. Johnston

CITY OF DAPHNE
OFFICE OF THE MAYOR

PROCLAMATION

WHEREAS, Marge Scott began twelve years of service to the City of Daphne on the 16th day of November 1992; and

WHEREAS, during her tenure with the City Marge served as Executive Secretary to the Mayor; and,

WHEREAS, Marge carried out her duties with loyalty and professionalism; and,

WHEREAS, the employees of the City have a high regard for the dedication and enthusiasm Marge displayed while serving the City; and,

WHEREAS, Marge will be missed by everyone.

NOW THEREFORE, the Mayor and City Council of the City of Daphne wish Marge and her family the best during her retirement.



Attest:

A handwritten signature in cursive script, reading "Fred Small".

Fred Small
Mayor

A handwritten signature in cursive script, reading "David L. Cohen".

David L. Cohen
City Clerk, MMC

**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
FEBRUARY 14, 2005
4:00 P.M.**

I. CALL TO ORDER/ROLL CALL

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

Present were Chairman Ron Scott; 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; Police Captain Randy Bishop; Public Works Director Ken Eslava; and Recreation Director David McKelroy.

Civic Center Director Sandra Morse arrived at 4:40 P.M.

II. PUBLIC PARTICIPATION

A. Discuss Lodging Tax – Darrelyn Bender

Chairman Ron Scott discussed the Eastern Shore Chamber of Commerce had contacted him and advised they were not prepared to make their presentation at this time. Mr. Scott discussed the purpose of the Chamber's presentation would be to request that a portion of any proposed increase in the City's lodging tax rate be applied towards the Chamber's ad campaign to increase tourism on the Eastern Shore. Mr. Scott noted this will be discussed at a later time.

III. ISSUES REQUIRING ACTION BY CITY COUNCIL

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

Mr. Robbie Robertson of John A. Robertson Insurance Agency, Inc. discussed the renewal proposal for the City's insurance that expires February 28, 2005. Mr. Robertson discussed the breakdown of the proposal noting that last year, the City Council increased the limits for Comprehensive General Liability, Public Official Liability and Law Enforcement Liability from \$2,000,000 to \$5,000,000. Mr. Robertson explained each policy has its own per occurrence limit and that the Law Enforcement and Comprehensive General Liability have no aggregate limit on coverage, meaning there is no limit to the number of claims that can be filed in a year. Mr. Robertson explained the Employee Benefit Liability Coverage is coverage in the event a clerical error might be made on employee withholdings (garnishing wages, retirement plans, health insurance, life insurance...). Discussion continued on Vehicle Coverage and Inland Marine Coverage (which ranges from the Statue of Daphne in the lobby to lawnmowers, tractors, backhoes, and any contracting type equipment used to service the City). Mr. Robertson discussed Property Coverage noting this year will include a separate wind and hail deductible which is becoming common practice in the insurance industry. Discussion continued the Employer's Mutual Companies (EMC) deductible calculates to approximately 3% which could result in a large sum in the event of a major storm, however, when declared a disaster; FEMA reimburses a portion of the uninsured loss (including deductibles) to the City. Mr. Robertson discussed this insurance proposal does not include the many bonds that exist throughout the City for employees or Public Officials as these are renewed during the year.

Mr. Robertson discussed Alabama Municipal Insurance Corporation (AMIC) had the best premium and coverage for Comprehensive General Liability, Public Official and Law Enforcement Liability. The premium is basically the same as last year. Discussion continued that AMIC has confirmed the City will receive a 5% dividend on its policies just as it did last year. Mr. Robertson explained when the policy expires, 5% of the total expired premium is returned to the City by AMIC in the form of dividends. Discussion continued it will not have any bearing on this year's policy other than it will be a credit applied to the premium total. Mr. Robertson discussed an option presented by AMIC that will give the City a policy discount in the amount of \$2,135 this year if a 3-year policy is issued. Discussion continued a discount would be applied for each of the 3 years based on a percentage of the total premium. Mr. Robertson discussed this was not recommended last year because

AMIC locked in the premium rate for 3 years, therefore allowing for the possibility that the City could incur a large premium rate increase during the 4th year. Mr. Robertson explained that AMIC will no longer guarantee the rate for each of the 3 years but will discount each year's premium based on a percentage of that year's premium rate. Mr. Yelding asked if Mr. Robertson recommended the 3-year policy term under the current renewal. Mr. Robertson discussed possible limitations. If the City accepts a 3-year policy term, then chooses to leave AMIC prior to the end of the 3 years, the City will have to reimburse the discounts already taken. Discussion continued if a better premium is found that will offset the discount, then a move could be made anyway. Mr. Robertson noted a loss of \$2,100 would not matter if the City was going to realize a savings of \$5,000 or \$10,000 in premium costs.

Mr. Robertson discussed Employer's Mutual Companies provided the best quote on Vehicles, Inland Marine and Property noting that while the rate on vehicles remained virtually the same, the premium is larger because there are more vehicles on the road than last year. Ms. Landry asked Mr. Robertson to explain the values on the vehicle schedule. Mr. Robertson explained when a vehicle is added to a policy, the information includes the year, make, model, serial number and purchase price. Discussion continued this allows the Insurance Company to rate the vehicle for physical damage, comprehensive and collision; however, claims are based on actual cash value which is replacement cost minus depreciation. Mr. Robertson discussed the Property premium remained basically the same as last year. Mr. Robertson noted a credit was given for the wind deductible which reduced the premium; however, the City increased the values during the year to better reflect the proper replacement cost values. Discussion continued that due to the Hurricane, many Property insurance Companies are still assessing damage, resulting in fewer markets that would consider premiums near what the City has. Mr. Robertson noted for information, the current blanket building rate for the City is 25¢ per \$100. Discussion continued that this is a good rate and the City has maintained a good history with regard to losses.

Mr. Robertson discussed Employer's Mutual Companies and AMIC are A-rated carriers. Mr. Robertson noted changes can be made to the policy at any time such as possibly placing a threshold on the age of vehicles at which point, physical damage coverage would be removed. Mr. Scott asked if physical damage coverage was necessary on vehicles over a certain age. Ms. Henson discussed she has conducted a study on various vehicles that have had damage or were totaled and the results showed that coverage should be kept on all vehicles regardless of their age.

Mr. Scott asked how John Robertson Insurance Agency receives payment for its services. Mr. Robertson noted his fees are paid directly by the Insurance Companies. Mr. Scott asked how the City selected John Robertson Insurance Agency. Mr. Robertson discussed he has been writing the City's insurance since 1979 and has been fortunate enough to maintain a good working relationship with the City Council. Mr. Scott asked if there were any legal obligations to bid this service out. Ms. Briley noted this is professional services and bidding for these services is not required.

Mr. Scott inquired about the insurance budget for this year. Ms. Briley noted \$269,700 was spent in Fiscal 2004 and \$278,210 is budgeted for Fiscal 2005; a difference of \$8,347 under the actual renewal premium amount of \$286,557.

Mr. Yelding discussed Mr. Robertson has been handling the City's insurance for many years and has always done a good job for the City. He stated that the City cannot allow its insurance to expire. Ms. Briley noted with the current policy expiring February 28, 2005, a motion to renew will be needed at the next Council Meeting. Discussion continued a motion would also be needed if the Committee chooses the 3-year policy with Alabama Municipal Insurance Corporation. Mr. Scott asked that next years insurance renewal proposal be presented to the Finance Committee earlier in order that they may have more time to study it prior to the expiration date.

Motion by Mr. Yelding to recommend to Council to accept the proposal submitted by John A. Robertson Insurance to retain insurance coverage through Alabama Municipal Insurance Corporation and Employer's Mutual Companies for a total annual premium of \$286,557. Seconded by Mr. Scott.

B. Fire Range Fee - Police Training - \$1,200 Appropriation Request

Captain Randy Bishop discussed the Daphne Police Department has been allowed, up until now, free use of the Fire Range in Fairhope for officer qualifying and training. Discussion continued the Fraternal Order of Police is

now requiring an annual fee in the amount of \$1,200 for 2005, with this fee increasing to \$1,400 for 2006, for the use of the Fire Range. Captain Bishop explained the annual fee would allow the Daphne Police Department to continue using the facility. Ms. Landry discussed the Police Department was only recently notified of the required fee, therefore leading to this appropriation request. Discussion continued the fee would be included in next year's budget and become an annually budgeted amount.

Motion by Ms. Landry to recommend to Council to adopt an ordinance to amend the budget to appropriate funds in the amount of \$1,200 for payment to the Fraternal Order of Police for use of the Firing Range by the Daphne Police Department. Seconded by Mr. Scott.

C. Gulf Coast Zydeco Music Festival 2005 - \$25,000 Appropriation Request

Ms. Sandra Morse, Civic Center Director, discussed the proposed Gulf Coast Zydeco Music Festival to be held May 20-21, 2005. Ms. Morse noted this type of event typically draws a large following from all over the Country, creating a great opportunity to generate revenue for the City. Discussion continued the event would be held at the Civic Center this year so revenues would be small due to the limited number of tickets that can be sold. However, by introducing the event to the community and making it an annual event, the City can trademark the festival and move it outdoors next year, allowing an increase in participation and revenue. Discussion continued along with ticket sales, revenues would be generated from sponsors and vendor booth sales. Ms. Morse discussed allowing the SEEDS Organization (Supporting Educational Enrichment in Daphne's Schools) to benefit from the event by allowing them to sell non-alcoholic beverages, hold a Fun Run, a Red Beans & Rice Cook-off, and other targeted events. Ms. Morse discussed they are receiving many calls from people who are excited about the event; bands and dance instructors are lined up to attend and some local restaurants have expressed an interest. Mr. Scott discussed the Civic Center is asking for an advance in the amount of \$25,000 from the City in order to proceed with preparation work for the event; this will be repaid to the City from the event revenues. Discussion continued the middle of May was chosen because no other events take place in the surrounding areas during this time, allowing for maximum support. Discussion continued this event has been approved by the Buildings & Property Committee. Mr. Scott suggested Ms. Morse contact Councilman Greg Burnam to request time on the agenda for the next Council Meeting to present the Gulf Coast Zydeco Music Festival to the full Council. Discussion continued this will give exposure for the event to the local press.

Motion by Mr. Yelding to recommend to Council to adopt an ordinance amending the budget to appropriate funds in the amount of \$25,000 as an advance to the Civic Center for the initial production costs associated with the Gulf Coast Zydeco Music Festival to be held May 20-21, 2005. The advance will be reimbursed to the City from Festival proceeds. Seconded by Ms. Landry.

D. Storage Building - Recreation/Public Works - \$40,000 Appropriation Request

Mayor Small discussed the Recreation Department is currently using the Nicholson Center for storage of sports equipment and supplies; therefore eliminating the ability to fully utilize the Nicholson Center for Recreational purposes. Discussion continued the Beautification Committee stores decorations and supplies at various locations throughout the City, but primarily in the Eastern Star Building. This eliminates the utilization of the building. Mayor Small discussed the City is currently having to replace some holiday fixtures because of damage they sustained by being stored in areas that have a high moisture content. Discussion continued the City is in need of a secure and temperature controlled storage facility in order to house these recreation and beautification items. Mr. Eslava discussed the new storage building would be built at the Public Works Complex, with the Recreation Department having a separate secure area. Discussion continued the Public Works Department would handle all the slab prep work as well as complete the interior of the building. The building would be purchased and erected by the metal building contractor.

Ms. Landry asked what the Eastern Star Building would be used for once it was emptied. Mr. Eslava noted the Buildings & Property Committee is discussing several possibilities, including the establishment of a small college campus. Mr. Eslava noted the building could also be used to house a City Department if necessary. Discussion continued the building was given to the City a number of years ago with covenants that restricted it

to Police activities only. Discussion continued the City Attorney, Mr. Jay Ross has since determined the City can use the building for basically anything it chooses except for a few specified things such as a Drug Rehab Center. Mr. Lon Johnston noted the covenants also restrict the ability of the City to sell that property.

Motion by Mr. Yelding to recommend to Council to adopt an ordinance amending the budget to appropriate funds in the amount of \$40,000 to construct a building at the Public Works Facility for the storage of Recreation Department sports equipment and Beautification Committee decorations and supplies. Seconded by Ms. Landry.

E. Prepaid Travel:

- Ken Eslava, Public Works Director
- Denise Penry, PW Accountant/EMA Assistant
- Tony Cross, Solid Waste Coordinator

Mr. Scott discussed a prepaid travel request in the amount of \$210 each for Ken Eslava, Public Works Director; Denise Penry, PW Accountant/EMA Assistant; and Tony Cross, Solid Waste Coordinator, to attend the 2005 National Hurricane Conference in New Orleans, Louisiana on March 21-25, 2005. Mayor Small discussed a review of the conference agenda indicates the conference is geared more for upper management personnel, including the Fire & Police Department. Mr. Eslava explained the Solid Waste Coordinator, PW Accountant/EMA Assistant as well as himself are the key players during debris and emergency operations following a natural disaster. Mr. Eslava stated that representatives from the Fire & Police Departments generally attend the conference also. Ms. Landry asked if all three people needed to be in New Orleans the full 5 nights. Mr. Eslava discussed he generally attends the key classes which may end up being only 2-3 nights; each person attends different classes and in most cases they do return early from the trip.

Motion by Ms. Landry to recommend to Council to approve prepaid travel in the amount of \$210 each for Ken Eslava, Public Works Director; Denise Penry, PW Accountant/EMA Assistant; & Tony Cross, Solid Waste Coordinator; to attend the 2005 National Hurricane Conference in New Orleans, Louisiana on March 21-25, 2005. Seconded by Mr. Yelding.

F. Approve City Attorney Travel – National League Cities, Washington D.C., March 11-15, 2005 (Registration, Hotel, and Airfare \$1,290.80)

Mr. Scott discussed a request from the City Attorney, Mr. Jay Ross, to pay registration, hotel and airfare in the amount of \$1,290.80 for him to attend the National League Cities in Washington D.C. on March 11-15, 2005. Ms. Landry discussed Councilman Burnam will not be attending and asked if Mr. Ross could take his place as Mr. Burnam's registration fees were already paid; this would save the City \$100. Rebecca Hayes, City Clerk Assistant, discussed to her knowledge, Councilman Burnam's registration fees have not been canceled. Ms. Hayes noted Councilman Burnam's hotel reservation could be transferred to Jay Ross; however she would have to check to see if the Conference Registration Fees could be transferred. Discussion continued the City should agree to pay Mr. Ross' registration fees with Mr. Ross paying his hotel and airfare.

Motion by Ms. Landry to recommend to Council that the City pay the registration fees for the City Attorney, Jay Ross to attend the National League Cities 2005 Congressional City Conference in Washington, D.C. on March 11-15, 2005. Seconded by Mr. Scott.

G. New Credit Card Request – Police Department

Ms. Briley discussed a request from the Police Department for a City credit card to be issued to the Police Department Detective Division in the name of Danny Bell. Discussion continued, with the number of employees at the Police Department who have to travel for training, often there are not enough cards available at the same time. Ms. Briley noted each credit card has a \$5,000 limit and can only be used for registration, reservations and travel associated with training.

****Note:** Subsequent to the meeting it was determined that the Detective Lieutenant was authorized a City credit card by Resolution # 2003-66. The request for an additional credit card is for the Field Operation Captain.

Motion by Mr. Yelding to recommend to Council to adopt a resolution authorizing the issuance of a City Credit card to be assigned to the Police Department Field Operations Captain. Seconded by Ms. Landry.

H. Contract Authorization: Cooperative Purchasing Association of South Alabama

Ms. Briley discussed the Cooperative Purchasing Association of South Alabama is a new program that was introduced at the South Alabama Regional Planning Commission's annual meeting last month. Discussion continued this program is currently in effect in North Alabama and it has been found that better pricing can be secured with a larger purchasing group. Ms. Briley discussed the program will allow member cities to purchase from the Cooperative Bid, while retaining the option to purchase from the State Bid or soliciting their own bids. Discussion continued the SARPC would hire a part-time coordinator for approximately \$35,000 per year who would handle getting the specs together and the bid advertising and that cost would be split between the participating cities and counties according to population. Ms. Briley noted the first five members would have representation on the board which would be making the bid award decisions. Ms. Briley discussed this program has been reviewed and approved by the League of Municipalities, State Examiners of Public Accounts and the City Attorney, Jay Ross. Discussion continued the South Alabama Regional Planning Commission (SARPC) and the Public Affairs Research Council of Alabama (PARCA) have been working together on this program

Motion by Mr. Scott to recommend to Council to adopt a resolution authorizing the City of Daphne to participate in the Cooperative Purchasing Association of South Alabama. Seconded by Mr. Yelding.

I. Contract Authorization: Bill Hart, Mediator @ Council Retreat - \$600

Mr. Scott discussed a request for payment in the amount of \$600 to Mr. Bill Hart to act as the meeting facilitator at the Council's upcoming retreat. Discussion continued Mr. Hart was chosen because he has worked with the City Council in the past. Ms. Landry asked why Mr. Hart is billing for 8 hours when the retreat is only for 4 hours. Ms. Briley noted it includes time for Mr. Hart to prepare for the retreat by gathering information from the prior Council retreat and preparation of a summary report after the meeting.

Motion by Mr. Yelding to recommend to Council to authorize the Mayor to enter into a contract in the amount of \$600 with Bill Hart for his services as meeting facilitator at the upcoming Council retreat. Seconded by Ms. Landry.

J. Surplus Resolution: Football Helmets

Mr. McKelroy discussed the Recreation Department currently has approximately 140 Rydell Youth Football Helmets that are no longer considered safe for use. Discussion continued Rydell stipulates their helmets cannot be used for more than 10 years and must be re-certified every two years. Mr. McKelroy noted the City has used the helmets 9 years already and would require re-certification in order to be used one more year. The re-certification will cost approximately \$22 per helmet and new helmets can be purchased for approximately \$50

each. Discussion continued new helmets have already been ordered and request is made to authorize disposal of the existing Rydell helmets.

Motion by Mr. Yelding to recommend to Council to adopt a resolution authorizing disposal of Rydell Football Helmets that can no longer be used for public or municipal purposes due to safety issues. Seconded by Ms. Landry.

K. Surplus Resolution: Fire Truck Equipment

Ms. Briley discussed equipment was removed from the wrecked fire truck after the insurance company made payment to the City for its loss. Discussion continued the equipment is currently in inventory and the insurance company is requesting reimbursement in the amount of \$5,660 for this removed equipment. Ms. Briley discussed Fire Chief Mund Hanson has advised a salvage company wishes to purchase the equipment from the City at current market value, however it is unknown what that value is at this time. Mr. Scott expressed concern that the City could possibly lose money as a result of the equipment being removed. Discussion continued a recommendation would be made to reimburse \$5,660 to EMC Insurance Companies; however, a recommendation to surplus the equipment will be withheld pending receipt of further information.

Motion by Mr. Yelding to approve a refund in the amount of \$5,660 to EMC Insurance Company for equipment removed from the wrecked fire truck. Seconded by Mr. Scott.

IV. CURRENT BUSINESS

A. Appropriation Request – America’s Junior Miss Scholarship Program

Discussion was made that while the America's Junior Miss Scholarship Program is a great program, it is not actually a local program, even though Mobile is the Host City. Ms. Landry noted the City does not currently support other scholarship programs such as the Dogwood or Azalea Trail; however it would be a great program for individuals to support. Discussion continued a plea for support by individuals could be made at the next Council Meeting.

B. Appropriation Request – County Commission – County Road 64 Widening & Resurfacing Project Overrun - \$41,667

Mr. Scott discussed a letter from Chairman David Ed' Bishop of the Baldwin County Commission advising the City of cost overruns on the County Road 64 Widening & Resurfacing Project, with the City's portion of the costs being \$41,667. Discussion continued this is a materials charge only, that no labor or equipment is charged to the City. Discussion was made regarding the quality of the road and the lack of shoulders. Mr. Eslava discussed the only engineering drawings were those prepared by the County Engineer, Tom Granger. Discussion continued the cost overruns are not due to a lack of engineering, but by the condition of the materials they had to work with, primarily the quality of the existing asphalt. Mr. Eslava discussed when the County was performing preparatory work, it was discovered the asphalt was in worse shape than the County Engineer knew. Discussion continued the majority of cost overruns are going to be in asphalt costs due to the County having to go back with another base layer of asphalt over the former layer before they could apply the finishing cap. Mr. Scott noted the County Commission will need to provide the City with a detail of the cost overruns which should be reviewed by Public Works Director, Ken Eslava. Mayor Small discussed he will address a letter to Chairman Bishop requesting this information. No action will be taken by the City until this information is received.

C. Daphne High School Athletic Fields Utilities Reimbursement

Mr. Scott discussed a request from Daphne High School for reimbursement of the summer utilities for the City's use of the schools athletic fields. Mr. David McKelroy, Recreation Director, discussed the various programs that use the fields primarily from mid-February through mid-August. Discussion continued the original contract signed with Daphne High School on 4/15/91 specifies the City will pay the utilities for the baseball field and two

softball fields for the three summer months (June, July & August). Ms. Briley discussed the school is billing the City for the period of 3/30 – 8/31. Ms. Landry discussed the various locations (as listed on the bills) of the utility accounts being billed to the City are Football Field, BB Lights, Clubhouse, Concessions, Metal Building, Under Stadium and Soccer Field. Discussion continued the existing contract appears to be outdated and should be rewritten in accordance with the City's actual usage. Discussion continued Mr. McKelroy should prepare a list of all the fields the City uses and the time frames they are used, as well as provide any contracts the Recreation Department has in its possession with regard to usage of School Property. Mayor Small noted he and Mr. McKelroy will prepare the list of School Property usage to assist with the preparation of a more current contract.

D. ALDOT Sidewalks Grant

Mayor Small discussed the City has been awarded \$814,960 (80%) in Federal Transportation Enhancement funds for the construction of 5 sidewalk projects the City has specified. Discussion continued the grants require a cash match of 20% or \$203,740. Mayor Small noted the City can complete the projects one at a time. Ms. Landry discussed the incentive to complete these projects is the City cannot apply for a new grant until these are completed. Discussion continued several of the projects are safety concerns, and therefore, should be completed as soon as possible. Mr. Eslava noted the grant application was completed prior to the widening of County Road 64. Discussion continued there may not be adequate right of way to complete the sidewalk project from US 98 to Pollard Road. Mr. Eslava discussed each project will be bid out. Discussion continued engineering costs are included as cash match. Ms. Briley noted the grant money will be reimbursed to the City as the projects are completed. Mr. Eslava discussed the City's Engineer, Hutchinson, Moore, & Rauch will prepare preliminary engineering estimates of what the work will entail and then those documents will be sent out with the bid requests. Mr. Eslava discussed if one of the sidewalk projects comes up and we are not able to do it because of right of way issues, we will lose the funding for that particular project, however, it does not hurt our ability to apply for future grants.

Ms. Briley noted this is presented to the committee at this time for information purposes. When the grants were applied for, each of the resolutions included verbiage: "If funded, the City will make available matching funds". These funds have not been appropriated.

E. Update Ordinance – Emergency Overtime Pay for Salaried Employees

Ms. Briley discussed this ordinance had its first reading, however, some revisions were needed. Discussion continued Sharon Cureton, Human Resources Director will be making these revisions to be reviewed by Ms. Briley and the Department Heads, then it will come back to the Finance Committee for review and recommendation to the full council. Ms. Briley explained the purpose of this ordinance is primarily for the salaried employees who work 24 hour shifts during times of emergency. Discussion continued FEMA will reimburse the City if we have a policy in effect that states the overtime can be paid to the salaried employees for a certain time period. Ms. Landry discussed the Public Safety Committee has added to the ordinance that it would have to be a Governor Declared Emergency.

V. OTHER BUSINESS

1. South Alabama Regional Planning Commission Agreement

Mr. Yelding asked if the contract with the South Alabama Regional Planning Commission (SARPC) was ever finalized. Ms. Briley noted she has not received the previously requested information and payment has not been made.

2. Old Dillard's Building

Discussion was made regarding the status of the old Dillard's building. Mayor Small discussed the building is going to be split with a street going through the center with on-street parking. Discussion continued Hobby Lobby will be coming into a portion of the building. Mayor Small noted the City will have the space it needs for the Police Precinct.

3. Industrial Development Board

Mayor Small discussed the City not only needs to consider increasing its lodging tax, but a portion of the increase should go to the IDB to assist with the development of an Industrial Park. Discussion continued the property is available and grants are available for infrastructure, however the City has to get started.

Mayor Small noted the IDB already has a tenant who has signed a letter of intent. Discussion continued the property is not currently located in the City; however it can be petitioned to be in the City.

VI. FINANCIAL REPORTS

A. Treasurers Report As of January 31, 2004

Mr. Scott discussed the January 2005 report. Ms. Briley noted cash is up \$886,280 due to Business Licenses and Ad Valorem taxes. Mr. Scott commented on the amount of money currently at Regions Bank. Ms. Briley noted the Regions Bank accounts are construction funds which are set up when debt is issued. Discussion continued the \$937,000 in the 99 Warrant Fund is the remaining balance for the sewer projects.

Motion by Mr. Yelding to recommend to Council to accept the Treasurer's Report as of January 31, 2005 in the amount of \$10,119,625.15. Seconded by Ms. Landry.

B. Hurricane Ivan Costs Update

Ms. Briley discussed as of January 31, 2005, total expenditures are \$2,232,287.79. Discussion continued FEMA has already reimbursed \$788,256.54. Ms. Briley noted FEMA owes the City an additional \$964,894 and the State owes the City \$183,883. Discussion continued the State will not pay until FEMA payment are made.

C. Constitutional Debt Limit

Mr. Scott discussed a breakdown of the City's Constitutional Debt Limit. The debt limit is 20% of the Net Assessed Property Value. Discussion continued the City's Constitutional Limit is \$36,195,454; the City currently owes \$24,598,557; leaving \$11,596,897 available to borrow. Mr. Scott noted the borrowing the City is discussing for the Lowe's development would not go against the City's Constitutional Debt Limit. Ms. Briley noted Capital Leases also do not count against the debt limit, nor does the \$4,780,000 for the sewer projects.

D. Ad Valorem Taxes – January 31, 2005

Ms. Briley discussed collections are currently \$744,000 under budget as of January 31, 2005; however, payments are still being received. Discussion continued Auto Taxes are received throughout the year. Ms. Briley noted property taxes were budgeted at \$2,775,000. Discussion continued the property taxes are collected by the County and then disbursed to the City.

E. Sales Tax Collection Graphs – December 31, 2004

Mr. Scott discussed for the first time in the City's history, sales tax collections exceeded \$1,000,000. Ms. Briley discussed collections for December 2004 were \$149,921.91 above collections for December 2003; and \$196,932.76 above budget for the month. As of December 31, 2004 (3rd month of the fiscal year), actual collections exceed budget by \$511,563 (22.96%). Discussion continued December 2004 was another strong month even with the opening of the new mall.

F. Bills Paid – January 31, 2004

The Bills Paid Report was included in the Finance Committee packet for review.

VII. ADJOURN

The meeting was adjourned at 6:15 P.M.

Insurance Premiums: Fiscal Year Comparative

<u>Org #</u>	<u>Object</u>	<u>Object</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	Budget <u>2005</u>
123400	53543	ERRORS & OMISSIONS	1,475	2,175	1,360	1,440	1,500
142521	53544	PROFESSIONAL LIABILITY	24,250	25,463	25,527	26,867	27,680
123400;764542; 786000; 786500	53545	PROPERTY/LIABILITY	100,942	114,646	140,082	152,333	153,345
120400	53546	VEHICLE INSURANCE	335	481	525	658	680
121200	53546	VEHICLE INSURANCE	335	481	525	585	1,170
122200	53546	VEHICLE INSURANCE	335	481	525	585	585
124200	53546	VEHICLE INSURANCE	669	963	525	585	600
126200-6500	53546	VEHICLE INSURANCE	1,339	1,925	3,214	3,378	4,170
142521-27	53546	VEHICLE INSURANCE	15,139	19,695	28,556	30,395	31,960
144000	53546	VEHICLE INSURANCE	6,360	9,145	11,532	11,186	12,180
144500	53546	VEHICLE INSURANCE	669	963	1,628	1,756	1,850
146200	53546	VEHICLE INSURANCE	669	963	1,050	1,171	1,200
146500	53546	VEHICLE INSURANCE	335	481	525	585	615
160200	53546	VEHICLE INSURANCE	1,339	1,925	2,164	1,756	1,810
164000	53546	VEHICLE INSURANCE	1,674	2,407	2,625	2,965	3,000
164800	53546	VEHICLE INSURANCE	6,025	6,738	7,351	8,862	9,300
165000	53546	VEHICLE INSURANCE	5,021	7,273	8,401	8,512	8,940
165200	53546	VEHICLE INSURANCE	1,674	1,925	2,100	2,342	2,410
167000	53546	VEHICLE INSURANCE	1,339	1,925	2,786	2,072	2,800
181000	53546	VEHICLE INSURANCE	2,592	3,482	4,789	2,618	2,745
182000	53546	VEHICLE INSURANCE	1,004	1,444	2,304	2,342	2,900
764542-44	53546	VEHICLE INSURANCE	1,674	2,888	2,616	5,533	5,600
786000-6500	53546	VEHICLE INSURANCE	1,004	1,444	1,050	1,171	1,170
			49,529	67,029	84,793	89,059	95,685
TOTAL			176,196	209,313	251,762	269,699	278,210

**RENEWAL PROPOSAL
FOR
THE CITY OF DAPHNE
2005 – 2006**

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

ROBBIE ROBERTSON, AGENT

I. COMPREHENSIVE GENERAL LIABILITY

A. LIMIT

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

B. COVERAGE

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

II. PUBLIC OFFICIAL LIABILITY

A. LIMIT

1. \$5,000,000 Per Occurrence
2. \$5,000,000 Aggregate Limit

B. COVERAGE

1. \$5,000,000 Per Occurrence
2. \$1,000 Deductible Per Occurrence
3. Employee Related Lawsuits - Included

III. LAW ENFORCEMENT LIABILITY

A. LIMIT

1. \$5,000,000 Per Occurrence
2. No Aggregate Limit

B. COVERAGE

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

IV. EMPLOYEE BENEFIT LIABILITY

A. LIMIT

1. \$5,000,000 Per Occurrence
2. \$5,000,000 Agregate Limits

V. VEHICLE COVERAGE

A. LIMIT

1. \$1,000,000 Combined Single Limits Bodily Injury and Property Damage
2. \$40,000 Uninsured Motorists
3. \$1,000,000 Hired and Non-Owned Automobile Liability
4. Comprehensive - See Schedule
5. Collision - See See Schedule

B. COVERAGE

1. SEE ATTACHED SCHEDULE

VI. INLAND MARINE COVERAGE

A. LIMIT

1. SEE ATTACHED SCHEDULE

B. COVERAGE

1. All Risk Form
2. \$500 Deductible - Data Processing Equipment and Copiers
3. \$500 Deductible - All Scheduled Equipment

VII. PROPERTY COVERAGE

A. LIMIT

1. See Attached Schedule

B. COVERAGE

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

**PREMIUM BREAKDOWN
FOR THE
CITY OF DAPHNE**

I.	ALABAMA MUNICIPAL INSURANCE CORPORATION	
	A. COMPREHENSIVE GENERAL LIABILITY	\$ 52,867
	B. PUBLIC OFFICIAL LIABILITY	\$ 32,522
	C. LAW ENFORCEMENT LIABILITY	\$ 31,533
	D. EMPLOYEE BENEFIT LIABILITY	\$ 1,100
II.	EMPLOYER'S MUTUAL COMPANIES	
	A. VEHICLE COVERAGE	\$ 99,500
	B. INLAND MARINE COVERAGE	\$ 13,439
	C. PROPERTY COVERAGE	\$ 55,596
III.	TOTAL ANNUAL PREMIUM	\$286,557
IV.	OPTIONAL POLICY TERM	
	A) TO HAVE ALABAMA MUNICIPAL INSURANCE CORPORATION POLICY ISSUED ON A THREE-YEAR POLICY DEDUCT \$2,135.	

**City Of Daphne
P. O. Box 400
Daphne, AL 36526**

February 9, 2005

9M7001905

VEHICLE SCHEDULE

ITEM #	YEAR	MAKE	MODEL	VIN#	COMP DED	COLL DED	DEPT	VALUE
158	2005	GOSHEN	COACH	1FDWE35L85HA15009	500	500		36693
011	1989	FORD	AEROSTAR	1FMDA31U5KZC27602	500	500	A	20089
056	1997	CHEVROLET	ASTRO VAN	1GNDM19WXVB225824	500	500	A	19927
148	2004	FORD	CROWN VIC	2FAFP71W74X129321	500	500	A	20117
140	2003	FORD	F150	1FTRX17W03NB25364	500	500	BM	14982
006	1954	FORD	FIRE	1759255			F	
147	1973	FORD	F-700	F70FV054101			F	
001	1974	DODGE	D500	D51EG4J018247			F	3100
045	1977	FORD	VAN	E37AHZ35924			F	
002	1978	DODGE	D200	W26BE8S254637			F	3900
003	1978	DODGE	34 TON	D31BE6S338362			F	4100
004	1979	FORD	FIRE	D80DVEH1489			F	30000
031	1981	DODGE	250	1B7KD26R6BS179067			F	
008	1989	FORD	C8000 F	1FDYD80U8KVA12858	1000	1000	F	166000
017	1990	FORD	F150	1FTEX15N9LKA52747	500	500	F	15120
035	1993	EMERGENCY	C933	4ENRAAA85P1002510	1000	1000	F	225292
043	1995	FORD	CROWN VICT	2FALP71W6SX152654	500	500	F	16922
089	1997	PLATFORM-L	EMER-ONE	4ENGABA88V1006870	1000	1000	F	593638
113	2000	FREIGHTLIN	FL80 PUMPE	1FV6JLCB5YHB58277	1000	1000	F	197409
144	2003	E-ONE	CYCLONE II	4ENRAAA8331006937	1000	1000	F	274422
141	2003	FORD	EXPEDITION	1FMRU15W13LB71031	500	500	F	22444
130	2003	HAULMARK	TRAILER	4XSGB20293G046074	500	500	F	4874
159	2004	E-ONE	FIRETRUCK	4ENRAAA8441009069	1000	1000	F	272536
155	2004	FORD	CROWN VIC	2FAFP71W64X154193	500	500	F	20368
160	2004	PACE AMER	CARGO	4FPFB12184G086522	500	500	F	2600
075	1975	DODGE-2200	2200	M40CA5S036900	500	500	G	3000
030	1978	CHEVROLET	12 TON	CCL448A181578			G	
053	1990	CHEVROLET	S-10	1GCCS14Z1L8101558	500	500	G	5017
016	1990	FORD	F150	1FTDF15N8LNA60058	500	500	G	13435
018	1990	FORD	F150	1FTDF15NXLNA60059	500	500	G	14640
019	1990	FORD	F350	2FTJW35H2LCA44839	500	500	G	12000
034	1990	HOMEMADE	SM MOWER	90HM00800011662			G	
057	1992	FORD	F150	1FTEX15N8NKA76315	500	500	G	14500
085	1992	FORD	RANGER	1FTCR10AXNUC81337	500	500	G	10700
088	1995	ECONOLINE-	TANDEM AXL	42EDPLW27T1001188	500	500	G	10322
047	1996	HOME-MADE	TRAILER	96HM00700011663			G	
061	1998	CHEVROLET	S-10	1GCCS14X3W8134998	500	500	G	12340

059	1998	FORD	F150	1FTZF1767WNA73819	500	500	G	14743
060	1998	FORD	F150	1FTZF1765WNA73818	500	500	G	14743
062	1998	FORD	F800	1FDPF80C9WVA11009	1000	1000	G	69800
080	1998	GMC	SIERRA	1GDKC34J6WF058166	500	500	G	32800
081	1998	GMC	SIERRA	1GDKC34J8WF058590	500	500	G	32800
083	1998	GMC	LIGHT DUTY	1GDKC34J3WF070193	500	500	G	21610
092	1999	FORD	F-SERIES	1FTRX17W2XNB60798	500	500	G	17095
082	1999	HAULMARK	TRAILER	4XSPB162XXG009512	500	500	G	4336
117	2000	FORD	F-450	1FDXW46S8YED81779	1000	1000	G	30550
124	2000	PORT CITY	12 HDB	4PCU21221Y1000044	500	500	G	1825
125	2001	PORT CITY	TRAILER	4PCCE252811000004	500	500	G	4867
139	2003	FORD	F150	1FTRX17W23NB25365	500	500	G	14982
014	1990	FORD	F350	1FDHF37G8LNA53036	500	500	M	18943
142	2003	FORD	F-250	3FTNF21S03MB26134	500	500	M	21478
005	1988	CHEVROLET	CELEBRITY	1G1AW51W4J6250657	500	500	P	10000
010	1989	BUICK	CENTURY	1G4AH51N4KT448792	500	500	P	9700
013	1990	FORD	CROWN VICT	2FACP76F8LX130052	500	500	P	16754
027	1991	GMC	TC 10903	1GTDC14K9MZ513906	500	500	P	11305
049	1991	PLYMOUTH	GRAND VOYA	1P4GH44R8MX559263	500	500	P	12000
032	1993	CHEVROLET	CAPRICE	1G1BL5378PR122321	500	500	P	21633
033	1993	CHEVROLET	CAPRICE	1G1BL5373PR122307	500	500	P	21633
039	1995	FORD	CROWN VICT	2FALP71W3SX152658	500	500	P	17427
040	1995	FORD	CROWN VICT	2FALP71W1SX152657	500	500	P	17427
041	1995	FORD	CROWN VICT	2FALP71W5SX152659	500	500	P	17427
042	1995	FORD	CROWN VICT	2FALP71W8SX152655	500	500	P	17427
050	1996	FORD	CROWN VICT	2FALP71W6TX177362	500	500	P	18832
051	1996	FORD	CROWN VICT	2FALP71W8TX177363	500	500	P	18832
052	1996	FORD	CROWN VICT	2FALP71WXTX177364	500	500	P	18832
054	1997	FORD	CROWN VICT	2FALP71W3VX134830	500	500	P	19948
055	1997	FORD	CROWN VICT	2FALP71W5VX134831	500	500	P	19948
058	1998	FORD	TAURUS	1FAFP52U2WA134794	500	500	P	15184
063	1998	FORD	MUSTANG	1FAFP4047WF111706	500	500	P	15952
064	1998	FORD	TAURUS	1FAFP52U7WA156595	500	500	P	15945
065	1998	FORD	TAURUS	1FAFP52U9WA156596	500	500	P	15945
066	1998	FORD	CROWN VICT	2FAFP71WXWX122687	500	500	P	19626
067	1998	FORD	CROWN VICT	2FAFP71W3WX122689	500	500	P	19587
068	1998	FORD	CROWN VICT	2FAFP71W1WX122691	500	500	P	19587
069	1998	FORD	CROWN VICT	2FAFP71W1WX122688	500	500	P	19643
086	1999	FORD	CROWN VICT	2FAFP71WXXX113652	500	500	P	20095
095	1999	FORD	TAURUS	1FAFP53U5XA318126	500	500	P	15391
096	1999	FORD	TAURUS	1FAFP53U7XA318127	500	500	P	15391
097	1999	FORD	TAURUS	1FAFP53U9XA318128	500	500	P	15391
098	1999	FORD	TAURUS	1FAFP53UOXA318129	500	500	P	15391
101	2000	FORD	CROWN VIC	2FAFP71W5YX173419	500	500	P	19604
102	2000	FORD	CROWN VIC	2FAFP71W6YX173414	500	500	P	19604
103	2000	FORD	CROWN VIC	2FAFP71W3YX173418	500	500	P	19604
104	2000	FORD	CROWN VIC	2FAFP71W8YX173415	500	500	P	19604
105	2000	FORD	CROWN VIC	2FAFP71W4YX173413	500	500	P	19604
106	2000	FORD	CROWN VIC	2FAFP71W1YX173417	500	500	P	19604
107	2000	FORD	CROWN VIC	2FAFP71WXYX173416	500	500	P	19604

112	2000	FORD	CROWN VIC	2FAFT71W9YX154050	500	500	P	21346
119	2001	FORD	CROWN VIC	2FAFP71W31X129733	500	500	P	20083
120	2001	FORD	CROWN VIC	2FAFP71W51X129734	500	500	P	20083
121	2001	FORD	CROWN VIC	2FAFP71W71X129735	500	500	P	20083
122	2001	FORD	CROWN VIC	2FAFP71WO1X180414	500	500	P	20349
126	2002	CHEVROLET	MALIBU	1G1ND52J52M667678	500	500	P	14482
123	2002	FORD	CROWN VIC	2FAFP71W12X130719	500	500	P	23378
127	2002	FORD	CROWN VIC	2FAFP71W82X155763	500	500	P	19779
129	2002	SPEED	MONITOR	10327	500	500	P	8480
131	2003	FORD	CROWN VIC	2FAFP71W73X183801	500	500	P	20695
132	2003	FORD	CROWN VIC	2FAFP71W93X183802	500	500	P	20695
133	2003	FORD	CROWN VIC	2FAFP71W03X183803	500	500	P	20695
134	2003	FORD	CROWN VIC	2FAFP71W23X183804	500	500	P	20695
135	2003	FORD	CROWN VIC	2FAFP71W43X183805	500	500	P	20695
136	2003	FORD	CROWN VIC	2FAFP71W63X183806	500	500	P	20695
137	2003	FORD	CROWN VIC	2FAFP71W83X183807	500	500	P	20695
150	2004	FORD	CROWN VIC	2FAFP71WX4X137882	500	500	P	19429
151	2004	FORD	CROWN VIC	2FAFP71W14X137883	500	500	P	19429
152	2004	FORD	CROWN VIC	2FAFP71W34X137884	500	500	P	19429
153	2004	FORD	CROWN VIC	2FAFP71W54X137885	500	500	P	19429
154	2004	FORD	CROWN VIC	2FAFP71W74X137886	500	500	P	19429
021	1990	GMC		1GTDC14HOLZ528099	500	500	PS	10923
024	1991	CHEVROLET	LUMINA	2G1WL54T6M1104711	500	500	PS	12588
025	1991	CHEVROLET	S-10	1GCCS14A6M8215390	500	500	PS	9844
026	1991	CHEVROLET	LUMINA	2G1WL54TOM9108299	500	500	PS	12580
048	1996	FORD	F150	1FTEF15N9TLB82234	500	500	PS	13658
072	1998	CHEVROLET	C-10	2GCEC19R2W1216062	500	500	PS	20300
149	2004	FORD	F-150	2FTRF17234CA39151	500	500	PS	11574
029	1991	GMC	TS10803	1GTCS14Z3M8538821	500	500	R	9210
037	1994	FORD	E350	1FBJS31H9RHB31550	500	500	R	18428
038	1994	FORD	E350	1FBJS31H8RHB41258	500	500	R	18428
090	1995	CHEVROLET	G-30	1GAGG39K5SF216810	500	500	R	19182
128	2003	FORD	F-150	1FTRX17W33NA62244	500	500	R	15532
138	2003	FORD	F150	1FTRX17W93NB25363	500	500	R	14982
022	1990	FORD	F350	2FTJW35H9LCA43610	500	500	RS	17000
023	1991	FORD	F350	2FDLF47M4MCA31242	500	500	RS	34895
143	1997	FORD	F450	1FDLF47F3VEC36810	500	500	RS	29000
094	1972	CARGO TRUC	2-12 TON	NK049H054011142			S	
007	1989	CHEVROLET	C70	1GBJ7D1B2KV110565	500	500	S	20000
012	1989	CHEVROLET	C3500	1GBJR34K7KF303935	500	500	S	15440
009	1989	DODGE		1B7FE06X0KS164968	500	500	S	10000
020	1989	GMC	DUMP	1GDL7D1E1KV504469	500	500	S	25518
015	1990	FORD	F350	1FDKF37H8LNA53035	500	500	S	18526
028	1991	CHEVROLET	CAB CHASSI	1GBJ7H1P8MJ104945	500	500	S	23881
079	1994	CHEVROLET	S-10	1GCCS14W3R8128131	500	500	S	7200
044	1994	ECONOLINE	DOVETAIL	42EDPHF47R1000128			S	
046	1996	FORD	F800 SCOW	1FDYF80E6TVA05220	1000	1000	S	62245
073	1997	FORD	F800	1FDXF80E7VVA33106	1000	1000	S	62150

076	1998	ECON	5X8	4PCU10812W1000127			S	1167
070	1998	FORD	LT8501	1FDYW86F0WVA40890	1000	1000	S	59034
078	1998	FORD	F150	1FTZF17WXWNB38596	500	500	S	18000
077	1998	HDB	12'	4PCU10816W1000128			S	1517
084	1999	FORD	F-SERIES	1FTRX17W2XNA97640	500	500	S	17112
093	1999	FORD	F SERIES	1FTRX17WXXNC31441	500	500	S	17111
087	1999	GMC	SIERRA	1GDKC34J4XF025927	1000	1000	S	33433
091	1999	STERLING S	ELGIN EAGL	49H6WFAA1XHF42238	1000	1000	S	125180
099	2000	FORD	F-150	1FTRX17W7YNA79300	500	500	S	19175
100	2000	FORD	F-650	3FDWF6587YMA34211	1000	1000	S	40789
109	2000	FORD	F150	1FTRX17W2YNB32503	500	500	S	17724
111	2000	FORD	F-450	1FDXW46S9YEC84834	1000	1000	S	30550
110	2000	MACK	CS300P	VG6BA09C2YB702299	1000	1000	S	108757
036	1994	GMC	SIERRA	1GDKC34F6RJ512414	500	500	SW	18328
071	1998	FORD	TRASH LOAD	1FDXF80C1WVA27947	1000	1000	SW	73878
108	2000	FORD	F150	1FTRX17W0YNB32502	500	500	SW	17724
118	2000	GMC	C7H042	1GDM7H1C4YJ518120	1000	1000	SW	79000
145	2000	INTL	4700LP	1HTSLAAL4YH222278	1000	1000	SW	63498
114	2000	MACK	RD688	1M2P296C6YM053008 - R/R	1000	1000	SW	121770
115	2000	MACK	GARBAGE	1M2P296C8YM053009 - R/R	1000	1000	SW	121770
116	2000	MACK	GARBAGE	1M2P296C4YM053010 - R/R	1000	1000	SW	121770
156	2004	FORD	F-250	1FTNX20L04EC95343	500	500	SW	17157
146	2004	FREIGHTLIN	FL70 KNUCL	1FVABTAK74HM83403	1000	1000	SW	73190

Department classification:

**A=Adminsitration, BM=Building Mtn, F=Fire, G=Grounds, M=Mechanics, P=Police, PS=Public Service
R=Recreation, RS=Rescue, S=Street, SW=Solid Waste**

FINE ARTS

BRONZE STATUE "DAPHNE"

\$20,000**FIRE DEPT**

0 GENERATOR DYAN 4500	65559N88	1200
0 GENERATOR HONDA 5000	GC05-1226533	2000
0 MSA SCUBA AIR PACK	NH351069	1200
0 PORTABLE HYDRANT	02RA45	1600
0 MSA SCUBA AIR PACK	NH347100	1200
0 MSA SCUBA AIR PACK	NH351111	1200
0 MSA SCUBA AIR PACK	NH333092	1200
0 MSA SCUBA AIR PACK	NH351073	1200
0 MSA SCUBA AIR PACK	NH333226	1200
0 MSA SCUBA AIR PACK	NH347238	1200
0 MSA SCUBA AIR PACK	NH326363	1200
0 MSA SCUBA AIR PACK	H50518B	1000
0 MSA SCUBA AIR PACK	24310D	1000
0 MSA SCUBA AIR PACK	H2381D	1000
0 MSA SCUBA AIR PACK	NH333233	1200
0 MSA SCUBA AIR PACK	NH333194	1200
0 MSA SCUBA AIR PACK	NH326262	1200
0 MSA SCUBA AIR PACK	H64046B	1000
0 MSA SCUBA AIR PACK	H1862D	1000
0 MSA SCUBA AIR PACK	AB064120	1000
0 MSA SCUBA AIR PACK	H50639B	1000
0 MSA SCUBA AIR PACK	AB103018	1000
0 MSA SCUBA AIR PACK	H640568	1000
0 MSA SCUBA AIR PACK	NH333564	1200
0 MSA SCUBA AIR PACK	NH333242	1200
0 MSA SCUBA AIR PACK	AB068050	1000
0 MSA SCUBA AIR PACK	01220129	1000
0 MSA SCUBA AIR PACK	NH347264	1200
0 MSA SCUBA AIR PACK	Q1220112	1000
0 PORTABLE HYDRANT	01CT78	1600
0 3-CONTROL STATIONS	ONE PER FIRE STATION \$2594.19 EACH	7783
0 BREATHABLE AIR	COMPRESSOR - BAUER 2669 - THOMAS AVE	5000
0 K-1200 COMBO AW-	PARTNER THOMAS AVE 0438211	1200
0 BREATHABLE AIR	COMPRESSOR-HASWOR 77769 - CTY RD 11	11590
0 AIM GAS DETECTOR -	CTY RD 11	1335
0 GX240 POS PRESSURE	VENTILLATOR HONDA CTY RD 11	1285
0 JAWS OF LIFE	MDL91708-PHOENIX 37011404-CTY RD 1	11795
0 AIR PACK - CTY RD 11	NL302481	1000
0 AIR PACK - CTY RD 11	NL247348	1000
0 AIR PACK - CTY RD 11	NL301032	1000
0 AIR PACK - CTY RD 11	NL302991	1000
0 AIR PACK - CTY RD 11	NM041117	1000
0 K1200 COMBO SAW-	PARTNER - CTY RD 11 245003	1200
0 DX4500E POWER	GENERATOR-DYNA 88031910 - CTY RD	1200
0 AIR PACK - CTY RD 11	NM076021	1000

TOTAL FIRE DEPT**\$83,588**

RADIO DEPT

0 MSA SCUBA AIR PACK	RESCUE SQUAD	N1214084	1400
0 NISSAN 5000 WATT	GENERATOR-RESCUE SC	1001192	2500
0 MSA SCUBA AIR PACK	RESCUE SQUAD	11378	1400
0 RADAR K55 - DEPT N/A		66936	1395
0 800MHZ TRUNKED RADIO	SYSTEM	N/A	407872
0 4 - CONTROL STATIONS	\$2594.19 EACH	N/A	10377
0 3 - REGULAR TRUNKING	PORTABLE RADIOS	N/A	2232
0 MARATRAC RADIO	W/PUSH BUTTON SIREN	T73XTA7TA7	1578
TOTAL RADIO			\$428,754

COMPUTER DEPT

0 DIGITAL AUDIO	LOGGINGTAPE RECORDI		47801
0 GIS COMPUTER SYSTEM			45000
0 KYOCERA MITA COPIER		37078669 - POLICE	5722
MUNIS COMPUTER RAID SERVER			25000
2 PRINT TO MAIL HP4100 PRINTERS			20000
MUNIS FINANCIAL SOFTWARE			155000
CANON COLOR IMAGE RU	NNER C3200	MSK16674	17000
TOTAL COMPUTER			\$315,523

POLICE DEPT

0 BASE MOTOROLA		447HEN0032	2000
0 RADAR K55		66936	1395
0 DOC-U-CAM II; CAMERA	S#001255;	CONT'D REMARKS	5000
0 K-55 MPH RADAR		1038	1000
0 S-80 MPH RADAR		51840	1600
0 S-80 MPH RADAR		21891	1600
0 SYNTOR X MOBILE 16	CHANNEL RADIO	483HNW1053	2200
0 SYNTOR X MOBILE 16	CHANNEL RADIO	483HMB0348	2200
0 MOTOROLA DES RADIO	CUSTOMSS	721HKG0102	2000
0 RADAR,	MOVING/STATIONARY	51490	1000
0 SECURITY MONITORING	CAMERAS, FRONT/SIDE	034493	7050
0 1 - CONTROL STATION		N/A	2594
0 21- REGULAR TRUNKING	PORTABLE RADIOS	N/A	15624
0 IN-CAR VIDEO CAMERA	CMI, INC.	N/A	4450
0 IN-CAR VIDEO CAMERA	CMI, INC.	N/A	4450
0 VHS CAMERA/RECORDING	SYSTEM	N/A	4325
0 VHS CAMERA/RECORDING	SYSTEM	N/A	4325
0 REMINGTON 870 PUMP	SHOTGUN	C722493M	385
0 REMINGTON 870 PUMP	SHOTGUN	C428876M	385
0 REMINGTON 870 PUMP	SHOTGUN	C427432M	385
0 VIDEO SECURITY	CAMERA SYSTEM	N/A - JUSTICE CEN	110000
0 JAIL CELL LOCKING	SYSTEM	N/A - JUSTICE CEN	50000
0 POLYGRAPH SERIAL WYN	LX3000-SW	336991	4524
0 PRESSURE WASHER,	1100 PSI W/100' HOSE	N/A	2864
0 RADAR SENSOR	W/READOUT SER 11 MP	N/A	1503
0 RADAR SENSOR	W/READOUT SER 11 MP	N/A	1303
0 POWERCAM IN CAR	VIDEO SYSTEM #5827	251659	3228
0 POWERCAM IN CAR	VIDEO SYSTEM #5828	253100	3228
0 POWERCAM IN CAR	VIDEO SYSTEM #5824	262136	3228
0 POWERCAM IN CAR	VIDEO SYSTEM #5825	262074	3228
0 POWERCAM IN CAR	VIDEO SYSTEM #5826	262140	3228
0 VIDEO SURBEILLANCE 3	CAMERAS & EQUIPMENT	N/A	3700
TOTAL POLICE			\$254,002

HEAVY EQUIPMENT

DM0065-85 JOHN DEERE	TRACTOR W/MOWER	T7223	10000
1983 FORD TRACTOR WITH	MOWER 5500MD	381600	20000
1988 FORD 3910 TRACTOR	BLUE W/MOWER-RESCUI	BB58019	10000
1988 CASE INT'L 485 BLUE	TRACTOR W/MOWER	B480017B018810	10000
1987 JOHN DEERE 2150	TRACTOR GREEN/MOWE	CD31790637441	15000
1989 JOHN DEERE ROAD	GRADER M#570B	T06359D211945	58011
1989 TORO 220-D GROUNDS	MASTER	30794-80175	10000
0 BUSHOG MOWER	M#305-RW	11-06873	2225
0 JOHN DEERE TRACTOR	M#L02555B	653220	17300
0 TERRAIN KING HYDRA	MOWER M#A-BOOM	02024	11348
0 VERMEER MD1250 BRUSH	CHIPPER	N/A	17990
0 TERRAIN VEH PAPER	CLEAN UP AMT600	N/A	2645
1990 JOHN DEERE TRACTOR	W/MOWER	R653220	31000
0 CHEMICAL SPRAYER		703447	2000
0 CATERPILLAR M#2148		09MF00408	126617
0 CATERPILLAR	EXCAVATOR TRACK HOE	06YM00838	86978
0 OUTFRONT MOWER 62"	DECK TORO GRNDMSTR	30223;30564	10571
0 MOWER & 52' DECK	TORO GROUNDMASTER	30223;30555	10428
0 6' GROOMING	MOWER-DALE PHILLIPS	N/A	1095
0 ANTIFREEZE RECYCLER	SOLAR	D531426	2795
0 CHIPPER BODY BID	#1994-E-SW	N/A	4104
0 VACUUM LEAF LOADER	BID#1994-FSW	N/A	14370
0 4 POST LIFT -	FORWARD	020GB5208	5889
0 ROLLER PACKER		N/A	1200
0 ROLLER PACKER,	STEEL-MAULDEN	14-8-86-168	1800
0 MOSQUITO SPRAYER -	UNIVERSAL	89P80369	1725
0 PEMERTON MDL GRAPPLE	RAKE	FGR/WT33320493	9017
0 CHEMICAL SPRAYER		N/A	2086
0 CEMENT MIXER - STONE		081819	1800
0 PRESSURE	WAHER-BRIGGS/STRATC	5217FAA	2800
0 LOADER		N/A	1655
0 MORTAR MIXER		N/A	1990
0 D3 CATERPILLAR		N/A	50000
0 GROOMING MOWER		010821	1316
0 955 JOHN DEERE	TRACTOR	005023	10421
0 MOSQUITO SPRAYER	M#1600LPPTR	70001980	6425
0 H-D ROTARY HEAD -	TERRAIN KING	02024	3905
1998 NEW HOLLAND TRACTOR	MOWER	PF779800	25356
0 CATERPILLAR 416C	BACKHOE/LOADER	4ZN18914	63143
0 SELCO MODEL V5-HD	BALER	05852184	7800
0 SELCO MODEL V5-HD	BALER	SA07871677	7400
0 PIQUA SERIES 40	BALER	811350	6400
0 MOHAWK TR-75	75,000LB HD VEHICLE	AOB213	79180
0 CATERPILLAR BOBCAT	SKID STEER LOADER	4YZ00732	31205
0 CATERPILLAR	GENERATOR	02AJ01087	32435
0 CATERPILLAR INTRGDR	TOOL CARRIER	8CR02708	128238
0 SNOWFLAKES - 45	\$130 EACH	N/A	5850
0 SEASONS GREETINGS	SIGN	N/A	3500
0 PRESSURE WASHER W/	EQUIPMENT	HNG-3005-0M30	8892
0 JOHN DEERE 32315B	FAIRWAY UNIT MOWERS	TC3215B020163	26654
0 JOHN DEERE 32315B	FAIRWAY UNIT MOWERS	TC3215B020164	26654
0 JOHN DEERE 32315B	FAIRWAY UNIT MOWERS	TC3215B020173	26654
2001 CATERPILLAR 430D	BACKHOE LOADER	BML1140-EQ	77816
0 4 - SCOREBOARDS AT	SPORTS COMPLEX	N/A - PARKS DEPT.	8400

0 HORIZONTAL BALER	LD-60-CC-HD	0601-057	46313
0 CONVEYOR & SLIDER	SOLID WASTE DEPT.	0201-005	0
0 SKYJACK 26' ELECTRIC	SCISSOR LIFT NS26	17554 - CIVIC CEN	12950
2002 TORO WORKMAN 2100	16HP UTILITY VEHICLE	210001311-PARKS	8995
0 SCAG WALK HYDRO 48"	FLOAT MOWER	6350111	4127
0 JOHN DEERE 1200A	DRAG MACHINE	TC1200A100964	3000
0 ALUMACRAFT BOAT 16'		ACBF2032TOOL	1400
0 PUG 4 X 2 UTILITY TR	AILER 60100	0F002056	7300
0 JOHN DEER 737	Z-TRACK W/60" DECK	TCO737010319	7499
0 BALLFIELD AERIFIER	MODEL AWG050H-1G36E	A02000002N-PARKS	6591
0 COLT-T HANDHELD	MOSQUITO SPRAYER	491356 - GROUNDS	1495
0 LONDON FOG 18-20	MOSQUITO SPRAYER	10298 - GROUNDS	7450
2003 CATERPILLAR INTEGRATED TOOL CARRIER IT38G		#7BS01235	134293
2003 JOHN DEERE 1445 MOWER W/62"DECK & CANOPY		TC1445D030032	18000
2003 JOHN DEERE 1445 MOWER W/62"DECK & CANOPY		TC1445D030615	18000
2003 JOHN DEERE 1445 MOWER W/62"DECK & CANOPY		TC1445D031016	18000
2003 JOHN DEERE 1445 MOWER W/62"DECK & CANOPY		TC1445D030613	18000
2003 JOHN DEERE 1445 MOWER W/62"DECK & CANOPY		TC1445D031018	18000
JOHN DEERE SANDPRO DRAG MACHINE-PARKS		MO1200A928170	1600
2003 CATERPILLAR SKID LOADER W/BACK HOE ATT		2465SZ06957	42400
2003 JOHN DEERE 3235B FAIRWAY MOWER		TC3215B040207	22100
2003 JOHN DEERE 3235B FAIRWAY MOWER		TC3215B040206	22100
2003 JOHN DEERE 3235B FAIRWAY MOWER		TC3215B040211	22100
2003 JOHN DEERE 160 TURBO WAM 0700TC 4 POST		TC1600T020362	37054
2004 IT28G CAT INTERGRATED TOOL CARRIER		DBT00858	119163
2004 JOHN DEERE 2653A TRIMMOWER 1804M		TC2653D120650	20050
TOTAL HEAVY EQUIPMENT			\$1,760,063
TOTAL SEPARATE SCHEDULES			\$2,861,930

**City Of Daphne
P. O. Box 400
Daphne, AL 36526**

February 9, 2005

9B7001905

PROPERTY SCHEDULE

Location #001 1410 CAPT O'NEAL DR., DAPHNE AL 36526 - COMMUNITY CENTER

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
COMMUNITY CEN	\$ 295570	5000	SPECIAL	RC	15000
CONTENTS	\$ 24111	5000	SPECIAL	RC	15000

Location #002 1705 MAIN ST., DAPHNE AL 36526 -- CITY HALL,

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
CITY HALL BLD	\$ 706785	5000	SPECIAL	RC	25000
CONTENTS	\$ 100000	5000	SPECIAL	RC	25000

Location #003 1704 REAR SIXTH STREET, DAPHNE, AL 36526 - COMMUNITY DEVELOPEMENT

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-COMM DEV	\$ 175000	5000	SPECIAL	RC	10000
CONTENTS	\$ 75000	5000	SPECIAL	RC	10000

Location #004 1707-1709 SIXTH ST, DAPHNE, AL 36526

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
FIRE STA &MTG	\$ 105040	5000	SPECIAL	RC	5000
CONTENTS	\$ 25000	5000	SPECIAL	RC	5000

Location #005 911 SHOP LANE-CITY GARAGE

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
CITY GARAGE	\$ 159120	5000	SPECIAL	RC	10000
CONTENTS	\$ 77000	5000	SPECIAL	RC	10000
STORAGE CONT	\$ 2750	5000	SPECIAL	RC	10000

Location #006 911 SHOP LANE, DAPHNE, AL 36526

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-TOOLSHED	\$ 5200	500	SPECIAL	RC	500
CNTS	\$ 1000	500	SPECIAL	RC	500

Location #007 911 SHOP LANE AT CITY BARN - OFFICE-GROUNDS

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-OFFICE	\$ 2080	500	SPECIAL	RC	500
CONTENTS	\$ 1000	500	SPECIAL	RC	500

Location #008 2601 OLD SPANISH TRAIL; DAPHNE AL 36526, BUILDING USED FOR STORAGE OF UNCL AIMED STOLEN ITEMS AND OLD LIBRARY BOOKS - POLICEMAN'S HALL

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-POLICE	\$ 26000	500	SPECIAL	RC	2000
CNTS	\$ 15000	500	SPECIAL	RC	2000

Location #009 1317 JOHNSON ROAD; DAPHNE AL 36526 - CONCESSION STAND, BOYS & GIRLS CLUB

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-CONCESSI	\$ 40000	500	SPECIAL	RC	2000

Location #010 28280 CTY RD 11, DAPHNE,AL - FIRE STATION 2

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
F-STATION #2	\$ 364000	5000	SPECIAL	RC	20000
CONTENTS	\$ 25000	5000	SPECIAL	RC	20000

Location #011 8945 LAWSON ROAD; DAPHNE, AL, - FIRE STATION 3

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
F-STATION #3	\$ 151528	5000	SPECIAL	RC	5000
CONTENTS	\$ 5000	5000	SPECIAL	RC	5000

Location #012 7145 JOHNSON RD. ANIMAL CONTROL FACILITY,

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
ANIMAL CONTRO	\$ 31200	500	SPECIAL	RC	2000
CONTENTS	\$ 5000	500	SPECIAL	RC	2000

Location #013 9300 LAWSON RD; BEHIND DAPHNE HIGH SCHOOL, - GREENHOUSE #1

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
GREENHOUSE 1	\$ 1144	500	SPECIAL	RC	500

Location #014 9300 LAWSON ROAD - DAPHNE, AL, -GREENHOUSE #2

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
GREENHOUSE 2	\$ 1144	500	SPECIAL	RC	500

Location #015 9300 LAWSON ROAD - DAPHNE, AL, -GREENHOUSE #3

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
GREENHOUSE 3	\$ 1144	500	SPECIAL	RC	500

Location #016 9300 LAWSON ROAD - DAPHNE, AL, -GREENHOUSE #4

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
GREENHOUSE 4	\$ 1144	500	SPECIAL	RC	500

Location #017 9300 LAWSON ROAD - DAPHNE, AL, -GREENHOUSE #5

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
GREENHOUSE 5	\$ 1456	500	SPECIAL	RC	500

Location #018 2000 MAIN ST, LOTT PARK, DAPHNE AL, 36526 - OFFICE

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG- OFFICE	\$ 35843	500	SPECIAL	RC	1500

Location #019 2000 MAIN ST., DAPHNE, AL - CONCESSION STAND ADDED 16 LIGHT POLES 12/04

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
CONCESSION ST	\$ 34934	500	SPECIAL	RC	3000
16 LIGHT POLE	\$ 34800	500	SPECIAL	RC	3000

Location #020 1502 U.S. HIGHWAY 98; DAPHNE AL 36526 -JUSTICE CENTER

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-JUSTICE	\$ 2778692	5000	SPECIAL	RC	150000
CONTENTS	\$ 280092	5000	SPECIAL	R/C	150000

Location #021 1502 US HWY. 98, DAPHNE AL 36526 - RADIO TOWER

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
RADIO TOWER	\$ 185618	5000	SPECIAL	RC	5000

Location #022 8600 WHISPERING PINES ROAD; DAPHNE AL 36526 - 22 LIGHT POLES & LIGHTS, P PRESS BOXES AND CONTENTS. SEE LOCATION 29 FOR CONCESSION STANDS

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
22 LIGHT POLE	\$ 200000	5000	SPECIAL	RC	10000
4 PRESS BOXES	\$ 20000	5000	SPECIAL	RC	10000

Location #023 26985 JODY DAVIS CIRCLE - DAPHNE AL 36526, DAPHNE MIDDLE SCHOOL - 2 - SOCC ER FIELDS - 4 - 60' LIGHT POLES & LIGHTS, 2 - 70' LIGHT POLES

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
LIGHTS POLES	\$ 100000	5000	SPECIAL	RC	5000

Location #024 1000 MAIN ST., DAPHNE INTERMEDIATE SCHOOL; DAPHNE , AL 36526, (4)-60' LIGHT POLES & LIGHTS,

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
60' LT. POLES	\$ 90695	5000	SPECIAL	RC	5000

Location #025 2607 US HWY. 98 - NEW CITY LIBRARY DAPHNE AL 36526 - INCLUDES BOOKS, COMPUTERS, COPIERS,, COMMUNICATION EQUIPMENT; FURNISHINGS, SHELVES, OFFICE EQUIPMENT & ETC.

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BUILDING-LIBR	\$ 2243158	5000	SPECIAL	RC	225000
CONTENTS-INCL	\$ 2500000	5000	SPECIAL	RC	225000

Location #026 1317 JOHNSON ROAD, DAPHNE AL 36526, BOYS & GIRLS CLUB - (10-YR CONTRACT) G YMNASIUM & ACTIVITIES, FACILITY.

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG- GYM B/G	\$ 501388	5000	SPECIAL	RC	25000
10 LIGHT POLE	\$ 24250	5000	SPECIAL	RC	25000

Location #027 30150 GREEN COURT; DAPHNE AL 36526, (FIRE STATION #4), - 10/20/04 ADDED CONTENTS DUE TO ITEMS BEING MOVED FROM LOC. #3 ON TEMPORARY BASIS UNTIL BLDG IS REPAIRED FROM HURRICANE IVAN

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
FIRE STAT #4	\$ 287927	5000	SPECIAL	RC	15000
CONTENTS	\$ 40000	5000	SPECIAL	RC	15000

Location #028 6200 BAY FRONT DRIVE; DAPHNE AL 36526 - RICHARD SCARDAMALIA PAVILION

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-R/S PAVI	\$ 250000	5000	SPECIAL	RC	10000
CONTENTS	\$ 20000	5000	SPECIAL	RC	10000
GAZEBO	\$ 25000	5000	SPECIAL	RC	10000

Location #029 8600 WHISPERING PINES ROAD DAPHNE AL 36526

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
CONCESS STAND	\$ 60000	500	SPECIAL	RC	3500
CONTENTS	\$ 5000	500	SPECIAL	RC	3500

Location #030 29750 LARRY DEE CAWYER DR.; SCENIC OVERLOOK BUILDING; DAPHNE AL 36526, LEASED TO THE DAPHNE CHAMBER OF COMMERCE

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-SCENIC	\$ 275000	5000	SPECIAL	RC	10000

Location #031 405 DRYER AVENUE, DAPHNE, AL 36526, OLD DAPHNE METHODIST CHURCH MUSEUM,

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BUILDING	\$ 69600	1000	SPECIAL	ACV	3500

Location #032 2603 HIGHWAY 98, DAPHNE, AL 36526 CIVIC / RECREATION CENTER,

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-CIVIC CE	\$ 5500000	5000	SPECIAL	RC	310000
CONTENTS	\$ 700000	5000	SPECIAL	RC	310000

Location #033 26435 PUBLIC WORKS RD, DAPHNE, AL 36526, PUBLIC WORKS MAINTENANCE FACILITY,

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-PUB WKS	\$ 310000	5000	SPECIAL	RC	20000
CONTENTS	\$ 130000	5000	SPECIAL	RC	20000

Location #034 26435 PUBLIC WORKS ROAD, DAPHNE, AL 36526 - RECYLING FACILITY

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-RECYCLE	\$ 150000	5000	SPECIAL	RC	5000
CONTENTS	\$ 25000	5000	SPECIAL	RC	5000

Location #035 26435 PUBLIC WORKS ROAD, DAPHNE, AL 36526

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-WASHRACK	\$ 25000	500	SPECIAL	RC	1750
CONTENTS	\$ 10000	500	SPECIAL	RC	1750

Location #036 LOCATION: 1706 MAIN STREET, DAPHNE, AL 36526 - RESTROOMS AT CENTENIAL PAR K WITH WROUGHT IRON FENCE

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-RESTROOM	\$ 50000	500	SPECIAL	RC	3350
IRON FENCE	\$ 17000	500	SPECIAL	RC	3350

Location #037 25250 PROFIT DRIVE, DAPHNE, AL - FIRE DEPT. TRAINING FACILITY REFERRED TO THE "BURN BUILDING"

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BURN BLDG	\$ 150000	5000	SPECIAL	RC	5000

Location #038 6902 US HIGHWAY 90, DAPHNE, AL - POLICE SUBSTATION @ JUBILEE SQUARE

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BUILDING	\$ 25000	500	SPECIAL	RC	2500
CONTENTS	\$ 25000	500	SPECIAL	RC	2500

Location #039 NW SIDE OF 2000 MAIN ST., LOTT PARK, DAPHNE, AL

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-STORAGE	\$ 5000	500	SPECIAL	RC	500

Location #040 27717 MAIN ST., DAPHNE, AL 36526 - RESTROOMS @ VILLAGE POINT PARK

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
RESTROOMS	\$ 30000	500	SPECIAL	RC	1500

Location #041 1704 6TH STREET (FRONT OR EAST), DAPHNE, AL - PORTABLE BUILDINGS BEING USED UNTIL DAMAGE FROM HURRICANE IVAN CAN BE REPAIRED - BLDGS LOCATED ON LOCATION #3

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
MOBILE OFFICE	\$ 20479	500	SPECIAL	RC	3000
CONTENTS	\$ 40000	500	SPECIAL	RC	3000

Location #042 1704 6TH ST. DAPHNE AL. 36526 MOBILE HOME BEING USED AS TEMPORARY BUILDING DUE TO HURRICANE IVAN

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
MOBILE HOME	\$ 19950	500	SPECIAL	RC	2950
CONTENTS	\$ 40000	500	SPECIAL	RC	2950

Location #043 27717 MAIN ST., DAPHNE, AL - VILLAGE POINT PAVILLION

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-PAVILION	\$ 40000	500	SPECIAL	RC	2000

Location #044 26435 PUBLIC WORKS ROAD, DAPHNE, AL - PARKS STORAGE BUILDING

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-PARKS ST	\$ 32000	5000	SPECIAL	RC	5000
CONTENTS	\$ 100000	5000	SPECIAL	RC	5000

Location #045 1704 SIXTH ST., DAPHNE, AL - ART GUILD/PUBLIC WORKS STORAGE

Subject of Insurance	Value	Deductible	Causes of Loss	ACV or RC Coverage	Wind Deductible
BLDG-ART GUIL	\$ 32000	500	SPECIAL	RC	2850
CONTENTS	\$ 25000	500	SPECIAL	RC	2850

12

Pearce, corrections officer, had made police officer and was currently in the academy. Oral interviews are set for Thursday of this week and the department will be hiring 2 more officers as replacements. This will make the department full staffed in patrol. Capt. Wilson reviewed the stats for November and December. He stated it was a busy holiday season, however no violent crimes were committed. Mr. Burnam asked for the yearly report was available. Capt. Wilson stated he will have that in the next packet. Capt. Wilson stated the department is working on crime reports per beat, so that each council member will know what crimes are being committed in their districts.

11/10/05
Public Safety Comm
2.
3.*

Animal Control Tickets/Court Cost

Capt. Wilson stated that the department wanted to remove the court costs from the first offense with no change to second and third offenses.

Annual Dues for Fire Range Use

Capt. Wilson reviewed a letter from the Fraternal Order of Police requiring an annual fee for the use of the Fire Range in Fairhope. He stated til now, the department was allowed to use the facility free of charge. Our department uses the facility for officer qualifying. Daphne PD requires their officers to qualify twice a year, minimum. The annual flat fee for 2005 would be \$1200 and would increase to \$1400 in 2006. Capt. Wilson stated that a request for this additional funding be sent to the finance committee as this fee was unexpected and therefore not budgeted for.

*

*Motion by Regina Landry to favorably recommend to the Finance Committee the appropriation of \$1200 for the FOP fees for 2005. **Seconded by Gus Palumbo.** Motion carried.*

4. Jail Report

Capt. Wilson reviewed the Jail report.

B. Old Business

VI. CITY ATTORNEYS

A. New Business

B. Old Business

1. State of Emergency (FEMA) pay for Salaried Employees Resolution

Mr. Fleming stated this resolution is ready to present to Council.

2. Weed/Junk Car Ordinance

Mr. Fleming stated this ordinance is ready to present to Council.

*Motion by Gus Palumbo to favorably recommend to the Council the adoption of the State of Emergency (FEMA) pay for Salaried Employees Resolution and the Weed/Junk Car Ordinance. **Seconded by Regina Landry.** Motion carried.*

VII. OTHER BUSINESS

1. North Precinct Building/Jubilee Shopping Center

Mr. Palumbo stated that since the Dillard's building is now fully leased, construction on the precinct can be started and would like the City to begin. Capt. Wilson stated that he has requested that AIG Baker assist the police department in providing some more space than the current plans since more construction and remodeling will be done there anyway with new tenants in the old Dillard's building. Capt. Wilson requested that additional assistance be given to finish out the police portion of the building into a turn key project. Capt. Wilson will continue follow-up.

Other Revenue Sources Include:

Event Sponsors
Trinket Sales
T-Shirts
Beverage Sales
Banner Sales & more!

Future Revenue Sources Include:

Tent Sales
Parking Fees
Corporate Space
Bar-b-que Cook off
Additional Vendors and More!

Request is made for the Buildings and Property Committee to make recommendation to the full Council to make the “Gulf Coast Zydeco Music Festival” an annual city Civic Center event by resolution. This must be done to assist with registering the event name for trademark. **Request** is also made to include the following requests in the resolution:

Request is made for the City of Daphne to allow targeted proceeds from the “Gulf Coast Zydeco Music Festival” to benefit all schools in the City of Daphne through the SEEDS organization. SEEDS is Supporting Educational Enrichment in Daphne’s Schools and is a non-profit, independent education foundation dedicated to enriching our children’s K-12 learning experiences and in turn, the quality of life in our community.

Request is made to allow the SEEDS organization to benefit from profits made during the event through the following targeted sales and events.

1. Non-alcoholic beverage sales
2. Gulf Coast Zydeco Music Festival Fun Run
3. Gulf Coast Zydeco Music Festival Red Beans and Rice Cook-off
4. Targeted Children’s activities as first requested by the Festival Director and approved by the Mayor
5. Other fundraising events as first requested by the Festival Director and approved by the Mayor.

Request is made to donate three fundraising booths which are non-transferable to 1. The Village Point Foundation 2. The Boys and Girls Club of Daphne, and 3. The Downtown Redevelopment Foundation. If one of these groups choose not to participate, request for replacement will be made first by the Festival Director to the Mayor for approval.

MEMORANDUM

CITY of DAPHNE...DIVISION OF PUBLIC WORKS

**To: Kim Briley, Finance Director
Finance Committee**

**From: Ken Eslava, Director of Public Works
David McElroy, Recreation Director**

Date: February 10, 2005

Re: Request for storage building...Public Works/Recreation

Please consider this a formal request for this committee to appropriate funds, in the amount noted below, for the construction of a new metal storage building on the Public Works facility grounds. This building must be insulated & air conditioned to prevent molding of the contents stored inside. The purpose of this new building will be:

- To house the Recreation Department sports equipment which is currently stored at the Nicholson Center, which is severely limiting the full utilization of this facility.**
- To house the vast quantity of seasonal decorations which are currently stored at our Eastern Star Building. By relocating these decorations to the new storage facility, we can then move forward with development & modernization of the valuable Eastern Star Building.**
- To house Beautification Committee decorations currently stored in a room attached to the Bay Rivers Art Guild building. To relocate these decorations to the new storage building will then allow the Art Guild to fully utilize their facility, and the Beautification ladies will then have a place for their supplies...and a place to call home!**

We are requesting an appropriation of \$40,000.00 to cover the following costs of the building:

**Concrete slab.....\$3950.00
Purchase 50' X 60' metal building.....\$28,000.00**

see next page

Electrical	\$1500.00
Misc. Supplies for utilities, etc.....	\$1000.00
Air conditioning system.....	\$5550.00
<hr/>	
Total.....	\$40,000.00

Our Public Works employees will perform all construction services for all work except the erection of the building, which is included in the price of the building.

Important note.....the 50' X 60' building has been competitively quoted, and I have selected the low bidder.

We thank you for your consideration in this matter.

cc: Mayor Fred Small

PRE-PAID TRAVEL REQUEST FORM

EMPLOYEE NAME/TITLE	KEN ESLAVA PUBLIC WORKS DIRECTOR
DEPARTMENT	PUBLIC WORKS ADMINISTRATION
DATES OF TRAVEL	MARCH 20-25
SCHOOL/ORGANIZATION	2005 HURRICANE CONFERENCE
LOCATION FOR TRAINING: CITY / STATE	NEW ORLEANS, LA4
REGISTRATION FEE	\$ 300.00
LODGING (5 NIGHTS @ \$144.00)	\$ 720.00
TOTAL ADVANCE REQUESTED (\$35.00 x # OF DAYS) (6 DAYS)	\$ 210.00

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

160200 52211
Dept 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.**

PRE-PAID TRAVEL REQUEST FORM

EMPLOYEE NAME/TITLE	DENISE PENRY P W ACCOUNTANT/ E M ASSISTANT COORDINATOR
DEPARTMENT	PUBLIC WORKS ADMINISTRATION
DATES OF TRAVEL	MARCH 20- 25
SCHOOL/ORGANIZATION	2005 HURRICANE CONFERENCE
LOCATION FOR TRAINING: CITY / STATE	NEW ORLEANS, LA
REGISTRATION FEE	\$ 300.00
LODGING (5 NIGHTS @ \$144.00)	\$ 720.00
TOTAL ADVANCE REQUESTED (\$35.00 x # OF DAYS) (6 DAYS)	\$ 210.00

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

160200 52211
Dept Org # Object # Proj #

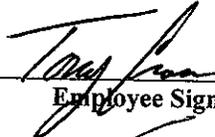
***PREPAID TRAVEL IS APPROVED BY THE FINANCE COMMITTEE THEN COUNCIL - PLEASE SUBMIT IN TIME TO ALLOW SUFFICIENT TIME FOR THESE APPROVALS.**

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

PRE-PAID TRAVEL REQUEST FORM

EMPLOYEE NAME/TITLE	TONY CROSS SOLID WASTE COORDINATOR
DEPARTMENT	SOLID WASTE DEPARTMENT
DATES OF TRAVEL	MARCH 20-25
SCHOOL/ORGANIZATION	2005 HURRICANE CONFERENCE
LOCATION FOR TRAINING: CITY / STATE	NEW ORLEANS, LA
REGISTRATION FEE	\$ 300.00
LODGING (5 NIGHTS @ \$144.00)	\$ 720.00
TOTAL ADVANCE REQUESTED (\$35.00 x # OF DAYS) (6 DAYS)	\$ 210.00

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

764542 52211
Dept 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.**


Florida Shore & Beach
Preservation Association
2005 NATIONAL
HURRICANE CONFERENCE
2952 Wellington Circle
Tallahassee, FL 32309

Nonprofit Organization
U.S. POSTAGE
PAID
Tallahassee, FL 32301
Permit No. 328

Announcing the 27th Annual

NATIONAL

HURRICANE

CONFERENCE

March 21- 25, 2005

Hilton Riverside • New Orleans, LA

The nation's leading forum for education and professional training in hurricane preparedness!

North Carolina

Cape Hatteras

h Carolina

Atlantic Ocean

www.HurricaneMeeting.com

2005 EMI & NHC Training Sessions

Monday - March 21

Tuesday - March 22

8:30 am - 12 noon

1:30 pm - 5 pm

8:30 am - 12 noon

1:30 pm - 5 pm

Debris Management Course

This 2 1/2-day workshop provides an overview of issues and recommended actions to prepare for, respond to, and recover from a major debris-generating event (with emphasis on state and local responsibilities). Who Should Attend - local, state and federal personnel responsible for planning and/or implementing debris removal and disposal. (Limit 40 participants) (Reservation Required)

Recovery From Disaster Workshop

This 2 1/2-day workshop is designed to prepare local recovery teams to coordinate local recovery efforts following a disaster. This workshop emphasizes 4 critical areas of recovery: emergency management, public works, building inspection, and community planning. Who Should Attend - elected officials, city/county managers and administrators, emergency managers, public works directors, building inspectors, and community planners. (Limit 30 participants) (Reservation Required)

Emergency Planning and Special Needs Populations

This is a 2 1/2-day workshop. The goals for this course are to: open a dialogue with the special needs network that will lead to cooperative planning and appropriate response; raise awareness of and commitment to planning for special needs populations; and provide personnel who are responsible for emergency planning with an understanding of the special needs populations and with knowledge required to develop and implement sound plans. At the end of this course, the participants should be able to: define special needs populations at the local level; identify appropriate resources to assist in planning for special needs populations; identify capabilities and limitations of the special needs network; define key terms related to special needs planning; describe the special needs considerations in all phases of comprehensive emergency management; identify the relationship between special needs planning and the community Emergency Operations Plan (EOP); and identify basic components of a special needs plan. (Limit 30 participants) (Reservation Required)

Mitigation Planning Workshop for Local Government

This 2-day course assists representatives of local communities or multi-jurisdictional planning areas to develop a mitigation plan that meets community needs as well as the standards for FEMA approval. FEMA approved local mitigation plans are required in order to receive Pre-Disaster Mitigation Grant funds, beginning with the Fiscal 2004 funding cycle. After November 1, 2004, FEMA-approved local mitigation plans will be required in order to receive post-disaster mitigation grant funds. This workshop explains each of the requirements, demonstrates how FEMA's new Mitigation Planning How-to Guides can be used to address each requirement, and provides opportunities to begin the planning process in group activities. (Limit 30 participants) (Reservation Required)

Hurricane Planning Course

This 2-day course covers proven methods and techniques for planning response operations before and after a hurricane. Topics include hurricane hazards forecasting and decision aids, evacuation, shelter, refuges of last resort and initial post-storm response. Who should attend - planners responsible for developing or revising hurricane operations, plans and procedures. (Limit 45 participants) (Reservation Required)

Community Mass Care Management

This 2-day course is aimed at equipping emergency management staff and voluntary agency personnel with the knowledge and skills necessary to perform as effective mass care coordinators in a broad range of disaster situations. The course covers how to assess and size up mass care needs; how to plan for mass care; recruitment, training and exercises for mass care personnel; and actions to take in short term and long term mass care operations (Limit 35 participants) (Reservation Required)

HURREVAC/SLOSH Training

Requirement: Student must bring laptop. This is a 1 1/2-day course and is a new FEMA developed standardized course of the FEMA-US Army Corps of Engineers hurricane decision-making software program known as HURREVAC. The training provides instruction with hands-on (interactive) experience and includes an exercise. Participants are required to bring a laptop installed with HURREVAC (3.0.1 Version) and loaded with all storms including Hurricane Opal (1985), Hurricane Floyd (1999), Hurricane Lili (2002) and Hurricane Kyle (2002). The course will briefly cover all aspects of HURREVAC and is designed for beginners as well as users who would like a refresher. **Important Note:** HURREVAC is only available to public sector individuals; therefore we can only accept participants who are employees of government entities i.e., fire, police, emergency management; local, state or federal. (Limit 20 participants) (Reservation Required)

Implications of Post-Storm Assessments for Future Hurricane Evacuation Studies

RESERVATION REQUIRED

RESERVATION NOT REQUIRED

Mitigation

Applying the NFIP 50% Substantial Damage Rule in a Post Disaster Area

Animals In Disaster

Florida's Animal Disaster Response During the 2004 Hurricane Season

Healthcare/Special Needs

Legal Aspects of Emergency Preparedness for People with Disabilities

Amateur Radio

Preparing for a Communications Blackout

Private Industry Using HURRTRAK

ABCs of EOCs

Evacuation Decision Making

Sheltering/Mass Care Working Together— Developing Integrated Interagency Mass Care Plans from County Level Up to the State and Community Preparedness and Disaster Messaging

Private Industry Developing and Conducting an Effective Hurricane Response Exercise for Port Systems, Marinas and All Coastal Industries

Tropical Islands/Latin American Workshop Case Studies: 2004 Hurricane Season

Tropical Islands/Latin American Workshop Disaster Response: 2004 Hurricane Season

Tropical Islands/Latin American Workshop Mitigation Strategies: 2004 Hurricane Season

Tropical Islands/Latin American Workshop Meteorology

Recovery Debris Management Issues and Practices in Florida

Recovery Donated Goods: A Proven, Integrated Approach

Response EMAC Training

Fire/EMS How to Develop Type II and Type III USAR Teams

2004 Post-Storm Assessments of Hurricane Evacuation Study Products

Spokesperson Training Interview Tips and Techniques

COFFEE BREAKS— 8:00 a.m. • 10:00 a.m. • 3:00 p.m.

No housing or registration will be processed without accompanying payment in full

Are you a newly elected official? NO Size of city? 16,500

Name Jay Ross Sex M

Title City Attorney

City/Organization City of Daphne

Mailing Address P. O. Box 400

City Daphne State AL Zip 36526

Phone 251-432-5400

Fax 251-432-5445

Email becjer@bellsouth.net

Spouse/Guest Name* (\$35 fee) _____

*Spouse/Guest not eligible for a separate hotel room

Child Name (14 and under, no fee) _____ Age _____

Youth Delegate** (15-18, \$75 fee) _____ Age _____

**Local officials are encouraged to register youth as active participants in this conference to contribute to NLC's youth agenda. If the youth delegate requires hotel accommodations separate from yours, attach the registration form with your completed form.

Youth Delegate** (15-18, \$75 fee) _____ Age _____

Special Conference Rates

00 \$35 Spouse/Guest (non-refundable)	\$ _____
00 \$75 Youth Delegate	\$ _____
00 \$75 Youth Chaperone (not applicable to elected officials)	\$ _____

Advance Registration Fees (Postmarked by February 6, 2005)

00 \$335 First Time Attendee	\$ _____
00 \$395 NLC Member City (On-site rate is \$445 after 2/6/05)	\$ <u>445</u>
00 \$395 Associate Member (On-site rate is \$445 after 2/6/05)	\$ _____
00 \$510 SML Member City (On-site rate is \$570 after 2/6/05)	\$ _____
00 \$605 Non-Member/Other (On-site rate is \$645 after 2/6/05)	\$ _____

Registration for Leadership Training Institute Seminars

(Friday, March 11, 2005)

You must be registered for the conference in order to attend.

L01 \$150 The Six Essential Tools of Public Service	\$ _____
L02 \$150 Local Ballot Issues: Techniques for Effect Advocacy	\$ _____
L03 \$150 Cause Development: Mobilizing Public/Private Partnerships	\$ _____
L04 \$95 Emerging Communities of Hope: Community and Servant Leadership	\$ _____
L05 \$95 Effective Diplomacy: Taking the Lead in Resolution Building	\$ _____
L06 \$95 Elected Officials Guide to Effective Media Relations	\$ _____

Registration for Leadership Training Institute Seminars

(Saturday, March 12, 2005)

You must be registered for the conference in order to attend.

L07 \$150 Translating Governance and Policy Direction into Enhanced Citizen Relations	\$ _____
L08 \$95 Leading a Great Meeting with Effective Parliamentary Procedure	\$ _____
L09 \$95 Strengthening Partnerships with Citizen Boards and Commissions	\$ _____
L10 \$95 Visionary Leaders Blaze a New Trail for Change	\$ _____
L11 \$95 Give Your Best Speech Ever	\$ _____
L12 \$95 The Diversity Institute: Building Bridges of Understanding and Appreciation	\$ _____
L13 \$95 Performance Leader: Taking Responsibility for Results	\$ _____

Special Events

P1 \$40 Celebrate Diversity Breakfast (On-site rate is \$50 after 2/6/05)	\$ _____
L14 \$35 LTI Leadership Luncheon	\$ _____

Constituency Group Dues and Events

You must be registered for the conference in order to attend.

A1 \$35 APAMO Activity Fee	\$ _____
G1 \$35 GLBLO Activity Fee	\$ _____
H1 \$45 HELO Activity Fee	\$ _____
N1 \$85 NBC-LEO Activity Fee	\$ _____
W1 \$55 WIMG Luncheon	\$ _____

Total Registration Fee: \$ 445.00

Registration Cancellation Policy:

All requests must be received in writing, postmarked by February 6, 2005, and are subject to a \$50 cancellation fee. No partial refunds will be made if you decide not to attend particular functions. No registrations or cancellations will be accepted by telephone. **NO REFUNDS** will be given after February 6, 2005.

Hotel Reservations:

You must be registered to reserve a hotel room. To guarantee your room, all hotels require one night's deposit plus tax, per room 21 days prior to your arrival. This is required even if you plan to arrive before 6:00 p.m. If accommodations are not guaranteed 21 days in advance, the reservation will be canceled.

- Please make my hotel reservation as indicated below.
- I do not require hotel accommodations at any of the hotels listed below.
- Please contact me regarding suite information.

Room Dates: Arrival Date: ___/___/___ Departure Date: ___/___/___
Some hotels charge an early departure fee. Confirm your arrival and departure dates are correct on NLC Meeting Services and Hotel confirmations.

- Room Type Preference:
- Single (1 person/1 bed)
 - Double (2 people/1 bed)
 - Double/Double (2 people/2 beds)
 - Smoking
 - Non-Smoking

Hotels attempt to provide room type preference but it's not guaranteed.

Sharing My Room With: _____

Special Housing Request (e.g., wheelchair accessible rooms, etc.):

If you have special housing or transportation needs, please contact NLC Meeting Services.

Hotel Choices:

Indicate your first-choice hotel with the number "1". Number the other hotels from "2" to "15" in order of your preference. The hotels below are listed in order of proximity to host hotel. Hilton Washington & Towers is the headquarters hotel.

	Sgl/Db1		Sgl/Db1
___ Hilton Washington	\$199/219	___ Radison Barcelo	\$146/146
___ and Towers/Club Level	\$229/249	___ Jurys Washington	\$175/175
___ Churchill	\$183/203	___ Mayflower	\$206/206
___ Courtyard by Marriott	\$170/170	___ St. Gregory	\$189/189
___ Jurys Normandy	\$150/150	___ Capital Hilton	\$185/185
___ Westin Embassy Row	\$185/185	___ and Towers	\$212/212
___ Hilton Wash Embassy Row	\$178/178		

Hotel Deposit:

All major credit cards with expiration date of 03/05 or later are accepted at the conference hotels. All checks, government purchase orders, vouchers or claims must be submitted to the hotel with 6 digit REG ID indicated on NLC Meeting Services confirmation FOUR WEEKS prior to your arrival but are subject to hotel approval.

Registration Fee Payment Information:

You must check one of the options below.

- Charge my REGISTRATION FEES to VISA, MasterCard or AMEX listed below
- Check for REGISTRATION FEES made payable to National League of Cities
- Purchase Order for REGISTRATION FEES - copy must be enclosed & payment must be received by March 1, 2005

Hotel Deposit Payment Information:

You must check one of the options below.

- Charge my HOTEL DEPOSIT to the credit card listed below
- Check for HOTEL DEPOSIT - please submit to hotel address noted on confirmation FOUR WEEKS prior to your arrival - subject to hotel approval
- Purchase Order for HOTEL DEPOSIT - submit to hotel address noted on confirmation FOUR WEEKS prior to your arrival - subject to hotel approval

Credit Card Authorization:

NLC Meeting Services is authorized to use the card below to pay all applicable registration fees and guarantee my hotel reservation. I understand that one night's room charge will be billed through t card if I fail to show up for my assigned housing on the confirmed date, unless I have canceled my reservation with the hotel at least 72 hours in advance.

Visa/MC/AMEX #: _____ Exp. Date: _____

Card Holder Name Jay Michael Ross

Card Holder Signature _____

Additional Credit Card Authorization:

For hotel deposit only if different than the credit card number listed above. (Expiration date must be 03/05 or later, per hotel requirement.)

Visa/MC/AMEX #: _____ Exp. Date: _____

Card Holder Name _____

Card Holder Signature _____

Return Conference Registration and Housing Form to:

Fax: 703-631-6288 (Credit Card and Purchase Orders Only - No Checks)
Mail: NLC Meeting Services, c/o J. Spargo & Associates,
11212 Waples Mill Road, Suite 105, Fairfax, VA 22030

For more information:

Phone: 888-319-3864 or 703-449-6418
Email: nlcccregandhousing@jspargo.com



DOUBLETREE
HOTELS·SUITES·RESORTS·CLUBS

Mr Jay Ross

Reservation Confirmed - Confirmation Number:
HHonors Number:

Doubletree Guest Suites Washington, Dc
801 New Hampshire Avenue NW
Washington, DC 20037
Phone: 202-785-2000
Fax: 202-785-9485

**Sign Up Here for Special Offers, Fast
Reservations,
and HHonors Points & Miles**

Arrival:	Friday, 11 March 2005	For local weather click here
Departure:	Tuesday, 15 March 2005	
Rooms:	1	
Adults:	1	
Room Description:	1 KING DELUXE SUITE NS	
Room Rate Per Night:	159.00 US DOLLARS	
Total Room Rate:	636.00 US DOLLARS	
Tax:	14.50% Per Room Per Night	

Location:

From Reagan National Airport: Take the George Washington Parkway North and follow the signs for the Memorial Bridge. Once on the bridge, stay in the left lane over the bridge and bear left as you reach the Lincoln Memorial. Turn left onto 23 Street. Follow 23rd Street to H Street. Turn left onto H Street and follow to New Hampshire Avenue. Turn right on New Hampshire Ave, hotel is immediately on the right. From Dulles Airport: Take the Dulles Access Highway to Route 66 East and follow to Roosevelt Bridge. On the bridge, move over to the left lane and follow the sign for E Street. Stay in the left lane following the sign for Whitehurst Freeway. Stay in left lane and follow the sign for Rock Creek Parkway. Come slowly around the loop to the left and make a left at the yield sign. Come straight through the double lights and make a left on to Virginia Avenue. At the second light, make a left on New Hampshire Avenue. The hotel is one block down on the right.

MEMORANDUM

TO: KIM BRILEY
FROM: CHIEF CARPENTER
DATE: FEBRUARY 17, 2005
RE: CREDIT CARD ISSUANCE

I understand that my original request for a credit card was for a card that has already been issued.

Please issue a credit card for the Field Operations Captain which was a new slot created a few months ago.

If you have any questions, please contact me.

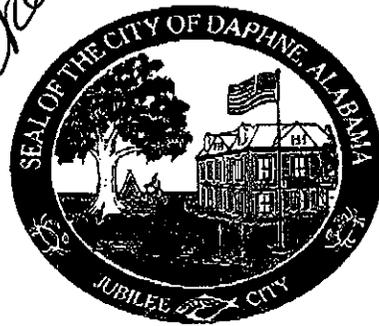
TRANSMIT MESSAGE CONFIRMATION REPORT

NAME: CITY OF DAPHNE
TEL : 12516263008
DATE: 01/24/05 11:52

TRANSMIT: 84325445			DURATION	PAGE	SESS	RESULT
TYPE : MEMORY TX	MODE	E - 14	03'48	11	400	OK

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

Needs to be in packet



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

TO: Jay Ross, Ross & Jordan
FROM: Kim Briley, Finance Director *KB*
DATE: January 24, 2005
VIA FACSIMILE: 432-5445

PostNet
Fax Note R7678 1/24/05 11
To: *Jay Ross*
Fax# *432-5445*
From: *Kim Briley*
Phone# *621-9000*

Attached for your review are the following:

- Intergovernmental Agreement Establishing The Cooperative Purchasing Association of South Alabama
- Cooperative Assn of South Alabama By-Laws

This was presented to the City at the SARPC meeting held last Friday and is the result of a joint effort between the SARPC and PARCA. This will establish a purchasing cooperative which will bid items for the benefit of the cities and counties located in Baldwin, Mobile, and Escambia counties.

The contract and by-laws are modeled after the Association in the Jefferson County area and have been reviewed by the Examiners of Public Accounts, League of Municipalities, and Assn of County Commissioners.

As this cooperative will carry more purchasing power than the City alone, there is a potential for money saving. This is something that Daphne needs to participate in.

I plan to present this at the next Finance Committee meeting.

Please review and let me know your thoughts.

COOPERATIVE PURCHASING ASSOCIATION OF SOUTH ALABAMA

BY-LAWS

ARTICLE I: PURPOSE

The objective of the **COOPERATIVE PURCHASING ASSOCIATION OF SOUTH ALABAMA**, hereinafter referred to as "the Cooperative" is to work toward cooperative relationships among its members for the purpose of joint bidding which will result in lower costs to the participants on commonly used commodities, lower administrative costs, promote interchange of information on purchasing problems, and advance purchasing professionalism through the exchange of ideas and experiences.

ARTICLE II: MEMBERSHIP

Membership is open to all public entities that are subject to the State of Alabama Competitive Bid Law (Code of Alabama, §41-16-21.1 and §41-16-50), and other entities that choose to be governed by the provisions of the **COOPERATIVE PURCHASING ASSOCIATION OF SOUTH ALABAMA** Intergovernmental Agreement.

The Cooperative shall be governed by an Executive Board consisting of the Chairman of the County Commissions, the mayor of each participating city and the chief executive officer of any other entity participating in the cooperative or their designate. This designation shall be in writing sent to the Coordinator. Annually, the Executive Board shall elect by majority vote of those present, a chairperson. The chairperson shall have signature authority for the Cooperative in the matter of hiring the Coordinator. Each member of the Executive Board shall have one vote in matters to be voted on. The executive board shall hire a coordinator of the cooperative. The Executive Board shall determine the hiring process for the position of Coordinator. The Coordinator shall be designated as the purchasing agent for the Cooperative. The Coordinator shall be hired on a one-year renewable contract, spelling out duties and compensation. The Executive Board has the power to terminate the contract of the coordinator according to the provisions of the contract.

Each Executive Board member shall designate a representative from its respective entity to serve as a member of the Advisory Board of the Cooperative. Each participating unit of government shall determine the manner of selecting its Advisory Board representation; it is recognized that personnel with the responsibility associated with the purchasing process would be more suited as a representative. Each member of the Advisory Board shall have one vote in matters to be voted on.

The Chairperson of the Advisory Board shall be the Cooperative Coordinator and the duties of the Chairperson shall be:

1. Preside over all meetings
2. Represent the Cooperative when required
3. Exercise signature authority for the Cooperative
4. Assign tasks to members as required
5. Cast the deciding vote, in case of a tie

The Coordinator may hire personnel as needed and allowed by the budget of the cooperative including but not limited to an Administrative Assistant. The duties of the Administrative Assistant will be to:

1. Maintain a written record of the proceedings of all meetings.
2. Assist the Chairperson in setting of meetings
3. Assist the Chairperson in other duties as assigned

The Advisory Board shall have a Finance Committee consisting of the founding members' representatives that shall consider budgetary matters to be submitted to the full Advisory Board for approval and submission to the Executive Board for approval annually. The Finance Committee of the Advisory Board shall be governed by the same rules as the Advisory Board, with the Coordinator serving as the chairperson.

ARTICLE III: MEETINGS

Meetings of the Advisory Board are to be held periodically at a site designated by the Coordinator. The Advisory Board will discuss commodity needs, specifications, schedules, bid tabulation, bid awards, and vendor problems.

ARTICLE IV: JOINT BIDS

Participation by any member of the cooperative on a particular bid is voluntary. Each member reserves the right to accept the cooperative bid award and to increase or decrease quantities to meet that entity's needs.

Members of the Cooperative who commit to participate in the joint bid should make every attempt to support the award. However, the member's ability to support the award must be done in a manner that would be in its entity's best interest.

When a member commits its quantities and agrees to participate in a joint bid, it has a moral obligation to use the resultant contract. Failure to use the contract could jeopardize the other participating members of the Cooperative's prices and services due to decreased volumes, and misinformation to the vendor. Participants must consider their responsibility to serve the public's best interest. Members of the Cooperative must approach cooperative purchasing opportunities with a professional management outlook.

Any new members may be permitted to "sign-on" to a Cooperative Contract, subject to approval of the Coordinator.

ARTICLE V: PROCEDURES FOR JOINT BIDS

The host agency, through the Coordinator of the Cooperative will be responsible for being the awarding agency for all cooperative bids. The staff of the purchasing department of the host agency will assist the Coordinator in preparing the required documents for the bid award. The staff of the host agency will not be required to perform any work related to the Cooperative without prior approval of the host agency's Advisory Board member. The host agency shall provide office space, accounting services, telephone, computer/internet access and facsimile access, and other operating support to

the Coordinator as agreed upon by the Coordinator and the Chief Executive of the host agency.

Responsibilities of the Coordinator:

1. Survey all members of the Cooperative to solicit the following information:
 - a. intention to participate
 - b. volume of commodity
 - c. brand or model number
 - d. delivery location
 - e. sources of supply
 - f. current price
 - g. expiration date of current contract
2. The coordinator will summarize the survey results. If summary information is ambiguous or unclear, the coordinator will attempt to obtain clarification.
3. The coordinator will coordinate and advertise for all bids for the Cooperative, receive bids, open bids and within fifteen (15) days following bid opening, submit to all Cooperative members a tabulation of all bids and recommendation as to the lowest responsive and responsible bidder. The Coordinator in the presence of at least 2 members of the Advisory Board will do the opening, analysis and award of all bids.

ARTICLE VI: ADDITIONAL DUTIES OF COORDINATOR

In addition to duties described in Article V, the Coordinator of the Cooperative shall visit each participating member on a regular basis. The Coordinator will assist the members in the total purchasing process and will provide training as needed in purchasing techniques, competitive bid law compliance, and specification writing. The Coordinator will also be available to assist in special purchases of commodities and services not feasible for cooperative purchasing.

In addition to above duties described in Article V and herein in this Article, the Coordinator shall represent the Cooperative at purchasing conferences, workshops, and seminars to obtain information and ideas on improving cooperation and communication of the Cooperative.

In addition to duties described in Article V, the Coordinator shall provide an annual report to the Advisory Board and the Executive Board. This annual report shall include information on the performance of the Cooperative and to suggest changes in the budget, operations, and procedures of the Cooperative.

In addition to duties described in Article V, the Coordinator shall receive and spend funds for the establishment and operation of the cooperative.

VII: CONTRACT ADMINISTRATION

The Coordinator will notify the successful vendor of the award. Each participating member of the Cooperative will assume sole and complete responsibility for its own procurement, delivery, storage, and payment for any commodities purchased under this joint bid. All participating members must reference the invitation to bid number or contract number on all purchase orders to the successful vendor.

ARTICLE VIII: AMENDMENTS

All proposals to amend, alter or repeal any part of the By-Laws will be presented to the membership of the Advisory Board not less than thirty (30) days prior to the meeting that would consider such change. At the designated meetings of the Advisory Board, the membership may by two-thirds (2/3) majority vote of the members present, amend, alter, or repeal any part of the By-Laws, adopt new By-Laws, providing that such change to the By-Laws would not be inconsistent with any laws, ordinances, resolutions, regulations, or infringe on the rights of a third party.

ADOPTED THIS _____ DAY OF _____, 200_

CHAIRPERSON

SECRETARY

ATTESTED

**INTERGOVERNMENTAL AGREEMENT ESTABLISHING THE
COOPERATIVE PURCHASING ASSOCIATION of SOUTH ALABAMA**

This Agreement made this day _____ of _____, 20____, between the public bodies governed by the General Provisions of the public contracts law of the State of Alabama (Code of Alabama, ' 41-16-21.1 and 41-16-50) located within the southern region of Alabama, (southern region being defined as the counties of Escambia, Baldwin and Mobile counties), within each of these counties, or adjoining counties, of Alabama, or other entities that choose to be governed by the provisions of the **COOPERATIVE PURCHASING ASSOCIATION of SOUTH ALABAMA** as hereinafter set forth,

WITNESSETH:

In consideration of the premises and the mutual covenants and agreements stipulated herein, and pursuant to the authority granted by the State of Alabama under the General Provisions of the public contracts law of the State of Alabama (Code of Alabama, ' 41-16-21.1 and 41-16-50), the parties hereto do hereby agree as follows:

SECTION 1

The parties hereto do hereby create, as a voluntary association, the **COOPERATIVE PURCHASING ASSOCIATION of SOUTH ALABAMA**, hereinafter referred to as "the Cooperative", for the purpose of coordinating cooperative joint purchases for the mutual economic advantage of its members. The Cooperative shall consist of each entity participating in this Agreement. Said Cooperative shall be free to adopt such rules for organization and procedure as it may deem suitable for the conduct of its business.

SECTION 2

There is hereby established an Executive Board comprised of the Chief Executive or their designate of each participating entity, with one vote being allocated to each participant on all matters. The Executive Board shall promulgate rules, regulations, and/or bylaws in accordance with the laws of the State of Alabama, for the operation and maintenance of the Cooperative, including but not limited to the employment of a coordinator and the determination of the assessment or method of determination of the assessment for membership. Annually, the Executive Board shall elect by majority vote of those present, a chairperson. The chairperson shall have signature authority for the Cooperative in the matter of employing the coordinator. The coordinator is designated as the purchasing agent for the members of the cooperative pursuant to Code of Alabama '41-16-21.1, this agreement, and the by-laws of the cooperative.

SECTION 3

There is hereby established an Advisory Board comprised of a representative of each participating entity with one vote being allocated to each participant in all matters. The Advisory Board shall work with the coordinator to determine commodities and services to be bid and to recommend operational changes to the Executive Board. Each participating entity shall determine the manner of selecting its representative; however, it is recognized that personnel with responsibilities associated with the purchasing process are more ideally suited as representatives.

SECTION 4

The parties to this Agreement will identify by way of their membership on said Advisory Board those items and classes of items for which joint purchase may be advantageous for the period commencing with the execution of this Agreement and continuing until terminated, as hereinafter provided.

SECTION 5

The specifications for items to be purchased will be prepared by the Coordinator of the Cooperative for use by all members of the Cooperative. Where feasible, the Coordinator shall seek input from the other participants to insure that said specifications meet the broadest range of needs. Each participating government shall identify the items to be jointly purchased and indicate therein the quantities, or range of quantity desired, the location for delivery and other requirements, to permit the preparation and filing of plans and specifications as provided by law. In all cases where appropriate, the Cooperative shall seek to use standard specifications such as those used by the State of Alabama, the National Institute of Governmental Purchasing, the American Society of Testing and Materials, and other appropriate standards not cited herein.

SECTION 6

One member agency, hereinafter referred to as the host agency, shall act as the lead agency for the Cooperative and will assume the responsibility for housing the coordinator and the operations of the cooperative. The coordinator and the host agency have the authority to expend the funds of the cooperative for operations. The coordinator with assistance from the host agency will be responsible for coordinating and advertising for bids on behalf of the other members of the Cooperative participating on a particular bid. As such, the host agency and the coordinator shall be designated to receive and open the bids on behalf of the other participating governments at the time and in the manner provided by law with at least two members of the advisory board present.

SECTION 7

Responses to all bids will be received by the coordinator and host agency. Not later than fifteen (15) days following the receipt of bids, the Coordinator will submit to all participating members a complete tabulation of all bids received and a recommendation as to the lowest responsible bidder.

If the Coordinator determines that the lowest bidder is not responsible and accordingly certifies that some other bidder has the lowest responsible bid, it will include an explanation and report on its findings along with the tabulation and recommendation.

SECTION 8

Contracts of purchase will be awarded to the lowest responsible bidder as recommended by the coordinator, except as provided for herein. Each party to this Agreement shall prepare separate and individual contracts and requisitions when providing for procurement of items coordinated through and in accordance with any recommendation by the Coordinator.

SECTION 9

Each individual member may reserve the right to disregard the recommendation of the host agency and the Coordinator as to the lowest responsible bid in favor of applying its existing residence privilege pursuant to the public contract law of the State of Alabama (Code of Alabama '41-16-50). In that event, each member jurisdiction may reserve the right to utilize specifications and bids prepared through the Cooperative and to award contracts of purchase, individually and on its own behalf; provided, however, that invitations for such individual bids are not advertised, nor are awarded within sixty (60) days of the period in which the Cooperative is soliciting and awarding bids for the same products and/or services, except in cases of emergency or extreme hardship pursuant to the public contract law of the State of Alabama (Code of Alabama '41-16-53).

SECTION 10

The Cooperative, the coordinator, and the host agency will not assume any financial or contractual obligation for any commodities, materials, and/or services for which the cooperative, the coordinator, and the host agency coordinates the bidding on behalf of the Cooperative. Each participating entity assumes sole and complete responsibility for its own procurement, delivery, storage, and payment, and will not impose or accept any additional obligations on either the host agency or any other member of the Cooperative relating to those responsibilities, either by way of this Agreement or by stipulating to its provisions.

SECTION 11

Any dispute arising between any of the parties hereto and a successful bidder not relating to either the validity of the award or contract of purchase or contract of service, or the rejection of any bid or bids will be settled by and at the cost of that party involved in the dispute and without obligation or responsibility on the part of the host agency, the Cooperative, or the other member jurisdictions.

SECTION 12

In the interest of the success of the Cooperative, those parties stipulating to this Agreement will be required to remain as members of the Cooperative for a period of not less than twelve (12) months from the date of inception or from the date of signing of this agreement and the beginning of a fiscal year (defined as October 1st of each calendar year). Any entity that signs this agreement during a fiscal year shall be charged a pro rata share of the annual assessment for the remainder of the fiscal year.

SECTION 13

Any jurisdiction that wishes to terminate its membership in the

Cooperative may do so by indicating the same in writing to the Coordinator and the chief executive of the host agency. Members will agree to exercise this option only at the beginning of each fiscal year. Likewise, membership in the Cooperative will be terminated automatically upon legal dissolution any participating entity. However, under no circumstances will any exiting or dissolved jurisdiction be entitled to reimbursement of fees or other funds previously expended for the establishment, operation, or maintenance of the Cooperative.

SECTION 14

To facilitate the success of the Cooperative, the executive board agrees to employ under contract the coordinator who is designated as the purchasing agent for the Cooperative and will have primary responsibility for contract design and coordination of joint bids with the other members to this agreement. The coordinator shall hire and employ other personnel as needed and allowed within the budget of the cooperative. The total expense of the coordinator, other personnel, and operations of the cooperative will be divided among the participating members. The participating members reserve the right to assess themselves, based on a fee and/or formula to be determined on an annual basis.

SECTION 15

The members of the Cooperative and the coordinator shall have the power, pursuant to laws of the State of Alabama (Code of Alabama '41-16-21.1 and 41-16-50), to jointly contract with consultants and other such resources as is deemed necessary to provide services authorized by law for the development and realization of the Cooperative's objectives.

SECTION 16

This Agreement will take effect upon execution by the signatories. Thereafter, other entities may elect to join the Cooperative by executing this Agreement in the form prescribed by the existing members of the Cooperative, and such execution subsequent to the date herein written above will not be deemed to require re-execution of this Agreement by any party previously stipulating to its provisions.

IN WITNESS WHEREOF, the parties hereto, having obtained the full consent of their governing bodies, have caused this Agreement to be executed by their duly authorized officers on the day and year written above.

AGENCY OF _____, ALABAMA,

BY: _____

Its _____

ATTEST:

Its _____

COUNTY OF _____, ALABAMA,
a Municipal/Public Corporation

BY: _____

Its _____

ATTEST:

Its _____

CITY OF _____, ALABAMA,
a Municipal/Public Corporation

BY: _____

Its _____

ATTEST:

Its _____

BILL HART
AND ASSOCIATES

P. O. BOX 7293 • SPANISH FORT, ALABAMA 36577-7293 • PHONE (251) 510-4278

Mr. Greg Burnam, Council President
City of Daphne
1705 Main Street
Daphne, AL 36526

Statement Date: February 10, 2005

INVOICE

SERVICE	FEE	PAYMENT	BALANCE
Meeting Facilitation And Related Services 8 hours @ \$75.00 per hr.	600.00		600.00

Payment Due \$ 600.00

Date: February 1, 2005

To: Kimberly Briley, Finance Director

From: David McKelroy, Recreation Director *wAM*

RE: Disposal of Riddell Youth Football Helmets (approximately 140)

The Riddell Football Helmets are approaching the end of their 10 year life span and are no longer considered safe for use by the city. If re-certified for one more year of use, the cost would be \$22/helmet. The cost for new helmets is \$50/helmet. Therefore, it is my recommendation that the Riddell helmets be disposed and that new helmets be purchased.

EMC
Insurance Companies

P.O. Box 1568
Birmingham, AL 35201-1568
Phone 205.987.1407
FAX (Birmingham Area) 987.3375
FAX (Outside Birmingham Area) 1.800.239.2062
Local Claims FAX 987.8177
WATS Claims FAX 1.800.239.2034
www.emcinsurance.com

cc:
Kim

January 18, 2005

Mayor Fred Small
City of Daphne
PO Box 400
Daphne, AL 36526

RE: Our Insured: City of Daphne
Date of Loss: 12-21-03
Vehicle: 1999 Freightliner/Pumper Truck
Vin: 8006
City Vehicle No: 802
Our Claim No: 127 572

Dear Mayor Small:

A review of my file reflects that I have not sent you the documentation you requested earlier concerning our claim. Please find enclosed the list of items and costs of replacement of these items on the fire truck, which determined the outcome of the final bid.

Once again, we are requesting the city make a check payable to EMC Insurance Companies in the amount of \$5,660, forward to this office, to my attention, referring to claim number 127 572.

Yours very truly,



Mary E. Singleton
Claims Adjuster

Cc: Robertson Insurance Agency, Inc.
Attention: Robbie Robertson
Fairhope, AL

Employers Mutual Casualty Company
EMC National Life Company
EMCASCOS Insurance Company
EMC Property & Casualty Company

EMC Reinsurance Company
EMC Risk Services, Inc.
EMC Underwriters, LLC
Dakota Fire Insurance Company

Farm and City Insurance Company
Hamilton Mutual Insurance Company
Illinois EMCASCOS Insurance Company
Union Insurance Company of Providence

Count
EMC

9M7-00-19
02/26/03 - 02/26/04
HS-0466

Recovery No: Q419401
Claim Number: Z00127572
Entry ID: Barbara Bennett
Insured: City Of Daphne
Payor: SalvageSale.com

Company Name: EMC PROPRTY & CASLTY (

Recovery For: Salvage
Trans Date: 07/13/2004
Type of Credit Inst: Check

Credit Instrument No: 987140493
Recovery received: \$ -9215.00

Adjustments were made to :

Seq	Source	Reserve Name	Cov/Cs/Cl	Type	Amount
00001	Salvage	COLL	204/00/01	LOSS	\$ -9215

Seq	Recovery type	Type Rec	VST	VST Name
00001	Other		EMC	

Total ALAE Recovered	\$	0.00
Total ULAE Recovered	\$	0.00
Total EXPENSE Recovered	\$	0.00
Total Loss Recovered	\$	-9215.00
Total Recovered	\$	-9215.00

Cashier Copy

MRB 01/17/05

MES 01/17/05 15:24:59

Friday, July 16, 2004

SalvageSale™

Innovative Recovery. Incomparable Results.



[Home](#)

[My SalvageSale](#)

[MarketPlace](#)

[Salvor Services](#)

[About Us](#)

List of Bids

Listing: 1999 Freightliner-80 Fire Truck (S14248-165)

Showing bids 1 through 30 of 149

Previous | [Next](#)

Selected Bid	Time	Bid Amount	Qty	Total Amount	Auction Proceeds	E
Winner	3/23/2004 12:27:43 PM	\$17,000.00	1 unit	\$17,000.00	\$14,875.00	
	3/23/2004 1:17:37 PM	\$15,550.00	1 unit	\$15,550.00	\$13,606.25	
	3/23/2004 1:17:15 PM	\$15,400.00	1 unit	\$15,400.00	\$13,475.00	
	3/23/2004 1:16:58 PM	\$15,250.00	1 unit	\$15,250.00	\$13,343.75	
	3/23/2004 1:16:34 PM	\$15,100.00	1 unit	\$15,100.00	\$13,212.50	
	3/23/2004 12:13:56 PM	\$15,055.00	1 unit	\$15,055.00	\$13,173.12	
	3/22/2004 12:08:27 PM	\$15,000.00	1 unit	\$15,000.00	\$13,125.00	
	3/23/2004 12:13:17 PM	\$14,900.00	1 unit	\$14,900.00	\$13,037.50	
	3/23/2004 12:12:58 PM	\$14,800.00	1 unit	\$14,800.00	\$12,950.00	
	3/23/2004 12:12:39 PM	\$14,650.00	1 unit	\$14,650.00	\$12,818.75	
	3/23/2004 12:12:20 PM	\$14,500.00	1 unit	\$14,500.00	\$12,687.50	
	3/23/2004 12:12:01 PM	\$14,400.00	1 unit	\$14,400.00	\$12,600.00	
	3/23/2004 12:11:38 PM	\$14,250.00	1 unit	\$14,250.00	\$12,468.75	
	3/22/2004 8:53:00 PM	\$14,100.00	1 unit	\$14,100.00	\$12,337.50	
	3/22/2004 3:57:16 PM	\$13,600.00	1 unit	\$13,600.00	\$11,900.00	
	3/22/2004 3:56:55 PM	\$13,100.00	1 unit	\$13,100.00	\$11,462.50	
	3/22/2004 3:56:34 PM	\$12,600.00	1 unit	\$12,600.00	\$11,025.00	
	3/22/2004 3:52:42 PM	\$12,100.00	1 unit	\$12,100.00	\$10,587.50	
	3/22/2004 3:52:22 PM	\$11,510.00	1 unit	\$11,510.00	\$10,071.25	
	3/22/2004 3:51:23 PM	\$11,100.00	1 unit	\$11,100.00	\$9,712.50	
	3/22/2004 3:50:39 PM	\$10,710.00	1 unit	\$10,710.00	\$9,371.25	
	3/22/2004 9:48:18 AM	\$10,510.00	1 unit	\$10,510.00	\$9,196.25	
	3/22/2004 9:40:41 AM	\$10,300.00	1 unit	\$10,300.00	\$9,012.50	
	3/22/2004 6:09:07 PM	\$10,300.00	1 unit	\$10,300.00	\$9,012.50	
	3/22/2004 9:47:53 AM	\$10,150.00	1 unit	\$10,150.00	\$8,881.25	
	3/22/2004 3:29:39 PM	\$9,777.00	1 unit	\$9,777.00	\$8,527.00	
	3/22/2004 6:08:33 PM	\$9,600.00	1 unit	\$9,600.00	\$8,350.00	
	3/22/2004 9:47:30 AM	\$9,510.00	1 unit	\$9,510.00	\$8,260.00	
	3/22/2004 9:47:10 AM	\$9,055.00	1 unit	\$9,055.00	\$7,805.00	
	3/23/2004 12:36:34 PM	\$9,000.00	1 unit	\$9,000.00	\$7,750.00	

Note: Rank of bidders ordered by highest bidder, greatest quantity, date the item was bid on, and the time the bid was placed. All times are

EMC Insurance Companies
 717 Mulberry St.
 Des Moines, IA, 50309
 Tel: 1-800-247-2128 Ext. 7816 Fax: 515-237-2188

Estimate

Estimate Prepared by: Tony George

Appraised for:

Accident Date:

Date of Loss:

Arrival Date:

Type of Loss:

Policy Number:

Claim Number: 127572a

Date: 6/30/2004

Estimate#:

Insured:

Company: City of Daphne

Insurance Company:

Company: 01# EMC Insurance Companies- Birmingham

Contact: Tony George

Address: 717 Mulberry St.

City, State, Zip Code: Des Moines, Ia. 50309

Telephone, Fax: 800-247-2128 Ext 7816 Fax 515-237-2188

Notes:

PLEASE CONTACT TONY GEORGE FOR QUESTIONS ABOUT
THIS ESTIMATE.

Year	Make		Model		Color	Trim				
1999	FREIGHTLINER		FL 50/60/70/80/106/112		red					
Unit Number	License Plate #	Mileage	Serial#/VIN#							
02		29,156	1FV6JLCB3XH958006							
Sup	Seq	Qty	Labor Type	Labor Op	Description	Part Type	Part Number	List Price	Extended Price	Labor Units
	1	2	Body	Rem/Rep	logo (small)	New	240859	\$22.23 T	\$44.46	.2*
	2	2	Body	Rem/Rep	logo (large)	New	297692	\$32.15 T	\$64.30	.2*
	3	1	Body	Rem/Rep	stantion logo	New	543321	\$72.80 T	\$72.80	.2*
	4	1	Body	Rem/Rep	2 1/2 light	New	492248	\$5.39 T	\$5.39	.2*
	5	1	Body	Rem/Rep	revolving light	New	399715	\$96.72 T	\$96.72	.4*
	6	1	Body	Rem/Rep	casting rear (light)	New	590884	\$264.32 T	\$264.32	.5*
	7	1	Body	Rem/Rep	casting rear (light)	New	590843	\$94.85 T	\$94.85	.2*
	8	2	Body	Rem/Rep	stop light rear	New	410238	\$20.10 T	\$40.20	.2*
	9	2	Body	Rem/Rep	stop light rear	New	410239	\$20.10 T	\$40.20	.2*
	10	10	Body	Rem/Rep	whelen strobe light	New	431864	\$166.67 T	\$1,666.70	.2*
	11	10	Body	Rem/Rep	casting for whelen strobe light	New	564693	\$53.10 T	\$531.00	.5*
	12	2	Body	Rem/Rep	turn light (rear)	New	410295	\$30.78 T	\$61.56	.2*
	13	2	Body	Rem/Rep	ax bracket	New	120555	\$51.49 T	\$102.98	.2*

Sup	Seq	Qty	Labor Type	Labor Op	Description	Part Type	Part Number	List Price	Extended Price	Labor Units
	14	2	Body	Rem/Rep	6" suction cap (side)	New	350060	\$154.31 T	\$308.62	*
	15	1	Body	Rem/Rep	4" suction cap (rear)	New	350130	\$160.65 T	\$160.65	*
	16	2	Body	Rem/Rep	2 1/2" cap	New	35001B	\$40.64 T	\$81.28	*
	17	4	Body	Rem/Rep	dome light	New	289087	\$50.02 T	\$200.08	.2*
	18	1	Body	Rem/Rep	battery box door	New		\$71.27 T	\$71.27	.5*
	19	1	Body	Rem/Rep	Headlamp Assy R	New	H-6054	\$9.97 T	\$9.97	.3#*
	20	1	Body	Rem/Rep	Headlamp Assy L	New	H-6054	\$9.97 T	\$9.97	.3#*
	21	1	Body	Rem/Rep	Bezel, Headlamp R	New		\$15.66 T	\$15.66	.2*
	22	1	Body	Rem/Rep	Bezel, Headlamp L	New		\$15.66 T	\$15.66	.2*
	23	1	Body	Rem/Rep	wheel simulator	New		\$200.00 T	\$200.00	1.0*
	24	1	Body	Rem/Rep	Non-Heated Head, Mirror L	New		\$30.20 T	\$30.20	.5*
	25	2	Body	Rem/Rep	batteries	New		\$62.50 T	\$125.00	.8*
	26				Betterment: Parts Only			50.00%		*
	27	1	Body	Rem/Rep	control panel	New		\$70.00 T	\$70.00	4.0*
	28	7	Body	Rem/Rep	switches	New		\$10.70 T	\$74.90	*
	29	1	Body	Rem/Rep	control panel	New		\$70.00 T	\$70.00	1.0*
	30	1	Body	Rem/Rep	battery indicator light	New		\$66.35 T	\$66.35	*

* - Judgement Item
- Labor Note Applies

Labor

Body 21.3 Hrs @ \$50.00 \$1,065.00
Labor Total \$1,065.00

Parts

Parts Subtotal \$4,595.09
Less Adjustments (\$62.50)
Parts Total \$4,532.59

Additional Costs

Addl. Costs/Ops Total \$0.00

Tax

Totals

Sub Total: \$5,660.09
Customer Resp. \$62.50
Net Total \$5,597.59

1999 FREIGHTLINER FL 50/60/70/80/106/112

TREASURER'S REPORT

As of January 2005

TO: FINANCE COMMITTEE

FROM: KIMBERLY BRILEY, FINANCE DIRECTOR/TREASURER

<u>ACCT TITLE</u>	<u>BANK</u>	<u>BALANCE</u>
GENERAL FUND & ENTERPRISE FUNDS		
MMA ACCT	COMPASS	\$6,437,642.06
OPERATING ACCT	COMPASS	(\$674,263.53)
PAYROLL ACCT	COMPASS	(\$12,970.01)
MUNICIPAL COURT	COMPASS	\$225,498.49
		<u>\$5,975,907.01</u>
SPECIAL REVENUES FUND		
SAIL SITE	FIRST GULF	\$1,829.23
4 CENT GAS TAX	FIRST GULF	\$129,593.59
7 CENT GAS TAX	FIRST GULF	\$83,617.74
		<u>\$215,040.56</u>
CAPITAL PROJECTS FUND		
CDBG LOAN REPAY	COMPASS	\$5,847.00
CAPITAL GROWTH	SOUTHTRUST	\$1,766,124.75
97 WARRANT CONS	SOUTHTRUST	\$4,806.51
99 WARRANT CONS	REGIONS	\$937,137.60
2000 CONSTRUCTION	REGIONS	\$89,637.88
		<u>\$2,803,553.74</u>
DEBT SERVICE FUND		
DEBT SERVICE	SOUTHTRUST	\$1,125,123.84
		<u>\$10,119,625.15</u>

Hurricane Ivan Expenditures & Receivables to Date January 31, 2005

I. Expenditures, 1-31-2005

*** Includes actual expenditures ONLY; does NOT include estimates & does NOT include insurance payments for estimated repair costs.

	Expenditures	FEMA Reimbursements	State Reimbursements	Insurance Reimbursements	Net Expenditures
Debris Cleanup	1,994,832.23	(788,256.54)	-	-	1,206,575.69
Emergency Prep/Response	176,710.71	-	-	-	176,710.71
Road Systems	13,949.20	-	-	-	13,949.20
Water Control Facilities	4,394.65	-	-	-	4,394.65
Buildings & Equipment	34,302.92	-	-	(20,025.34)	14,277.58
Parks, Recreation, Other	11,203.77	-	-	-	11,203.77
	2,235,393.48	(788,256.54)	-	(20,025.34)	1,427,111.60

II. Receivables, 1-31-2005

Due from FEMA	964,894.65
Due from State	183,883.02
	1,148,777.67

III. City of Daphne Cost, 1-31-2005

278,333.93

IV. Recap, 1-31-2005

Expenditures	2,235,393.48
Reimbursements: FEMA	(788,256.54)
Reimbursements: State	-
Reimbursements: Insurance	(20,025.34)
Net Expenditures	1,427,111.60
Due from FEMA	964,894.65
Due from State	183,883.02
City of Daphne Cost	278,333.93
Receivables & Cost to City of Daphne	1,427,111.60

I. Assessed Value, 9-30-04/Constitutional debt limit:

Real & Personal Property	180,977,270
Constitutional Limit	36,195,454

II. Outstanding Debts Chargeable to Constitutional debt limit:

1997 GO Warrants	8,950,000
1997 GO Warrant	100,609
1999 GO Warrants (20% of issue)	1,195,000
2000 GO Warrants	341,013
2002 Ltd Ob Rev Warrants	5,361,935
2002 GO Warrants	2,560,000
2003 Refunding Warrants	6,090,000
	<u>24,598,557</u>

Debt Chargeable to constitutional limit	24,598,557
--	-------------------

III. Outstanding Debts NOT chargeable to constitutional debt limit:

1999 GO Warrants (80% of issue)	4,780,000	(sewer projects)
1996 Cap Lease	118,495	
1999 Cap Lease	-	
2000 Cap Lease	153,426	
2001 Cap Lease	264,733	
2002 Cap Lease	17,739	
2003 Cap Lease	281,750	
	<u>836,142</u>	

Debt NOT Chargeable: constitutional debt	5,616,142
--	-----------

Total Debt, 9-30-04	30,214,699
----------------------------	-------------------

IV. Debt Margin

Constitutional Limit	36,195,454
Chargeable Debt	<u>(24,598,557)</u>
Const Debt Margin, 9-30-04	<u>11,596,897</u>

Total Debt to Assessed Valuation	16.70%
2000 Population	16,580
Total Debt per Capita	1,822

Ad Valorem Taxes

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005*</u>	<u>2005- Budget</u>	<u>2005: Budget/ Actual Variance</u>
Property Taxes	1,996,746	2,130,635	2,254,739	2,508,168	2,297,209	2,775,000	(477,791)
Shares Taxes	29,688	29,881	30,090	30,316	-	31,000	(31,000)
Auto Taxes	<u>369,493</u>	<u>385,623</u>	<u>384,801</u>	<u>396,865</u>	<u>94,778</u>	<u>330,000</u>	<u>(235,222)</u>
	2,395,927	2,546,138	2,669,631	2,935,349	2,391,987	3,136,000	(744,013)

* As of 1-31-2005

SALES & USE TAXES

ACTUAL COLLECTIONS

	1999	2000	2001	2002	2003	2004	2005	Actual-2005	Budget	Monthly Variance	YTD Variance	% of Budget
October	505,823.52	523,515.85	565,075.77	671,699.04	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	814,666.03	814,666.03	666,813	147,853.43	314,630.31	22.17%
December	677,887.14	730,634.15	803,488.81	858,086.86	892,208.68	941,151.87	1,091,073.78	1,091,073.78	894,141	196,932.76	511,563.07	22.02%
January	486,672.84	504,442.67	557,344.42	639,638.85	590,727.65	697,063.68	-	-	639,900	-	-	-
February	493,808.01	540,963.07	587,980.90	602,215.06	632,654.31	688,421.54	-	-	638,318	-	-	-
March	604,374.14	595,340.89	662,504.29	710,960.77	705,390.20	848,156.86	-	-	750,404	-	-	-
April	546,895.63	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	752,668.04	818,209.20	-	-	764,508	-	-	-
July	556,101.54	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	739,993.63	745,320.33	-	-	711,532	-	-	-
September	567,326.23	623,657.72	660,492.09	644,827.41	715,641.36	830,260.80	-	-	725,140	-	-	-
Totals	6,634,029.78	7,110,160.82	7,751,180.20	8,144,772.44	8,428,932.10	9,289,924.78	2,739,440.52	2,739,440.52	8,583,372	511,563.07		

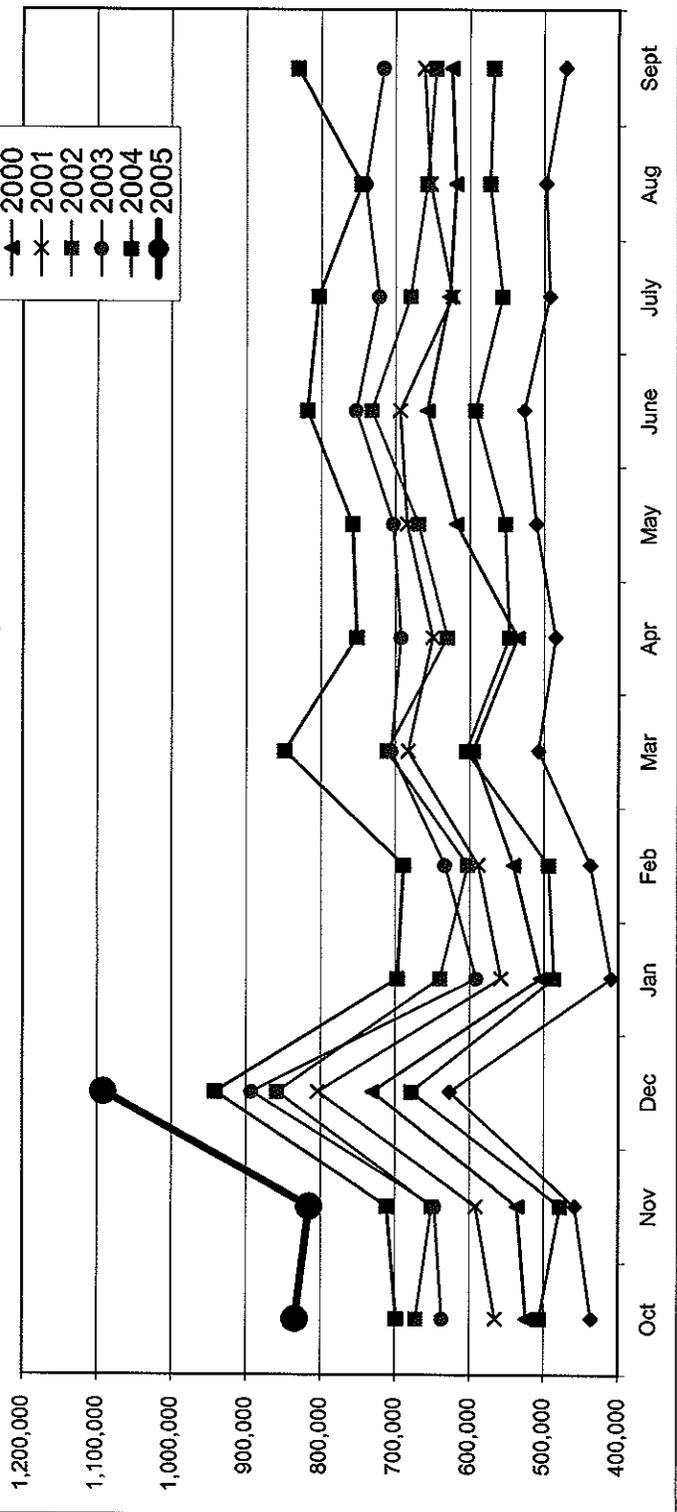
FISCAL YEAR COMPARISONS

	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	17,692.33	41,559.92	106,623.27	(35,216.40)	61,347.94	135,870.13	3.50%	7.94%	18.87%	-5.24%	9.64%	19.47%
November	57,817.61	55,804.66	58,931.18	(3,774.88)	84,254.84	103,877.29	12.10%	10.42%	9.97%	-0.58%	9.94%	14.61%
December	52,747.01	72,854.66	54,597.85	34,122.02	48,943.19	149,921.91	7.78%	9.97%	6.80%	3.98%	5.49%	15.93%
January	17,769.83	52,901.75	82,294.43	(48,911.20)	106,356.03	-	3.65%	10.49%	14.77%	-7.65%	18.00%	-
February	47,155.06	47,027.83	14,224.16	30,439.26	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%	14.64%	4.17%	-0.78%	20.24%	-
April	(11,559.21)	114,303.35	(19,786.60)	62,295.27	59,891.11	-	11.91%	21.35%	-3.05%	9.89%	8.65%	-
May	65,789.32	66,151.01	(15,321.39)	33,824.87	54,918.34	-	10.70%	10.70%	-2.24%	5.06%	7.82%	-
June	64,704.17	36,333.54	37,937.02	20,983.31	65,541.16	-	5.53%	5.47%	5.47%	2.87%	8.71%	-
July	71,054.58	(4,231.14)	56,677.80	42,188.32	81,280.24	-	12.78%	-0.67%	9.10%	6.21%	11.26%	-
August	45,862.10	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	389,669.33	7.18%	9.02%	5.08%	3.49%	10.21%	

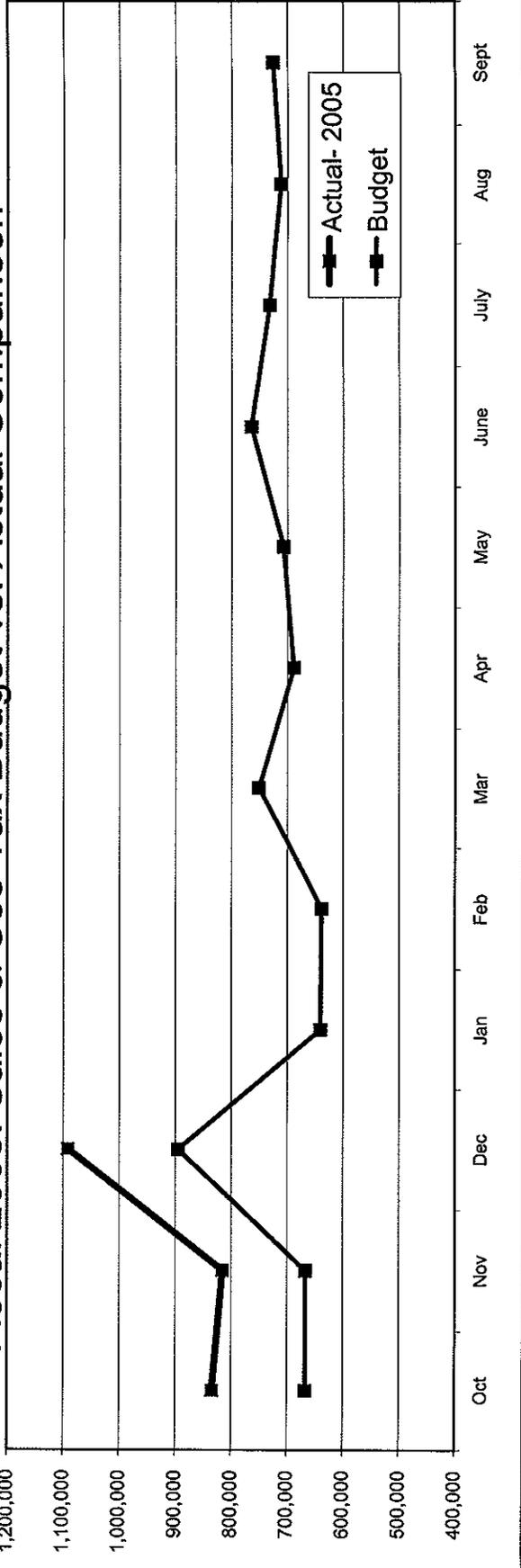
TOTAL collections: FY 04	9,289,925
TOTAL est. bdgt coll: FY 04	8,583,372
Budgeted Dollar Decrease 04/05	(706,553)
Budgeted Percent Decrease 04/05	-7.61%

TOTAL collections: 12-31-04	2,739,441
Budgeted: 10-1-04 to 12-31-04	2,227,877
Actual Coll: (< Budget, 12-31-04	511,563
% Over/(Under) Budget, 12-31-04	22.96%

Sales & Use Tax Comparisons



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





To: Mayor Fred Small

Re: The America's Junior Miss Scholarship Program: Status Update, 1st Qtr. FY 2005

Dear Mayor Small,

The America's Junior Miss Scholarship program is the largest scholarship program for high school senior girls in the nation. In the past 48 years, it has presented over \$87 million in scholarships, thereby enabling outstanding and deserving young women of America to be educated in their fields of endeavor. Many of them have become high-profile figures in their professions and communities as a result of the assistance they received from a program home-based in Alabama. What a great thing to be able to say about a town, a county, a region, and a state's contribution to society, not to mention the direct economic impact of \$2.1 million America's Junior Miss generates annually for our region.

* Each year, we have to raise money to continue the program's operations. We appeal to individuals, corporations, small businesses, and city, county and state government to assist in providing this vital financial support. In order to assure you that we are making a sincere effort to obtain that support, we have included a summary of our efforts to date on fund raising. After your review, please call the AJM office at 438-3621 if you have questions or if there is a funding source that you have influence on.

We will continue to update you on the progress the program makes as we continue working to secure a television contract and funding.

In closing, let us take the opportunity to thank you for your commitment to public service. It is making our area a better place to live. We deeply appreciate your efforts.

Paul Klotz
Governmental Affairs Committee
AJM Board of Directors

R. Eric Patterson
President
AJM Board of Directors

America's Junior Miss Statistics

Direct economic impact of national finals on area economy

- \$2.1 million (2003 study by Dr. Semoon Chang).

Value of nationwide publicity and grass-roots promotion of our area generated by the more than 500 local and state Junior Miss programs

- \$2.2 million (December 2004 study by The Drawbridge Group)

National reach

- 500+ local programs and 50 state programs
- 7,000 girls participating annually
- 17,000 national volunteers
- 2 million hits per month to Web site
- Over \$2 million awarded in cash scholarships awarded in 2004
- \$78 million in college-granted scholarships available to AJM participants

Impact of local programs in Alabama – current year

- 44 programs across the state with 23,879 attendees at programs
- 670 participants representing 221 towns (67 minorities)
- \$238,525 in cash scholarships awarded
- \$8,007,338 in college granted scholarships available to participants
- 985 volunteers

Image

- Presents a positive image for the state of Alabama
- Focuses on education and diversity (Average GPA for 2004 state winners = 3.99 on a 4.0 scale)
- The nation's largest scholarship program for high school senior girls
- Founded and in existence since 1957
- Past participants include:
 - Diane Sawyer
 - Deborah Norville
 - Julie Bryan Moran
 - Kathie Lee Gifford
 - Kim Basinger
 - Mary Frann

Current National Sponsors

- Tyson Foods
- Busch Gardens and SeaWorld
- City of Mobile
- Mobile County
- Riverview Plaza (in kind)

Miscellaneous

The program lost Terminix, The Guardian, HealthSouth, and Coca-Cola as national sponsors in the last two years.

Buildings and Property Committee Meeting

February 4, 2005

10:00 a.m.

Council Chambers

Minutes

Committee

Councilman John Lake, Chairman

Mayor Fred Small

Councilman August A. Palumbo

Sandra Morse, Director Daphne Civic Center

Present: Mayor Fred Small, Councilman John Lake, Chairman, Councilman August A. Palumbo, Sandra Morse, Director, Daphne Civic Center, Councilman Ron Scott, Ken Eslava Public Works Director, David McKelroy, Recreation Director, Mr. David Lindsey, IntegraSpec, and Mr. Gary McKnight, IntegraSpec.

The meeting opened with a presentation by Mr. David Lindsey of IntegraSpec. Mr. Lindsey explained the benefits of using an insulated concrete form product when adding additional space for the new City Hall project. Mr. Lindsey stated that the product allows commercial buildings to take advantage of high quality construction concrete that would be cost effective in comparison to wood frame. The product provides a high insulation value with lower labor costs. (See Attached)

Mr. David McKelroy, Recreation Director informed the committee that he would like to bid out enclosing the front of the Recreation department with doors that would be ADA compliant. The Committee discussed possible assistance from the South Alabama Regional Planning Committee. Mr. McKelroy stated that he will keep the Buildings and Property informed as to the status of the project.

The Committee reviewed a letter submitted by Mr. Phil Brown of Coldwell Banker offering to present a plan to sell the property at Johnson Road and Hwy. 98 as well as the City garage and the property associated with it. The Committee stated that they will invite Mr. Brown to the next meeting.

The Committee discussed a letter from Mr. Jay Ross, City Attorney concerning the Eastern Star Building. Mayor Small stated that the City does have a deed to the property and that the property is usable. The Committee discussed the benefits of a college utilizing the facility and the benefits to the City from such usage.

Ms. Morse presented the Council with the final update of City owned and leased property and stated that she will forward this information to the full Council.

Ms. Morse discussed the benefits of the Zydeco Music Festival for the City of Daphne and presented an economic Impact Study of the Jubilee CityFest in Montgomery,

Alabama. The study explains in detail how community festivals can positively impact cities. Ms. Morse made the following requests:

Request is made for an addition to the budget for Capitol Requests in the amount of \$25,000 for the Gulf Coast Zydeco Music Festival 2005.

Request is made for the Buildings and Property Committee to make recommendation to the full Council to make the "Gulf Coast Zydeco Music Festival" an annual city Civic Center event by resolution. This must be done to assist with registering the event name for trademark. **Request** is also made to include the following requests in the resolution:

Request is made for the City of Daphne to allow targeted proceeds from the "Gulf Coast Zydeco Music Festival" to benefit all schools in the City of Daphne through the SEEDS organization. SEEDS is Supporting Educational Enrichment in Daphne's Schools and is a non-profit, independent education foundation dedicated to enriching our children's K-12 learning experiences and in turn, the quality of life in our community.

Request is made to allow the SEEDS organization to benefit from profits made during the event through the following targeted sales and events.

1. Non-alcoholic beverage sales
2. Gulf Coast Zydeco Music Festival Fun Run
3. Gulf Coast Zydeco Music Festival Red Beans and Rice Cook-off
4. Targeted Children's activities as first requested by the Festival Director and approved by the Mayor
5. Other fundraising events as first requested by the Festival Director and approved by the Mayor.

Request is made to donate three fundraising booths which are non-transferable to 1. The Village Point Foundation 2. The Boys and Girls Club of Daphne, and 3. The Downtown Redevelopment Foundation. If one of these groups choose not to participate, request for replacement will be made first by the Festival Director to the Mayor for approval.

Motion by Councilman Palumbo to recommend to the full Council to approve the requests for the Gulf Coast Zydeco Music Festival. **Seconded** by Mayor Small

Ken Eslava discussed the difficulty of acquiring light parts for lights at Lott Park and the possibility of pursuing newer parts.

Ms. Morse informed the Committee that Mr. Dale Foster, Library Director, requested that they be informed that the Library Board is reviewing options for enlarging the library. Ms. Morse also stated that Mr. Foster said that he will keep the Committee informed of all developments.

Ms. Morse presented the Committee with an update on Bayfront Park and the Pavilion. Ms. Morse stated that the Pavilion was in need of renovations. Council Palumbo requested that Ms. Morse present to the Committee possible costs of renovating the building.

The meeting adjourned at 11:22 a.m.

**COLDWELL
BANKER**

JME REALTY

Corporate

127 Palafox Place Suite 200 • Pensacola, FL 32502-5629 • (850) 429-8400

January 10, 2005

Bay Minette

2402 Hwy 31 South
Bay Minette, AL 36507
(251) 937-4049

TO: Councilman John Lake
Chairman Building & Property Committee
P.O. Box 400
Daphne, Al. 36526

Fairhope

22765 US Hwy 98
Fairhope, AL 36532
(251) 928-9248

Re: City of Daphne property located at Highway 98 and
Johnson Road

Dear Sir;

I would like to have the opportunity to present my plan to help you sell the property at Johnson Road and Hwy. 98 as well as the City garage and the property associated with it.

Gulf Shores

PO Box 785
3639 Gulf Shores Parkway
Gulf Shores, AL 36547

The City has enough property at the public works facility to centralize all public works operations. The public works facility is becoming the central point of the city as the city limits moves north and east.

Mobile

624 Western America Drive
Mobile, AL 36609
(251) 373-7777

The sale of the property would provide additional funds after the cost of moving the garage and animal shelter for recreational and other quality life expenditures.

Total property would be 5.9 acres of land and the garage and 1.3 acres.

Daphne

25369 US Hwy 98
Daphne, AL 36528
(251) 626-7170

Please call me at 402-0720 at your convenience to arrange a meeting with your committee.

Sincerely,



Phil Brown

Coldwell Banker Commercial JME Real Estate

Alabama Commercial

25369 US Hwy 98
Daphne, AL 36528
(251) 626-7170



ROSS & JORDAN, P.C.

Attorneys at Law
1111 Dauphin Street
Mobile, AL 36604
Telephone: (251) 432-5400
Facsimile: (251) 432-5445
jaybuzz@rossandjordan.com
writers e-mail address: jay@rossandjordan.com

JAY M. ROSS
JOE CARL "BUZZ" JORDAN
TIM W. FLEMING
BETSY M. TURNER
MISSY COCHRAN GRAY

MAILING ADDRESS:
POST OFFICE BOX 210
MOBILE, AL 36601

January 28, 2005

VIA HAND DELIVERY

Ms. Rebecca Hayes, Assistant City Clerk
CITY OF DAPHNE
Post Office Box 400
Daphne, AL 36526

RE: EASTERN STAR PROPERTY

Dear Becky:

Pursuant to our recent conversation, you requested an opinion on whether the City had a right to utilize the referenced parcel of real property by leasing the same to an educational institution offering a post high school curriculum. In consideration of this request, I reviewed the warranty deed entered into between Daphne Chapter Number 38, Order of the Eastern Star and the City on May 7, 1987. In that document, the conveyance made to the City conditioned the real property be utilized for;

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

1. drug or alcohol treatment facility
2. distribution of meals or food
3. welfare activities

JANUARY 28, 2005

Page 2

- 4. unsupervised youth activities.

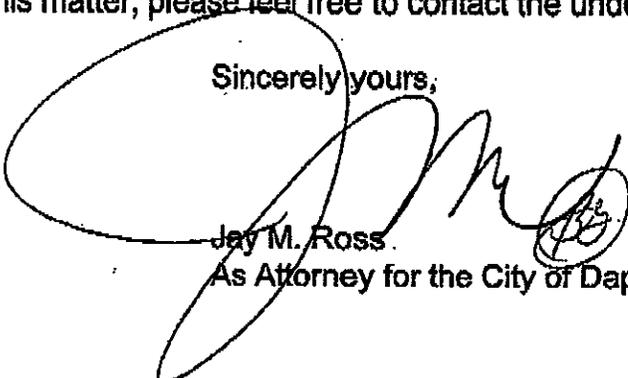
Subsequent thereto, the City desired to use the real property for other purposes which resulted in the modification of restrictions signed by the Eastern Star and filed with Probate Court of Baldwin County, which provided in pertinent part:

"relinquish removal that provision of the original conveyance that limited the use of the subject real property for direct support of the regular operation of grantee's police department..., but all of the restrictions as contained in the original conveyance are hereby affirmed."

Hence, from review of the Warranty deed and modification on restrictions, the City Council has the right to authorize the real property to be used for whatever purposes consistent with state law for municipal corporations, except that it can not be utilized for drug or alcohol treatment, distribution of meals or food, welfare activities and unsupervised youth activities. So long as the real property is used for any legitimate purpose consistent with the state law authorized for the use of a municipal government entity, there is no limitation.

Should the Council believe that the proper use of the real property would be to lease the same to an academic institution and the City receives fair market rental value, the same would be permissible. Should you or the Buildings Committee have any further questions concerning this matter, please feel free to contact the undersigned.

Sincerely yours,



Jay M. Ross
As Attorney for the City of Daphne

JMR/bl
enclosure

cc: Honorable Fred Small, Mayor
Mr. John Lake, Council Member

Genuine IntegraSpec® GulfSouth

We appreciate your interest in IntegraSpec ICF wall and floor forming systems. Insulating concrete forms allow residential and commercial buildings to take advantage of the same high quality construction materials of concrete and steel at a comparable cost of wood construction.

As a practicing architect for nearly 25 years, I was frustrated with the construction techniques that were available for economical buildings, when in 1998 I became fascinated with IntegraSpec. Its versatility and strength of construction was unlimited, not to mention its energy saving abilities and ecological benefits. I became so intrigued, that in 2000, I bought IntegraSpec for the GulfSouth area. Since that time, we have installed over one-half million square feet of IntegraSpec ICF wall and floor systems.

When you choose to build with IntegraSpec, I can promise the following:

- Your building will be stronger.
- It will be better insulated.
- It will be quieter,
- It will be less susceptible to air and moisture infiltration.
- It will be more energy efficient.
- It will provide a healthier environment and be less subject to mold and mildew.
- The heating and cooling equipment can be reduced in size.
- The costs will be comparable to a well built, well insulated wood frame building.

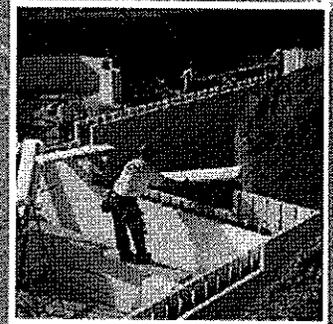
Don't just take my word for this - ICFs are endorsed by the Portland Cement Association and the Alabama and Florida Concrete Industries Associations. IntegraSpec is an Energy Star Partner - a program by the U.S. Department of Energy and the EPA which guarantees at least a 30% reduction in energy costs. The U.S. Department of Housing and Urban Development has published a report on the "Costs and Benefits of Insulating Concrete Forms for Residential Construction". The IntegraSpec structural designs are based on the American Concrete Institute's 318 standards, and ICFs are recognized specifically by the International Residential Code and the Florida Building Code, both having prescriptive code sections for ICFs.

Join the 108,000 businesses and homeowners in 2003, and the over 140,000 owners in 2004 that chose to build a strong, quiet and comfortable ICF home. We are looking forward to working with you.

Sincerely,

David Lindsey

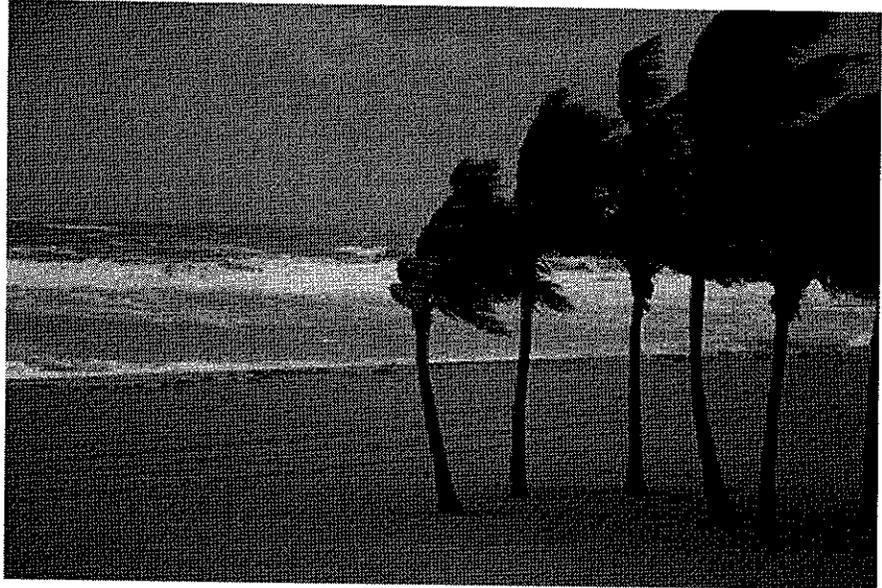
David Lindsey, President
IntegraSpec GulfSouth



ICF Structural Integrity

Just how strong is an ICF home?

A concrete home is structurally designed to be ten to twenty times stronger than a stick framed home. An ICF home can weather a tornado, earthquake or hurricane virtually un-scathed. Standard wood and light steel construction consists of thousands of independent components, fastened together by mechanical means, creating hinge points of weakness throughout the building. Cast in place concrete design creates a continuous and unbroken structural shell which is far stronger than any wood structure.



Wind testing shows how concrete walls hold up in a hurricane

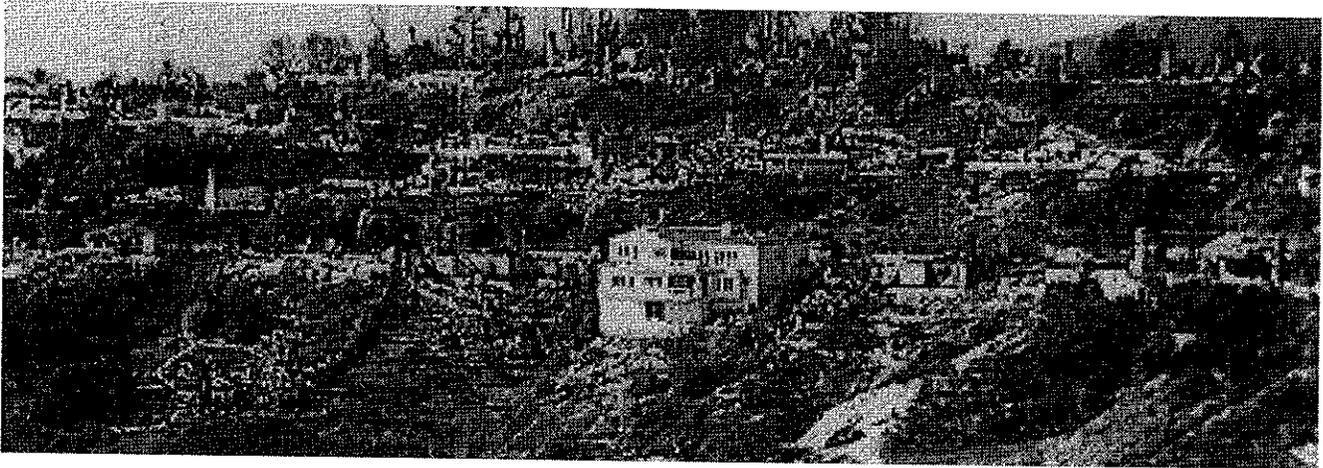
The most inherent danger to people and property during the high winds of hurricanes is the flying debris carried in the high winds. Carried at such intense velocity, items such as 2 by 4's can become missiles that can cut right through a building wall and endanger the people inside. Tests conducted by Texas Tech University's Wind Engineering Research Center offer dramatic proof that concrete walls withstand flying debris from hurricanes and tornadoes—and outperform their wood and steel counterparts.

Reinforced concrete homes have proven their wind-resistance in the field during tornadoes and hurricanes. In Urbana, Illinois, a recently constructed insulating concrete form home withstood a tornado with minimal damage. During Hurricane Ivan, several buildings constructed with IntegraSpec in coastal Alabama were in the direct path of the storm. None of these buildings suffered any structural damage.

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Concrete Doesn't Burn

Source: Portland Cement Association



Ever seen concrete burn? Me neither. In tests where ICF walls were subjected to temperatures of up to 2,000 degrees Fahrenheit for as long as four hours, the ICF walls never failed structurally. By contrast, wood frame walls typically collapse in less than an hour. When considering a wood frame home for your next house, consider the photograph above. Can you pick out the ICF home?

A common misperception is that the foam used in ICF homes is highly flammable. The truth is the foams in ICFs are manufactured with flame-retardant additives. Perform this simple test: Hold a lit match up to an ICF form block; the foam will simply melt away.

Fire Containment

Another benefit of a concrete home is the ability of the ICF wall to contain a fire. A wood framed wall, far from containing fire, actually feeds a fire and facilitates the rapid spread of fire from one room to the other. In the typical house fire, a fire will pass through a wood frame wall in less than an hour. The temperatures needed to pass a fire from one side of an ICF wall to the other side typically do not exist in a house fire. A seriously dedicated house fire can generate 2,000 degrees Fahrenheit. Even at these temperatures ICF walls do not allow the fire to pass from one side of an ICF wall to the other side.

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ICF is Comfortable

The benefits of owning an ICF home are numerous. One of the primary benefits is energy savings.

Near Zero Air Filtration

An ICF home is built as an envelope. No joints exist between wall and wall, or wall and floor. This prevents any sort of draft between interior and exterior of the home. Energy savings from near zero air filtration are obvious when compared to the large amount of heating and cooling losses experienced in the traditionally built houses.



Consistent thermal envelope.

Another key benefit to ICF constructed walls, is the consistency of the insulation in the wall system. In wood frame walls, stud, plate and header areas are solid wood, which allows heat to be conducted more easily. The insulation, which is the real barrier to heat loss, is interrupted at these locations. This means that often up to 15% of your wood frame wall has no batt insulation at all. ICF walls have a consistent and continuous 5 total inches of EPS insulation.

Thermal Buffering

One key benefit to ICF is the concrete's ability to buffer, or slow the buildup of heat due to its large mass. Much like an adobe wall in New Mexico, heat slowly builds up in the wall, as the sun shines on it during the day, to release it into the interior during the night. This buffering, or ability to store heat and release it when needed, slows down the transfer of heat from the inside to the outside or vice-versa.

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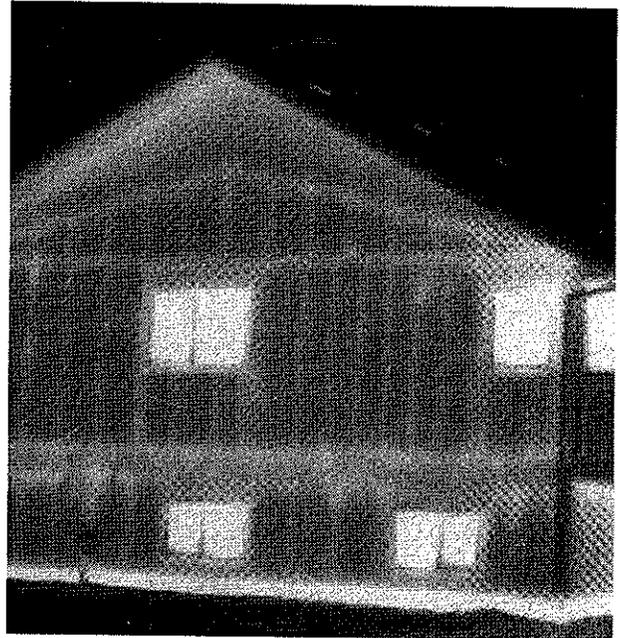
The True R-Values

Superior Insulation Values

Fact: ICF assemblies are up to three times higher in real R-values than local code built construction. In Hayesville, Kansas two identical houses were built, one using Insulating Concrete Forms, the other being traditional wood construction. A utilities cost comparison provided these numbers:

ICF Monthly Utility Cost: \$20.68
Stick Frame Monthly Utility Cost:
\$49.49

This shows an astonishing savings of 58.2%. And the importance of this number only increases when we see utilities costs on the rise throughout the US. I should note here that savings well over 58.2% can be achieved with ICF construction.



Thermal image of a conventionally built home showing heat loss across the entire wall.

The True R-Values

CTL labs in Kentucky, completed a series of hot box testing on ICF wall assemblies. A hot box test is a far more accurate analysis of heat loss, than calculated R-Values. Although the calculated, or "static" r-value of most ICF forms is R-22, the certified hot box testing of ICF walls resulted in the following equivalent R-values for the wall assemblies only, at the locations shown, based on an 1800 square foot ranch home with 20% glazing area.

Los Angeles - greater than R-50

New York City - R-42

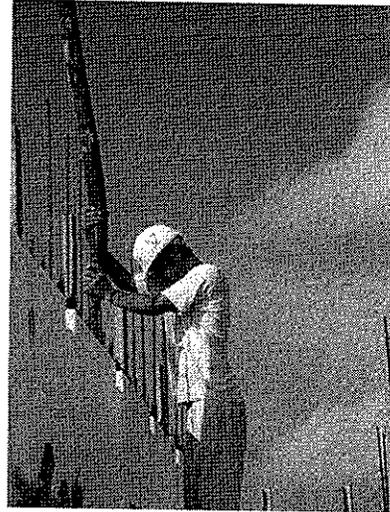
Minneapolis Minnesota - R-28.7

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ICF is Affordable

Concrete Homes Rule The Roost in Lubbock

The City of Lubbock continues its leadership role in using concrete wall systems for affordable housing. During the last four years, Lubbock has demolished more than 80 substandard and deteriorating homes, replacing them with homes built with insulating concrete form (ICF) exterior walls. The project is part of the city's Affordable Housing Reconstruction Program, which is partially funded through a combination of state, federal, and private partnerships, including the Department of Housing and Urban Development (HUD), which supplies Community Development Block Grants (CDBGs). Under the terms of the program, residents are provided with temporary housing until their new concrete home is constructed. The residents pay a mortgage based on the cost of the home after available grants are applied. The homes have proven to be so energy efficient, and disaster resistant, that the city no longer accepts bids for wood-framed housing. The city, and three ICF distributors, have trained and certified a total of thirteen local contractors to build with ICFs. Although affordable concrete homes built by the city receive most of the attention, the majority of ICF homes in Lubbock are being constructed for the private sector. The Cement Council of Texas has documented over 200 ICF homes built in Lubbock over the last 5 years, in all price ranges.



Lubbock's concrete homebuilding program has also attracted national attention. The House of Representatives' Science Research Subcommittee held a field hearing on wind hazards in Lubbock in February 2004. The subcommittee is gathering information for future legislation on wind hazard mitigation. Congressman Randy Neugebaur (R-TX), a member of the subcommittee, toured two ICF homes in the Lubbock area, and later cited the city-built homes as an excellent example of safer residences being constructed for the affordable housing sector.

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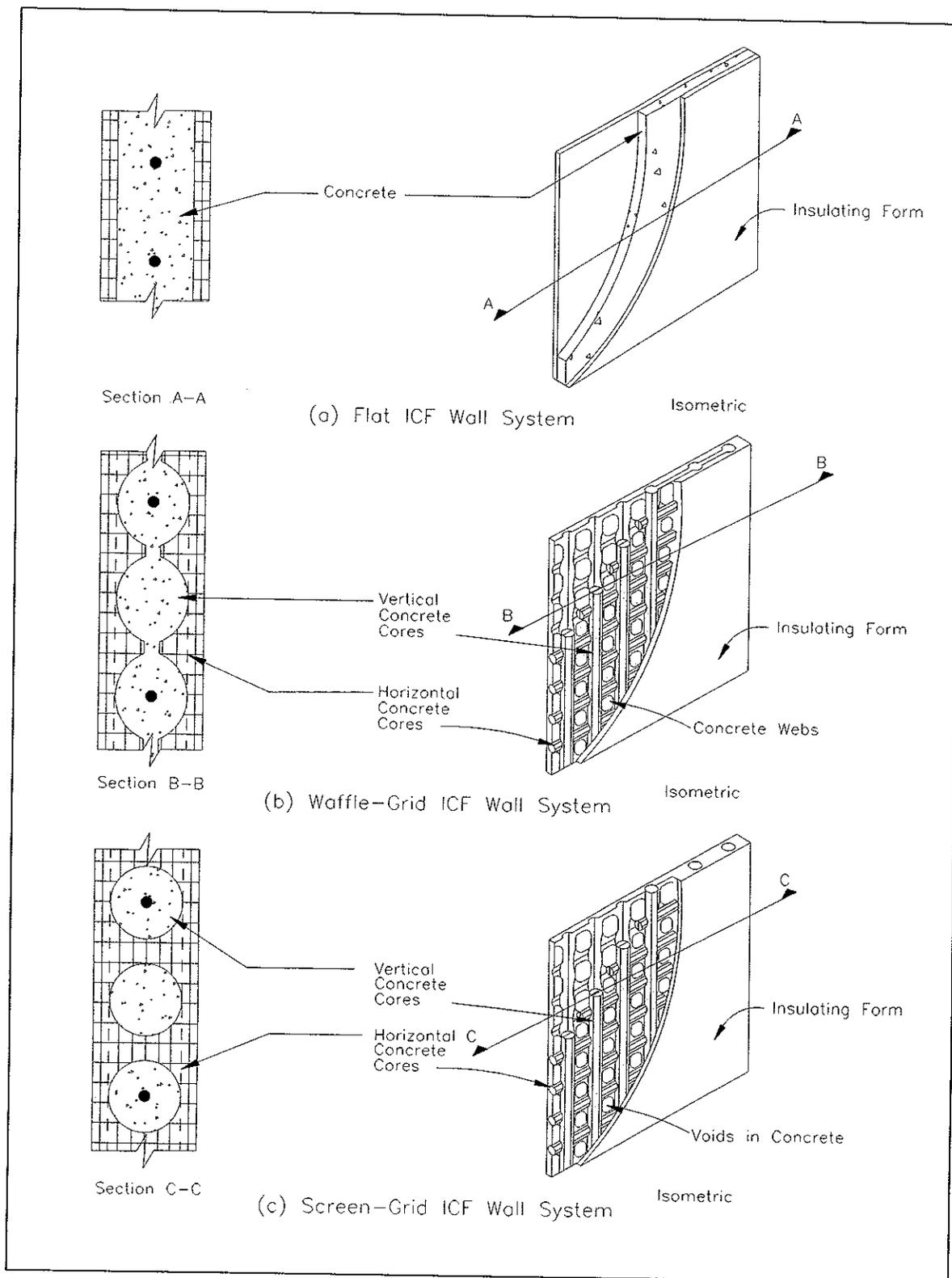


Figure 1.1 - ICF Wall Systems Covered by this Document

Home security & Insurance

What is that deadbolt doing for you? Chances are it simply provides you with a false sense of security. A wood frame home can be breached in under 60 seconds with:

- A Chainsaw
- A Reciprocating Saw
- An Axe
- A Sledge Hammer

and just about anything larger than a steak knife.

And it is often the case that a burglar will enter a house through a wall - usually the wall between the garage and the home - to avoid setting off glass break alarm.



Durability

Adding to the structural integrity of the concrete home is the very nature of its components. The basic components of an ICF home don't rot or rust. You can expect your concrete home to remain structurally sound for 200 years or more.

Reduced Insurance Premiums

Many property insurance companies have recognized the safety and durability of ICF homes in reduced premium rates. State Farm Insurance executives recently stated that they have seen thousands of building systems and innovations try to enter the home building market, and none have had more market penetration or were more readily embraced by the building community than ICFs. Ask your insurance agent about lower premiums.

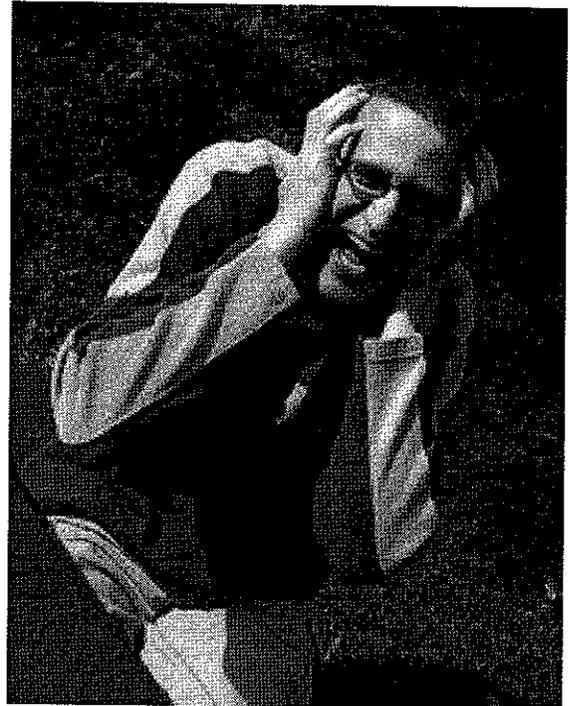
Genuine
IntegraSpec[®]
GulfSouth

ICF is QUIET

Sirens, car stereos, barking dogs, and all other outdoor noises can really get on your nerves. Walk into your new IntegraSpec ICF home and close the door on the noise.

STC Rating

Sound Transmission Class rating is a single number quantifier used to rate walls, doors, and other partitions for their effectiveness in preventing sound transmission. Basically, a high STC rating indicates a more efficient sound absorption characteristic. That said, the typical wood frame wall has an STC (sound transmission class) rating of 33. ICF walls consistently achieve STC ratings of 55.



STC ratings, however, can be misleading because they are based on a logarithmic scale.

An STC rating of 50 is not one better than 49. An STC rating of 50 should be deemed twice as effective as an STC rating of 49.

"Good neighbors keep their noise to themselves."

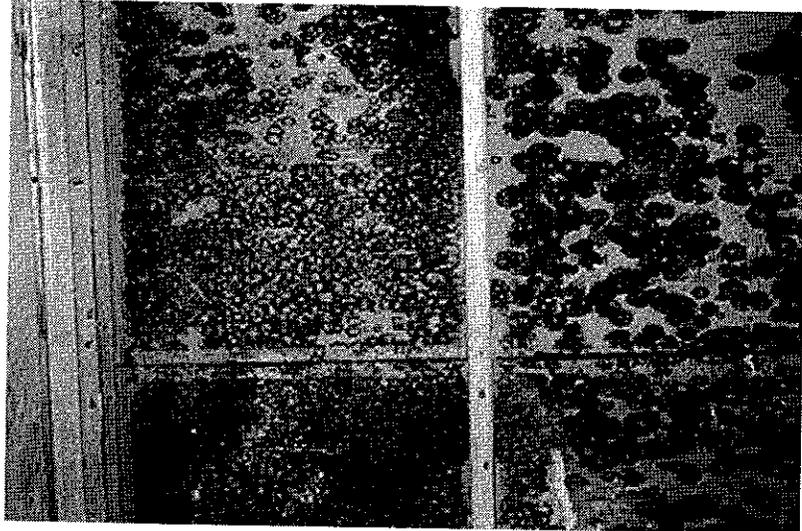
Furthermore, the actual behavior of two partitions with the same STC rating can be dramatically different, as the STC is weighted in favor of the part of the sound spectrum that represents the human voice. In practice, one of the most annoying transmitted sounds between dwelling units tends to be the bass in music, a part of the sound spectrum far removed from the voice range. This in mind, an ICF wall with an STC rating of 50 will perform better than a wood frame wall with insulation and drywall, having an STC rating of 50. Same STC rating, but still the ICF wall is more effective in stopping the transmission of annoying sound.

Be amazed at how the world disappears in your new IntegraSpec ICF home.

Genuine
IntegraSpec[®]
GulfSouth

ICFs Eliminate Mold

"Most homeowners believe that as long as they do not see visible signs of mold, that is, patches of green, blue, or black discoloration on surfaces, their environment is free of contamination. What they don't realize, however, is that large accumulations of mold may be growing in areas that they cannot see.



Left to multiply, these infestations may produce enough organic compounds to cause allergic reactions, sickness and, in extreme cases, death," wrote Edward R. Lipinski, New York Times, Sept. 12, 1999.

MOLD is rapidly becoming a homeowner's enemy number 1! It is a silent foe which could cause allergic reactions, sickness and in extreme cases, death.

Most molds require water soaked cellulose (wood, paper, cotton) to grow. A wood home is a playground for many of these types of mold. A wood wall provides all the food and space mold requires to grow inside the cavities formed by the wood studs. Some people have an "out of sight out of mind philosophy" which can put their loved ones at unnecessary risk. ICF (Insulated Concrete Forms) eliminates the food source and cavities in which most molds, mildew, and any sort of toxic fungus grow.

With proper installation ICF construction can eliminate mold, so you and your family can breathe easier in a new and comfortable home.

Genuine
IntegraSpec®
GulfSouth

ICF Saves Sleeping Couple from Speeding Vehicle

In an unusual demonstration of the resilience of concrete construction, a Florida couple's home built with insulating concrete forms withstood the impact of a 90-mph speeding vehicle when an intoxicated driver slammed into the exterior of the Cape Coral residence. Only limited damage to the home's stucco finish was inflicted—no injuries to the homeowners or driver were reported.

Halfway across the country in Bloomington, IL at nearly the exact same time, another suburban



Photo Courtesy of American Polysteel



The Pantagraph/STEPHANIE OBERLANDER

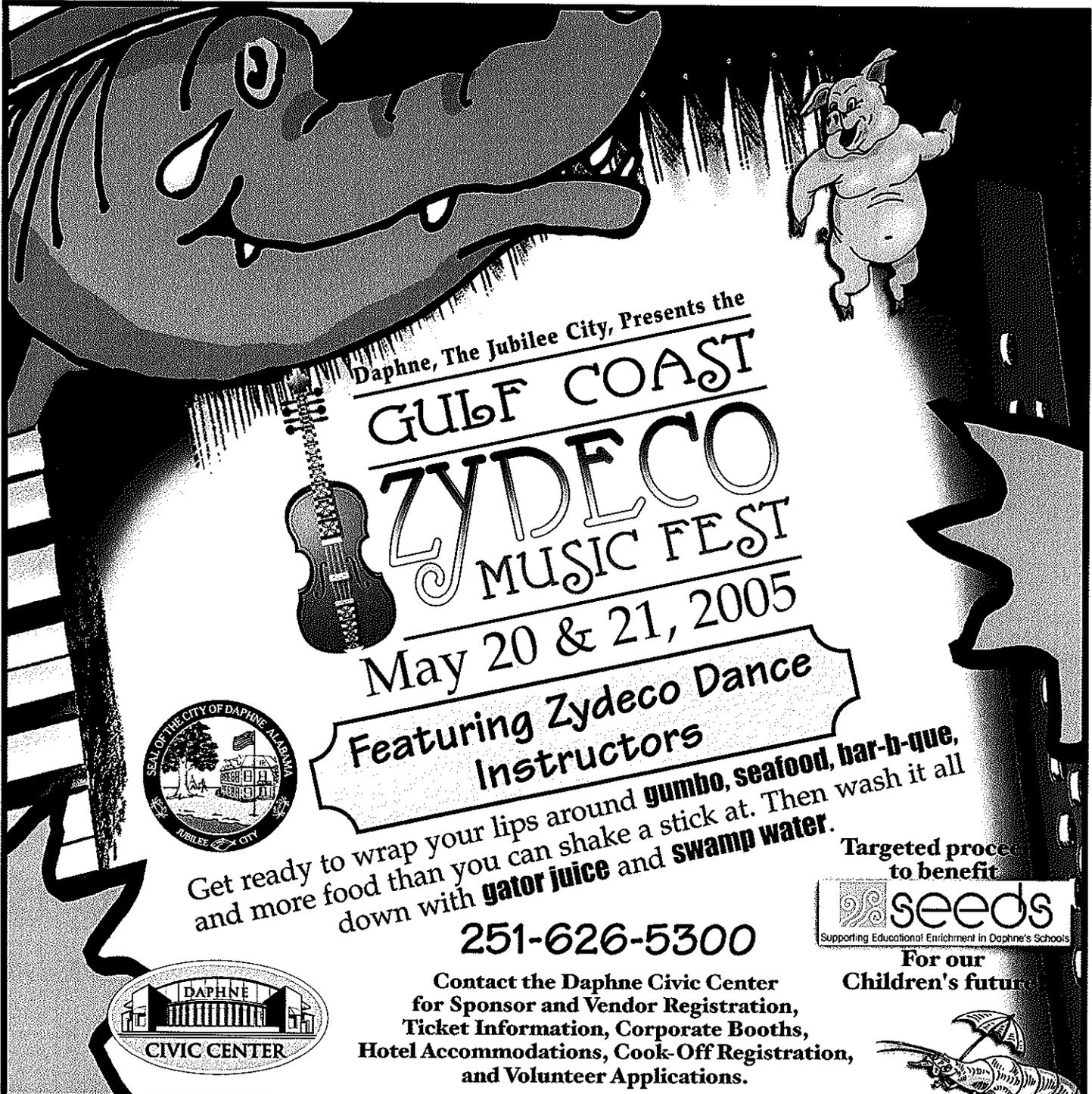
A Bloomington firefighter looks over the damage to the Merediths' home Saturday morning (Aug. 21).

home was hit by a speeding drunk driver. Only this house was a wood framed home and suffered much greater damage as the truck crashed through what used to be the family's living room. "I'm just thankful to be alive," homeowner Dick Meredith said. "And I feel really bad for the poor guy in the truck. He didn't make it out [alive]."

"Incidents such these are perfect examples of why safety is such an important consideration when designing a house," says Joseph Lyman, executive director of the Insulating Concrete Form Association. "Accidents and natural disasters happen everywhere, and ICFs are a proven way to keep your family safe and secure through the most serious of events."

Reprinted courtesy of ICFA.

Genuine
IntegraSpec®
GulfSouth



Daphne, The Jubilee City, Presents the

GULF COAST ZYDECO MUSIC FEST

May 20 & 21, 2005



Featuring Zydeco Dance
Instructors

Get ready to wrap your lips around **gumbo, seafood, bar-b-que,**
and more food than you can shake a stick at. Then wash it all
down with **gator juice** and **swamp water.**

251-626-5300

Contact the Daphne Civic Center
for Sponsor and Vendor Registration,
Ticket Information, Corporate Booths,
Hotel Accommodations, Cook-Off Registration,
and Volunteer Applications.



Targeted proceeds
to benefit
seeds
Supporting Educational Enrichment in Daphne's Schools
For our
Children's future



A Daphne Civic Center Production



SEEDS

Supporting Educational Enrichment in Daphne's Schools

Post Office Box 460
Daphne, AL 36526

February 18, 2005

The Hon. Fred Small and
Members of the Daphne City Council
Post Office Box 400
Daphne, AL 36526

Dear Mayor Small and City Council Members:

The members of SEEDS, Daphne's new educational enrichment foundation, would like to thank you once again for your ongoing support of and commitment to expanding the quality and scope of learning opportunities available to the children of our community.

We are particularly enthusiastic about the possibility of collaborating with the City to help establish the Gulf Coast Zydeco Music Festival as a major regional event to be held annually here in Daphne.

As discussed in previous conversations with the mayor and Ms. Sandra Morse, Festival Director, we would like to request your consideration in allowing SEEDS to assume responsibility for planning and presenting the following Festival-related activities, with all proceeds derived from these initiatives to go directly to supporting our organization's mission:

- Sales of all non-alcoholic beverages;
- The Gulf Coast Zydeco Music Festival 5K Race and Community Walk for SEEDS;
- SEEDS' Zydeco Rice Cook-off;
- Zydeco Music Festival Children's Activities as requested by the Festival Director and approved by the Mayor;
- Other fundraising events as requested by the Festival Director and approved by the Mayor.

We would greatly appreciate the opportunity to partner with the City in this exciting new endeavor and will work diligently to help ensure the success of this inaugural event – as well as the long-term future of the Gulf Coast Zydeco Music Festival.

Sincerely,



Ruth C. Seawell
SEEDS President

**MOTION FROM THE BEAUTIFICATION COMMITTEE
BEAUTIFICATION MEETING
FEBRUARY 4, 2005**

The Beautification Committee requested the Chairman of the Public Works Committee present the following motion at the February 21, council meeting:

Mrs. Jerry Guillott made a motion that each city council member be requested to nominate a member from each district to serve on the Beautification Committee; Keri Mottla seconded the motion, and all were in favor.

**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 JANUARY 27, 2005
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 6:05 p.m.

CALL OF ROLL:

Members Present:

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

****Mayor Small arrived at 7:02 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. Please let the record reflect that Mayor Small will be late. The next order of business is approval of the minutes of the December 16, 2004 regular meeting.

APPROVAL OF MINUTES:

The minutes of the December 16, 2004 regular meeting were 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 will entertain a motion.

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

THE CITY OF DAPHNE
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The Chairman stated we have a fairly full agenda this evening. I will point out one agenda change off the top in case someone is here for that particular item. It is near the end under the zoning amendment for Thomas J. and Barbara Lee. That item has been removed from the agenda so if you are here and this was your main interest it is so noted. We would not want you to sit through the entire meeting and find that out at the end.

Ms. Dickson asked is Mr. Lee going to resubmit.

The Chairman stated he indicated that he would. The next order of business is an administrative review of a revision to the City of Daphne Zoning Map.

NEW BUSINESS:

ADMINISTRATIVE PRESENTATION:

An introductory presentation was given by Mr. Eady, Director of Community Development. Mr. Chairman what we have here is the zoning map with numbers on it and a list corresponding to those numbers. The reason we did it this way is because you can see we have quite a few additional changes. This is the first time we have been able to bring you a zoning map for a couple of years due to the fact we have had some employees who left and we tried some other methods which did not work out. Toward the end of the year Nancy Anderson, GIS Technician, came to work for us. She, along with Jan Dickson, Planning Coordinator, and others, have worked very hard trying to find all of the problems and additions. She actually improved the map we had to begin with. The new map includes subdivisions, annexations, and zoning amendments. One thing I would point out that is new is the location of the subdivisions located within the extraterritorial planning jurisdiction. We certainly appreciate the work that has been done on the map and recommend acceptance.

The Chairman stated I think that it has been an excellent effort to have the subdivisions on the map, as well as, the extraterritorial planning jurisdiction for any action that may come before this Commission. Do any of the Commissioners or Mr. Eady have any questions or comments? If there is no objection, the Chair will entertain a motion to accept the additions to the zoning map.

A Motion was made by Mr. Kirby and **Seconded** by Ms. Barnette **for the affirmative recommendation by the Planning Commission to the City Council of Daphne for the adoption of the revision to the City of Daphne Zoning Map.**

THE CITY OF DAPHNE
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Upon roll call vote, *the Motion carried.*

Mr. Dekle	Aye
Mr. Barry	Aye
Mr. Coulter	Aye
Mr. West	Aye
Mr. Day	Aye
Mr. Chason	Aye
Ms. Barnette	Aye
Mr. Kirby	Aye

The Chairman stated the next order of business is an administrative review of a revision to the City of Daphne Olde Towne District Map.

An introductory presentation was given by Mr. Eady, Director of Community Development. The change that was made to this map was the addition of B-2, General Business, to the Multi-Use zone.

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

A *Motion* was made by Mr. Dekle and *Seconded* by Mr. Coulter *for the affirmative recommendation by the Planning Commission to the City Council of Daphne for the adoption of the revision to the City of Daphne Olde Towne District Map.*

Upon roll call vote, *the Motion carried.*

Mr. Dekle	Aye
Mr. Barry	Aye
Mr. Coulter	Aye
Mr. West	Aye
Mr. Day	Aye
Mr. Chason	Aye
Ms. Barnette	Aye
Mr. Kirby	Aye

The Chairman stated the next order of business is an administrative review of the adoption of the City of Daphne Village Overlay Map.

An introductory presentation was given by Mr. Eady, Director of Community Development. The area in red corresponds to the location off Main Street that came to you not to long ago and establishes the Village Overlay District.

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

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Dekle *for the affirmative recommendation by the Planning Commission to the City Council of Daphne for the adoption of the City of Daphne Village Overlay Map.*

Upon roll call vote, *the Motion carried.*

Mr. Dekle	Aye
Mr. Barry	Aye
Mr. Coulter	Aye
Mr. West	Aye
Mr. Day	Aye
Mr. Chason	Aye
Ms. Barnette	Aye
Mr. Kirby	Aye

The Chairman stated the next order of business is site plan review for Baldwin Auto Outlet.

SITE PLAN REVIEW:

File S05-01:

Site:	Baldwin Auto Outlet
Location:	Northwest corner of U. S. Highway 98 and Halls Lane
Area:	8.7 Acres ±
Owner:	Webb Family Limited Partnership - Charles Webb, General Partner
Agent:	Bullard Motor Cars, Inc. - Walter Naman
Engineer:	Frank Dagley & Associates - Frank Dagley or Tony Spencer

An introductory presentation was given by Mr. Tony Spencer, representing Frank Dagley & Associates, and Mr. Dennis Tucker, representing Bullard Motor Cars, Inc., requesting site plan review for the placement of a used automobile outlet located Northwest corner of U. S. Highway 98 and Halls Lane. We have submitted a revised site detail that complies with the City of Daphne Sign Ordinance. The sign plan does include the installation of landscaping as required by the Ordinance. We are requesting approval of this project.

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

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Mr. West stated I recall from site preview an interest in how many cars would be parked on the site.

Mr. Spencer stated approximately thirty to thirty-five cars.

Mr. West stated the other thing came up is do you have a layout I can look at.

Mr. Spencer asked as far as the parking arrangement. He stated no sir because I think that is something they are going to do on a day-to-day basis.

Mr. West stated we have been looking at the site and questioning how you are going to place the automobiles and how it would affect the adjacent property which was not suppose to be involved. It is hard for me to visualize that.

Mr. Spencer stated if you have the site plan that is how they will be placing the cars.

Mr. West stated I have seen it. Is the other area going to be fenced or in some way identified as not being a part of this project?

Mr. Spencer stated I cannot speak for the owner, but between this site and the property to the North we have a landscape strip. The intention of this is that they operate on the area in which they lease.

Mr. West asked aren't we going to get a sketch plan.

The Chairman stated there is a sketch plan in the packet.

Mr. West questioned the location of the ingress and egress. Is U. S. Highway 98 the way that I entered into the business location?

Mr. Spencer stated no sir. The customers could conceivably come down the North or the South drive way and enter onto the service road to access the property. The ingress and egress will not have vehicles parked on them. They will remain open for police and fire department access to the site.

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

**THE CITY OF DAPHNE
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A Motion was made by Mr. Kirby and **Seconded** by Mr. Dekle **to approve the Site Plan for Baldwin Auto Outlet. The Motion carried unanimously.**

The Chairman stated the next order of business is site plan review for Kirkley Office Building.

File S05-02:

Site: Kirkley Office Building

Location: On the South side of Wilson Avenue, Lot 2B of the Resubdivision of Lot 2, Wilson Avenue Business Park

Area: 0.64 Acres \pm

Owner: Beth Kirkley

Agent: Bayou Construction Company, Inc. - Tim Gibson

Engineer: Gibson Drafting & Design - Jerry Hutcherson

An introductory presentation was given by Mr. Tim Gibson, representing Bayou Construction Company, Inc., requesting site plan review for the placement of a business office facility located on the South side of Wilson Avenue on Lot 2B of the Resubdivision of Lot 2, Wilson Avenue Business Park. I will happy to answer any questions you may have.

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

A Motion was made by Mr. Dekle and **Seconded** by Mr. Kirby **to approve the Site Plan for Kirkley Office Building. The Motion carried unanimously.**

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

PRELIMINARY/FINAL PLAT REVIEW:

File SDPF05-01:

Subdivision: Johnson

Location: Locke Street

Area: 2.62 Acres \pm , (2) lots

Owner: Cornelius Brown and Nathaniel Johnson

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

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An introductory presentation was given by Mr. Johnny Holley, representing Hutchinson, Moore & Rauch, requesting preliminary/final plat approval of a two-point six-acre subdivision consisting of two lots located on Locke Street.

Mr. Holley stated it is more or less a family division. I am not aware of any comments which were made at the work session, but I will be happy to answer any questions you may have.

The Chairman stated this is a pretty straightforward subdivision. 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 will entertain a motion.

Ms. Barnette questioned the setback for the side yard.

Ms. Dickson stated corner lot is in the wrong place in the book.

Ms. Barnette asked the book is wrong.

Ms. Dickson stated the location of corner lot side yard is corrected in the new Land Use and Development Ordinance.

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

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

File SDPF05-02:

Subdivision: Wooten/Estes

Location: On the North side of U. S. Highway 90 East of Mobile Infirmary

Area: 30.76 Acres ±, (2) lots

Owner: William Estes and James Wooten

Engineer: Moore Surveying - Seth Moore

An introductory presentation was given by Mr. Moore, representing Moore Surveying, requesting preliminary/final plat approval of a thirty-acre subdivision consisting of two lots located on the North side of U. S. Highway 90 East of Mobile Infirmary.

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Mr. Moore stated we are going to divide the site into two parcels. A five-acre site and the other lot being the remainder. The property is located half way between U. S. Highway 98 and State Highway 181. There is existing storm water drainage from West to East. There is existing power and gas utilities. I will be happy to answer any questions you may have.

Mr. Coulter questioned the location of water and sewer.

Mr. Moore stated the person who purchases lot 1 or 2 and comes before you for site plan review will know it will be mandatory that they connect to city water and sewer.

Mr. Coulter stated it is my understanding that the first lot will be Harley Davidson and they will not be building for some time.

Mr. Moore stated I really do not know and I have put that on the plat.

Mr. Barry stated the only thing before us now is the division of the property into two pieces.

Mr. Moore stated yes sir.

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 will entertain a motion.

A Motion was made by Mr. West and *Seconded* by Mr. Kirby to grant Preliminary/Final Plat approval to Wooten/Estes Subdivision. The Motion carried unanimously.

The Chairman stated the next order of business is preliminary/final plat review for Resubdivision of Lot 2, Warren Subdivision.

File SDPF05-03:

Subdivision: Resubdivision of Lot 2, Warren Subdivision

Location: 903 Captain O'Neal Drive

Area: 1.12 Acres \pm , (2) lots

Owner: Ryan Johnston

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

**THE CITY OF DAPHNE
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An introductory presentation was given by Mr. Johnny Holley, representing Hutchinson, Moore & Rauch, requesting preliminary/final plat approval of an one acre subdivision consisting of two lots located at 903 Captain O'Neal Drive. We are proposing to subdivide lot 2 of the existing subdivision, Warren Subdivision. There were some concerns expressed at the work session and we were asked to revise the plat. There were also some concerns with regard to drainage issues. We have submitted a letter to this department addressing those comments. I will be happy to answer any questions you may have.

The Chairman stated I do not recall receiving a letter about drainage.

Mr. Holley stated I do have copies of that letter.

The Chairman stated so basically what you have given us is an engineering determination calculating the impact of a hypothetical four thousand square foot house.

Mr. Chason asked Mr. Holley when you do a calculation like this does it take into consideration the storm water that is coming onto this site. There is a swale that runs along the back side of this property. Do your calculations takes into consideration the amount of storm water that come to that or does it just take into consideration the one-half acre which you are subdividing?

Mr. Holley stated it takes into consideration what is on the site now which includes the front and the rear lot.

Mr. Chason stated it is already overwhelmed because you already have water coming onto the site so that does not figure into it.

Mr. Holley stated we are taking into consideration what is on the site now for lots 1 and 2, the front and the rear lot.

Mr. Chason stated but my question is it is already overwhelmed because you have water coming onto the site, but this does not figure into your calculations.

Mr. Holley stated this would be what is additional to what is there now.

Ms. Burnette asked how is it that you changed the line between the lots, but the side property line dimension stayed the same. How is that?

Mr. Holley asked they did not change the dimensions on the side lot lines from the front to the back.

Ms. Burnette stated the front lot line has been changed, but I do not see how you alter that dimension without changing the side lot line.

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Mr. Holley stated it was supposed to be changed.

Ms. Burnette stated I do not think that has sufficiently answered our questions about the square footage.

Mr. Holley stated the square footage has been calculated and it does meet the requirements.

Ms. Burnette asked I guess one of my questions is how is this property going to be identified for 911 Addressing purposes because it is a landlocked parcel. It is going to have to be identified somehow by the ingress and egress.

Mr. Holley stated they will be using the ingress and egress that was identified in the previous subdivision.

Ms. Burnette stated it would have to be repeated for this parcel.

Mr. Holley stated no ma'am. It is a part of this subdivision. Once you state what lot this is it will be lot whatever of the resubdivision of that subdivision. That plat shows the ingress and egress easement on there. That is the access to the property.

Ms. Barnette asked what about comments from the fire department about having to respond to a 911 call.

The Chairman stated I do not know that I have heard their response, but there is a lot that is located down the same ingress and egress. I do not know that this would be any different than that situation.

Ms. Barnette stated this property is landlocked, but the property farther down has actually added another entrance.

Mr. Holley stated they are still using this ingress and egress although they have acquired another ingress and egress.

Ms. Burnette stated my point is they are not landlocked because they have acquired another access point.

Mr. Holley stated since they have acquired the other ingress and egress they are not.

Mr. Barry asked what are 911 Addressing thoughts about what address they will they give it.

Mr. Holley stated I am not sure.

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Mr. Barry asked do we have a city street that we can say this property is on.

Mr. Holley stated the lot behind it is in the same situation so maybe Mr. Eady or Mr. Kirby can answer that.

Mr. Chason stated I would like to clarify something with Mr. Holley, but I think that I am correct when I say we are still ninety-nine feet North to South.

Mr. Holley stated that lot will not get any wider.

Mr. Chason stated you have skewed the lot line to give you the one hundred feet, but it is still ninety-nine feet.

Mr. Holley stated that is correct, and it is an existing lot.

Mr. Barry stated when you look at this it is grandfathered in with ninety-nine feet. What happens you resubdivide and the new lot line is less than one hundred feet and the ordinance says one hundred feet? Are we getting into something where we are going to have problems farther down the road or is this grandfathered with the original grandfathering of the property? I know this is technical, but I think it is one of those things that we need to get out of the way before we vote on it.

The Chairman stated I think we have some concerns on that.

Mr. Ross stated Ms. Barnette and I have had some discussion with regard to this particular parcel. It was just prior to this meeting that I became aware of the ninety-nine point six feet and the turning of the line to get one hundred point five feet.

Mr. Barry stated theoretically you could keep turning the line to get one hundred and fifty feet.

Mr. Ross stated you could keep turning the line and get two hundred feet. There are a lot of issues in my mind before I can affirmatively answer the Chairman's questions. The general premise of law is if you are not in compliance with the grandfather clause that is fine, but when change the use of the property the grandfather clause is lost on the new use. Debatably, if it less than one hundred feet, then you could not do it because you have lost your grandfather provision. There are exceptions to that law in different areas. I cannot tell the Commission tonight, right now, the effects of the grandfather proviso. I did speak to Mr. Collins a few moments ago, but we did not have a chance to have an in depth conversation. In order for me to properly answer the question, I would need a little time.

Mr. West stated Mr. Chairman I thought this problem had been eliminated by moving the line, but not angling it.

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PLANNING COMMISSION MINUTES
REGULAR MEETING OF JANUARY 27, 2005
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.**

SUMMARIZATION OF MINUTES:

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Mr. West stated I question this entire project now. I was given the plat, but I did not understand you had the grandfather clause by angling it. I do not agree with that and I think it needs to be looked at again.

The Chairman stated I will agree with that. I think I left site preview under the impression the lot got wider as you moved from front to back. I thought you could shift the line and take advantage of that. I was not aware that would be accomplished by placing the line at an angle.

Mr. Holley stated as it travels from the East to the West it does get wider.

Mr. Ross stated from ninety-three and a half feet to one hundred and one feet give or take a few inches.

Mr. Holley stated if you move that line to the West, you would create a lot that would not be twenty thousand square feet which is required in an R-1, Low Density Single Family, zone.

Mr. Barry stated you have to understand our problem. If it something we are going to vote on, then it needs to be something we can back up.

Mr. Holley stated I understand. I felt like I did what was asks of me.

Mr. Ross stated Mr. Holley, your solution was to angle the line so it had the one hundred feet as opposed to a straight line and it being less than one hundred feet.

Mr. Holley stated yes. I moved it back to the West as far as I could.

Mr. Barry asked is the definition of the width of the property with the line perpendicular to the sides of the property or is the diagonal line acceptable.

Mr. Ross stated if you look at definition under lot width which is number ninety-eight in the definitions of terms it says lot width is the mean (average) horizontal distance between the side lot lines, measured at right angles to the lot depth, with the minimum to comply with this code to be measured at the front setback line. Debatably, it would have to be a straight line if it has to be a right angle and not the line that they have here.

Mr. Holley asked then there is still an issue as to whether or not it can be subdivided.

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The Chairman stated it seems as if the lot size would be the key issue and whether or not the grandfather clause applies to the site as a whole and grandfathered on width. Now that you propose to further subdivide does the grandfather clause still come into effect? Apparently, it does not seem that we will be able to answer that tonight.

Ms. Barnette stated if I might ask a question. On page 36, (b) alterations, (3) A nonconforming use of land shall be restricted to the lot occupied by such use as of the effective date of this Ordinance. A nonconforming use of a building or buildings shall not be extended to include either additional buildings or land subsequent to the enactment of this Ordinance. Would that not say that if this lot did not meet twenty thousand square feet that it would not be grandfathered? That seems clear to me that this would not be a grandfathered lot.

Mr. Ross stated I would think that you would probably be correct with my review of it right now, but I do not know what Mr. Holley is going to say.

Mr. Holley stated please understand that both lots are twenty thousand square feet plus, but there still is the issue of the width of the lot.

Ms. Barnette stated the problem is if you are not one hundred feet across on that lot you do not meet twenty thousand square feet. That is where those two work together.

Mr. Holley stated you have twenty thousand square feet in depth, but not in width.

Mr. Barry stated if you moved the line to the West in order to have one hundred feet, then you would not have twenty thousand square feet.

Mr. Holley stated I see what you are saying.

Mr. Ross stated he has twenty thousand square feet the way that he has drawn it, but it is not one hundred feet wide at a right angle.

Mr. Barry stated the one hundred feet can be obtained if you move the line to the West, but you decrease the square footage of the property.

Mr. Ross asked can you move the line at a right angle to the West so that you still have twenty thousand square feet. I think the answer is no.

Mr. Holley stated no sir. I do not think you would have twenty thousand square feet by moving that line.

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Mr. Dekle stated I think it is a rather simple issue when you talk about the grandfather clause. The grandfather clause was in effect at the time that this lot was originally created, but when you change this lot to create two lots then you have lost your grandfather status. With this lot not being one hundred feet across, we could not act on it.

The Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments. He opened the floor to public participation. We have a couple of letters on file that address particular issues.

The adjacent property owners addressed the Commission to express their concerns regarding the proposed subdivision and how it would impact the adjacent property owners.

The main concerns expressed were:

Mr. Swanson stated the intention of the original subdivision was for Mr. Warren to subdivide in 1986 or 1987 his property into two parcels for his children with the understanding, which was discussed with the neighbors, that the property would not be further subdivided. There should be some verbiage in the by-laws or covenants of the subdivision that it would not be further subdivided.

The Chairman stated I would like to point out that if it is in the covenants or by-laws in a subdivision it would be enforceable by civil action.

Mr. Hodgson stated problems associated with accessing the subject property through a ten-foot ingress and egress easement. Any new subdivision must have a thirty-foot wide ingress and egress easement to access the property with twenty feet of pavement. This is not possible with the current plan that is set forth in this proposal and the affect that the filling of the property for development would have on the adjacent properties.

Mr. Collins stated the Commission is bound by the City of Daphne Land Use and Development Ordinance regardless of the expressions of the adjacent property owners. This property is grandfathered in and will never comply. Regardless, the grandfather clause, in my opinion, does not apply if you are going to further subdivide the property then all of the lots will have to come into compliance. If that were the case, then the house would be unusable. It is always going to be the same width. You are not going to be able to change it. It can never come into compliance. I think that is what the grandfather clause says is that you do not have to come into compliance. If an ordinance is passed and your lot does not comply, then you do not have to come into compliance. Other than that I think it does not apply, I think it is a mute point. I understand your concerns, but they comply with your Land Use code.

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Mr. Collins stated the original drawing at right angles shows ninety-nine point six feet and the second drawing with the line angled was prepared in response to some of the concerns that the Commission had. I think the Commission should consider the first one because the property was grandfathered in and always will be. They bought this property five years ago knowing that they could subdivide this property and have another lot if they needed to. They are the ones looking at a lawsuit if the Commission denies this. It is their land and they should have the right to subdivide it. I sympathize with the neighbors because they do not want it. Who does not want to live next to an open piece of property as opposed verses another house in the neighborhood.

Mr. Dekle stated if I may ask a question. You stated they bought the property five years ago knowing they could subdivide it.

Mr. Collins stated I mean they knew it could be subdivided.

Mr. Dekle asked how did they know that. Was it in their deed or is something available which said they could subdivide?

Mr. Collins stated anytime you buy property and you have a lot of extra property a home owner knows he can subdivide if he needs to.

Mr. Dekle stated it goes back to your interpretation of being grandfathered in. You are creating a new lot and it is not grandfathered in. There in lies the interpretation difference. I am not sure it can be resolved without going before someone to rule on that. Once again it is a difference in interpretation. You made that comment so I was wondering if there was something at that time that was represented to or given to them which said they could subdivide this property.

Mr. Collins stated I guess, from a practical standpoint, what I was referring to is if you buy the property the Land Use Code says this and allows you to do certain things. Those are the rules in place and that is why you have a grandfather clause. You do not want to take someone's property because it did not comply when it came in.

Mr. Dekle stated I was hoping that they actually had something that would clear this up.

Mr. Collins stated I understand. I have given you some case law and oddly enough many of the cases come out of the City of Mobile. For some reason most of the subdivision and rezoning disputes come out of the City of Mobile. One of the cases that I found sort of applied to this situation as long as you comply with the Land Use Code the City is obligated to pass the subdivision. They talk about the adjacent land owners opposing it, but what is interesting is the complaint is the authority that passed the law.

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Mr. Collins stated the law may be changed, but in this particular case if the subdivision complies with the laws that exist then it should be granted. In these cases they overturned the decisions of the Planning Commission because of that. I guess that you are on track. If I was an adjacent property owner, then I may be standing up here and complaining too. I think that they do comply according to the grandfather clause. Essentially, what you are going to do is to take away their right to subdivide their property because this lot was in existence prior to the time that the ordinance was passed.

Mr. Barry stated when they acquired this property they took up the obligation of the property being grandfathered, but when the property owner changes the grandfathering then they have to comply with what the existing regulations are at that time. What you are trying to say here is that grandfathering covers everything and I do not think so. It does not work that way. Everyone has rights to use their property, but also everyone had to follow the law in order for them not to step on each other toes. We are not the ones that have to go and defend it in court. I am just saying that the Commission understands the frustrations on both sides, and we want to come up with the legally right answer.

Mr. Collins stated I think that you are right. My point is you passed an ordinance zoning the property as R-1, Low Density Single Family Residential, for which it can never come into compliance. I think that the width of this property is grandfathered in.

Mr. Barry stated that is a catch twenty-two for the property owner. It still has to be the one hundred foot width and the maximum square footage.

Mr. Collins stated that devalues their property if that is the case.

Mr. Chason stated I have a question about your comment that you consider it to devalue the property. In what way? My question is how does it adversely affect the value of the property?

Mr. Collins stated I am not being factious about it, but if they subdivide it they will have a parcel and a house and another piece of property.

Mr. Chason stated when they sell the other lot the value of the house goes down because you have sold part of the lot.

Mr. Ross stated because you have sold some of the land that the house was on.

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Mr. Chason stated you made the comment that it affected the value and I know that is not our consideration.

Mr. Collins asked is the house and the lot combined worth more than the house on the land with the lot subdivided off.

Mr. Chason stated I think that you could argue that it devalues the whole property, but that is not our concern. As it stands now if you are on Captain O'Neal Drive and someone turns onto this ingress and egress when the two cars meet someone has to back up.

Mr. Chason stated there is not room to negotiate two cars. I have seen it happen.

Mr. Collins stated by the way, there are plenty of lots and houses that have the same problem in that part of town.

Mr. Chason stated I am sorry, but you could argue to continue that type of thing is a fair and right thing to do. That is only making the problem worse.

Mr. Collins stated most driveways are ten feet wide.

Mr. Chason stated it is a driveway.

Mr. Collins stated let me make my point. You are talking about a twenty-foot easement. The owner of that easement has the right to improve that easement.

Mr. Chason stated if you subdivided, then you would require the adjoining property owner to improve the road.

Mr. Collins stated I do not think that anyone is requiring him to do that. I think it is his right to do that.

Mr. Ross stated I have certainly listened to the comments of Mr. Collins. I hear his remarks as they relate to the grandfather clause. I sit here as an attorney and I agree with some of what he says, but I do not agree that the grandfather clause would be applicable to the new lot. With a little research I would be happy to affirm or discount whichever the case may be. Clearly, when the lot was purchased it was one lot in compliance or not it does not matter. It is still one lot today and it will never be in compliance. It does not have to be in compliance, but if we subdivide the land and make two lots I, respectfully, think that the new lot, the rear lot, must in compliance with our ordinance. As I qualify before we even get to that subject with a little legal analysis, I think that the grandfather clause still applies. If it would help the Commission, I would be happy to research it and make a full report well in advance of the next meeting if this could be tabled. If the Commission thinks that would be appropriate at least to clarify the grandfather issue.

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Mr. Ross stated are we going to proceed on the existing proposal of which we have a right angle or are we going to proceed for those of us that are non-engineers with the one that we have a right angle? If that would help the Commission, to make a decision.

A Motion was made by Mr. Coulter and **Seconded** by Mr. Dekle **to table the Preliminary/Final Plat approval for the Resubdivision of Lot 2, Warren Subdivision.**

Mr. Kirby asked what will happen with the thirty day rule.

Mr. Eady stated you will have to act on the subdivision within thirty days.

Mr. Ross stated this is a matter of procedure. I guess I spoke out of turn. We were in the middle of public participation so you might conclude that before you move to do whatever you wish to do. I apologize for not making that clear.

The Chairman stated with no further comments or questions from the adjacent property owners, he closed public participation. Do any of the Commissioners or Mr. Eady have any further questions or comments? If there is no objection, the Chair will entertain a motion.

Mr. West stated I have a comment if I may. I would like to expand the Counsel's research to determine if the deed in Bay Minette deals with subdividing this again. The neighbors were told by Mr. Warren that it would not be subdivided again. I realize that it is not a violation of the ordinance, but I would like to know. I appreciate it. Thank you.

The Chairman stated we have the issue of the Commission having to take action on this proposal within thirty days, but by tabling it, am I reserving our right to do so.

Mr. Ross stated I think the easiest way is if the petitioner would object to waiving the thirty-day time frame. If the petitioner would consent, then the thirty-day rule would not be applicable.

Mr. Eady stated the next meeting is on February 24, 2005.

Ms. Dickson stated the next meeting is on February 22, 2005. We changed the meeting date to Tuesday, the 22nd.

Mr. Eady stated then it would not apply.

Mr. Ross stated Mr. Eady is correct, but if they would consent to it, then it would clarify it even more.

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Ms. Dickson asked if we advertise it, then which drawing do you want me to advertise.

The Chairman stated can you get back to Mr. Eady to clarify which drawing you want to use for this action. I guess we have two drawings. One was revised based on the feedback from the Planning Commission so I need for you to get back with Mr. Eady to clarify which drawing you would like further consideration on.

Mr. Ross asked Mr. Holley do you consent to waiving the thirty-day issue.

The Chairman asked I felt that you had consent to the thirty-day issue until our February meeting at which time we will take action on the proposed subdivision.

Mr. Collins stated that is fine, but as far as which one to consider I guess we will have to get with Mr. Ross.

The Chairman stated you do not have to make that decision right now.

Mr. Collins stated that is fine.

Mr. Kirby stated I think Mr. Ross is asking for the consent to waive the thirty-day requirement in case something were to happen.

Mr. Collins asked when is the next meeting.

Mr. Kirby stated February 22, 2005.

Mr. Holley stated that is fine.

An Amended Motion was made by Mr. Coulter and **Seconded** by Mr. Dekle to **table the Preliminary/Final Plat approval for the Resubdivision of Lot 2, Warren Subdivision. The Motion carried. Mr. Chason and Ms. Barnette opposed.**

The Chairman stated the next order of business is preliminary/final plat review for the Resubdivision of Lots 24 & 25, Sehay Subdivision, Phase Three.

File SDPF05-04:

Subdivision: Resubdivision of Lots 24 & 25, Sehay Subdivision, Phase Three

Location: Northeast of the intersection of County Road 13 and Pleasant Road

Area: 0.63 Acres \pm , (2) lots

Owner: A/Practical Homes, Inc. and McVay Construction Company

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

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An introductory presentation was given by Mr. Johnny Holley, representing Hutchinson, Moore & Rauch, requesting preliminary/final plat approval of a point six acre subdivision consisting of two lots located Northeast of the intersection of County Road 13 and Pleasant Road. I am not aware of any questions that you had in the work session, but I will be happy to answer any questions you may have tonight.

Mr. Kirby asked you are just moving the lot line between the two lots.

Mr. Holley stated yes sir.

Mr. Kirby asked but both lots are still in compliance.

Mr. Holley stated yes sir.

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. Dekle and Seconded by Mr. Kirby to grant Preliminary/Final Plat approval to the Resubdivision of Lots 24 & 25, Sehoy Subdivision, Phase Three. The Motion carried unanimously.

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

File SDPF05-05:

Subdivision: Paul Houlsen

Location: One thousand seven hundred feet South of County Road 64 on the West side of Pollard Road
Area: 1.83 Acres \pm , (2) lots
Owner: Raymond Houlsen
Surveyor: Geo-Surveying - Matt Kountz

An introductory presentation was given by Mr. Kountz, representing Geo-Surveying, requesting preliminary/final plat approval of a one point eight acre subdivision consisting of two lots located one thousand seven hundred feet South of County Road 64 on the West side of Pollard Road. It is pretty much a family division. It meets all of the zoning regulations. I will be happy to answer any questions you may have.

The Chairman stated there were no issues proposed at site preview. 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.

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A **Motion** was made by Mr. Kirby and **Seconded** by Mayor Small **to grant Preliminary/Final Plat approval to Paul Houlsen Subdivision. The Motion carried unanimously.**

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

PRELIMINARY PLAT REVIEW:

File SDP05-01:

Subdivision: Landsdown

Location: On State Highway 181 South of Rigsby Road
Area: 37.09 Acres ±, (70) lots
Owner: The Mitchell Company, Inc.
Engineer: Rester & Coleman Engineers - Don or Joel Coleman

An introductory presentation was given by Mr. Don Coleman, representing Rester & Coleman Engineers, requesting preliminary plat approval of a thirty-seven acre subdivision consisting of seventy lots located on State Highway 181 South of Rigsby Road. The subdivision is located outside the city limits of Daphne. 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. Coulter asked where is the storm water along State Highway 181 going to go.

Mr. Coleman stated into the detention area in the swamp.

Mr. Coulter asked is it sufficient such that it will not go overflow onto the neighbors property.

Mr. Coleman stated the swamp is located on the neighbors property also.

Mr. Barry stated the subdivision has only one entrance. I do not know about anyone else, but it bothers me. Was there any consideration made to having another entrance in case something happens?

Mr. Coleman stated no sir it was not because State Highway 181 is a very large highway and the State Highway Department has already told us and the subdivision to the North that we will have to put in a left turn lane due to traffic.

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Mr. Barry asked I know we do not know what is coming in on the East side, but could there be an exit going out that way.

Mr. Coleman stated if you place a stub out within the subdivision and someone to the East develops, then you might bring them through this subdivision.

Mr. Barry stated it depends on how you have them to restrict their traffic. That is a problem that could be handled.

The Chairman stated I certainly have heard your concerns, but I guess the Commission has handled it before is to make sure that each subdivision is self contained with its own ingress and egress. When we have talked about a phased development when you have the same owner, I think that it is easier done. If you do not know what the other development is going to do, then I do not know if that is something that we can impose on this development. I do not think we could insist on a stub out.

Mr. Barry stated if this is something we cannot address with the current regulations, then I think it needs to be changed. There should be some forethought in that.

Mr. West stated this may be addressed later, but I am looking at a letter concerning what you were talking about a few moments ago. What the property owner is looking for is an assurance that this seventy-lot subdivision is not going to put any more storm water on her property. Have you made this calculations and can you assure us of this subdivision permission that no additional storm water will over and above what she is getting now will go onto her property?

Mr. Coleman asked which property is it. Is it the one just South of this one?

Mr. Coulter stated Mr. Coleman just stated a few moments ago that if you had a hard rain that it would go onto the adjacent property.

Mr. West asked in your evaluation and calculations does it do what this property needs for detention. This adjacent property owner does not want any more storm water than she gets today if you put seventy more houses in this area.

Mr. Coleman stated all of the land drains to the swamp. The water stands on her property and ours. We developed the storm water based on a twenty-five year flood and took the difference of what falls on there before the improvements.

Mr. West asked she is going to get more water and there is nothing that you can do about it.

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Mr. Coleman stated yes sir. There is a pipe on State Highway 181, but it is not a really big pipe.

Ms. Barnette stated I may be wrong, but according to the storm water permit from ADEM you are not allowed to have any additional water leave the development because you have to contain it on your property. You are not allowed to increase the amount of storm water from your development onto another parcel.

Mr. Coleman stated we are using our swamp as detention; however, the water comes onto ours and goes onto hers so that it can drain.

The Chairman stated the requirement is that the flow through the development is not at an increased rate. The detention is to prohibit this when it is developed.

Ms. Barnette stated but what you are saying is it will.

The Chairman stated the swamp is serving as a detention pond and will have an increased elevation.

Mr. Coleman stated the thing about it is you cannot put a detention pond in the wetlands because ADEM and the Corps of Engineers will not let you do it.

Ms. Barnette asked but you could add another detention pond to make sure that no additional water leaves that property.

Mr. Chason asked can we ask the question a different way. Will the water leave the swamp at a faster or greater rate after development that prior to development?

Mr. Coleman stated I do not know. It is going to raise up until it leaves the site.

Mr. Chason asked but it does not increase.

Mr. Barry asked could the area between lots 10 and 11 be made into detention in addition to the swamp area. I think that is what she is asking. This would help ease her concerns.

Mr. Coleman stated no matter what you do the detention area is still going to go into the swamp.

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Mr. Barry stated the point is are we doing everything we can do to stop the water from going onto the neighboring properties.

Mr. Coleman stated if you do additional detention it will cut down on the use of the land in addition to us leaving a five percent common area.

Mr. Barry stated I understand. It is your problem you are developing your land, but the way you are developing it could possibly increase the storm water. What could you have done to decrease this water? I am just trying to give you a way to look at it that may be acceptable to your neighbor.

Mr. Chason stated in trying to move this thing along, I think all we are talking about doing is once you build streets, roof tops, etc. is building something to collect that and direct it into the swamp in its natural state. I think that is what we are sitting here debating.

Mr. Coleman stated if the other area was developed this would be the detention pond. We can provide for detention that would be no problem. There are eight acres that we are discharging in.

The adjacent property owner stated yes, but pre and post construction will be different.

Mr. Coleman stated the pre and post construction storm water is contained on our eight acres.

Mr. West stated I have been on this Commission for a long time and I do not believe I have not come to this with any development that we cannot give assurance that there will not be more water going onto this property than goes now. I have never seen this before. I makes me wonder whether or not your property is buildable.

Mr. Coleman stated can you go ahead and approve it like it is and put a condition on it.

Mr. West asked go ahead, approve it like it is, and what.

Mr. Coleman stated if you could go ahead and approve it like it is subject to putting in a detention pond.

Mr. Dekle stated we are not allowed to approve something with a contingency like that. We are just trying to make sure their property is protected. We are not trying to give anyone a hard time.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF JANUARY 27, 2005
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

SUMMARIZATION OF MINUTES:

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Mr. Dekle stated we are trying to make sure that we have done everything possible to take care of their property. Many times we have developments come in with too many houses and do not worry about the effect on the adjacent property. We want assurance that this property has been taken care of. That is it in a nutshell. I would be comfortable with it if you could make me that assurance.

Mr. Coleman stated I cannot make you that assurance. We would like to go ahead and receive approval. We would like to begin construction and before we begin to design the detention with Mr. Eady's review and approval.

Ms. Barnette stated no disrespect to you Mr. Coleman, but I do not think that is the way that it should be done. We should look at it again to make sure it is satisfactory so I am going to make a motion that we deny the subdivision.

The Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments. He opened the floor to public participation.

The adjacent property owner addressed the Commission to express her concerns regarding the proposed subdivision and how it would impact the adjacent property owners.

The main concerns expressed were adherence to the regulations and that the storm water runoff pre and post construction stays the same. It seems as if they need to come back and do some type of holding facility prior to discharging it into the swamp. What I am asking is that the Commission put offing approving this until they put something in writing that they will put in some type of detention.

The Chairman stated with no further comments or questions from the adjacent property owners, he closed public participation. Do any of the Commissioners or Mr. Eady have any further questions or comments? If there is no objection, the Chair will entertain a motion.

A Motion was made by Ms. Barnette and **Seconded** by Mayor Small **to deny Preliminary Plat approval for Landsdown Subdivision.**

Mr. Eady stated Mr. Chairman make sure that you state the reasons for denial.

An Amended Motion was made by Ms. Barnette and **Seconded** by Mayor Small **to deny Preliminary Plat approval for Landsdown Subdivision, until such time the subdivision has been provided with storm water detention. The Motion carried. Mr. Dekle opposed.**

**THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
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The next order of business is annexation review for the Mitchell Company, Inc.

PETITIONS:

ANNEXATION REVIEW:

An introductory presentation was given by Mr. Doug Anderson, representing Bowron, Latta and Wasden, requesting annexation of a fifty-seven acre parcel located on the Northwest side of the intersection of County Road 13 and Whispering Pines Road. The owner, the Mitchell Company, Inc., is petitioning the city for annexation with R-3, High Density Single Family Residential, zoning. We are not here for a preliminary plat preview; however, we have submitted a preliminary drawing which shows one hundred and forty-two lots. The engineers tell me that we may be able to decrease it below one hundred and forty depending on how the green space comes out. There is a letter we have received that is addressed to the Planning Commission from several concerned citizens. There are several issues addressed in this. First, it states that there are numerous R-3, High Density Single Family Residential, subdivisions in this area such as the Gooden Homes project on County Road 13 and the Adams Homes project on County Road 64. I am not sure it is fair to compare those subdivisions to this application because they are on two separate highways. They do mention the traffic pattern surrounding Daphne Middle School. We are asking for R-3 zoning because the Mitchell Company is planning to design the lots with a twelve thousand square foot minimum. When we purchased the property, it was suggested to us that we annex this property into the city and we have no problem with that. If we were to annex as an R-2, Medium Density Single Family Residential, zone based on the square footage we would be allowed to develop approximately one hundred and twenty lots. The difference between these two zonings is approximately twenty to twenty-two houses. If there are traffic concerns, then I do not think it is reasonable to pin those concerns on the additional twenty-two homes. I do not mean this as a threat, but we are going to build this type of subdivision or proceed with this type of development regardless of the position on annexation.

The Chairman stated I do not think anyone has spoken against annexation although there have been some concerns about the zoning and the proximity to the two schools in that area. I heard some other concerns expressed, but these were the main ones.

Mr. Anderson stated yes sir. I understand. We do have two curb cuts or entrances proposed onto Whispering Pines Road. We do have a low lying area on the Southwest portion of the property which will be the detention pond. The difference in the twenty lots means a lot to my client and them being economically being able to develop the subdivision.

**THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
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Mr. Anderson stated I do not think they would be able to do this development without the additional twenty-two lots. I do not think it would affect the traffic flow to the degree that has been expressed.

Mr. Barry stated if you were proposing R-4, High Density Single Family Residential, zoning you finally gets to the lowest possible cost of a home because you are proposing a development for those which are just starting a family. That is also the group which has the children. We have a problem with the children being able to cross this intersection safely to the school. If we do not sidewalks in place, then they will have to go down to the corner in order to get across. I still have not heard anyone address the safety of the children, but the density I do understand.

Mr. Anderson stated that is a very good point. My client does a lot of subdivisions and I think that is one of the concerns my client will have to address. I think this problem is already in place with the existence of the subdivision, Stratford Glen which is in the City of Daphne and is zoned R-3. I will be more than happy for my client to sit down with you and see what we can do at the entrance of the subdivision to help that problem. When we come in with the subdivision plat we will address those issues if we get that far.

Mr. Coulter stated you say that twenty-two lots are not going to affect the traffic, but you have three schools not two. You have another one on Lawson Road just North of there and one of the main exits from Lake Forest Subdivision going South. With the traffic attributed to these schools early in the morning, the buses, and the children walking have you given any consideration to that or talked to the principals.

Mr. Anderson stated I have not because that would be a part of the preliminary submittal. Whether we come in at one hundred and twenty or one hundred and forty lots the traffic problem is pretty much going to be the same.

Mayor Small stated one thing that we are looking at is doing larger lots which is the R-2, Medium Density Single Family Residential, zone or greater to help with the storm water runoff. We have serious issues with traffic in this area now for which we are being aggressive now. The City of Daphne is having to spend our money to widen the roads and we are not getting very much help from the County or the schools. We would probably entertain an R-2, Medium Density Single Family Residential, zone and cut down the twenty homes and do something of that nature because we would like to see the larger lots.

**THE CITY OF DAPHNE
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The Chairman stated the typical lot in the extraterritorial jurisdiction would come in as an R-1, Low Density Single Family Residential, zone, but of course you are requesting an R-3. I think we could come up with a compromise, but on the terms of the development I think I came up with some slightly different numbers. With the lot size and the density for R-3 I came up with two hundred and one lots.

Mr. Anderson stated that is not taking into consideration the streets, the common area, and the detention.

The Chairman stated if you do the same analogy on R-2 you come up with one hundred and forty-four. That is not very far off from what you are proposing. Again, with the proximity to the school there and with the R-3 to the West the public interest should have some transmission until we move forward.

Mr. Chason stated one of the things that I recognize is the rationale for the R-3. This appears to be an extension of the existing development which is already zoned R-3. The advantage to the R-3 is the building width at the setback line because you can locate the home closer to the street. Personally, I do not think the problem is the issue between R-2 and R-3 as it is the density. You have been very up front with giving us a heads up as far as what you are proposing in the negotiations with whether or not you will be part of the city and we hope you will be. You have been a major player in the housing market and you have done a good job in my opinion. I will like to see us take action on this and get you going, but the problem is those few cars and the children crossing the street. In my opinion it is a matter of density rather than how it is zoned. I know you have some economics that you have to consider, but what do you think the chances are to sit down and reduce the number of lots because I think that we are real close to get what everybody wants.

Mr. Anderson stated I think those chances are good. I have not been privy to all of the conversations regarding this annexation, but I know that my client has been meeting with the city officials prior to tonight. I think the chances are good if we were allowed to stay R-3 and reduce the density. I do not know if my client would consider R-2, but I can address that with them. If we can stay R-3 and reduce it down to some number it would still make it economically feasible.

Mr. Chason stated it is fairly well known that I started the R-3 with Creekside Subdivision. The reason we requested R-3 instead of R-2 was because of the width of the lots in the pie shaped cul-de-sacs. If you are R-2 you have to move back considerably more than if you are in R-3. That is not the problem with the panel.

Mr. Chason stated the problem is the density. If we can reduce the density and still give you R-3, then you have the best of both worlds.

**THE CITY OF DAPHNE
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Mr. Chason stated this is what we are doing to try to control the small lots that are popping up everywhere. The zoning is here and not the plat so I cannot act on the zoning without assurances that you are going to cooperate.

Mr. Anderson stated absolutely. I think you know Mitchell's reputation and their history with developments in this area. I will certainly make a promise or represent to you that we will negotiate the density.

The Chairman stated you have represented that you will construct the development whether it is in the city or not. It is in our extraterritorial jurisdiction and we certainly will be involved in it.

Mr. Anderson stated I was not trying to be smart in that we are going to do it no matter what you say.

The Chairman stated we are here simply to generate a recommendation to the City Council for the rezoning. Do any of the Commissioners or Mr. Eady have any questions or comments?

Mr. Barry asked if we would be looking at this as R-3 with a reduction in the density.

The Chairman stated I do not know, but we have come to a gentleman agreement that we would work together to come up with a number that was acceptable and to address the concerns which have been expressed. That was my interpretation.

Mr. Kirby asked if it was acceptable to make a recommendation to the City Council with a maximum number of lots. I am just asking can we make a recommendation to the City Council restricting the number of lots? We heard that we can do R-2 at one hundred and twenty lots and with R-3 at one hundred and forty-two according to the preliminary sketches we have. I just wondered if the restriction would be appropriate?

Mr. Dekle stated I do not think we can change it without their permission.

Mr. Chason asked they are not submitting the plat are they.

Mr. Kirby stated no. They are not submitting the plat.

Mr. Dekle stated I think we are doing an R-3 with a restriction on it and I do not think we can do it.

Mr. Chason stated I think we can do the R-3 with the understanding that no matter whether or not they are in the city or out of the city what our concerns are.

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Mr. Dekle stated I think that is the key, but we cannot do a contingency.

Mr. Day stated my concern is that we would restrict what the City Council may propose to do. We still have an opportunity to address our concerns during the plat approval process and we have put everyone on notice as to what our concerns are.

Mr. Barry stated we are saying we really want R-2, but we understand why you want R-3 and we will negotiate with you in those areas to help you out. It seems as the R-2 would be the solution to the annexation going forward.

Mr. Anderson stated may I make a suggestion. If you would like to proceed with the annexation as R-3, I will make the representation that we will meet with Mr. Eady and whoever else we need to prior to this being submitted to the City Council if that would help you to address your concerns. That way we will know prior to it going to City Council, what we are willing to do or what we can work out with you.

Mr. Dekle stated this Commission is simply making a recommendation to the City Council.

Mayor Small stated this is something that we have discussed in the extraterritorial planning jurisdiction. This is the problem that we have if we turn them down they can build it anyway. This is something we need to address because this is our city. We have city services and they want the services. We need to address the existing drainage problems. This is something that the Planning Commission needs to address. This is one thing that we should address. After public participation, I think we should table it and work with the Mitchell Company to see if they are willing to work with us to come back with something better. I am not for sending this to the City Council now.

The Chairman stated there was a mention of public participation, but the action does not require it. There are some instances when there are some strong opinions that I allow it if the comments are brief. Do any of the Commissioners or Mr. Eady have any questions or comments? He opened the floor to public participation.

The adjacent property owners addressed the Commission to express their concerns regarding the proposed subdivision and how it would impact the adjacent property owners.

The main concerns expressed were additional traffic and safety issues surrounding the schools, pressure on existing utilities and police protection, existing storm water drainage problems and impact on Mobile Bay, and over development of the properties in the existing area.

THE CITY OF DAPHNE
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The Chairman stated with no further comments or questions from the adjacent property owners, he closed public participation. Do any of the Commissioners or Mr. Eady have any further questions or comments? If there is no objection, the Chair will entertain a motion. He asked if a recommendation can be made with a contingency.

Mr. Ross stated the Planning Commission can make a recommendation to the City Council; however, you cannot put contingencies on it. You can express your concerns, and it is up to the City Council to work that out.

The Chairman stated I would not want to make a recommendation with that scenario where we have given our power away. I would like for us to remain in control if we do the development.

Mr. Chason stated quite often you will see a plat accompanying a zoning amendment, but it does not have any recreational or detention area. This has got to be added. I would like to offer a motion to table pending the submittal of a plat which accurately displays what you propose to build then we can act on the zoning based on the preliminary plat.

A **Motion** was made by Mr. Chason and **Seconded** by Mayor Small **to table the annexation for the Mitchell Company, Inc.**

Upon roll call vote, **the Motion carried.**

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

The Chairman stated we have the issue of the Commission having to take action on this proposal within thirty days. By tabling it, am I reserving our right to do so. He asked if the petitioner would object to waiving the thirty-day time frame. If the petitioner would consent, then the thirty-day rule would not be applicable.

Mr. Anderson stated my client will be agreeable to waiving the thirty days.

The Planning Commission recessed at 8:40 p.m. reconvened at 8:50 p.m.

THE CITY OF DAPHNE
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PETITIONS:

ANNEXATION REVIEW:

An introductory presentation was given by Mr. Trae Corte, owner of Bellaton Subdivision, requesting annexation of a one hundred and seventeen-acre parcel located at the intersection of County Road 27 and Austin Road. The owner, Country Club Development, L.L.C., is petitioning the city for annexation by legislative act for R-3, High Density Single Family Residential, zoning. The lots in Bellaton are compatible with the size requirements of an R-2, Medium Density Single Family Residential, zoning; however, for the reasons given previously it is necessary to request R-3, High Density Single Family Residential. In listening to your comments and concerns, I would ask that you address the lot density rather than the square footage requirement in order for these types of development to be allowed. The same goal can be achieved just in a different manner. 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. If there is no objection, the Chair would entertain a motion.

A **Motion** was made by Mayor Small and **Seconded** by Mr. Coulter *for the affirmative recommendation by the Planning Commission to the City Council of Daphne for the annexation by legislative act of Bellaton Subdivision.*

Upon roll call vote, *the Motion carried.*

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

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

ADMINISTRATIVE PRESENTATION:

An introductory presentation was given by Ms. Cara Stallman, Senior Natural Resource Planner for Baldwin County. She addressed the Planning Commission to advise them of the services and assistance available by her department with Baldwin County and expressed how she would like to assist the GIS and Community Development departments in providing said services.

THE CITY OF DAPHNE
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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 and some additional proposed changes have been suggested to accommodate some concerns that Mr. Cox had about the areas of development. I am requesting a recommendation from the Planning Commission to the City Council to move forward with the proposed amendment to the City of Daphne Land Use and Development Ordinance.

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 Ms. Barnette and **Seconded** by Mr. Barry *for the affirmative recommendation by the Planning Commission to the City Council of Daphne for the adoption of an amendment to the City of Daphne Land Use and Development Ordinance, the Municipal Informational Directional Sign Ordinance.*

Upon roll call vote, *the Motion carried.*

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

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

PLANNING COMMISSION DISCUSSION:

The Chairman stated a motion is necessary to move the City of Daphne Planning Commission meeting from Thursday, February 24, 2005 to Tuesday, February 22, 2005.

A Motion was made by Mr. Kirby and **Seconded** by Mr. Dekle *to set the date for the regular City of Daphne Planning Commission meeting for Tuesday, February 22, 2005. The Motion carried unanimously.*

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
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ADJOURNMENT:

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

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

There being no further business, the meeting was adjourned at 9:15 p.m.

Respectfully submitted by:

Jan Dickson, Planning Coordinator

APPROVED: February 22, 2005

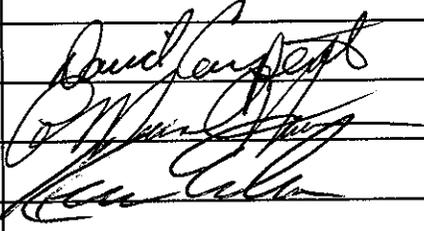
Kenneth Day, Chairman

**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

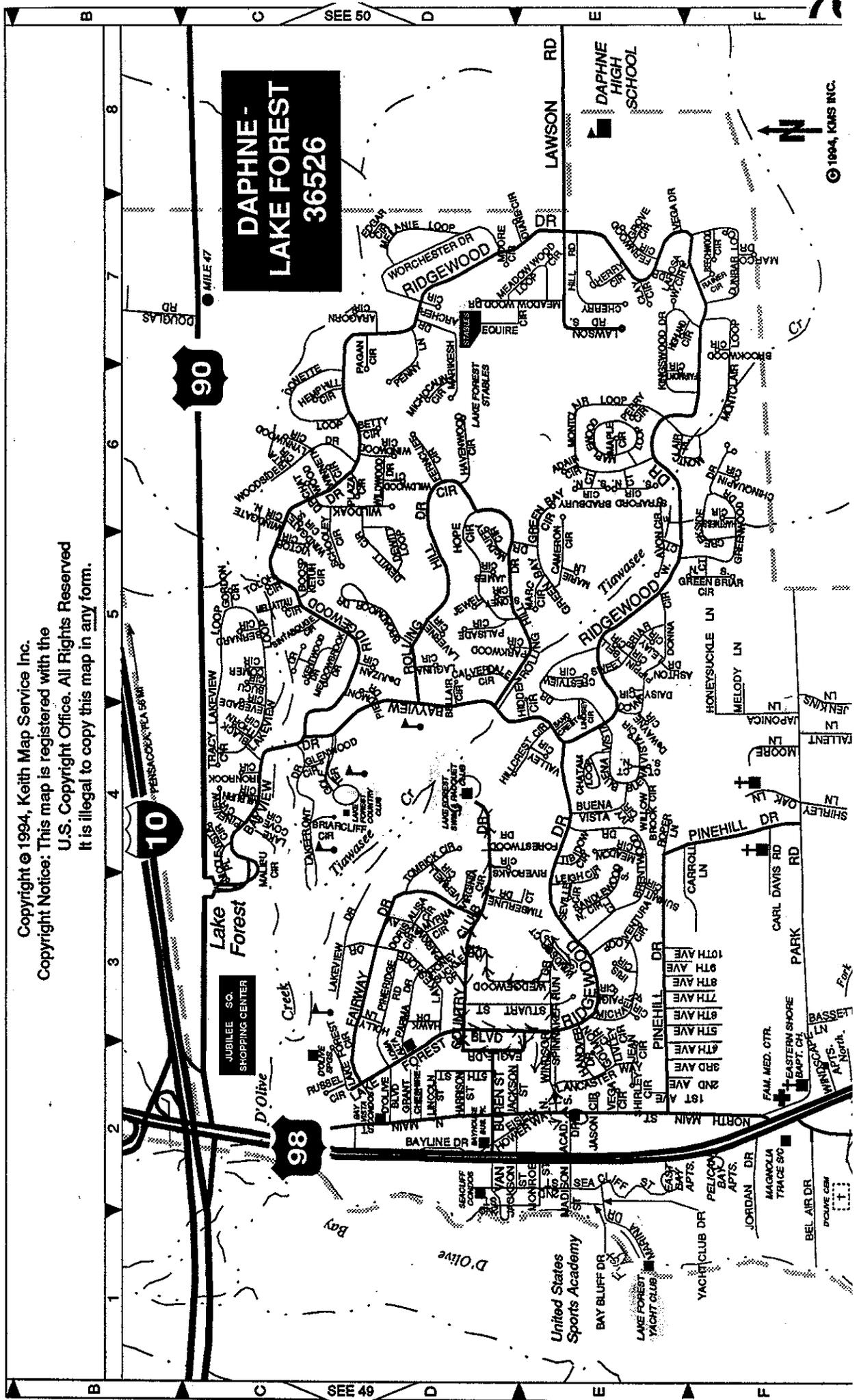
CITY OF DAPHNE

PARADE PERMIT

ORGANIZATION:	<i>United States Sports Academy</i>
CONTACT PERSON:	<i>Brianna Smith</i>
ADDRESS:	<i>One Academy Drive</i>
PHONE NUMBER (HOME): PHONE NUMBER (BUSINESS):	<i>626-6939</i> <i>626-3303 Ext. 136</i>
TYPE OF PARADE:	<i>5K & 1-mile Fun Run</i>
DATE OF PARADE:	<i>April 9, 2005</i>
ROUTE TO BE TRAVELED:	<i>See Attached Map</i>
APPROXIMATE # OF PEOPLE & CARS:	<i>500+</i>
START TIME:	<i>7:30 AM</i>
STOP TIME:	<i>Approx. 11:00 AM</i>
ASSEMBLY AREA/STREET:	<i>USSA / Main Street Entrance</i> <i>North</i>
ASSEMBLY TIME:	<i>6:30 AM</i> <i>North</i>
SPECIAL REQUEST:	<i>Block Main Street & Direct Traffic</i>
APPROVAL	
POLICE: Chief David Carpenter:	
FIRE: Chief Mund Hanson	
PUBLIC WORKS: Ken Eslava	
CITY COUNCIL:	
SPECIAL INSTRUCTIONS:	
DATE ROUTED:	<i>January 27, 2005</i>
NOTIFICATION:	

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It is illegal to copy this map in any form.

DAPHNE- LAKE FOREST 36526



CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

**RESOLUTION 2005-14
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:

Ken Eslava, Public Works Director, 2005 National Hurricane Conference, March 21-25, 2005, New Orleans, LA - \$210

Penry, Denise; PW Accountant/EMA Assistant, 2005 National Hurricane Conference, March 21-25, 2005, New Orleans, LA - \$210

Tony Cross, Solid Waste Coordinator, 2005 National Hurricane Conference, March 21-25, 2005, New Orleans, LA - \$210

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

APPROVED AND ADOPTED BY THE CITY COUNCIL, CITY OF DAPHNE, ALABAMA on this 21st - - day of February, 2005.

**Greg Burnam
Council President**

Date & Time Signed: _____

Fred Small, Mayor

Date & Time Signed: _____

ATTEST:

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

RESOLUTION 2005-15

**A Resolution Authorizing Issuance of
Credit Cards: Police Field Operations Captain**

WHEREAS, Resolution 1996-45 adopted July 15, 1996, authorized the issuance of a City of Daphne credit card to certain department heads; and

WHEREAS, the City of Daphne now deems it necessary to authorize the issuance of an additional credit card to the Field Operations Captain of the Police Department.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Daphne that Section 1 of Resolution 1996-45 is hereby amended to include the Field Operation Captain of the Police Department.

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

RESOLUTION 2005-16

**A Resolution Authorizing Mayor to enter into an Agreement
for membership in the
Cooperative Purchasing Association of South Alabama**

WHEREAS, a Cooperative Purchasing Association of South Alabama consisting of public entities governed by the General Provisions of the public contracts law of the State of Alabama and located within Baldwin, Mobile, and Escambia Counties is being organized; and

WHEREAS, the City of Daphne has determined that it would be beneficial for the City to participate in the Cooperative in order to take advantage of the cost savings often realized when bulk purchasing power is utilized; and

WHEREAS, membership in the Cooperative will allow the City of Daphne to insure the citizenry that the best prices for materials and other purchases are being received by allowing the City of Daphne an additional purchasing option through the Cooperative.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Daphne, Alabama, that the Mayor is hereby authorized to execute the contract attached hereto and made a part hereof and any other documents necessary for the City of Daphne to be a member of the Cooperative Purchasing Association of South Alabama.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

**INTERGOVERNMENTAL AGREEMENT ESTABLISHING THE
COOPERATIVE PURCHASING ASSOCIATION of SOUTH ALABAMA**

This Agreement made this day _____ of _____, 20__, between the public bodies governed by the General Provisions of the public contracts law of the State of Alabama (Code of Alabama, ' 41-16-21.1 and 41-16-50) located within the southern region of Alabama, (southern region being defined as the counties of Escambia, Baldwin and Mobile counties), within each of these counties, or adjoining counties, of Alabama, or other entities that choose to be governed by the provisions of the **COOPERATIVE PURCHASING ASSOCIATION of SOUTH ALABAMA** as hereinafter set forth,

WITNESSETH:

In consideration of the premises and the mutual covenants and agreements stipulated herein, and pursuant to the authority granted by the State of Alabama under the General Provisions of the public contracts law of the State of Alabama (Code of Alabama, ' 41-16-21.1 and 41-16-50), the parties hereto do hereby agree as follows:

SECTION 1

The parties hereto do hereby create, as a voluntary association, the **COOPERATIVE PURCHASING ASSOCIATION of SOUTH ALABAMA**, hereinafter referred to as "the Cooperative", for the purpose of coordinating cooperative joint purchases for the mutual economic advantage of its members. The Cooperative shall consist of each entity participating in this Agreement. Said Cooperative shall be free to adopt such rules for organization and procedure as it may deem suitable for the conduct of its business.

SECTION 2

There is hereby established an Executive Board comprised of the Chief Executive or their designate of each participating entity, with one vote being allocated to each participant on all matters. The Executive Board shall promulgate rules, regulations, and/or bylaws in accordance with the laws of the State of Alabama, for the operation and maintenance of the Cooperative, including but not limited to the employment of a coordinator and the determination of the assessment or method of determination of the assessment for membership. Annually, the Executive Board shall elect by majority vote of those present, a chairperson. The chairperson shall have signature authority for the Cooperative in the matter of employing the coordinator. The coordinator is designated as the purchasing agent for the members of the cooperative pursuant to Code of Alabama '41-16-21.1, this agreement, and the by-laws of the cooperative.

SECTION 3

There is hereby established an Advisory Board comprised of a representative of each participating entity with one vote being allocated to each participant in all matters. The Advisory Board shall work with the coordinator to determine commodities and services to be bid and to recommend operational changes to the Executive Board. Each participating entity shall determine the manner of selecting its representative; however, it is recognized that personnel with responsibilities associated with the purchasing process are more ideally suited as representatives.

SECTION 4

The parties to this Agreement will identify by way of their membership on said Advisory Board those items and classes of items for which joint purchase may be advantageous for the period commencing with the execution of this Agreement and continuing until terminated, as hereinafter provided.

SECTION 5

The specifications for items to be purchased will be prepared by the Coordinator of the Cooperative for use by all members of the Cooperative. Where feasible, the Coordinator shall seek input from the other participants to insure that said specifications meet the broadest range of needs. Each participating government shall identify the items to be jointly purchased and indicate therein the quantities, or range of quantity desired, the location for delivery and other requirements, to permit the preparation and filing of plans and specifications as provided by law. In all cases where appropriate, the Cooperative shall seek to use standard specifications such as those used by the State of Alabama, the National Institute of Governmental Purchasing, the American Society of Testing and Materials, and other appropriate standards not cited herein.

SECTION 6

One member agency, hereinafter referred to as the host agency, shall act as the lead agency for the Cooperative and will assume the responsibility for housing the coordinator and the operations of the cooperative. The coordinator and the host agency have the authority to expend the funds of the cooperative for operations. The coordinator with assistance from the host agency will be responsible for coordinating and advertising for bids on behalf of the other members of the Cooperative participating on a particular bid. As such, the host agency and the coordinator shall be designated to receive and open the bids on behalf of the other participating governments at the time and in the manner provided by law with at least two members of the advisory board present.

SECTION 7

Responses to all bids will be received by the coordinator and host agency. Not later than fifteen (15) days following the receipt of bids, the Coordinator will submit to all participating members a complete tabulation of all bids received and a recommendation as to the lowest responsible bidder.

If the Coordinator determines that the lowest bidder is not responsible and accordingly certifies that some other bidder has the lowest responsible bid, it will include an explanation and report on its findings along with the tabulation and recommendation.

SECTION 8

Contracts of purchase will be awarded to the lowest responsible bidder as recommended by the coordinator, except as provided for herein. Each party to this Agreement shall prepare separate and individual contracts and requisitions when providing for procurement of items coordinated through and in accordance with any recommendation by the Coordinator.

SECTION 9

Each individual member may reserve the right to disregard the recommendation of the host agency and the Coordinator as to the lowest responsible bid in favor of applying its existing residence privilege pursuant to the public contract law of the State of Alabama (Code of Alabama '41-16-50). In that event, each member jurisdiction may reserve the right to utilize specifications and bids prepared through the Cooperative and to award contracts of purchase, individually and on its own behalf; provided, however, that invitations for such individual bids are not advertised, nor are awarded within sixty (60) days of the period in which the Cooperative is soliciting and awarding bids for the same products and/or services, except in cases of emergency or extreme hardship pursuant to the public contract law of the State of Alabama (Code of Alabama '41-16-53).

SECTION 10

The Cooperative, the coordinator, and the host agency will not assume any financial or contractual obligation for any commodities, materials, and/or services for which the cooperative, the coordinator, and the host agency coordinates the bidding on behalf of the Cooperative. Each participating entity assumes sole and complete responsibility for its own procurement, delivery, storage, and payment, and will not impose or accept any additional obligations on either the host agency or any other member of the Cooperative relating to those responsibilities, either by way of this Agreement or by stipulating to its provisions.

SECTION 11

Any dispute arising between any of the parties hereto and a successful bidder not relating to either the validity of the award or contract of purchase or contract of service, or the rejection of any bid or bids will be settled by and at the cost of that party involved in the dispute and without obligation or responsibility on the part of the host agency, the Cooperative, or the other member jurisdictions.

SECTION 12

In the interest of the success of the Cooperative, those parties stipulating to this Agreement will be required to remain as members of the Cooperative for a period of not less than twelve (12) months from the date of inception or from the date of signing of this agreement and the beginning of a fiscal year (defined as October 1st of each calendar year). Any entity that signs this agreement during a fiscal year shall be charged a pro rata share of the annual assessment for the remainder of the fiscal year.

SECTION 13

Any jurisdiction that wishes to terminate its membership in the

Cooperative may do so by indicating the same in writing to the Coordinator and the chief executive of the host agency. Members will agree to exercise this option only at the beginning of each fiscal year. Likewise, membership in the Cooperative will be terminated automatically upon legal dissolution any participating entity. However, under no circumstances will any exiting or dissolved jurisdiction be entitled to reimbursement of fees or other funds previously expended for the establishment, operation, or maintenance of the Cooperative.

SECTION 14

To facilitate the success of the Cooperative, the executive board agrees to employ under contract the coordinator who is designated as the purchasing agent for the Cooperative and will have primary responsibility for contract design and coordination of joint bids with the other members to this agreement. The coordinator shall hire and employ other personnel as needed and allowed within the budget of the cooperative. The total expense of the coordinator, other personnel, and operations of the cooperative will be divided among the participating members. The participating members reserve the right to assess themselves, based on a fee and/or formula to be determined on an annual basis.

SECTION 15

The members of the Cooperative and the coordinator shall have the power, pursuant to laws of the State of Alabama (Code of Alabama '41-16-21.1 and 41-16-50), to jointly contract with consultants and other such resources as is deemed necessary to provide services authorized by law for the development and realization of the Cooperative's objectives.

SECTION 16

This Agreement will take effect upon execution by the signatories. Thereafter, other entities may elect to join the Cooperative by executing this Agreement in the form prescribed by the existing members of the Cooperative, and such execution subsequent to the date herein written above will not be deemed to require re-execution of this Agreement by any party previously stipulating to its provisions.

IN WITNESS WHEREOF, the parties hereto, having obtained the full consent of their governing bodies, have caused this Agreement to be executed by their duly authorized officers on the day and year written above.

AGENCY OF _____, ALABAMA,

BY: _____

Its _____

ATTEST:

Its _____

COUNTY OF _____, ALABAMA,
a Municipal/Public Corporation

BY: _____

Its _____

ATTEST:

Its _____

CITY OF _____, ALABAMA,
a Municipal/Public Corporation

BY: _____

Its _____

ATTEST:

Its _____

RESOLUTION 2005 -17

A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING DISPOSITION

WHEREAS, the Recreation Department of the City of Daphne has determined that the Riddell youth helmets purchased in 1996 (approximately 140) can no longer be used for public or municipal purposes; and

WHEREAS, the Riddell helmets are recommended for disposal.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Daphne that the Riddell Football Helmets are damaged and/or beyond the manufacturers life span; and

1. Are hereby declared to be surplus property; and
2. The Mayor is authorized to direct the disposition of helmets that cannot be sold to the public due to safety concerns.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this 21st day of February, 2005.

Greg Burnam

Council President

Date & Time Signed:_____

Fred Small, Mayor

Date & Time Signed:_____

ATTEST:

David L. Cohen
City Clerk MMC

RESOLUTION 2005-18

**ALDOT Application:
Industrial Access Road Grant on the North Side of Interstate I-10**

WHEREAS, the City of Daphne is interested in the development of a viable community which will provide its residents with appropriate and adequate employment opportunities; and

WHEREAS, the need for a industrial access road on the north side of Interstate 10 is needed to allow for the developing Eastern Shore to accommodate the influx of traffic that is already present.

NOW, THEREFORE, be it resolved by the Mayor and City Council of the City of Daphne, Alabama, that:

1) The City of Daphne shall submit a request to the Alabama Department of Transportation to construct an industrial access road, which would be an east/west corridor on the north side of Interstate I-10 between US Highway 98 and State Highway 181.

2) Fred Small in his capacity as Mayor of the City of Daphne is hereby authorized to execute such application and any and all additional documents necessary to carry out the purpose of requesting funding and consideration from ALDOT on behalf of the City of Daphne for such project.

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

RESOLUTION NO. 2005-19

Alabama's Coastal Connection Scenic Byway

WHEREAS, the vision of Alabama's Coastal Connection Scenic Byway is to create a sense of place, a destination, where, coastal Alabama's natural historic and recreational assets are all a part of an enjoyable and educational experience for visitors and where the spirit and importance of coastal stewardship is encouraged and,

WHEREAS, its mission is to identify, promote and enhance the assets of Alabama's Coastal Connection through the development and implementation of a Corridor Management Plan and through obtaining both state and national designation as a Scenic Byway and,

WHEREAS, the goals of Alabama's Coastal Connection are to

- Increase efficiency and effectiveness through communicating and coordinating individual asset/agency planning efforts as part of a Corridor Manage Plan.
- Develop a marketable entity, in the form of a byway, in order to raise public awareness, appreciation and support of the area's historic, scenic and nature-based assets.
- Increase visitation by targeted markets including eco- and geo-tourists, in accordance with the sustainability of individual assets, resulting in positive economic impact for the assets and surrounding area in increased coastal stewardship.
- Provide a positive environment and growth opportunities for additional assets consistent with the theme of the corridor.

NOW, THEREFORE, BE IT RESOLVED that the City of Daphne supports the development of Alabama's Coastal Connection as a state and national scenic byway.

**APPROVED AND ADOPTED ON THE _____ DAY OF _____,
2005.**

Greg Burnam
Council President

Date & Time Signed: _____

Fred Small
Mayor

Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

ORDINANCE 2005-06

An Ordinance Appropriating Funds

**Dues: Police Firing Range; Property & Liability Insurance;
2005 Gulf Coast Zydeco Festival; Storage Building**

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:
 - \$ 1,200 Dues: Police Firing Range
 - \$ 8,347 Property & Liability Insurance
 - \$ 25,000 Advance to Civic Center for 2005 Gulf Coast Zydeco Music Festival
(to be reimbursed by Festival proceeds)
 - \$ 40,000 Storage Building for Recreation & Beautification Supplies
 - \$ 74,547

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