

**CITY COUNCIL BUSINESS MEETING AGENDA
1705 MAIN STREET, DAPHNE, AL
FEBRUARY 26 2007
6:30 P.M.**

**1. CALL TO ORDER
2. ROLL CALL/INVOCATION
PLEDGE OF ALLEGIANCE**

- 3. APPROVE MINUTES:** Council minutes meeting held February 5, 2007
Council minutes Special Called meeting held February 15, 2007
Council Work Session minutes meeting held February 15, 2007

- PUBLIC HEARING:** 1.) Annexation: Woodland Group / Tiawasse / Property located off County Road 13 and Adjacent to Tiawasse Trace Subdv. / Requested Zoning R-1, Low Density Single Family District / **Ordinance 2007-07**
- 2.) Annexation: Mitchell Company / Dunmore Subdv. / Property located on AL Hwy181 / Requested Zoning R-1, Low Density Single Family Residential District / **Ordinance 2007-08**
- 3.) Annexation: Myron Hank Miner, II / Property located on the corner of 3rd Street and Gabel Street / Requested Zoning B-2, General Business District / **Ordinance 2007-09**

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE / Scott

Review minutes meeting held February 12th

a.) Prepaid Travel / Legislative / Resolution 2007-07

Attending the National League of Cities Conference / Washington, D.C. / March 10-14, 2007

- 1.) Cathy Barnette / \$175
- 2.) Bailey Yelding, Jr. / \$175
- 3.) John Lake / \$175
- 4.) Ron Scott / \$140 (Attending March 10-13, 2007)
- 5.) David Cohen / \$175

b.) Prepaid Travel / Court / Resolution 2007-08

Ha Le (Fifi) Riggio / Certification & Maintenance Training for Municipal Clerks / March 5-8, 2007 / Tuscaloosa, AL / \$140

c.) Bids:

- a.) Pay Roll Time Keeping System / Resolution 2007-10
- b.) Three (3) Two Wheel Drive Out Front Mowers / Resolution 2007-11
- c.) Jubilee Breeze Magazine / Resolution 2007-09

d.) Resolutions:

Change Order: Village Point / Yancey Branch / Lakeview Loop NRCS Project / Resolution 2007-06

e.) MOTIONS:

- 1.) Library Fund-Raiser Feasibility Study

Motion to approve the Library Fund-Raiser Feasibility Study and to allow the Mayor to enter into a contract with NCDS in the amount of \$20,000 plus out of pocket expenses not to exceed \$6,000, to be paid from the 2006 Construction Fund.

- 2.) Al Tirone Sports Complex Dog Park

Motion to approve the construction of the Sports Complex Dog Park at Trione Park in the amount of \$13,600 to be paid from the funds received from d-annexation (ear-marked for Recreation).

- 3.) Battleship Memorial Park Contribution

Motion to approve a \$1,000 contribution to the Battleship Memorial Park.

f.) Financial Reports:

- a.) Treasurers Report / January 31, 2007
- b.) Sales Tax Collection / December 31, 2006
- c.) Lodging Tax Collections / December 31, 2006

B. BUILDINGS & PROPERTY - Lake

Review minutes meeting held February 9th

- a.) **MOTION:** *Motion to allow the Mayor to enter into negotiations for the lease of the Eastern Star building to Huntingdon College*

C. PUBLIC SAFETY - Burnam

Review minutes meeting held February 6th

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Landry

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Yelding

Review Beautification minutes meeting held February 2nd

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments - Eady

B. Downtown Redevelopment Authority - Barnette

Review minutes meeting held February 12th

C. Industrial Development Board - Yelding

D. Library Board - Lake

Review minutes meeting held February 12th

E. Planning Commission - Barnette

Review minutes meeting held January 25th

- a.) **MOTION:** Request by Planning Commission that the City Council: *Motion to approve funding for a hydraulic and feasibility study for the Lake Forest Water Shed in the amount of \$_____.*

F. Recreation Board - Palumbo

Review minutes meeting held February 7th

- a.) **MOTION:** *Motion to approve HMR to proceed with starting the water retention permit process on the new recreation property.*

G. Utility Board - Scott

6. REPORTS OF OFFICERS:

A. Mayors Report

- a.) Parade Permit / Daphne United Methodist Church / Annual 5K & Fun Run / April 7, 2007
- b.) Alabama League Voting Delegate
- c.) Request for funding by Daphne Middle School Band
- d.) ABC License / the Barrel Room, Inc. / 060 Retail Table Wine – On or Off Premises
- e.) Traffic Light at Lawson and Hwy 181 / **Resolution 2007-12**
- f.) **MOTION:** *Extend NRCS Project*

B. City Attorney's Report

C. Department Head Comments

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) **Change Order: Village Point Park/Yancey Branch/Lakeview Loop /Resolution 2007-06**
- b.) **Prepaid Travel / Cohen/Barnette/Yelding/Lake/Scott. /Resolution 2007-07**
- c.) **Prepaid Travel / Ha Le Riggio. /Resolution 2007-08**
- d.) **Bid Award: Jubilee Breeze Magazine / Interstate Printing & Graphics. /Resolution 2007-09**
- e.) **Bid Award: Payroll Time Keeping System / Kronos, Inc. /Resolution 2007-10**
- f.) **Bid Award: Three (3) Two Wheel Drive Outfront Mowers / Foley Implement Company. /Resolution 2007-11**
- g.) **Agreement with ALDOT: Installation of Traffic Light at the Intersection of Lawson Road & Hwy 181. /Resolution 2007-12**
- h.) **Support Legislation that Enables the Formation of a Voluntary Regional Storm Water Management Authority. /Resolution 2007-13**
- i.) **Fix Costs for Demolition of Unsafe Structures Located at 403 Dryer Avenue, Daphne, AL. /Resolution 2007-14**

ORDINANCES:

2ND READ

- a.) **Election and Appointing of City Employees by City Council as Appointing Authority. /Ordinance 2007- 06**

1ST READ

- b.) **Annexation: Woodland Group, Inc / Estates of Tiawasse / Property located off County Rd. 13 and Adjacent to Tiawasse Trace Subdivision. /Ordinance 2007-07**
- c.) **Annexation: Mitchell Company / Dunmore Subdivision / Property located on AL Hwy 181. /Ordinance 2007-08**
- d.) **Annexation: Myron Hank Miner, II / Property located on the corner of 3rd Street and Gabel Street. /Ordinance 2007-09**

- 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

**FEBRUARY 5, 2007
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1

1. CALL TO ORDER

Council President Pro tem Lake called the meeting to order at 6:30 p.m.

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Councilman Mr. Eady gave the invocation.

COUNCIL MEMBERS PRESENT: Bailey Yelding; Cathy Barnette; John Lake; Ron Scott; Regina Landry arrived at 6:35 p.m.; August Palumbo.

ABSENT: Greg Burnam

Also present: Mayor Small; David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; Bill Eady, Planning Department Director; Ken Eslava, Public Works Director; Tonja Young, Library Director; David Carpenter, Police Chief; Richard Merchant, Building Official; Kim Briley, Finance Director; David McKelroy, Recreation Director; Lon Johnston, Utility Board; Willie Robison, BZA; John Coulter, BZA; Mickey Boykin, Daphne Museum.

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

3. APPROVE MINUTES:

MOTION BY Mrs. Barnette to approve the Council Work Session minutes meeting held January 11, 2007. *Seconded by Mr. Scott.*

AYE Yelding, Barnette, Lake, Scott, Palumbo

NAY NONE OPPOSED

MOTION CARRIED

MOTION BY Mrs. Barnette to approve the Council meeting minutes meeting held February 5, 2007. *Seconded by Ms. Landry.*

AYE ALL INF FAVOR

NAY NONE OPPOSED

MOTION CARRIED

PROCLAMATION: Arbor Day / February 24, 2007

Mayor Small read and presented the proclamation to Marshall Parsons and representatives of the Beautification Committee Anne Talton and Nancy Henderson.

NOTE: *Mrs. Landry arrived at 6:35 p.m.*

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE – Scott

No report. The next meeting will be Monday at 4:00 p.m. in the Executive Council Chambers.

B. Buildings and Property Committee – Lake

No report. The next meeting will be February 9th at 10:00 a.m.

C. PUBLIC SAFETY COMMITTEE – Burnam

The next meeting will be February 6th at 4:30 p.m.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Landry

There are not any ordinances to consider so there will not be a meeting this month. The next meeting will be the first Tuesday in March.

E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY – Yelding

The minutes for the January 26th meeting are in the packet.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Eady

There will not be a meeting in February.

B. Downtown Redevelopment Authority – Barnette

The next meeting will be February 12th at 5:30 p.m. The members met with the Beautification Committee in Jubilee Courtyard to consider ways of making the park more user friendly. The Authority suggested taking out part of the front fence and opening up an entrance in the back of the park on the north side, and merchants putting umbrellas on the tables, without advertising, to make it more receptive for use. Mrs. Barnette stated that Mrs. Romanchuk asked the Mayor to come up with rules for the park.

C. Industrial Development Board – Yelding

The next meeting date will be announced at the February 26th Council meeting.

D. Library Board – Lake

Ms. Young discussed the last Board meeting along with a power point presentation. She stated that the Board has asked the Council to approve the National Community Development Service, which is the fundraiser company the board chose, to do a feasibility study.

E. Planning Commission – Barnette

The minutes for the December 28th meeting are in the packet.

a.) Set Public Hearing Date for March 5th for the following:

- 1.) Rezoning - Vilai Marino/The Marino Family Trust / Property located on Pinehill Drive, 13 Acres / R-3, High Density Single Family Residential District to R-4, Multi-Family Residential District
- 2.) Amending the Land Use & Development Ordinance / Eastern Shore Park Overlay District
- 3.) Amending the Zoning Map

MOTION BY Mrs. Barnette to set a Public Hearing date for March 5, 2007 to consider the following:

- 1.) **Rezoning - Vilai Marino/The Marino Family Trust / Property located on Pinehill Drive, 13 Acres / R-3, High Density Single Family Residential District to R-4, Multi-Family Residential District**

Seconded by Mr. Palumbo.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to set a Public Hearing date for March 5, 2007 to consider the following:

- 1.) **Amending the Land Use & Development Ordinance / Eastern Shore Park Overlay District**
- 2.) **Amending the Zoning Map**

Seconded by Mr. Yelding.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Mrs. Barnette reported that the senior development proposed by the Marino Land Trust received a negative recommendation from the Planning Commission. There will be a work session at 8:00 a.m. on Wednesday and the topic will be drainage. The Site Review meeting will be February 14th at 8:00 a.m. and the Planning Commission meeting will be February 22nd at 6:00 p.m.

F. Recreation Board – Palumbo

The minutes from the January 9th meeting are in the packet on page 68. The Recreation Board is going before the Finance Committee with regard to creating a dog park. There are no dog parks in south Alabama and only one in the state which is in Auburn. The next meeting will be Wednesday at 6:00 p.m.

G. Utility Board – Scott

The committee met last Wednesday and the minutes will be in the next packet. The board discussed a \$1.20 increase across the board, 60¢ for water and 60¢ for sewer, but not many of the citizens came out and they want this well publicized before they vote on it to give the citizens an opportunity to speak on the subject. The board wants to stay ahead of the curve and implement smaller increases instead of waiting and doing a big one that will make it hard for folks.

6. REPORTS OF THE OFFICERS:

A. *Mayor's Report*

a.) Parade Permit / Loyal Order of the Fire Truck / February 18, 2007

MOTION BY Mrs. Barnette to approve the Parade Permit for the Loyal Order of the Fire Truck Parade to be held on February 18, 2007 at 1:59 p.m. *Seconded by Mr. Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

b.) Parade Permit / S.E.E.D.S. / 5K & Fun Run / March 3, 2007

MOTION BY Mrs. Barnette to approve the Parade Permit for S.E.E.D.S. on March 3, 2007. *Seconded by Mr. Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

**c.) *ABC License / Veterans Pointe / 070 Retail Table Wine – Off Premises Only
050 Retail Beer – Off Premises Only***

MOTION BY Mrs. Barnette to approve the liquor license, 070 – Retail Wine – Off Premises Only and 050 Retail Beer – Off Premises Only for Veterans Pointe. *Seconded by Mr. Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

d.) *Discuss: Education Committee / Cathy Barnette*

Basically, the Council set up a working committee to look at education in the City of Daphne which was precipitated by the Daphne South issue. The Council said that they wanted to keep the committee going, and that it would be a standing committee to address the educational needs in Daphne. The south issue is over, but they haven't met since then and Mrs. Barnette would like to reconvene the committee and set a date and come up with issues and concerns to make sure that they continue to be engaged and see what the city can do to further communicate with the Baldwin County Board of Education. The committee consists of Mrs. Barnette, Mr. Yelding and Council President Burnam.

B. City Attorney's Report

No report.

C. Department Head Comments

David Cohen – City Clerk – Reminded the Council that grant season is here and he needs a priority list from them and direction of which grants to pursue and what areas they wish to pursue grants.

Mr. Palumbo asked David to call Hutchinson, Moore and Rauch about a master plan for the recreation property so that he can apply for grants to help with that project.

7. PUBLIC PARTICIPATION

Mr. Willie Robison – spoke against a no smoking ordinance for the city saying he thinks that government should not tell a private business owner what to do inside their business, and that the business owner should make that decision.

Mr. Lon Johnston – 316 Whiting Court – spoke regarding an article about the Beautification Committee and is pleased with the revitalization of the committee. He also commented on some remarks made by Mr. Palumbo regarding the recreation property and asked that they make the plans and the cost to build and maintain the recreation facilities available for public view.

8. RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

RESOLUTIONS

RESOLUTIONS:

a.) Adoption of Revised Street Map. /Resolution 2007-05

MOTION BY Mr. Scott to waive the reading of Resolution 2007-05. *Seconded by Mrs. Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mr. Scott to adopt Resolution 2007-05. *Seconded by Mrs. Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

ORDINANCES:

a.) Set Public Hearing Date for Highway 90 Sewer Assessment. /Ordinance 2007- 05

MOTION BY Ms. Landry to suspend the rules to consider Ordinance 2007-05. *Seconded by Mr. Scott.*

ROLL CALL VOTE

Yelding	Aye	Scott	Aye
Barnette	Aye	Landry	Aye
Lake	Aye	Palumbo	Aye

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Ms. Landry to waive the reading of Ordinance 2007-05. *Seconded by Mr. Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTIONED CARRIED

MOTION BY Mrs. Landry to adopt Ordinance 2007-05. *Seconded by Mr. Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

9. COUNCIL COMMENTS

Mr. Yelding stated that Mr. Lake was at his best tonight.

Mr. Scott reported that Utilities were progressing with the three million gallon water storage tank and hopes that it will take care of the water needs when completed in April.

Ms. Landry informed the Council that she and Council President Burnam have been attending informal meetings on the I-10 service road and she will report back in a couple of weeks.

Mr. Palumbo commented on Mr. Johnston's earlier statement regarding the recreation facilities saying that the Recreation Board has been working with HMR in developing a master plan and the information is very preliminary and this will be a major project, but it is not even in the discussion stage as to cost, financing or as to when it will start. He said that all that has been done to this point is acquire the property which was done some time ago. He added that the money to purchase the property came from a land swap with a dirt pit north of I-10 in the Bass Pro Shop development and with those funds the property was appropriated to purchase the property. Mr. Palumbo said that it is a future long term project, and how and when it will come about has not been determined as yet. The Recreation Board meetings are published and they are ongoing and open to the public. He stated that the board will meet this Wednesday and the agenda is on the website.

Mr. Lake reminded everyone that the next City Council meeting will be February 26th in the Council Chambers.

**FEBRUARY 5, 2007
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Mayor Small stated that he has been working, as the Council requested, on funding to upgrade Public Safety pay to where it needs to be. He said that he has some good information he would like to share with the Council and would like to start tomorrow to put forth some dates to Council to have a little work session on this. He said that nobody likes work sessions, and he doesn't either, he has a meeting just about every night, but he said that he would like to go ahead and get this behind them.

Mr. Lake asked the Mayor to get with Council President Burnam and Mr. Cohen to work out the agenda for the next work session and to keep it down to three (3) items to include the Mayor's report, and he would like the work session to end at 8:30 p.m. so that everyone can get home at a decent hour. Mr. Lake stated that if necessary they can have another work session before the next Council meeting.

10. ADJOURN

MOTION BY Mr. Yelding to adjourn. *Seconded by Mrs. Barnette.*

AYE	ALL IN FAVOR	NAY	NONE OPPOSED	MOTION CARRIED
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THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:30 P.M.

Respectfully submitted by,

David L. Cohen,
City Clerk, MMC

Certification of Presiding Officer:

John Lake
Council Vice President
Date & Time Signed: _____

**FEBRUARY 15, 2007
SPECIAL CALLED
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER

Council Vice President Lake called the meeting to order at 6:35 p.m.

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Mr. Lake gave the invocation.

COUNCIL MEMBERS PRESENT: Bailey Yelding; Cathy Barnette; John Lake; Greg Burnam arrived at 6:36 p.m.; Ron Scott; Regina Landry; August Palumbo.

Also present: Mayor Small; David Cohen, City Clerk; Rebecca Hayes, Betsy Turner, Attorney; Ken Eslava, Public Works Director; David Carpenter, Police Chief; Capt. Randy Bishop, Police Dpt. Capt. Kenny Hanak, Fire Dpt.; Capt. Joey Holasz, Fire Dept. Capt. Andy Ray, Fire Dpt.; Chip Martin, Fire Inspector; Firefighters; Ed Kirby, Code Enforcement Officer; Suzanne Henson, Senior Accountant; Sharon Cureton, Human Resource Director; Lon Johnston, Utility Board; David Yeager, Mobile Bay National Estuary Program.

Absent: Jay Ross, City Attorney.

3. INTERIM FIRE CHIEF

MOTION BY Mr. Palumbo to enter into Executive Session to discuss the good name and character of an individual. The City Attorney certified that an Executive Session is needed for the stated reason and stated that the meeting will last 15 minutes. *Seconded by Mrs. Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Council entered into Executive Session at 6:38 p.m.

Council returned from Executive Session at 6:42 p.m.

4. ORDINANCE 2007-06 / Election and Appointing of City Employees By City Council As Appointing Authority

Council made Ordinance 2007-06 a first read.

5. ADJOURN

MOTION BY Mr. Lake to adjourn. *Seconded by Ms. Landry.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

**FEBRUARY 15, 2007
SPECIAL CALLED
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 PM**

**THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT
6:45 P.M.**

Respectfully submitted by,

David L. Cohen, City Clerk, MMC

Certification of Presiding Officer:

Greg Burnam
Council President
Date & Time Signed: _____

FEBRUARY 15, 2007
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

1

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

Also present: Mayor Fred Small; David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; Suzanne Henson, Senior Accountant; Ken Eslava, Public Works Director; Captain Randy Bishop; Captain Kenny Hanak, Fire Dpt.; Captain Joey Holasz, Fire Dpt.; Capt. Andy Ray, Fire Dpt. and other Firefighters; Ed Kirby, Code Enforcement Officer; Sharon Cureton, Human Resource Director; Lon Johnston, Utility Board.

1. CALL TO ORDER

Council President Burnam called the meeting to order at 6:42 p.m.

2. DISCUSS: MOBILE BAY NEP / BALDWIN COUNTY STORM WATER WORKING GROUP / DAVID YEAGER

Mr. Yeager stated that over the last seven (7) months representatives of municipal governments and County government have been meeting to determine the feasibility of establishing a regional storm water utility in the county. He stated that Mayor Small, Cathy Barnette and Bailey Yelding have been attending these meetings. He stated that the conclusion of these meetings was that not only was it feasible, but a compelling case could be made for its establishment and creation sooner rather than later. Mr. Yeager stated that with the projected population growth of Baldwin County to 300,000 – 340,000 coupled with development and infrastructure and as impervious surface increases so does the velocity and volume of run-off will create accelerated erosion and sediment increases flooding potential water quality problems. He said that all live downstream from someone. He said that he was there to ask for the Council's to adopt by a resolution supporting the creation of a voluntary Regional Storm Water Utility in Baldwin County.

2. DISCUSS: RETREAT DATE

Council discussed putting together a list of priorities to take to Washington, and the Mayor said that he has a list already which consists of Fire Station #5, Library and Recreation. He pointed out that the Senators needed the information before March 1st.

Council discussed the retreat and having it for four hours, and that the Council is already cohesive and gets along. There is not much money to appropriate so the only thing to discuss is pay issues for employees.

Council President Burnam asked the City Clerk to decide on 3 days in April or May for a four (4) hour retreat and e-mail the Council to pick one.

**FEBRUARY 15, 2007
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

2

3. DISCUSS: PRESENTATION ON REDUCTION OF BUDGET / MAYOR SMALL

Mayor Small stated that he had done what the Council had asked of him at the retreat and got with the department heads and trimmed their budgets and he handed out a spread sheet prepared by Mrs. Briley showing the new figures for the capital budget with the reductions.

Council discussed the figures and asked questions of Mayor Small.

Council wants this presented at the first Council meeting in March so they can vote on it by the second meeting.

4. DISCUSS: ANY OTHER BUSINESS DEEMED NECESSARY

5. ADJOURN

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:_____

PUBLIC HEARINGS:

FEBRUARY 26, 2007

PUBLIC HEARING

- 1.) Annexation: Woodland Bay Group / Tiawasse Trace Subdivision / Property located off County Road 13 and adjacent to Tiawasse Trace Subdivision / Requested Zoning R-1, Low Density Single Family Residential District / Affirmative Recommendation from Planning Commission

- 2.) Annexation: Mitchell Company / Dunmore Subdivision / Property located on AL Highway 181 / Requested Zoning R-1, Low Density Single Family Residential District / R-2, Medium Density Single Family Residential District / R-3, High Density Single Family Residential District / R-4 High Density Single Family Residential District / Affirmative Recommendation from Planning Commission

- 3.) Annexation: Myron Hank Miner / Property located on the corner of 3rd Street and Gabel Street / Requested Zoning B-2, General Business District / Affirmative Recommendation from Planning Commission

To: Office of the City Clerk
From: William H. Eady, Sr.,
Director of Community
Development
Subject: The Woodland Bay Group
Date: January 2, 2007

MEMORANDUM

At the regular meeting of the City of Daphne Planning Commission, December 28, 2006, seven members were present and the vote was unanimous for the affirmative recommendation of the above-mentioned request.

The property owner is requesting an annexation with a R-1, Low Density Single Family Residential.

Upon receipt of said documentation, please prepare a ordinance for advertising, set a public hearing, and place on the appropriate agenda for action by the City Council.

If you should have any questions, please do not hesitate to contact the undersigned.

Thank you,

WHE/jd

cc: file

STATE OF ALABAMA
COUNTY OF BALDWIN

PETITION FOR ANNEXATION OF CERTAIN PROPERTY
INTO THE CORPORATE LIMITS OF THE MUNICIPALITY
OF THE CITY OF DAPHNE, ALABAMA
(THE WOODLAND BAY GROUP)

The undersigned, THE WOODLAND BAY GROUP, files this petition with the Clerk of the City of Daphne requesting the property hereafter described commonly referred to as THE ESTATES OF TIA WASEE to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of its petition:

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

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

3. **Owner:** The Petitioner, THE WOODLAND BAY GROUP, is the owner of the Property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. **Specific Conditions:** This Petition is conditioned upon the adoption of an ordinance, which shall include specifically the conditions requested below upon annexing the said Property into the corporate limits of the City of Daphne. Please state the requested zoning, if other than R-1, or any other conditions which may apply upon annexation:

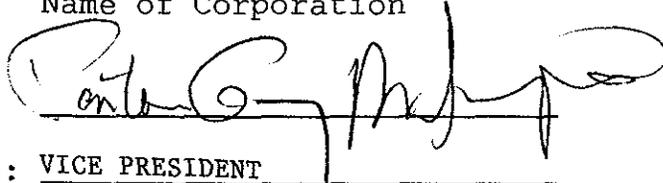
R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL

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

DATED this 30TH day of NOVEMBER,
2006.

Respectfully submitted,

THE WOODLAND BAY GROUP
Name of Corporation

By: 
Its: VICE PRESIDENT

STATE OF ALABAMA
COUNTY OF BALDWIN

I, the undersigned Notary Public in and for said State and County, hereby certify that PORTER GARY MCKNIGHT whose name as VICE PRESIDENT of THE WOODLAND BAY GROUP, an Alabama corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer and with full authority, executed the same voluntarily on the day same bears date.

GIVEN under my hand and official seal on this the 30th day of November, 2006.

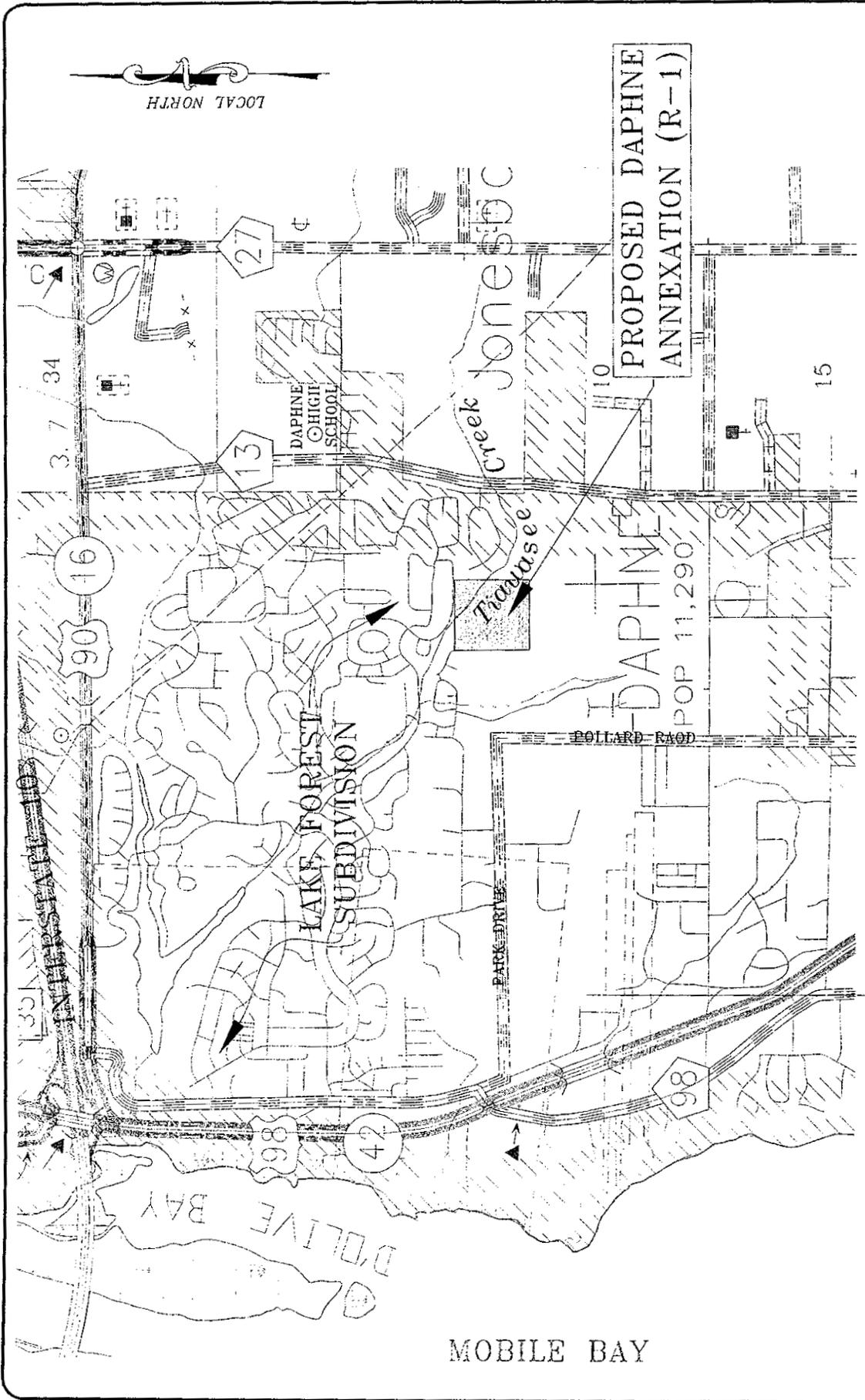

My Commission (NOTARY SE/20)08
NOTARY PUBLIC
My commission expires: 1-20-08

My Commission Expires 1/20/08

EXHIBIT "A"

**LEGAL DESCRIPTION
WOODLAND BAY GROUP, INC
"THE ESTATES OF TIAWASEE"**

BEGINNING AT THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89° 29' 03" EAST, 2272.75 FEET; THENCE RUN NORTH 89° 26' 59" EAST, 385.67 FEET; THENCE RUN SOUTH 89° 45' 35" EAST, 609.37 FEET TO THE NORTHWEST CORNER OF TIAWASEE TRACE AS RECORDED ON SLIDE NUMBER 1778-B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00° 00' 24" WEST ALONG THE WEST LINE OF SAID TIAWASEE TRACE, 537.04 FEET; THENCE RUN SOUTH 63° 43' 30" EAST, 104.34 FEET, MORE OR LESS; THENCE RUN SOUTH 39° 28' 24" EAST, 295.53 FEET, MORE OR LESS; THENCE RUN SOUTH 58° 15' 23" EAST, 61.91 FEET, MORE OR LESS; THENCE RUN SOUTH 34° 07' 36" EAST, 146.67 FEET, MORE OR LESS; THENCE RUN SOUTH 45° 50' 46" EAST, 158.08 FEET, MORE OR LESS; THENCE RUN SOUTH 64° 37' 10" EAST, 182.10 FEET, MORE OR LESS; THENCE RUN SOUTH 53° 15' 53" EAST, 152.16 FEET, MORE OR LESS; THENCE RUN SOUTH 72° 52' 23" EAST, 109.07 FEET, MORE OR LESS; THENCE DEPARTING THE SAID WEST LINE OF TIAWASEE TRACE, RUN NORTH 62° 09' 14" EAST, 133.73 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF INNISFREE AS RECORDED ON SLIDE NUMBER 2132-F IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 11° 19' 19" EAST ALONG THE WEST LINE OF SAID INNISFREE, 84.48 FEET, MORE OR LESS; THENCE DEPARTING THE SAID WEST LINE OF INNISFREE, RUN NORTH 89° 49' 14" WEST, 786.38 FEET, MORE OR LESS; THENCE RUN NORTH 89° 50' 14" WEST, 1697.53 FEET; THENCE RUN NORTH 03° 30' 10" WEST, 1266.69 FEET TO THE POINT OF BEGINNING, AND CONTAINING 49.84 ACRES, MORE OR LESS.



McCrary Williams INCORPORATED ENGINEERS SURVEYORS	3207 INTERNATIONAL BL. SUITE C MOBILE, ALABAMA PHONE (205) 476-4720 FAX (205) 476-4721 EMAIL mcrw@mcrc.com	WOODLAND BAY GROUP, INC ANNEXATION EXHIBIT EXHIBIT "B"	SCALE: NTS DATE: December 2, 2008 DRAWN BY: JAMES APPROVED BY: DRUSSELL
	REGION DATE SHEET 1 OF 1		

Exhibit "B"

To: Office of the City Clerk
From: William H. Eady, Sr.,
Director of Community
Development
Subject: The Mitchell Company, Inc.
Date: January 2, 2007

MEMORANDUM

At the regular meeting of the City of Daphne Planning Commission, December 28, 2006, seven members were present and the vote was unanimous for the affirmative recommendation of the above-mentioned request.

The property owner is requesting an annexation with a R-1, Low Density Single Family Residential, R-2, Medium Density Single Family Residential, R-3, High Density Single Family Residential, and R-4, High Density Single Family Residential, as outlined on approved revised master plan.

Upon receipt of said documentation, please prepare a ordinance for advertising, set a public hearing, and place on the appropriate agenda for action by the City Council.

If you should have any questions, please do not hesitate to contact the undersigned.

Thank you,

WHE/jd

cc: file

STATE OF ALABAMA

COUNTY OF BALDWIN

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

(DUNMORE SUBDIVISION)

The undersigned, The Mitchell Company Inc., files this petition with the Clerk of the City of Daphne requesting the property hereafter described commonly referred to as, Dunmore, to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of its petition:

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

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

3. **Owner:** The Petitioner, The Mitchell Company Inc., is the owner of the Property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. **Specific Conditions:** This Petition is conditioned upon the adoption of an ordinance, which shall include specifically the conditions requested below upon annexing the said Property into the corporate limits of the City of Daphne. Please state the requested zoning, if other than R-1, or any other conditions which may apply upon annexation:

The owner requests that the subject property be annexed into the City of Daphne with areas of R-1, R-2, R-3, and R-4 zonings. These areas are described in the attached Exhibit "C" and shown on the attached map labeled Exhibit "B".

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

DATED this 28 day of November,

Respectfully submitted,

The Mitchell Company, Inc.
Name of Corporation

By: Stephen Schumann
Its: Senior Vice President

STATE OF ALABAMA
COUNTY OF BALDWIN

I, the undersigned Notary Public in and for said State and County, hereby certify that The Mitchell Company whose name as owner of Dunmore Subdivision, an Alabama corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer and with full authority, executed the same voluntarily on the day same bears date.

GIVEN under my hand and official seal on this the 28th day of November, 2006.

Aileen Burdette (NOTARY
SEAL)

NOTARY PUBLIC
My commission expires: 6/08/08

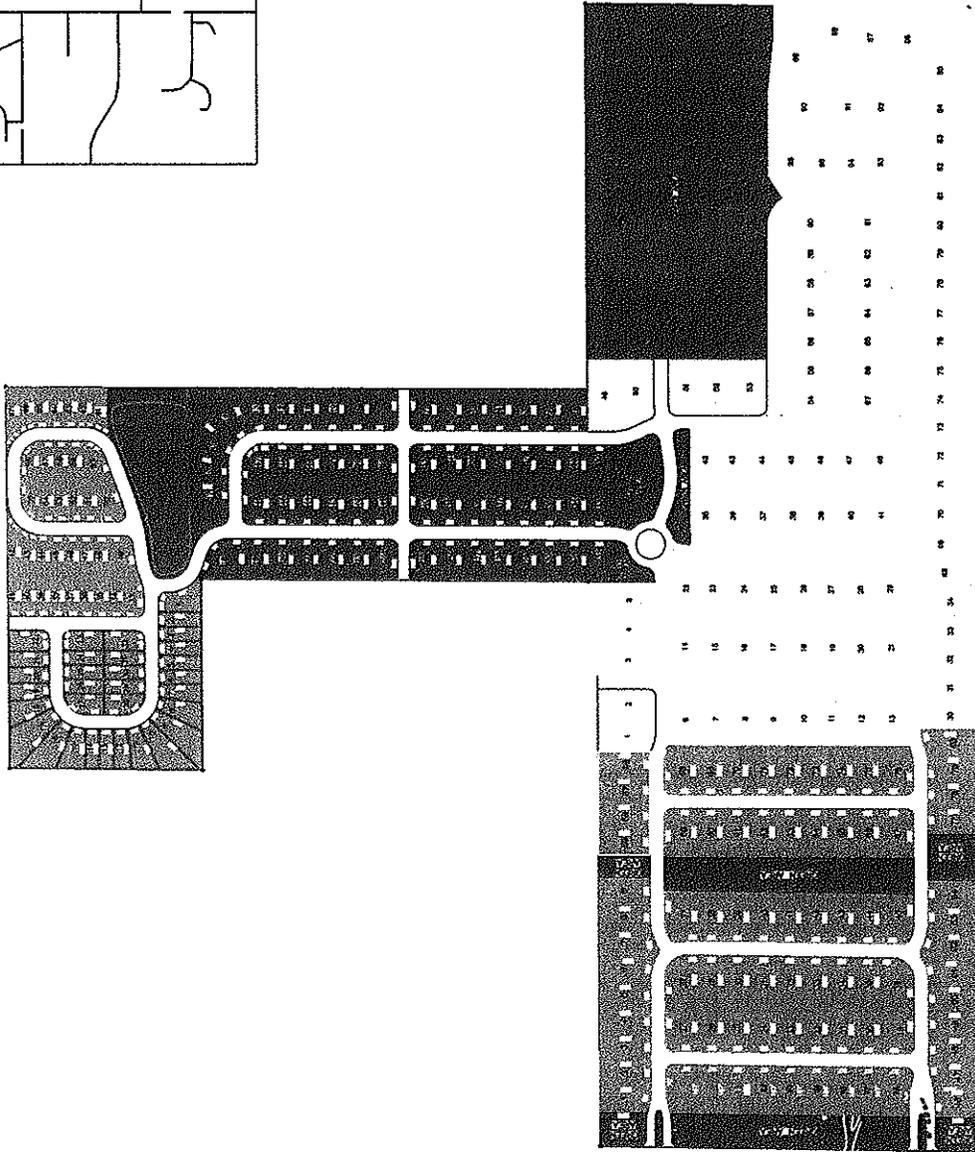
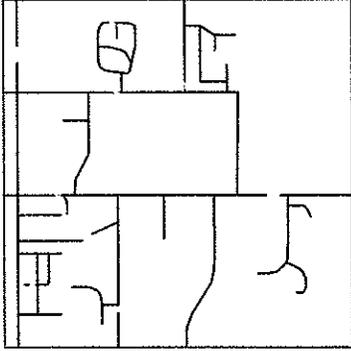
THE MITCHELL COMPANY
ANNEXATION

EXHIBIT "A"

DESCRIPTION:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 35, T5S-R2E, BALDWIN COUNTY, ALABAMA, SAID POINT BEING THE SOUTHWEST CORNER OF SECTION 26, T5S-R2E, BALDWIN COUNTY, ALABAMA, RUN N 89° 49' 17" E ALONG THE LINE BETWEEN SECTIONS 26 AND 35, T5S-R2E, 40.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ALABAMA STATE HIGHWAY NO. 181; SAID POINT BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING N 89° 49' 17" E ALONG SAID LINE BETWEEN SECTIONS 26 AND 35, T5S-R2E RUN A DISTANCE OF 1962.76 FEET TO A POINT; THENCE RUN N 00° 14' 28" E 1335.11 FEET TO A POINT; THENCE RUN S 89° 40' 17" W 666.55 FEET TO A POINT; THENCE RUN N 00° 17' 11" E 666.69 FEET TO A POINT; THENCE RUN N 89° 35' 47" E 1332.06 FEET TO A POINT; THENCE RUN S 00° 11' 45" W 2005.27 FEET TO A POINT ON THE AFOREMENTIONED LINE BETWEEN SECTION 26 AND SECTION 35 OF T5S-R2E, BALDWIN COUNTY, ALABAMA; THENCE ALONG SAID SECTION LINE RUN N 89° 49' 17" E 1335.18 FEET TO A POINT; THENCE RUN S 00° 40' 28" W 1323.72 FEET TO A POINT; THENCE RUN S 89° 57' 50" W 2002.49 FEET TO A POINT; THENCE RUN S 00° 39' 55" W 30.00 FEET TO A POINT; THENCE RUN S 89° 57' 50" W 1962.49 FEET TO A POINT ON THE AFOREMENTIONED EAST RIGHT OF WAY LINE OF ALABAMA STATE HIGHWAY NO. 181; THENCE ALONG SAID EAST RIGHT OF WAY LINE RUN N 00° 39' 23" E 1343.85 FEET TO THE POINT OF BEGINNING. CONTAINING 162.2680 ACRES. THIS DESCRIPTION INCLUDES LOTS 11, 12, 21 AND 28 SITUATED IN SECTION 26, T5S-R2E, AND LOTS 3 THROUGH 14 IN SECTION 35, T5S-R2E, AS SHOWN ON PLAT OF HIGHLAND FARMS, AS RECORDED IN MISCELLANEOUS BOOK 1, PAGES 290 AND 291 OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

REFERENCE: DUNMORE SUBDIVISION



U.S. HIGHWAY NO. 181 80' R/W
(BALDWIN COUNTY HIGHWAY NO. 27)

- [Hatched Pattern] R1 - AREA: 85.4 ACRES - 86 LOTS
- [Hatched Pattern] R2 - AREA: 30.1 ACRES - 80 LOTS
- [Hatched Pattern] R3 - AREA: 21.7 ACRES - 60 LOTS
- [Hatched Pattern] R4 - AREA: 16.7 ACRES - 67 LOTS
- [Hatched Pattern] GREEN AREA: 31.1 ACRES



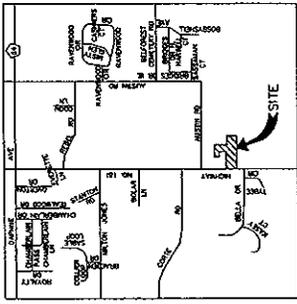
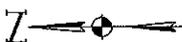
THE MITCHELL COMPANY, INC.
ANNEXATION REVIEW

DUNMORE SUBDIVISION (FORMERLY SHADOWSROCK)
RESTER AND COLEMAN
ENGINEERS, INC.

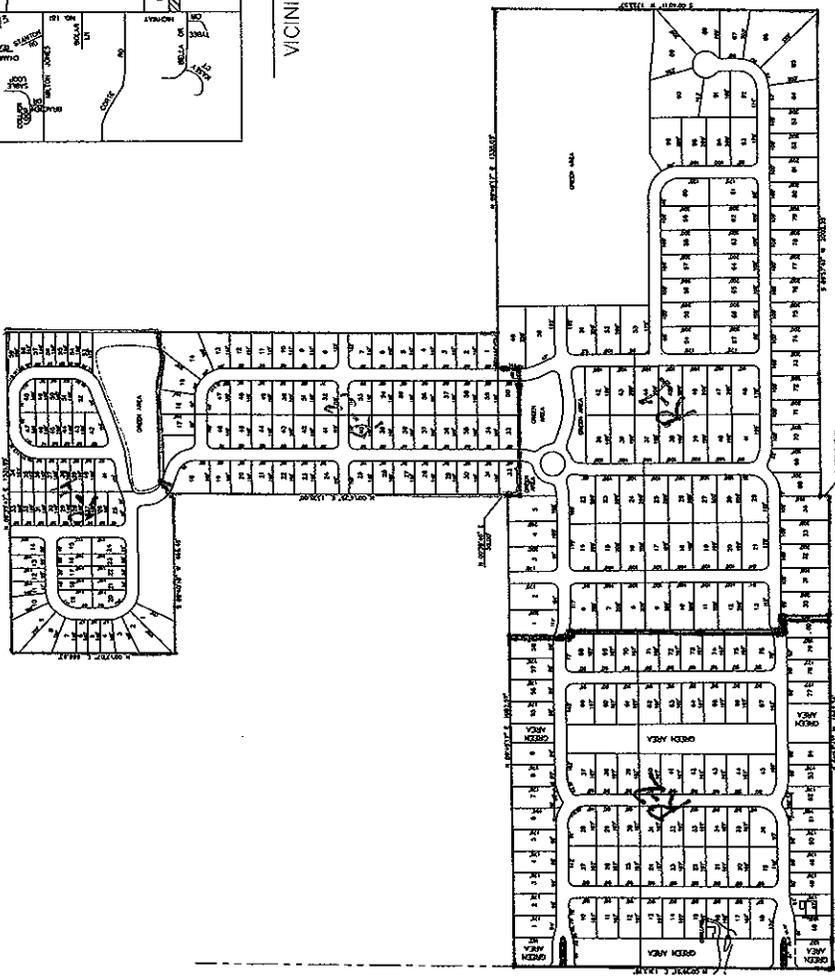
DATE	BY	REVISION

1"=200'

EXHIBIT B



VICINITY MAP



- 81 - AREA: 25.4 ACRES - 88 LOTS
- 82 - AREA: 35.1 ACRES - 80 LOTS
- 83 - AREA: 21.7 ACRES - 68 LOTS
- 84 - AREA: 16.7 ACRES - 59 LOTS
- GREEN AREA: 31.1 ACRES

ORANGE (FORMERLY SHADSBROOK)

REDEVELOPMENT PLAN
 PARCELS, INC.
 64 NOTION PARK, MOBILE, ALABAMA 36688-1118
 PHONE: (334) 833-1118
 FAX: (334) 833-1122

NO.	DATE	BY	REVISIONS
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SCALE: 1" = 200'

U.S. HIGHWAY NO. 181 80' R/W
 BALDWIN COUNTY HIGHWAY NO. 23

To: Office of the City Clerk
From: William H. Eady, Sr.,
Director of Community
Development
Subject: Myron Hank Miner
Date: January 2, 2007

MEMORANDUM

At the regular meeting of the City of Daphne Planning Commission, December 28, 2006, seven members were present and the vote was unanimous for the affirmative recommendation of the above-mentioned request.

The property owner is requesting an annexation with a B-2, General Business, zone.

Upon receipt of said documentation, please prepare a ordinance for advertising, set a public hearing, and place on the appropriate agenda for action by the City Council.

If you should have any questions, please do not hesitate to contact the undersigned.

Thank you,

WHE/jd

cc: file

STATE OF ALABAMA

COUNTY OF BALDWIN

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

(Myron Henry Miner, II)

The undersigned, Myron Henry Miner, II, files this petition with the Clerk of the City of Daphne requesting the property hereafter described commonly referred to as Parcel No. 05-43-09-29-0-000-077.000 to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of its petition:

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

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

3. **Owner:** The Petitioner, Myron Henry Miner, II, is the owner of the Property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. **Specific Conditions:** This Petition is conditioned upon the adoption of an ordinance, which shall include specifically the conditions requested below upon annexing the said Property into the corporate limits of the City of Daphne. Please state the requested zoning, if other than R-1, or any other conditions which may apply upon annexation:

B2 General Business

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

DATED this 29th day of November,
2006.

Respectfully submitted,

By: _____

STATE OF ALABAMA
COUNTY OF BALDWIN

I, the undersigned Notary Public in and for said State and County, hereby certify that Myron Henry Miner II whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer and with full authority, executed the same voluntarily on the day same bears date.

GIVEN under my hand and official seal on this the 29th day of November, 2006.

Doris Howard

(NOTARY SEAL)

NOTARY PUBLIC

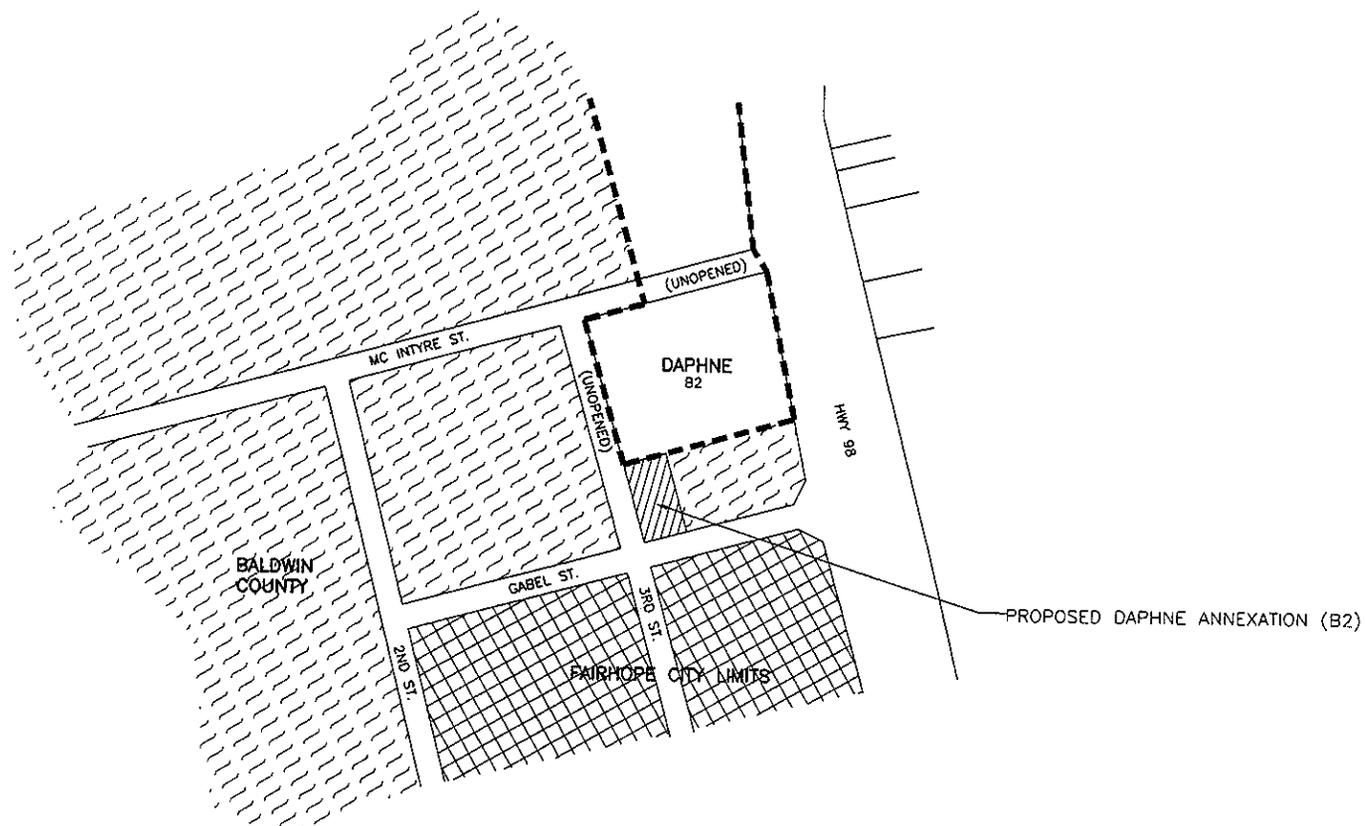
My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct 28, 2008
BONDED THRU NOTARY PUBLIC UNDERWRITERS

LEGAL DESCRIPTION

MYRON HENRY MINER, II

COMMENCE AT THE SOUTHEAST CORNER OF SQUARE 10 IN THE VILLAGE OF MONTROSE (SAID POINT IS THE NORTHWEST CORNER OF THE INTERSECTION OF THIRD STREET AND GABEL STREET) AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN DEED BOOK "E" AT PAGE 388, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, AND RUN THENCE N-76°00'00"-E, 66 FEET TO AN OLD ½" IRON PIPE MARKER AT THE SOUTHWEST CORNER OF LANDS LOCALLY KNOWN AS SQUARE 27 OF THE VILLAGE OF MONTROSE FOR A POINT OF BEGINNING; THENCE CONTINUE N-76°00'00"-E, 120' TO A POINT; THENCE RUN N-14°00'04"-W, 208.60 FEET TO A POINT; THENCE RUN S-76°00'00"-W, 120 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF THIRD STREET; THENCE RUN S-14°00'04"-E ALONG SAID RIGHT-OF-WAY LINE OF THIRD STREET; 208.60 FEET TO THE POINT OF BEGINNING.



NO.	REVISION	DATE	ENR



HUTCHINSON, MOORE & RAUCH, LLC
 2039 MAIN STREET
 DAPHNE, ALABAMA 36526
 ENGINEERS & SURVEYORS
 LAND PLANNERS
 TEL (251) 626-2626
 FAX (251) 626-8934
 daphne@hmrengineers.com

ANNEXATION
 SUD91-2153-10.01

MYRON HENRY MINER II
 ANNEXATION EXHIBIT
 EXHIBIT "B"

SCALE	DATE	DRAWN BY	CHECKED BY	SHEET
NTS	NOVEMBER 2006	KDU		1 OF 1

**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 12, 2007
4:00 P.M.**

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:00 pm. Present were Chairman Ron Scott, Councilman Bailey Yelding, Councilwoman Regina Landry, Senior Accountant Suzanne Henson, and Accountant Donna Page. Finance Director Kim Briley was absent due to illness.

Also in attendance were Mayor Fred Small, Councilman Gus Palumbo, Public Works Director Ken Eslava, Revenue Officer Cornell Smith, Recreation Director David McKelroy, Library Director Tonja Young, and Library Board member Mr. Ron Allen.

II. PUBLIC PARTICIPATION

Mr. Scott presented a letter from Mr. Lon Johnson requesting the financial status of the Garbage and Recycling Fund. Mayor Small stated that Ms. Briley had reported on the Garbage and Recycling fund. Since Fiscal 2001, the City has contributed \$264,000 from the General Fund. However, only \$ 15,700 has been transferred since 2003. Most of the required transfers were in the "start-up" years.

III. ISSUES REQUIRING ACTION BY CITY COUNCIL

A. Appropriation Requests:

1. Library Fund-Raiser Feasibility Study

Ms. Tonja Young presented a summary of the five firms interviewed by the Library Board's Foundation Committee to perform the library's fund raiser feasibility study. Discussion continued that the feasibility study will determine if a fundraising campaign could provide funding for new facilities and infrastructure needs of the Library. The Foundation's recommendation is for NCDS (National Community Development Services, Inc) to perform the study at a cost of \$20,000, plus up to \$6,000 in expense reimbursements. It was discussed that the library serves approximately 15,000 people, with approximately 20,000 items checked out each month. It was noted that the cost for the study will be funded from 2006 Construction Fund (\$1,000,000.00 designated for the Library). Ms. Young also discussed a grant she was applying for which would provide additional funds for construction and noted the expenditures from this study could be used in the required match.

Motion by Mr. Yelding to recommend to Council to approve the Library Fund-Raiser Feasibility Study and to allow the Mayor to enter into contract with NCDS in the amount of \$20,000.00 plus out of pocket expenses not to exceed \$ 6,000, to be paid from the 2006 Construction Fund. Seconded by Ms. Landry.

2. Construction of Sports Complex Dog Park

Mr. Gus Palumbo presented information for a fenced in dog park requested for Trione Park at an estimated cost of \$13,600.00. Discussion followed that a one acre dog park is in the master plan prepared by HMR, and that it is needed with the large number of dog owners in Daphne. Mr. Palumbo noted that the he believed the closest dog park of this type is in Auburn, Alabama.

Motion by Ms. Landry to recommend to Council to approve the construction of the Sports Complex Dog Park at Trione Park in the amount of \$13,600.00 to be paid from the funds received from de-annexation (earmarked for Recreation). Seconded by Mr. Yelding.

3. Review FY 2007 Community Contributions – Battleship Memorial Park

The Committee reviewed the Community Contributions report prepared by Ms. Briley. Discussion followed concerning the request from Mr. William Tunnell, Executive Director for the Battleship Memorial Park requesting a donation. This request was tabled at the last Committee meeting pending information on the unallocated Community Contributions.

Motion by Mr. Yelding to recommend to Council to approve a \$1,000.00 contribution to the Battleship Memorial Park. Seconded by Mr. Yelding.

B. Prepaid Travel:

1. Ha Le (FiFi) Riggio, Magistrate, Certification Training & Maintenance Training Institute, Tuscaloosa, AL
March 5 – 8, 2007 - \$140.00.

2. National League of Cities Conference, Washington D.C., for the following:

- Cathy Barnette, Councilwoman, March 10 -14, 2007 - \$175.00
- Bailey Yelding, Councilman, March 10 -14, 2007 - \$175.00
- John Lake, Councilman, March 10 - 14, 2007 - \$175.00
- David Cohen, City Clerk, March 10 -14, 2007 - \$175.00
- Ron Scott, Councilman, March 10 -13, 2007 - \$140.00

Motion by Ms. Landry to recommend to Council to adopt a resolution approving prepaid travel as follows:

- ***Ha Le (FiFi) Riggio in the amount of \$140.00 to attend the Certification Training & Maintenance Training Institute in Tuscaloosa, AL, March 5 – 8, 2007.***
- ***Cathy Barnette in the amount of \$175.00 to attend the National League of Cities Conference in Washington, D.C., March 10 – 14, 2007.***
- ***Bailey Yelding in the amount of \$175.00 to attend the National League of Cities Conference in Washington, D.C., March 10 – 14, 2007.***
- ***John Lake in the amount of \$175.00 to attend the National League of Cities Conference in Washington, D.C., March 10 – 14, 2007.***
- ***David Cohen in the amount of \$175.00 to attend the National League of Cities Conference in Washington, D.C., March 10 – 14, 2007.***
- ***Ron Scott in the amount of \$140.00 to attend the National League of Cities Conference in Washington, D.C., March 10 – 13, 2007.***

Seconded by Mr. Yelding.

C. Bids

1. 2007-E-Payroll Timekeeping System

Two bid invitations were sent out and two sealed bids were received for the Payroll timekeeping system. The low bid and staff recommendation is to award to Kronos at a total cost of \$45,000 for software, equipment, and first years maintenance. Mr. John Foster with Kronos was present to answer questions. It was discussed that there would be six terminals at different locations, plus employees could clock in/out at their computers. Mr. Foster noted that there would be two ways to clock in/out, in the event one way did not work. Mr. Foster also stated that Kronos manufactures all of their own parts, and that any service call placed before 2 p.m. would be responded to by the following day.

Motion by Mr. Yelding to recommend to Council to adopt a resolution awarding bid 2007-E Payroll Timekeeping System to Kronos in the amount of \$45,000.00. Seconded by Ms. Landry.

2. 2007-F-Parks (3) Two Wheel Drive Out Front Mowers

Eight bid invitations were sent out, with four sealed bids received. The low bid from Baldwin Tractor did not meet the specifications. Mr. McKelroy recommended accepting the bid from Foley Implement Company (low bid meeting qualifications) at a cost of \$15,650.00 per mower for a total of \$46,950.00.

Motion by Ms. Landry to recommend to Council to adopt a resolution awarding bid 2007-F Parks (3) Two Wheel Drive Out Front Mowers to Foley Implement Company in the amount of \$46,950.00. Seconded by Mr. Yelding.

3. 2007-G-Jubilee Breeze Publication

Four bid invitations were sent out, with one sealed bid received. It was recommended that the bid from Interstate Printing & Graphics be accepted as presented. This is the company currently printing the Jubilee Breeze and their cost increase from the bid awarded two years ago is minimal.

Motion by Ms. Landry to recommend to Council to adopt a resolution awarding bid 2007-G Jubilee Breeze Publication to Interstate Printing & Graphics in accordance with the cost schedule presented. Seconded by Mr. Yelding.

D. Change Order: USDA NRCS EWPP Agreement No.: 69-4101-6-30, Village Point / Yancey Branch / Lakeview Loop

Mr. Scott Hutchinson with Hutchinson, Moore, & Rauch, LLC, discussed the overage in the contract amount for the Village Point / Yancey Branch / Lakeview Loop project. Mr. Hutchinson stated that there was a lot more sediment than originally thought due to the widening of the upper channel from 3 feet to 5 feet and the aggregations present in the existing culvert that had to be removed. It was discussed that the City would be reimbursed for all expenditures by the NRCS Grant.

Motion by Ms. Landry to recommend to Council to adopt a resolution authorizing the Mayor to sign the change order for \$117,605.25 to ERS, Inc. for the USDA NRCS EWPP Agreement No.: 69, Village Point / Yancey Branch / Lakeview Loop project. Seconded by Mr. Yelding.

IV. FINANCIAL REPORTS

A. Treasurer's Report: January 31, 2007

The Treasurer's Report of \$26,854,439.79 was presented. Ms. Henson stated that this includes the majority of the ad valorem taxes for the year.

Motion by Mr. Yelding to recommend to Council to accept the Treasurer's Report as of January 31, 2007, in the amount of \$26,854,439.79. Seconded by Ms. Landry.

B. Sales and Use Taxes: December 31, 2006

The sales and use taxes collection spreadsheet and graphs as of December 31, 2006, were presented. Collections for December 2006 were \$1,182,584.39. Mr. Scott noted that this is \$9,228.61 under budget for the month and \$16,678.00 under budget for the year.

C. Lodging Tax Collections, December 31, 2006

The Lodging Tax Collections report shows \$38,605.47 collected for December 2006.

D. Ad Valorem Tax Collections, January 31, 2007

The Ad Valorem Tax report showed that \$2,756,730 in property taxes have been collected as of January 31, 2007. Auto taxes of \$114,799 have also been collected.

E. Summary Report of Revenues over Expenditures – December 31, 2006

The Revenues over Expenditures report as of December 31, 2006 was presented. It was noted that this report does not include the ad valorem taxes and business licenses which were received in January.

F. Report: New Business Licenses – January 2007

A list showing new businesses for the month of January was presented.

G. Bills Paid Reports – January 31, 2007

The Bills Paid Report for January 2007 was presented.

V. ADJOURN

The meeting was adjourned at 5:15 pm.

Garbage/Recycling Fund
Statement of Revenues, Expenses, and
Changes in Fund Net Assets
For the month ended September 30,

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>Total</u>
Operating Revenues:							
Charges for services	698,737.78	757,090.39	911,789.23	937,043.99	984,444.42	1,038,979.93	5,328,085.74
Delinquent Collections	-	-	423.96	572.21	2,701.28	1,027.00	4,724.45
Charges: carts/recy bins	17,133.53	24,511.21	31,820.11	38,600.02	47,223.46	47,905.38	207,193.71
Grants	-	-	-	-	10,000.00	-	10,000.00
Other Revenues	<u>12,834.23</u>	<u>35,124.40</u>	<u>41,832.66</u>	<u>79,249.28</u>	<u>109,636.35</u>	<u>113,054.17</u>	<u>391,731.09</u>
Total Operating Rev	728,705.54	816,726.00	985,865.96	1,055,465.50	1,154,005.51	1,200,966.48	5,941,734.99
Operating Expenses:							
Wages	251,610.31	293,027.51	256,289.65	292,113.23	358,109.64	371,954.29	1,823,104.63
Overtime	43,313.36	28,407.76	22,500.31	18,708.86	20,590.06	21,604.76	155,125.11
Payroll Related	36,541.13	38,251.39	33,510.07	41,380.25	51,519.88	53,284.58	254,487.30
Compensated Absences	2,318.02	(2,362.05)	1,213.63	1,270.90	883.46	(2,445.10)	878.86
Other Personnel Exp	<u>56,692.37</u>	<u>81,941.98</u>	<u>85,757.74</u>	<u>115,713.78</u>	<u>140,708.26</u>	<u>144,652.51</u>	<u>625,466.64</u>
Total Personnel Svcs	390,475.19	439,266.59	399,271.40	469,187.02	571,811.30	589,051.04	2,859,062.54
Advertising	14,019.77	11,716.24	7,522.32	12,511.69	13,615.07	12,969.98	72,355.07
Contracted Services	14,131.76	7,494.08	7,391.40	8,789.69	8,055.44	8,703.27	54,565.64
Employee Support	3,182.55	1,372.69	4,549.77	3,574.18	2,827.40	1,947.85	17,454.44
Equipment Purchased	1,154.54	1,049.01	195.99	7,596.33	7,701.77	1,379.78	19,077.42
Equipment Lease/Rental	3,595.96	3,873.90	13,210.20	3,445.88	1,654.98	145.65	25,926.57
Grbg/Rcy Removal Supp	24,650.64	46,139.16	37,365.51	56,346.10	141,101.05	92,023.51	397,625.97
Grants	-	-	-	-	14,221.73	-	14,221.73
Insurance	3,724.72	5,067.33	5,241.56	8,314.62	8,711.31	14,509.85	45,569.39
Landfill Fees	148,199.70	152,348.70	162,180.90	166,260.60	144,159.04	159,030.25	932,179.19
Maintenance	33,318.13	34,862.89	50,352.19	48,360.46	71,426.14	108,083.10	346,402.91
Supplies	4,457.55	3,028.65	4,535.36	5,943.44	6,958.78	7,022.94	31,946.72
Temporary Services	23,642.00	17,531.38	54,766.56	41,462.82	2,488.03	9,353.60	149,244.39
Uniforms	11,372.52	5,294.80	5,385.93	8,376.35	7,903.58	4,328.70	42,661.88
Utilities	4,632.61	4,058.23	18,334.09	3,629.60	4,141.73	6,051.03	40,847.29
Miscellaneous	383.42	750.41	279.41	268.49	319.76	36.96	2,038.45
Depreciation	<u>145,174.92</u>	<u>151,191.51</u>	<u>151,227.36</u>	<u>161,743.45</u>	<u>145,105.32</u>	<u>95,860.32</u>	<u>850,302.88</u>
Total Operating Expenses	826,115.98	885,045.57	921,809.95	1,005,810.72	1,152,202.43	1,110,497.83	5,901,482.48
Operating Income/(Loss)	<u>(97,410.44)</u>	<u>(68,319.57)</u>	<u>64,056.01</u>	<u>49,654.78</u>	<u>1,803.08</u>	<u>90,468.65</u>	<u>40,252.51</u>
Nonoperating Rev (Expenses)							
Interest Expense	<u>(43,066.40)</u>	<u>(40,213.10)</u>	<u>(33,103.01)</u>	<u>(24,571.71)</u>	<u>(17,486.72)</u>	<u>(6,018.05)</u>	<u>(164,458.99)</u>
Total Nonoperating Rev (Exp)	(43,066.40)	(40,213.10)	(33,103.01)	(24,571.71)	(17,486.72)	(6,018.05)	(164,458.99)
Income (Loss) before contrib & trans	(140,476.84)	(108,532.67)	30,953.00	25,083.07	(15,683.64)	84,450.60	(124,206.48)
Capital Contributions- Gen Fund	<u>140,476.84</u>	<u>108,532.67</u>	-	-	<u>15,683.64</u>	-	<u>264,693.15</u>
Change in Net Assets	-	(0.00)	30,953.00	25,083.07	(0.00)	84,450.60	140,486.67
Total Net Assets, 10-1	12,430.00	12,430.00	12,430.00	43,383.00	94,466.07	94,466.07	269,605.14
Equity Transfers & Other Donations	-	-	-	26,000.00	-	-	26,000.00
Total Net Assets, 9-30	<u>12,430.00</u>	<u>12,430.00</u>	<u>43,383.00</u>	<u>94,466.07</u>	<u>94,466.07</u>	<u>178,916.67</u>	<u>436,091.81</u>

Fundraising Consultants

Choice of Fundraisers

Following five interviews, numerous phone calls, and Internet research, the Library Director and Library Foundation Committee voted to recommend Howard Benson's firm, NCDS (National Community Development Services, Inc.) to the Library Board for the fundraising feasibility study and campaign. The company forwarded copies of both the feasibility study contract and the campaign contract, which are presently being examined by Library Board member and Attorney Bill Scully and City Clerk David Cohen.

Mr. Benson was very pleasant and spoke professionally about his company's history and work. Mr. Benson had researched our project with an hour or more of interview questions by telephone. He was very well prepared for his interview and presented the most complete proposal package upon arrival of any interviewee other than Judy Keller of Jeffrey Byrne & Associates.

Mr. Benson said that the feasibility study would take approximately 6 -8 weeks. He said that his company would handle all of the feasibility study interviews. They would establish a foundation committee, conduct the interviews and research, and provide a final report. The study consists of interviews generally held in the person's home or office, and confidential. Howard and his company will be looking for 60 - 70 prospects to interview (possibly 100). The interviewers will ask about impressions of the library, services and use of the library, willingness to support the project, and whether they know anyone else willing to support the project.

After the interview process, a final report will be forwarded to the Library with statistics and information that should indicate the willingness or "readiness" of the community to support the project.

Mr. Benson said that the Library need to raise 50 – 60 % of the funds prior to the public phase of fundraising. The entire campaign should take approximately 8 – 10 months.

Mr. Benson provided a proposal and an estimate for the feasibility study upon her arrival at the interview on January 22, 2007. He had gleaned a large amount of information previously by phone and was very prepared for the meeting. The total fee for the study runs \$20,000 + approximately \$6,000 for expenses. Mr. Benson assured the group that upon signing of the contract, he could cap expenses at \$6,000.

The overall cost of using NCDS will be slightly more expensive than some of the other firms we interviewed, but they will be sending us a full-time fundraising consultant who will completely run the study and campaign. This will relieve the Library staff and Board members from having to conduct interviews and personally ask for donations. The Library staff and Board will still be required to fulfill extra duties and their presence will still be required at meetings and functions. NCDS has a great reputation and is very aggressive in fundraising. Using NCDS will also allow the Library Director and staff to concentrate most of their time on their regular duties within the Library.

Table 4 shows our fundraising consultant comparisons.

Table 4. Fundraising Consultant Candidate Comparisons (continued on next page).

	American City Bureau Linda Jobman	The Alford Group Dennis Jones	Jeffrey Byrne & Assoc. Judy Keller	Alexander Haas Martin Jack Hannings	NCDS Howard Benson
Appearance	Good	Professional	Good	Professional	Very professional
Personality	Good	Good	Great	Not Appealing	Great
Communication Skills	Good	Good	Great	Good	Great
Attitude	Great	Good	Great	Not Good	Great
Requested Scope of Project by Phone	Yes, a Short Interview	Yes, a Short Interview	Over 1 Hour Interview by Phone	No	Over 1 Hour Interview by Phone
Presented Company History	Yes	Yes	Yes	Yes	Yes
Length of Feasibility Study	3 months	90 – 120 days	4 – 6 weeks	4 – 6 weeks	6 - weeks
Cost of Feasibility Study	\$22,500 + Travel (not capped)	\$34,440 + 5% of consulting fees	\$17,500 + Expenses not to exceed \$2,354	\$19,000 for 20 Interviews \$29,000 + Expenses (not capped)	\$20,000 + Expenses not to exceed \$6,000
Number of Prospects to Interview	60 - 80	150 - 200	25	20 - 25	60 - 70
Percentage of Funds to Raise Privately	75 – 85 %	85 - 90 %	75 – 80 %	75 – 80 %	50 – 60 %
Estimated Length of Fundraising	12 - 18 months	18 – 24 months	24 months	Hesitant to Say	8 – 10 months
Outlook for Fundraising Success	Good	Good	Good	Bleak	Good

Table 4. Fundraising Consultant Candidate Comparisons (continued).

	American City Bureau Linda Jobman	The Alford Group Dennis Jones	Jeffrey Byrne & Assoc. Judy Keller	Alexander Haas Martin Jack Hannings	NCDS Howard Benson
Prepared for Meeting	Yes	Yes	Yes	No	Yes
Liked Our Case Statement	Yes	Very Much	Yes	Not at All	Yes
Company Reputation	Good	Good	Good	Good	Good
Company Member of The Giving Institute	Yes	Yes	Yes	Yes	Yes
Studied the Daphne Area Prior to Interview	Yes	Yes	Yes	No	Yes
Toured the Daphne Area Prior to Interview	No	Yes	No	No	No
On Time for Interview	Yes	Yes	Yes	Yes	Late, due to flight
Wanted a Tour of the Library	Yes	Yes	Yes	No	No
Proposal in Hand	No	No	Yes	No	Yes
Attractiveness of Proposal Package	Good	Great	Good	Good	Great
Incorporated "Daphne" into Package	No	Yes	Yes	No	No

References

The Library Director made several calls researching the company's reputation and success rate, and received positive reports on their services from Robert Ingram who worked with them in Jackson and McComb, Mississippi, from Sherry Summers of the Calhoun County Chamber of Commerce, and from Jeff Hammack, Director of the Vestavia Hills Library in Birmingham, Alabama who is working with NCDS presently and having a successful campaign.

The Vestavia Hills fundraising video can be seen by going to *YouTube* and typing in Vestavia Hills. A letter from Library Director Jack Hammack discussing the Vestavia Hills campaign is attached to this report.

Summary

In summary, the Library hopes to work with the City and the City Council to get started on this venture so that the Daphne Public Library can help the City of Daphne put forth the very best service it has to offer.

The Library respectfully requests approval for funding of the feasibility study with NCDS and the architectural plans. The Library would like for NCDS to complete the study, and if results are favorable, complete the fundraising campaign. If everything goes well, the Library could be ready to build within one year. The Library would also like to interview several architects, including Jeff Hudson, for their input on the project and is currently waiting for a new set of plans from Mr. Hudson.

With the Mayor's support of this project, the Library Director and Board feel that a productive project can be completed which will benefit the entire community and add to the City's already outstanding reputation.

Thank you for your time and consideration.



The Campaign for a New Vestavia Hills Public Library

1112 Montgomery Highway, Vestavia Hills, Alabama 35216 205-978-1632

Dear Tonja,

January 24, 2007

I appreciate your call this morning. It was very nice speaking to you and I wish you the very best of luck with your fund raising campaign in Daphne. You asked for my thoughts on National Community Development Services.

The Vestavia Hills Library Board selected NCDS after reviewing proposals from several national firms. Four firms were asked to make on-site presentations and NCDS was selected.

What attracted us to NCDS was their "hands-on" approach to fund raising. The NCDS model features Campaign Directors who assist in making the actual solicitations. Other firms advocate the training of community volunteers who, in turn, make the "asks."

Our Campaign Director, Dr. John White, has trained a Campaign Cabinet of community members who "open the door" to prospects. In many cases a Cabinet member will accompany John on a call. John always makes the solicitation. I personally have gone with John on many calls and the process is easy and pressure-free. I typically provide information about the library and the various components which have resulted in the need for a fundraising campaign.

We currently have surpassed \$1 million in our campaign with another \$2 million in pending requests. We should reach our minimum goal of \$4 million by December of 2007.

I hope this information is helpful. Please feel free to call me any time if you have questions.

Sincerely,

Jeff Hammack
Library Director

For more information about the library campaign, please contact
Dr. John White, Campaign Director
at (205) 978-1632 or email vestaviapubliclibrary@charterinternet.com

"breaking new ground for fundraising campaigns"



A Proposal for a
FUNDRAISING GOAL ASSESSMENT

On behalf of

The Daphne Public Library Campaign Foundation

By

National Community Development Services, Inc.

January 22, 2007

Howard C. Benson
Chief Executive Officer



PHASE I:

Fundraising Goal Assessment and Presentation of Appropriate Campaign Plan

Description of the Project

The Goal Assessment will determine the feasibility of a campaign to fund new facilities and infrastructure needs of the Daphne Public Library. The proposed funding need is currently unspecified, but will likely be determined by construction costs that could be in the range of \$5 million to \$7 million. A more specific cost estimate will need to be determined before NCDS commences its work on the Fundraising Goal Assessment.

Project Implementation

1. In conducting this Goal Assessment, *National Community Development Services, Inc. (NCDS)* will assist with the preparation of the initial "prospectus" for the envisioned capital needs and consult on how to position them for optimum response during the interview phase of the project. The NCDS team, led by Howard Benson will work closely with client staff and leadership in preparing the necessary cost estimates, project overview and operating budget, along with other materials essential to carrying of the Goal Assessment phase of the engagement.
2. A central part of the Assessment will be the conducting of approximately 60 personal, confidential interviews with carefully selected sources of influence, support and funding throughout the library's service area. (No mail or telephone interviews will be utilized in carrying out the project.) All interviews will be conducted by Howard Benson, assisted by one or more of the firm's senior officers.
3. Desk space and a telephone will be needed within the organization's offices for the NCDS team. In addition, local assistance will be required to schedule appointments for Assessment interviews.

4. NCDS senior executives will evaluate the research, and a written report will be prepared. These findings will be presented at a meeting of the Library's Board, the City Council, or other decision-making groups as designated by the client.
5. NCDS' Economic Strategy Center (ESC) will produce an *Impact Statement* demonstrating the Daphne Library's economic and socio/economic relevance to interviewees and prospective donors. The *Impact Statement* will be produced using data from NCDS sources and will include benchmarking with other select facilities of similar scope and purpose.

The written report of our Assessment will be printed and bound in quantity as a *Report and Recommendations*.

The *Report and Recommendations* will contain the following:

1. Candid assessment of the interviewees' responses to the proposed capital needs and their observations and recommendations.
2. Interviewee feedback regarding the value and importance of expanded Library facility to Daphne and its citizens and businesses.
3. A "go/no go" recommendation relative to a campaign and/or a feasible dollar goal for any fundraising campaign that might ensue.
4. Recommendations for securing non-cash support and budget reduction commitments.
5. Recommendations regarding ways the City of Daphne could enable the project's success.
6. A detailed timetable and plan for raising the required funds, including organization chart, costs, and required volunteer staffing.
7. The identity of, and recommendations for, leadership of a fundraising effort.
8. Recommendations for implementing the capital improvements.

Schedule

- ✦ Five to eight days preparations and start-up procedures, presenting the draft prospectus to the client, gaining approval of the prospectus, setting appointments, and drafting a final version of the prospectus and questionnaire for use in the interview phase.
- ✦ Approximately 20 days of interviewing.
- ✦ Ten days analysis, writing and printing the final *Report and Recommendations*.
- ✦ One day presenting the *Report and Recommendations*.

Management Fee and Expenses

The management fee for implementing the goal assessment is \$20,000. Travel expenses, as well as other budgeted costs associated with this engagement will be billed as direct costs without markup by NCDS. An estimate of such out-of-pocket expenses will be prepared with the client at the commencement of the project. A likely range of expenses could be approximately \$6,000.

The management fee is due and payable upon approval of this proposal.

We look forward to a productive and positive goal assessment and, if warranted, an over-goal campaign on behalf of the Daphne Public Library.

Sincerely,

NATIONAL COMMUNITY DEVELOPMENT SERVICES, INC.



Howard C. Benson
Chief Executive Officer

For: The DAPHNE PUBLIC LIBRARY CAMPAIGN FOUNDATION

BY: _____

TITLE: _____

DATE: _____

City of Daphne Recreation Board Minutes
1705 Main Street
Daphne, AL
January 9, 2007
6:00 p.m.

Approved For Finance Comm. Agenda



Signature

Date
1-9-07

Members Present: Chairman Ed Nelson, Erick Smith, Kit Smith, Matt Cunningham, Rick Cleveland and John Peterson

Members Absent: James Foster

Advisory Staff Present: David McKelroy, Director of Recreation, Councilman Gus Palumbo, Councilman Greg Burnam, Coach Glenn Vickery

Others Present: Scott Hutchinson from HMR Engineering, Brandon Adams, Mayor Fred Small, and Linda Tipp

1. Call to Order

The meeting was called to order by Chairman Ed Nelson at 6:09 p.m.

2. Review and Approval of Minutes

The Board reviewed the minutes from December 20, 2006. Mr. Erick Smith made a motion to approve the minutes; Mr. Kit Smith seconded the motion and the motion carried.

3. Business

A. Status of Dog Park.

The Board reviewed the cost estimates and location site for the Dog Park at Trione Sports Complex. Discussion was held to clarify the location and size of the site, water accessibility, Dog Park rules, hours of operation, and patron accessibility. After review and discussion, a motion was made by Mr. John Peterson to forward to the Finance Committee a recommendation for appropriation of funds for the Dog Park. Mr. Erick Smith seconded the motion. Motion carried.

B. Mater Plan-New Recreation Complex

1. Joe Warrington and Patrick Collins Presentation rescheduled for February 10 meeting.
2. Brandon Adams and Scott Hutchison presented several designs that reflect the most appropriate locations for facilities and growth potential at the new site, the Trione Complex and Lott Park. Ideas and concerns were expressed concerning each design by the Board members. As a result, a motion was made by Kit Smith to have Mayor Small talk with Mr. Frank Trione, Baldwin County Board of Education member, and write a letter to the Baldwin County School Board Superintendent concerning the use of the

property south of the Trione Complex. The motion was seconded by Mr. Erick Smith and approved by all members.

A Special Committee was initiated for a more in depth review of the options presented by Mr. Adams and Mr. Hutchison. This committee will report back to the Board with their assessment of the options and make recommendations to the Board. Committee members include Mr. Ed Nelson, Mr. Kit Smith, Mr. Matt Cunningham, Mr. Erick Smith, Mr. David McKelroy and Mr. Scott Hutchison.

Comments from Recreation Director

Mr. David McKelroy distributed copies of the Recreation Department Calendar to apprise the members of the type and scope of the activities scheduled in January.

He also advised the members that all High School Soccer games will be played at the Trione Sports Complex.

Comments from Board Members

Mr. Ed Nelson asked for a report from the Recreation Department Director that gives a description of the various programs and activities offered by the department, along with respective the participation levels. This includes the Senior Center programs as well as the fitness center. Mr. David McKelroy will furnish this report at the next Board meeting.

6. Adjourn

The meeting adjourned at 8:00 p.m.

MEMORANDUM

CITY of DAPHNE....DIVISION of PUBLIC WORKS

To: Mayor Fred Small
Daphne Recreation Board

From: Ken Eslava, Director
Divisions of Public Works & Maintenance



Date: January 3, 2007

Re: Breakdown of costs for dog park

Please find enclosed the detailed breakdown of costs associated with the construction of a fenced dog park. The estimated cost is based on a 6' high fenced area, 250' feet square, with double gated area for security, a watering station and some sort of a simple weather proof cabinet for dog manure collection bags.

Public Works will handle the installation of watering station, water supply line and the related Park signage. The water supply will come from the irrigation pump currently in operation at the facility.

1000 linear feet of 6' high, residential grade, galvanized chain link fence @ \$10.00 per linear foot(installed).....\$10,000.00

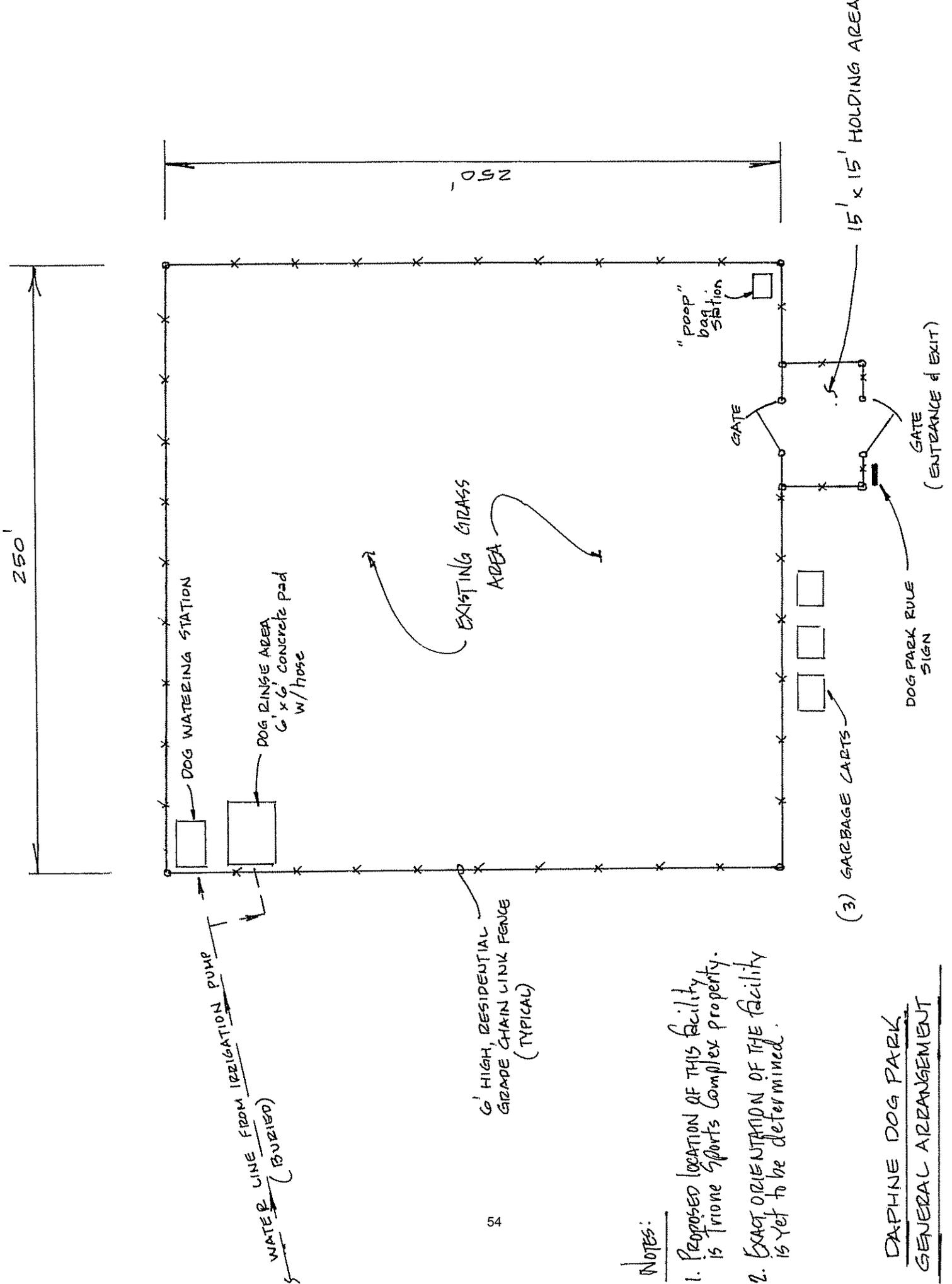
Double gates(installed).....\$2,000.00

Dog watering station....\$1,000.00

Dog Park rules signs.....\$100.00

Water line to facility from pump house
Includes a small concrete pad & hose....\$500.00

Total estimate of costs.....\$13,600.00



NOTES:

1. PROPOSED LOCATION OF THIS FACILITY IS TRONE SPORTS COMPLEX PROPERTY.
2. EXACT ORIENTATION OF THE FACILITY IS YET TO BE DETERMINED.

DAPHNE DOG PARK
GENERAL ARRANGEMENT

BY: KEN ESLAVA

COMMUNITY CONTRIBUTIONS

	Actual FY 1993	Actual FY 1994	Actual FY 1995	Actual FY 1996	Actual FY 1997	Actual FY 1998	Actual FY 1999	Actual FY 2000	Actual FY 2001	Actual FY 2002	Actual FY 2003	Actual FY 2004	Actual FY 2005	Budget FY 2006	Budget FY 2007	<u>TOTAL</u>
Community Agencies																
BC Economic Dev All	-	-	-	-	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	110,000
Boys & Girls Club	-	-	-	-	15,000	7,500	7,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	126,000
Carehouse	-	-	-	-	-	500	500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	13,000
ES Chamber of Commerce	6,000	7,500	7,500	6,000	6,000	6,000	6,000	6,000	6,150	6,000	1,500	6,000	11,000	6,000	6,000	93,650
Blue Print for Tomorrow	-	-	-	-	-	-	-	-	-	-	-	-	-	35,000	35,000	70,000
Industrial Dev Board	-	-	-	-	5,000	-	-	-	-	-	-	-	-	-	-	5,000
Lighthouse	-	-	1,000	1,000	1,000	500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	17,000
Community Action Agency	-	-	-	-	-	-	-	-	-	-	-	-	1,000	-	-	1,000
Ecumenical Ministries	-	-	-	-	-	-	-	-	-	-	-	-	-	10,000	10,000	20,000
Lower Al Vietnam Veterans	-	-	-	-	-	-	1,000	-	-	-	-	-	-	-	-	1,000
Mobile Bay NEP	-	-	-	-	-	3,200	3,200	-	2,600	-	-	-	-	3,000	3,000	15,000
National Safety Council	-	-	-	200	200	-	-	-	-	-	-	-	-	-	-	400
Public Transit Coalition	-	-	-	-	-	-	-	-	2,600	-	-	-	-	-	-	2,600
Red Cross: Disaster Spec	-	-	-	-	-	-	-	-	-	-	-	4,500	-	-	-	4,500
SARPC	2,484	2,597	2,879	3,386	3,387	3,522	3,522	4,048	4,702	5,355	7,599	6,912	16,083	17,898	20,000	104,374
Santa America	-	-	-	-	-	-	-	-	-	-	-	-	-	2,000	2,000	4,000
Baldwin County Trailblazers	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000	-	1,000
Village Point Foundation	-	-	2,500	-	-	-	-	-	-	-	-	1,500	-	-	-	4,000
	<u>8,484</u>	<u>10,097</u>	<u>13,879</u>	<u>10,586</u>	<u>40,587</u>	<u>31,222</u>	<u>33,222</u>	<u>35,048</u>	<u>41,052</u>	<u>36,355</u>	<u>34,099</u>	<u>43,912</u>	<u>53,083</u>	<u>99,898</u>	<u>101,000</u>	592,524
														Undesignated	<u>1,000</u>	1,000
															102,000	593,524
Community Events																
Christmas Parade	1,176	988	1,799	2,480	3,527	4,119	5,229	5,392	5,260	5,418	5,298	5,186	5,523	4,215	-	55,610
Friends of Library (Story)	-	-	-	-	6,000	-	-	-	1,335	-	-	-	-	-	-	7,335
Jubilee Easter Egg Hunt	-	-	-	600	1,000	1,000	1,000	1,518	1,696	1,650	1,802	2,020	2,161	2,300	2,300	19,047
Jubilee Girls	2,000	2,000	1,750	2,000	2,500	2,500	2,500	2,500	4,295	2,501	2,500	2,500	2,500	2,500	2,500	37,046
July 4th Celebration	-	-	5,000	5,000	5,000	5,000	5,000	5,150	5,450	5,875	9,702	9,050	10,050	10,000	12,000	92,277
Justice Center Opening	-	-	1,072	-	-	-	-	-	-	-	-	-	-	-	-	1,072
Lake Forest Yacht Race	-	-	1,000	-	-	-	1,500	-	-	-	-	-	-	-	-	2,500
Young Woman of Year	50	50	-	-	-	-	-	-	-	-	-	-	-	-	-	100
	<u>3,226</u>	<u>3,038</u>	<u>10,621</u>	<u>10,080</u>	<u>18,027</u>	<u>12,619</u>	<u>15,229</u>	<u>14,560</u>	<u>18,036</u>	<u>15,443</u>	<u>19,302</u>	<u>18,756</u>	<u>20,234</u>	<u>19,015</u>	<u>16,800</u>	214,987
														Undesignated	<u>1,500</u>	3,500
														20,515	18,800	218,487

	<u>Actual</u> <u>FY 1993</u>	<u>Actual</u> <u>FY 1994</u>	<u>Actual</u> <u>FY 1995</u>	<u>Actual</u> <u>FY 1996</u>	<u>Actual</u> <u>FY 1997</u>	<u>Actual</u> <u>FY 1998</u>	<u>Actual</u> <u>FY 1999</u>	<u>Actual</u> <u>FY 2000</u>	<u>Actual</u> <u>FY 2001</u>	<u>Actual</u> <u>FY 2002</u>	<u>Actual</u> <u>FY 2003</u>	<u>Actual</u> <u>FY 2004</u>	<u>Actual</u> <u>FY 2005</u>	<u>Budget</u> <u>FY 2006</u>	<u>Budget</u> <u>FY 2007</u>	<u>TOTAL</u>
<u>Schools</u>																
Bayside Academy	-	50,000	-	-	-	-	-	-	-	-	-	-	-	-	-	50,000
Boy Scouts-Learning Life	1,500	-	1,500	1,500	1,500	750	-	-	-	-	-	-	-	-	-	6,750
Spanish Fort High School	-	-	-	-	-	-	-	-	-	-	-	-	5,000	-	-	5,000
Daphne Middle School	50	1,900	-	-	1,200	-	-	-	-	-	-	-	-	-	-	3,150
Daphne Youth Football	-	-	2,104	-	-	-	-	-	-	-	-	-	-	-	-	2,104
DHS Football	-	-	-	-	-	-	1,300	-	1,000	-	-	-	-	-	-	2,300
DHS Baseball	-	-	-	-	-	-	-	-	49	-	-	-	-	-	-	49
DHS Recreation Facilities	-	-	-	-	-	7,750	-	-	-	-	-	-	-	-	-	7,750
DHS Fieldhouse	-	150,000	-	-	-	-	-	-	-	-	-	-	-	-	-	150,000
DHS: Band (5240 FY92)	7,890	10,600	-	-	-	7,250	-	8,000	-	600	-	-	1,500	-	-	35,840
DHS: Dance Team	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000	-	1,000
DHS: Girls Softball	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000	-	1,000
Daphne High School: Taste of East	-	-	-	-	-	-	-	-	-	-	-	-	-	16,000	8,000	24,000
DHS: Swim Team	-	-	-	-	-	-	-	-	-	-	-	-	-	1,500	-	1,500
SEEDS Program	-	-	-	-	-	-	-	-	-	-	-	2,000	-	35,000	-	37,000
	9,440	212,500	3,604	1,500	2,700	15,750	1,300	8,000	1,049	600	-	2,000	6,500	54,500	8,000	327,443
												Undesignated		1,500	4,000	5,500
														56,000	12,000	332,943
<u>Community Recreation</u>																
Daphne Art Center	-	-	933	-	-	-	-	-	-	-	-	-	-	-	-	933
Dixie Boys	1,000	-	-	417	-	-	-	-	-	-	-	-	-	-	-	1,417
Dixie Majors	-	1,000	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000
Dixie Pre-majors	-	-	2,500	-	-	-	-	-	-	-	-	-	-	-	-	2,500
Seniors Club	-	-	-	-	1,400	-	-	-	-	-	-	-	-	-	-	1,400
Eastern Shore Hurricanes	-	-	-	-	-	-	-	-	-	-	-	-	-	1,000	-	1,000
Strokers Baseball	-	-	-	417	-	-	-	-	-	-	-	-	-	-	-	417
	1,000	1,000	3,433	834	1,400	-	-	-	-	-	-	-	-	1,000	-	8,667
TOTALS	22,150	226,635	31,537	23,000	62,714	59,591	49,751	57,608	60,137	52,398	53,401	64,668	79,817	177,413	132,800	1,153,621

L. Tunnell
Signature

12/22/06

Date



P.O. Box 65 • Mobile, Alabama 36601
(251) 433-2708 • FAX: (251) 433-2777
www.ussalabama.com

November 27, 2006

Dear Friend:

Another year is quickly coming to an end. As we begin to reflect, it is only fitting that we take time to say, "Thank you for your support and trust in keeping the mission of Battleship Memorial Park alive". Your loyalty and commitment to Battleship Memorial Park has been a major factor in our success.

I would also like to update you on the current situation at Battleship Memorial Park. On January 9, 2006, Battleship Memorial Park re-opened after being closed for 4½ months after Hurricane Katrina dealt the Park a crippling blow. This was the first time in history Battleship Memorial Park was closed for this long. Upon re-opening, USS ALABAMA was still listing at approximately 2 degrees, the aft gangway was not operational, the monuments within the Park still in disarray, and the Aircraft Pavilion remained in shambles. We are proud to report that we have made great progress in the last twelve months.

Battleship USS ALABAMA (BB-60) is now sitting upright in Mobile Bay. This was accomplished by slowly moving the bay bottom from under the ship allowing USS ALABAMA (BB-60) to then fall gently into place. Both gangways have been replaced. The Ship's Store has been completely renovated, and the Park grounds are improving daily. The Aircraft Pavilion should be finished near year's end.

Yet, attendance and revenue after reopening has been at least 40% below normal levels every month. After relief from FEMA, Insurance, and the generosity of our constituents, we still have a shortfall of approximately \$3 million.

* If you contributed to our Katrina Repair Fund, we thank you and hope you will also be able to contribute to the year-end giving campaign. We ask you to consider a year-end, tax deductible gift to the USS ALABAMA Battleship Foundation. 100% of your year-end contribution goes to USS ALABAMA Battleship Memorial Park Katrina Repair Fund. No funds are taken from the Foundation for daily operations.

Our Overnight Program was reinstated July 2006. This program provides our youth the opportunity to experience what the sailors experienced during their time aboard ship. We now have space available for meetings and parties aboard ship and our facilities make any gathering a unique experience. So, please consider us for your special event.

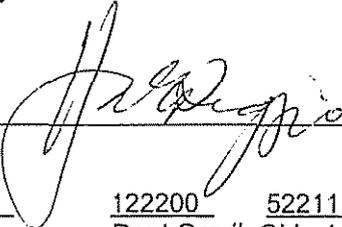
Thank you for your continued support. Have a wonderful holiday season and a healthy and prosperous New Year.

Sincerely,

William N. Tunnell, Jr.
William N. Tunnell, Jr.,
Executive Director

PREPAID TRAVEL REQUEST FORM	
EMPLOYEE NAME / TITLE	<i>Ha Le Riggio / Magistrate</i>
DEPARTMENT	Court
DATES OF TRAVEL	3/6/07-3/8/07
SCHOOL/ORGANIZATION	The University of Alabama
LOCATION FOR TRAINING: CITY / STATE	Tuscaloosa
REGISTRATION FEE	\$195.00
LODGING	(\$89.00+11% TAX/NIGHT)x(3 Nights)=296.37
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)	\$ 140.00 (4 Days)

A complete Expense Report with itemized receipts must be submitted within one week of 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 


Vendor #
122200
52211
Proj#
Department Head Approval
Dept #
Object #

***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**

REGISTRATION FORM

Certification Training & Maintenance Training Institute

PLEASE REGISTER ME FOR THE INSTITUTE INDICATED BELOW

- | | | |
|---|-----------------|------------|
| <input type="checkbox"/> Certification (04-111-07:CERT) | March 7-9, 2007 | Fee: \$195 |
| <input type="checkbox"/> Maintenance (04-111-07:MAIN) | March 7-9, 2007 | Fee: \$125 |
| <input type="checkbox"/> Certification (04-113-07:CERT) | May 9-11, 2007 | Fee: \$195 |
| <input type="checkbox"/> Maintenance (04-113-07:MAIN) | May 9-11, 2007 | Fee: \$125 |

Name: Ms. Mrs. Mr.

For multiple registrations, please duplicate this form

Ha (Fifi) Riggio L.

Name First Last MI
Fifi 614-70-4056

Preference on Name tag Daphne Municipal Court Social Security # (for records only) (251) 621-2824 (251) 621-3192

Company/Organization Name Company Phone/Company Fax Magistrate

E-mail Address Job Title

Confirmation Mailing Address

City State Zip

Billing Mailing Address 1502 HWY 98 Attn:

Address Daphne AL 36526

City State Zip

METHOD OF PAYMENT

- Enclosed is a check in the total amount of \$ _____ made payable to: THE UNIVERSITY OF ALABAMA
 Charge Fee \$ _____ to my Personal Card Business Card MasterCard Visa Discover

AMEX

Card# _____ Exp. Date/ /

Authorizing Signature _____

FOUR CONVENIENT WAYS TO REGISTER

 **Mail form and fee to:**
 Registration Services, College of Continuing Services (205) 348-3000
 The University of Alabama
 Box 870388
 Tuscaloosa, AL 35487-0388
<http://pmdp.ccs.ua.edu>

 **Phone in registration to:**
 **FAX registration form to:**
 (205) 348-6614
 **Register Online at**

FAX or phone-in registrations must have a credit card number or a purchase order number.

JOHN G. BURTON ENDOWMENT FUND SCHOLARSHIPS John G. Burton Endowment Fund Scholarships are being offered to Certification Institute applicants. Applicants must be municipal court clerks or magistrates. Criteria include, but are not limited to, financial need and if the applicant will be a first-time participant. Participants already enrolled in the program are eligible if they demonstrate strong financial need. Scholarships in the amount of \$300.00 each are available. Scholarship monies must be used for the Institute registration fee and associated travel costs. To receive a scholarship application form or additional information regarding the Institute, call Tommy Pow at (205) 348-9066 or Stephanie Sharp (205) 348-9937 (ssharp@ccs.ua.edu). You may write him at The University of Alabama, College of Continuing Studies, Box 870388, Tuscaloosa, AL 35487-0388.

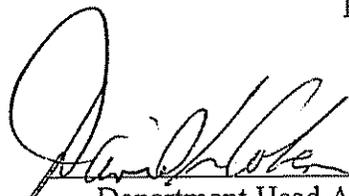
PREPAID TRAVEL REQUEST FORM

EMPLOYEE NAME/TITLE	CATHY BARNETTE
DEPARTMENT	LEGISLATIVE
DATES OF TRAVEL	MARCH 10 - 14, 2007
SCHOOL/ORGANIZATION	NATIONAL LEAGUE OF CITIES CONFERENCE
LOCATION FOR TRAINING: CITY/STATE	WASHINGTON, D.C.
REGISTRATION FEE	\$410.00
LODGING	\$720.00
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)	\$175.00

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

4088 120200 / 52211 / 12
 Vendor # 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.**

Revised 3/06

PREPAID TRAVEL REQUEST FORM

EMPLOYEE NAME/TITLE	BAILEY YELDING, JR
DEPARTMENT	LEGISLATIVE
DATES OF TRAVEL	MARCH 10 - 14, 2007
SCHOOL/ORGANIZATION	NATIONAL LEAGUE OF CITIES CONFERENCE
LOCATION FOR TRAINING: CITY/STATE	WASHINGTON, D.C.
REGISTRATION FEE	\$410.00
LODGING	\$720.00
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)	\$175.00

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

Bailey Yelding Jr

David K Cole
Department Head Approval

8059 120200 / 52211 / 11
 Vendor # 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.**

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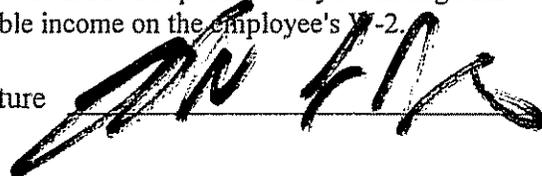
Revised 3/06

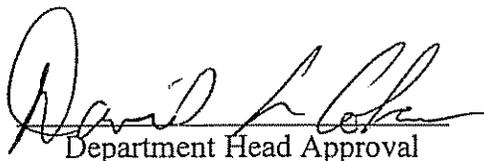
PREPAID TRAVEL REQUEST FORM

EMPLOYEE NAME/TITLE	JOHN LAKE
DEPARTMENT	LEGISLATIVE
DATES OF TRAVEL	MARCH 10 - 14, 2007
SCHOOL/ORGANIZATION	NATIONAL LEAGUE OF CITIES CONFERENCE
LOCATION FOR TRAINING: CITY/STATE	WASHINGTON, D.C.
REGISTRATION FEE	\$410.00
LODGING	\$720.00
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)	\$175.00

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

2005 120200 / 52211 / 13
 Vendor # 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.**

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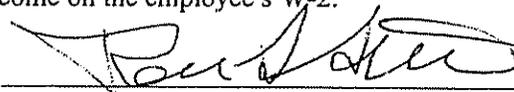
Revised 3/06

PREPAID TRAVEL REQUEST FORM

EMPLOYEE NAME/TITLE	RON SCOTT
DEPARTMENT	LEGISLATIVE
DATES OF TRAVEL	MARCH 10 - 13, 2007
SCHOOL/ORGANIZATION	NATIONAL LEAGUE OF CITIES CONFERENCE
LOCATION FOR TRAINING: CITY/STATE	WASHINGTON, D.C.
REGISTRATION FEE	\$410.00
LODGING	\$540.00
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)	\$140.00

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

4130
Vendor #

120200 / 52211 / 15
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.**

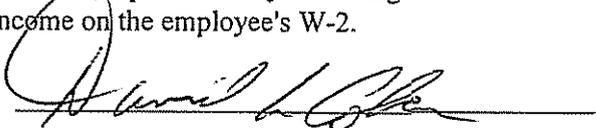
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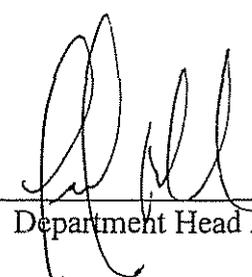
Revised 3/06

PREPAID TRAVEL REQUEST FORM

EMPLOYEE NAME/TITLE	DAVID L. COHEN
DEPARTMENT	LEGISLATIVE
DATES OF TRAVEL	MARCH 10 - 14, 2007
SCHOOL/ORGANIZATION	NATIONAL LEAGUE OF CITIES CONFERENCE
LOCATION FOR TRAINING: CITY/STATE	WASHINGTON, D.C.
REGISTRATION FEE	\$410.00
LODGING	\$720.00
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)	\$175.00

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
 8069
 120200 / 52211 / _____
 Vendor # 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.**

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Revised 3/06

Preliminary

The Conference will provide a range of education, networking, and strategy sessions to maximize the value of this event for city officials. This preliminary schedule provides an outline of major events during the conference to help delegates make travel plans.

Saturday, March 10

- 9:00 a.m. – 5:00 p.m. Leadership Training Seminars
City Futures Panel Meetings
- 5:30 p.m. – 6:45 p.m. Orientation to the Conference for First Time Attendees
- 5:30 p.m. – 7:00 p.m. Constituency and Special Group Meetings

Sunday, March 11

- 9:00 a.m. – 12:30 p.m. Policy and Advocacy Committee Meetings
Community and Economic Development (CED)
Information Technology and Communications (ITC)
Transportation Infrastructure and Services (TIS)
- 9:00 a.m. – 5:00 p.m. NLC Board of Directors Meeting
NLC Advisory Council Meeting
Leadership Training Seminars
- 1:30 p.m. – 5:00 p.m. Policy and Advocacy Committee Meetings
Energy, Environment and Natural Resources (EENR)
Finance, Administration, and Intergovernmental Relations (FAIR)
Human Development (HD)
Public Safety and Crime Prevention (PSCP)
- 5:15 p.m. – 7:00 p.m. Constituency and Special Group Meetings

Monday, March 12

- 7:30 a.m. – 9:00 a.m. Celebrate Diversity Breakfast
- 9:00 a.m. – 10:30 a.m. Opening General Session
- 10:45 a.m. – 12:15 p.m. Workshop Sessions
- 12:15 p.m. – 1:30 p.m. Roundtable Networking and Lunch
- 1:45 p.m. – 3:15 p.m. Workshop Sessions
- 3:30 p.m. – 4:30 p.m. General Session
- 5:00 p.m. – 6:30 p.m. State League Caucuses and Receptions
Constituency and Special Group Meetings/Events

Tuesday, March 13

- 7:30 a.m. – 9:00 a.m. Steering Committee Work Sessions
Community and Economic Development (CED)
Information Technology and Communications (ITC)
Transportation Infrastructure and Services (TIS)
- 9:00 a.m. – 10:30 a.m. General Session
- 10:45 a.m. – 12:15 p.m. Workshop Sessions
- 12:30 p.m. – 2:00 p.m. Roundtable Networking Lunch
- 2:15 p.m. – 3:30 p.m. Closing General Session
- 3:45 p.m. – 5:30 p.m. Steering Committee Work Sessions
Energy, Environment and Natural Resources (EENR)
Finance, Administration, and Intergovernmental Relations (FAIR)
Human Development (HD)
Public Safety and Crime Prevention (PSCP)
City Futures Panel Meetings
Other Committee Meetings
- 3:45 p.m. – 5:30 p.m. Shuttle Service to Metro for Lobbying on Capitol Hill
- 5:15 p.m. – 6:30 p.m. State League Caucuses and Receptions
- 6:30 p.m. – 8:00 p.m. Reception and The Capitol Steps

Special Events

Monday, March 12

Celebrate Diversity Breakfast

7:30 a.m. – 9:00 a.m.

Fee: \$40

The 21st annual Celebrate Diversity Breakfast will feature a keynote speaker who will provide a perspective on "diversity" issues facing America's cities and towns. The breakfast is sponsored by five NLC constituency groups.

Tuesday, March 13

Reception and The Capitol Steps

6:30 p.m. – 8:00 p.m.

The Capitol Steps will perform on Tuesday as part of a conference wrap up to energize the delegates for City Lobby Day on Wednesday morning. This troupe of former Congressional employees provides bi-partisan fun for everyone.

Dates to Remember

February 5, 2007. Deadline for advance registration and housing requests. All requests must be postmarked by this date. After this date, all delegates must register on-site at higher rates.

February 5, 2007. Deadline for Cancellations. Cancellation letters must be postmarked by this date and are subject to a \$50 cancellation fee. There are no refunds for cancellations after this date.

How to Register

To register for the 2007 Congressional City Conference, fill out the registration form and return it with your check, city purchase order, or credit card information to the NLC Meeting Services, postmarked by February 5, 2007 or register online at www.nlc.org.

- ★ Each delegate, guest, speaker, member of the press, and any other conference participant must register. There is a \$75 youth delegates fee. There is no charge for press registrations with proper press credentials.
- ★ No telephone registrations or cancellations will be accepted.
- ★ Payment (check, city purchase order, or credit card) must be included with advance registrations.
- ★ People unable to meet the February 5 deadline will have to register on-site at the meeting and make their own hotel reservations.

Refunds will be made for cancellations received by February 5, 2007, subject to a \$50 cancellation charge. Cancellation letters must be postmarked by this date. No telephone cancellations will be accepted. No partial refunds will be made if you decide not to attend particular functions.

Hotels

- ★ If you need hotel accommodations, please check the appropriate box on the registration form.
- ★ NLC will make a hotel reservation for you when you register for the conference.
- ★ Rooms will be assigned on a first come, first served basis.



February 12, 2007

INTERNAL MEMORANDUM

TO: Finance Committee
FROM: Human Resources
RE: Automated Payroll System

CURRENT SYSTEM

As the City continues to grow with employees and differing time schedules, the demands placed on our current payroll processes has increased. Currently time sheets are completed for all employees and reviewed by supervisors at the end of a 2 week payroll period. These time sheets are then sent to HR to be manually entered into the computer. As you can imagine, this system leaves much room for human error and little opportunity for supervisors to monitor overtime, leave balances, and improper clocking in/out.

Based on data we received, the following benefits are derived from converting to an automated payroll system.

1. Eliminate buddy punching 2.2%
2. Reduced payroll error rate 1.2%: overpayments are seldom reported but underpayments are
3. Reduce administration burden .5 to 3 hours per pay period due to time spent by Managers, Supervisors and senior staff on the following activities: totaling verifying, and approving manual timesheets (not including time spent in HR)
4. Reduce unscheduled OT
5. Improved fund reporting equals more accurate and timely funding

Research

We began reviewing various payroll system alternatives over a year ago and even tried out a system from a local vendor. However, after much discussion and effort, the vendor finally admitted that they could not accommodate our public safety schedules for payroll processing.

Page Two
Payroll System

We then began another search and found several national vendors with experience in municipal government settings. We received bids from Gorrie Regan and Kronos. Based on our review of these 2 systems and meetings with these vendors, we recommend that the City select Kronos. We have checked with other Cities and have heard only good things about this system, the training provided, and the ongoing support with any technical problems or future upgrades.

We respectfully request your approval of this request. The funds have already been appropriated in our budget for 2007.

CITY OF DAPHNE
BID #: 2007-E-PAYROLL TIMEKEEPING SYSTEM MINUTES

January 17, 2007
 11:30 A.M.

Those present were as follows:

Ms. Suzanne Henson
 Ms. Sherree Hilburn

Sr. Accountant
 Human Resources Benefits Coordinator

2 bid invitations were mailed/picked up , 2 sealed bids were received.

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

Description	KRONOS Major Costs Initial Purchase		GORRIE- REGAN Major Costs Initial Purchase	
1 Software Product License Fees	7,595.00		12,580.00	Gorrie Regan recommended 2 Server Configuration ↓
a Software: Install / Implementation / Training	12,900.00		7,120.00	
b Hardware Equipment required -- (Dedicated Server...)	8,296.00	One Server Option →	8,799.00	11,101.00
c Fingerprint Terminal (Timeclock) / 6 Terminals @ - \$2360/ea/Gorrie-Regan - \$1695/ea/Kronos (addin purch- \$3,000)	10,170.00		14,160.00	
d Installation Fingerprint Terminal / 6 @ \$175/ea/Gorrie-Regan - Kronos - incl	-		1,050.00	
e Additional Annual Maint - 6 Terminals / @375/ea-Gorrie-Regan / Kronos-\$225/ea	1,350.00		2,250.00	
Maintenance Cost -Software (List cost for five years-include annual increases)	1,876.00		3,730.00	
Total	45,000.00		49,689.00	51,991.00

	Year One	Year Two	Year Three	Year Four	Year Five
KRONOS: Maintenance Cost (List cost for five years-include annual increases)	3,226 00	3,355 00	3,489 00	3,628 00	3,775 00

GORRIE-REGAN: Maintenance Cost (List cost for five years-include annual increases)	5,980 00	5,980 00	5,980 00	6,158 00	6,346 00
---	----------	----------	----------	----------	----------

	KRONOS	GORRIE- REGAN
OPTIONAL EQUIPMENT - NOT REQUIRED:		
b Badge/ID System Equipment	7,870.00	5,708.00
c Badge/ID System Supplies (assume 300 employees)		included
d Door Entry ID System Supplies (assume 300 employees)	7,655.00	Not Available

* In lieu of Performance Bond - Kronos offers an acceptance clause in their contract: "For Customer's initial purchase of each Equipment and Software product Kronos shall provide an acceptance test period that commences upon Installation . The Test Period shall be for 30 days If Customer has not given Kronos a written deficiency statement specifying how the Equipment or Software fails to meet the Specifications within the Test Period, the Equipment and Software shall be deemed accepted Customer shall return all Equipment and Software to Kronos and Kronos shall refund any monies paid by Customer to Kronos and have no further liability

Time Keeping Bid

KRONOS SALES, SOFTWARE LICENSE AND SERVICES AGREEMENT Rev KR-080706

Formatted: Font: 10 pt

Customer and Kronos agree that the terms and conditions set forth: i) in Section A of this Agreement apply to all Equipment and Software specified on a Kronos order form (the "Order Form"); ii) in Section B apply to all Software, firmware (contained in or downloaded to the Equipment), and Training Materials specified on the Order Form; iii) in Section C apply to all Professional Services, if any, specified on the Order Form; iv) in Section D apply to all Software Support Services, if any, and the Kronos KnowledgePass Education Subscription, if any, specified on the Order Form; and v) in Section E of the Agreement apply to all items specified on the Order Form and supplement the terms of Sections A through D. For purposes of this Agreement, the term "Customer" shall include Customer's parent company as well as Customer's wholly owned subsidiaries, if any.

SECTION A. TERMS AND CONDITIONS APPLICABLE TO EQUIPMENT AND SOFTWARE ONLY

1 PAYMENT AND DELIVERY

Payment terms are indicated on the Order Form or other contemporaneous ordering document containing product-specific payment terms signed by the parties. Delivery terms are as stated on the Order Form ("Delivery")

2 ACCEPTANCE

For Customer's initial purchase of each Equipment and Software product Kronos shall provide an acceptance test period (the "Test Period") that commences upon Installation. Installation shall be defined as: a.) the Equipment, if any, is mounted; b.) the Software is installed on the data base server(s) and/or personal computer(s); and c.) implementation team training, if any, is complete. During the Test Period, Customer shall determine whether the Equipment and Software meet the Kronos published electronic documentation, ("Specifications").

The Test Period shall be for 30 days. If Customer has not given Kronos a written deficiency statement specifying how the Equipment or Software fails to meet the Specifications ("Deficiency Statement") within the Test Period, the Equipment and Software shall be deemed accepted. If Customer provides a Deficiency Statement within the Test Period, Kronos shall have 30 days to correct the deficiency, and Customer shall have an additional 30 days to evaluate the Equipment and Software. If the Equipment or Software does not meet the Specifications at the end of the second 30 day period, either Customer or Kronos may terminate this Agreement. Upon any such termination, Customer shall return all Equipment and Software to Kronos, and Kronos shall refund any monies paid by Customer to Kronos therefor. Neither party shall then have any further liability to the other for the products that were the subject of the Acceptance Test.

30 Day
Acceptance
in lieu of
Performance Bond

3 LIMITED WARRANTY

Kronos warrants that all Kronos Equipment and Software media shall be free from defects in materials and workmanship, for a period of ninety (90) days from Delivery. In the event of a breach of this warranty, Customer's exclusive remedy shall be Kronos' repair or replacement of the deficient Equipment and/or Software media, at Kronos' option, provided that Customer's use, installation and maintenance thereof have conformed to the Specifications. This warranty is extended to Customer only and shall not apply to any Equipment, (or parts thereof) or Software media in the event of:

- (a) damage, defects or malfunctions resulting from misuse, accident, neglect, tampering, (including modification or replacement of any Kronos components on any boards supplied with the Equipment), unusual physical or electrical stress or causes other than normal and intended use;
- (b) failure of Customer to provide and maintain a suitable installation environment, as specified in the Specifications; or
- (c) malfunctions resulting from the use of badges or supplies not approved by Kronos.

If Customer is licensing Workforce Payroll Software the following additional warranty exclusions shall apply: i) Customer is solely responsible for the content and accuracy of all reports and documents prepared

CITY OF DAPHNE

BID OPENING MINUTES

BID DOCUMENT NO: 2007-F-PARKS (3) TWO WHEEL DRIVE OUT FRONT MOWERS

FEBRUARY 6, 2007

11:30 A.M.

CITY HALL

Those present were as follows:

Ms. Suzanne Henson

Mr. Melvin McCarley

Mr. Dwayne Coley

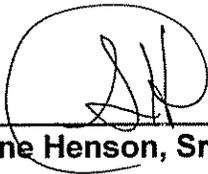
Sr. Accountant

Public Works Superintendent

Parks Supervisor

<u>VENDOR</u>	<u>BID BOND</u>		<u>UNIT / COST-THREE</u>
Coastal Machinery Company			No Bid
Baldwin Tractor	Cert Ck	(Kubota F80)	\$12,212.76 / \$36,638.28
Beard Equipment	Yes	(JD 1435)	\$16,089.73 / \$48,269.19
Foley Implement	Cert Ck	(JD 1435)	\$15,650.00 / \$46,950.00

8 invitations to bid were mailed or picked up or e-mailed or faxed, 4 sealed bids were received.



Suzanne Henson, Sr. Accountant

Fred Small
Mayor
David McKelroy
Recreation Director



Mary Jensen
Seniors Program Coordinator
Charlie McDavid
Athletic Coordinator
Robyn Andrews
Community Activities Coordinator

MEMO

TO: Kim Briley, Finance Director
FROM: David McKelroy, Recreation Director *wam*
SUBJECT: Bid Document 2007-F-Parks / (3) Two Wheel Drive Out Front Mowers
DATE: 2/7/2007

The Parks and Recreation Department received two qualified bid.

Foley Implement Company	\$ 46,950.00
Beard Equipment Company	48,269.19

I recommend we accept the low bid from Foley Implement Company.

RECREATION DEPARTMENT
2605 HIGHWAY 98 * P.O. BOX 400 * DAPHNE, ALABAMA 36526
(251) 621-3703 * FAX: (251) 621-3717
E-MAIL: recdir@bellsouth.net

CITY OF DAPHNE

**BID OPENING MINUTES
 BID DOCUMENT NO: 2007-G-JUBILEE BREEZE PUBLICATION
 FEBRUARY 6, 2007
 11:30 A.M.
 CITY HALL**

Those present were as follows:

Ms. Suzanne Henson Sr. Accountant
 Ms. Jane Robbins Mayor's Assistant

4 bid invitations were mailed/picked 1 sealed bids were received.

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

<u>VENDOR</u>	<u>QUANTITY</u>		
	<u>13,000 Copies</u>	<u>14,000 Copies</u>	<u>15,000 Copies</u>
Interstate Printing & Graphics (44 Pages)	\$ 8,835	\$ 9,409	\$ 9,983
(48 Pages)	\$10,683	\$11,397	\$12,111

* The City reserves the right to order quantities as needed (minimum 13,000 copies) and probate cost as listed below.
 * Jubilee Breeze is a bi-annual magazine, published in April and November.



 Suzânnne Henson, Sr. Accountant

PREVIOUS BID – FOR COMPARISON:			
BID DOCUMENT NO: 2005-K-JUBILEE BREEZE PUBLICATION			
<u>VENDOR</u>	<u>QUANTITY</u>		
	<u>14,000 Copies</u>	<u>15,000 Copies</u>	<u>16,000 Copies</u>
Interstate Printing & Graphics (44 Pages)	\$ 8,925	\$ 9,453	\$ 9,980
(48 Pages)	\$ 9,630	\$10,210	\$10,790

FRED SMALL
MAYOR

DAVID L. COHEN, MMC
CITY CLERK

KIMBERLY M. BRILEY
FINANCE DIRECTOR/TREASURER

DAVID B. CARPENTER II
CHIEF OF POLICE

A. MUND HANSON
FIRE CHIEF



COUNCIL MEMBERS

BAILEY YELDING, JR.

DISTRICT 1

CATHY BARNETTE

DISTRICT 2

JOHN L. LAKE

DISTRICT 3

GREG W. BURNAM

DISTRICT 4

RON SCOTT

DISTRICT 5

REGINA LANDRY

DISTRICT 6

AUGUST A. PALUMBO

DISTRICT 7

MEMO

TO: Kim Briley, Finance Director

FROM: Jane Robbins, Mayor's Assistant 

DATE: February 6, 2007

RE: Recommendation for Jubilee Breeze Bid

Based on the bid submitted this day I would like to recommend that we award the bid to Interstate Printing & Graphics. There is very little increase over the bid submitted in 2005. This printer is always reliable and provides excellent service.

If you have any specific questions, let me know.

Thanks.

Resolution 2006-86

**RESOLUTION: 2006-FF-VP PARK / YANCEY BRANCH / LAKEVIEW LOOP
DAP-0905-03 & 0905-05 Agreement No. 69-4101-6-30**

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

WHEREAS, the City of Daphne acknowledges that VP PARK / YANCEY BRANCH / LAKEVIEW LOOP - DAP-0905-03 & 0905-05 will exceed \$50,000; and

WHEREAS, Bids were solicited for the VP PARK / YANCEY BRANCH / LAKEVIEW LOOP - DAP-0905-03 & 0905-05 and no bids were received; and

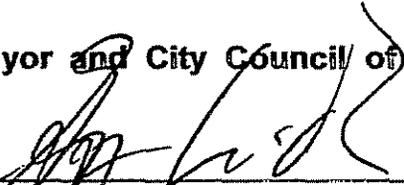
WHEREAS, State of Alabama Bid Laws authorize the City to negotiate a contract when no bids are received; and

WHEREAS, the VP PARK / YANCEY BRANCH / LAKEVIEW LOOP contract has been negotiated with ERS, Inc.; and

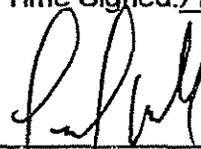
WHEREAS, staff recommends the negotiated bid for VP PARK / YANCEY BRANCH / LAKEVIEW LOOP - DAP-0905-03 & 0905-05 be awarded to ERS, Inc.;

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept and award the negotiated contract to ERS, Inc. in the amount of \$667,535.80 for the VP PARK / YANCEY BRANCH / LAKEVIEW LOOP - DAP-0905-03 & 0905-05 NRCS Grant Agreement no: 69-4101-6-30.

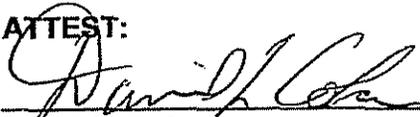
APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this 16th day of October, 2006.



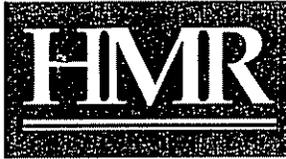
Greg Barnham,
Council President
Date & Time Signed: 10-16-06 8:40 P.M.



Fred Small,
Mayor
Date & Time Signed: 10-23-06 11:19

ATTEST:


David L. Cohen,
City Clerk MMC



HUTCHINSON, MOORE & RAUCH, LLC

Post Office Box 1127
Daphne, Alabama 36526

Telephone: (251) 626-2626
Fax: (251) 626-6934

February 7, 2007

Mr. Ken Eslava
Public Works Director
City of Daphne
P.O. Box 400
Daphne, AL 36526

RE: Yancy Branch & Lakeview Loop

Dear Mr. Eslava:

This letter is to clarify the overrun quantity of the Sediment Removal, Pay Item No. 730, of the Yancy Branch Dredging portion of the subject project. The estimated plan quantity of 16,000 CY(TBM) was derived from the typical channel section (3' deep x 30' wide) for the proposed length of the streambed. The gradient for the upper channel increased from 3 feet to 5 feet for the last 500 linear feet of the project, including the Scenic 98 culvert approach. It was also discovered that the existing culvert on Scenic 98 had aggradation of 18" deep. Once the approach of the culvert was dredged, the culvert sediment migrated into the downstream approach and was also removed. The quantity is substantiated with truck tickets that are enclosed for your records.

If you have any questions or comments concerning this matter please contact me at (251) 626-2626.

Sincerely,

HUTCHINSON, MOORE & RAUCH, LLC

Stephen J. Delahunty, P.E.
Construction Manager

/tmc

cc: Ken Eslava, Public Works Director
Scott Hutchinson, HMR
Jeff Phillips, HMR

D2500/2570/07 075

Enclosure



HUTCHINSON, MOORE & RAUCH, LLC

Post Office Box 1127
Daphne, Alabama 36526

Telephone: (251) 626-2626
Fax: (251) 626-6934

CHANGE ORDER

Order No. 2

Date: February 7, 2007

Agreement Date: October 17, 2006

NAME OF PROJECT: USDA NRCS EWPP Agreement No.: 69-4101-6-30

Bid Document No.: 2006-FF-Village Point Park/Yancey Branch DAP-905-03;

Lakeview Loop DAP-905-05

OWNER: The City of Daphne

CONTRACTOR: ERS, Inc.

ENGINEER: Hutchinson, Moore & Rauch, LLC

The following changes are hereby made to the CONTRACT DOCUMENTS – Sediment Removal.

ADD:

QTY	UNIT	ITEM	UNIT PRICE	TOTAL
3537	CY(TBM)	SEDIMENT REMOVAL	33.25	117,605.25

CONTRACT PRICE:

Original CONTRACT PRICE: \$696,385.00

Current CONTRACT PRICE due to this CHANGE ORDER will be INCREASED by: \$117,605.25

The new CONTRACT PRICE including this CHANGE ORDER will be \$813,990.25

CONTRACTOR: _____

RECOMMENDED: Stephan DeChaz

OWNER: _____

TREASURER'S REPORT

As of January 31, 2007

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	\$9,721,252.25
OPERATING ACCT	COMPASS	(\$163,613.62)
PAYROLL ACCT	COMPASS	(\$1,579.48)
MUNICIPAL COURT	COMPASS	\$244,134.11
		<u>\$9,800,193.26</u>
SPECIAL REVENUES FUND		
SAIL SITE	FIRST GULF	\$5,102.69
4 CENT GAS TAX	FIRST GULF	\$115,840.91
7 CENT GAS TAX	FIRST GULF	\$207,558.89
		<u>\$328,502.49</u>
CAPITAL PROJECTS FUND		
CDBG LOAN REPAY	COMPASS	\$720.57
CAPITAL RESERVE	WACHOVIA	\$3,857,690.96
97 WARRANT CONS	WACHOVIA	\$5,085.62
99 WARRANT CONS	REGIONS	\$97,780.58
2000 CONSTRUCTION	REGIONS	\$90,933.97
2006 CONSTRUCTION	WACHOVIA	\$10,697,230.12
		<u>\$14,749,441.82</u>
DEBT SERVICE FUND		
DEBT SERVICE	WACHOVIA/FIRST GULF	\$1,976,302.22
		<u>\$26,854,439.79</u>

SALES & USE TAXES

ACTUAL COLLECTIONS

	2001	2002	2003	2004	2005	2006	2007
October	565,075.77	671,699.04	636,482.64	697,830.58	833,700.71	932,634.66	944,542.36
November	591,377.80	650,308.98	646,534.10	710,788.74	814,566.03	901,512.38	918,837.95
December	803,488.81	858,086.66	892,208.68	941,151.87	1,091,073.78	1,168,443.68	1,182,584.39
January	557,344.42	639,638.85	590,727.65	697,083.68	771,837.83	887,468.11	
February	587,990.90	602,215.06	632,654.31	688,421.54	788,825.08	878,123.66	
March	682,504.29	710,960.77	705,390.20	848,156.86	917,832.17	1,081,774.83	
April	649,639.77	629,853.17	692,148.44	752,039.55	863,144.81	968,760.72	
May	684,188.67	668,867.28	702,692.15	757,610.49	867,446.44	1,000,424.48	
June	693,747.71	731,684.73	752,668.04	818,209.20	982,863.46	1,024,091.07	
July	622,924.98	679,602.58	721,790.90	803,051.14	908,576.13	941,407.68	
August	652,404.99	657,027.91	739,993.63	745,320.33	869,818.11	950,539.01	
September	660,492.09	644,827.41	715,641.36	830,260.80	998,476.08	967,616.16	
Totals	7,751,180.20	8,144,772.44	8,428,932.10	9,289,924.78	10,708,260.63	11,702,796.44	3,045,964.70

FY 2007 BUDGET/ACTUAL COMPARISONS

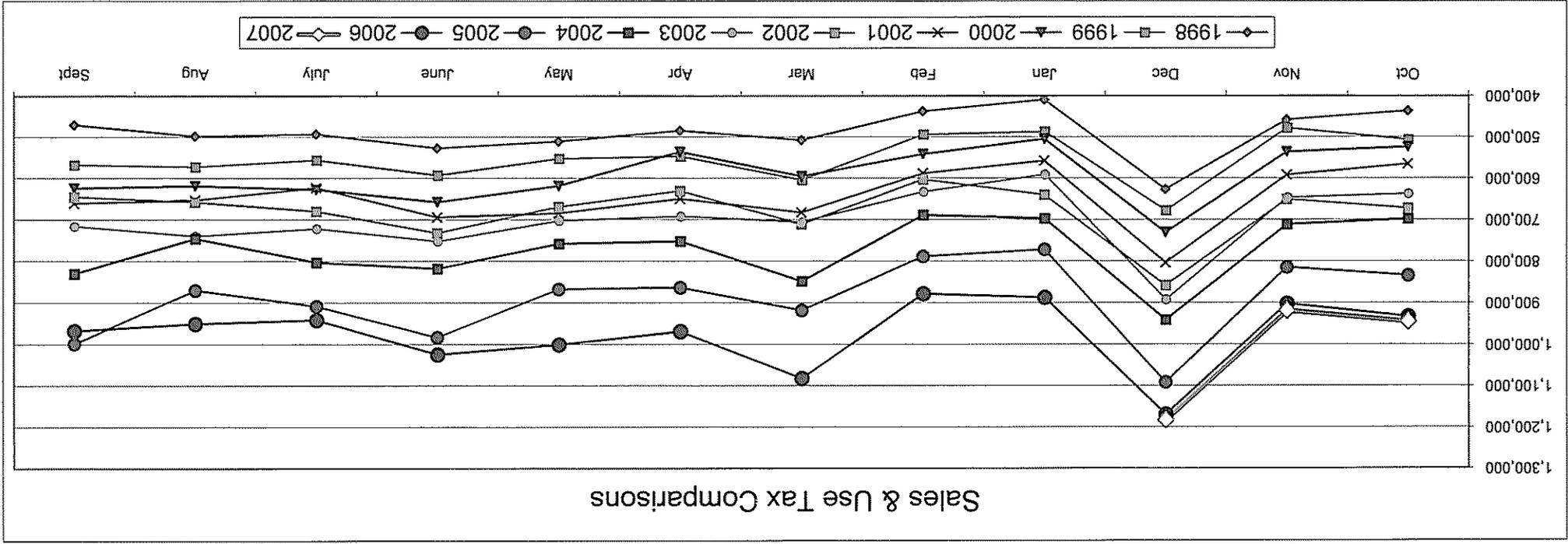
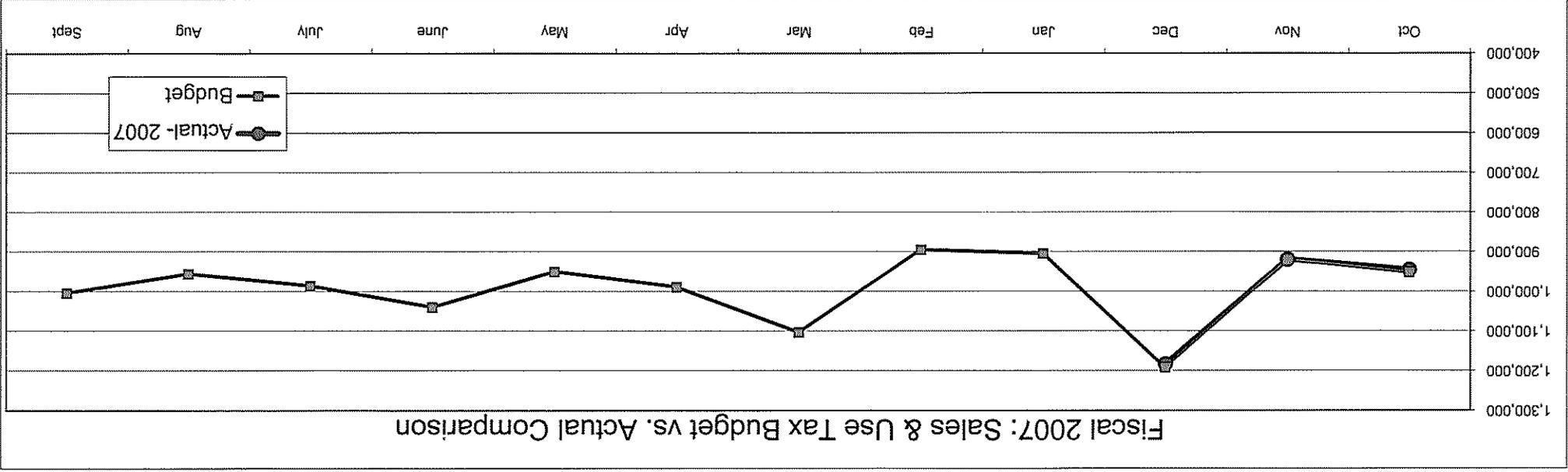
	Actual- 2007	Budget	Monthly Variance	YTD Variance	% of Budget
October	944,542.36	951,287	(6,744.64)	(6,744.64)	-0.71%
November	918,837.95	919,543	(705.05)	(7,449.69)	-0.08%
December	1,182,584.39	1,191,813	(9,228.61)	(16,678.30)	-0.77%
January		905,217		(16,678.30)	0.00%
February		895,686		(16,678.30)	0.00%
March		1,103,410		(16,678.30)	0.00%
April		989,020		(16,678.30)	0.00%
May		950,447		(16,678.30)	0.00%
June		1,040,098		(16,678.30)	0.00%
July		986,131		(16,678.30)	0.00%
August		955,866		(16,678.30)	0.00%
September		1,004,457		(16,678.30)	0.00%
Totals	3,045,964.70	11,892,975	(16,678.30)		

FISCAL YEAR COMPARISONS

	<u>\$ Change</u>						<u>Percent Change</u>					
	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007
October	106,623.27	(35,216.40)	61,347.94	135,870.13	98,933.95	11,907.70	18.87%	-5.24%	9.64%	19.47%	11.87%	1.28%
November	58,931.18	(3,774.88)	64,254.64	103,877.29	86,846.35	17,325.57	9.97%	-0.58%	9.94%	14.61%	10.66%	1.92%
December	54,597.85	34,122.02	48,943.19	149,921.91	77,369.90	14,140.71	6.80%	3.98%	5.49%	15.93%	7.09%	1.21%
January	82,294.43	(48,911.20)	106,356.03	74,754.15	115,630.28		14.77%	-7.65%	18.00%	10.72%	14.98%	
February	14,224.16	30,439.25	55,767.23	100,403.54	89,298.58		2.42%	5.05%	8.81%	14.58%	11.32%	
March	28,456.48	(5,570.57)	142,766.66	69,675.31	163,942.66		4.17%	-0.78%	20.24%	8.21%	17.86%	
April	(19,786.60)	62,295.27	59,891.11	111,105.26	105,615.91		-3.05%	9.89%	8.65%	14.77%	12.24%	
May	(15,321.39)	33,824.87	54,918.34	109,835.95	132,978.04		-2.24%	5.06%	7.82%	14.50%	15.33%	
June	37,937.02	20,983.31	65,541.16	164,654.26	41,227.61		5.47%	2.87%	8.71%	20.12%	4.19%	
July	56,677.60	42,188.32	81,260.24	105,524.99	32,831.55		9.10%	6.21%	11.26%	13.14%	3.61%	
August	4,622.92	82,965.72	5,326.70	124,497.78	80,720.90		0.71%	12.63%	0.72%	16.70%	9.28%	
September	(15,664.68)	70,813.95	114,619.44	168,215.28	(30,859.92)		-2.37%	10.98%	16.02%	20.26%	-3.09%	
Annual \$ Change	393,592.24	284,159.66	860,992.68	1,418,335.85	994,535.81	43,373.98	Annual % Change	5.08%	3.49%	10.21%	15.27%	9.29%

TOTAL collections: FY 06	11,702,796
TOTAL est. bdgt coll: FY 06	11,892,975
Budgeted Dollar Variance 06/07	190,179
Budgeted Percent Variance 06/07	1.63%

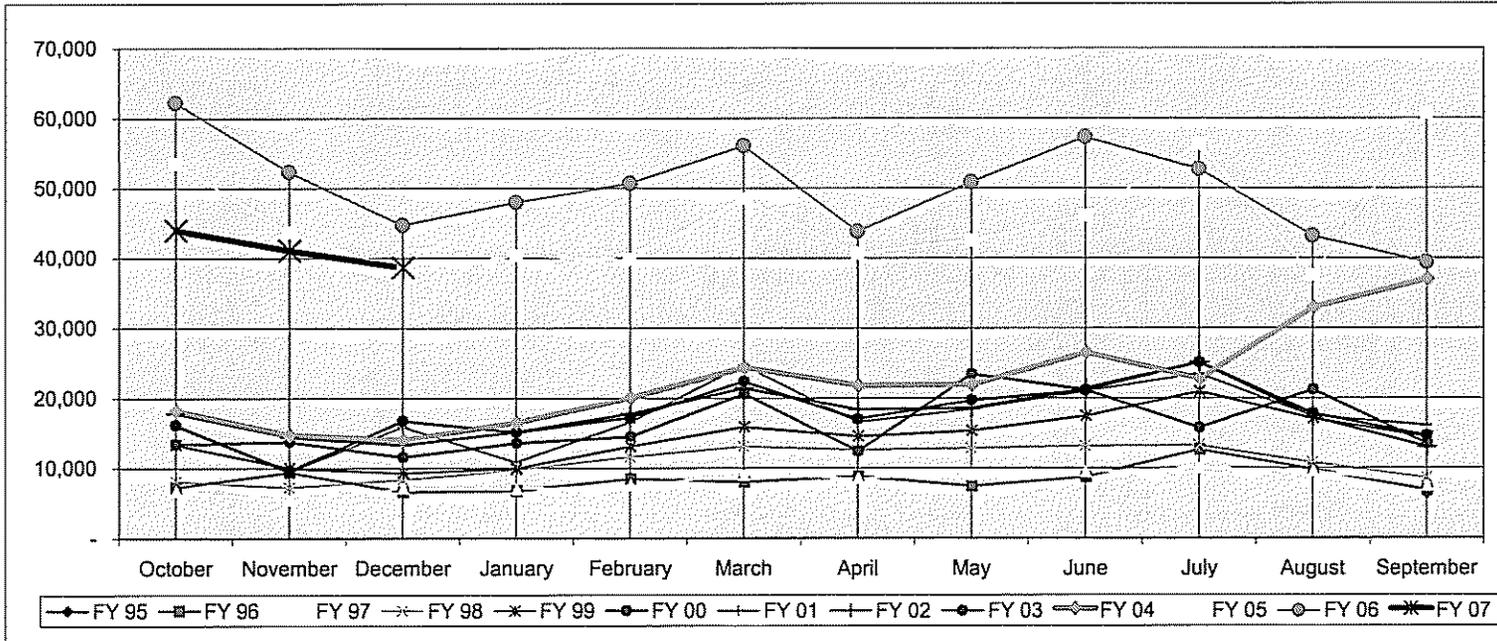
TOTAL collections: 12-31-06	3,045,965
Budgeted:10-1-06 to 12-31-06	3,062,643
Actual Coll>(<)Budget, 12-31-06	(16,678)
% Over/(Under) Budget, 12-31-06	-0.54%



Monthly Lodging Tax Collections

	<u>FY 95</u>	<u>FY 96</u>	<u>FY 97</u>	<u>FY 98</u>	<u>FY 99</u>	<u>FY 00</u>	<u>FY 01</u>	<u>FY 02</u>	<u>FY 03</u>	<u>FY 04</u>	<u>FY 05</u>	<u>FY 06</u>	<u>FY 07</u>
October		7,228.60	6,701.69	8,042.55	13,241.96	13,344.97	16,021.98	17,757.16	16,103.81	18,110.90	53,490.95	62,191.49	43,874.01
November		9,371.57	5,419.99	7,156.30	9,963.87	13,712.88	9,378.73	14,346.00	9,488.82	14,652.46	43,652.17	52,326.23	41,028.15
December		6,580.10	7,076.44	8,327.51	9,303.23	11,505.34	15,885.37	13,257.40	16,693.64	13,940.92	38,197.96	44,694.55	38,605.47
January		6,765.39	6,990.72	9,704.80	9,934.03	13,517.89	10,802.39	15,150.55	15,089.26	16,416.20	40,334.81	48,014.80	
February		8,466.36	7,536.69	11,579.98	13,024.87	14,425.61	16,482.91	17,680.30	17,174.37	19,952.91	39,797.68	50,684.11	
March		8,017.74	8,902.63	13,048.18	15,837.90	20,536.51	24,601.77	21,371.61	22,248.25	24,206.01	48,474.92	56,076.62	
April		8,802.85	8,533.40	12,559.65	14,513.45	12,327.50	16,532.24	18,354.06	16,974.57	21,626.29	40,666.33	43,813.91	
May		7,427.26	8,958.97	12,786.85	15,280.40	23,309.92	18,386.51	18,526.24	19,610.83	21,785.09	42,479.97	50,871.74	
June		8,672.68	9,359.82	13,101.68	17,379.01	21,073.57	20,948.57	21,322.07	21,031.35	26,336.81	46,037.59	57,338.25	
July		12,568.56	9,975.46	13,200.77	20,840.98	15,680.49	23,389.72	25,013.71	25,026.81	22,654.15	56,266.23	52,752.31	
August		9,721.13	9,549.66	10,730.24	17,009.26	21,117.00	17,432.39	17,223.03	17,749.12	32,788.35	37,501.21	43,139.77	
September	<u>6,371.27</u>	<u>6,806.02</u>	<u>7,400.70</u>	<u>8,586.97</u>	<u>14,397.17</u>	<u>13,393.86</u>	<u>16,116.04</u>	<u>12,997.60</u>	<u>14,563.86</u>	<u>36,847.13</u>	<u>60,635.33</u>	<u>39,398.90</u>	
Total	6,371.27	100,428.26	96,406.17	128,825.48	170,726.13	193,945.54	205,978.62	212,999.73	211,754.69	269,317.22	547,535.15	601,302.68	123,507.63

Ordinance 1997-28 adopted December 8, 1997 increased levy from 3% to 4%.



FY 2007 Budget
 620,000
 % Budget Collected,
12/31/2006
 20%

Ad Valorem Taxes

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	As of 1/31/2007	<u>2007- Budget</u>	<u>2007: Budget/ Actual Variance</u>
Property Taxes	1,996,746	2,130,635	2,254,739	2,508,168	2,552,513	2,799,476	2,756,730	2,900,000	(143,270)
Shares Taxes	29,688	29,881	30,090	30,316	30,543	30,773	-	31,000	(31,000)
Auto Taxes	369,493	385,623	384,801	396,865	432,838	479,688	114,799	400,000	(285,201)
	<u>2,395,927</u>	<u>2,546,138</u>	<u>2,669,631</u>	<u>2,935,349</u>	<u>3,015,895</u>	<u>3,309,937</u>	2,871,530	3,331,000	(459,470)

GENERAL FUND

Summary Statement of Revenues, Expenditures, and
Changes in Fund Balance- Budgetary Basis
For the Month Ended December 31, 2006

with comparatives: 12-31-01; 12-31-02; 12-31-03; 12-31-04; and 12-31-05

	12/31/2001	12/31/2002	12/31/2003	12/31/2004	12/31/2005	12/31/2006	Amended Budget	Budgetary Variance Over/(Under)	% Budget
Revenues									
Sales, Use, & luxury Taxes	1,394,610	1,359,856	1,489,981	1,742,879	1,931,577	1,958,251	12,454,975	(10,496,724)	-84%
Payment in Lieu of Taxes	40,133	35,544	39,697	44,888	60,604	57,534	1,345,000	(1,287,466)	-96%
Ad Valorem Taxes	969,709	1,234,318	1,040,165	1,038,076	1,111,237	1,338,712	3,331,000	(1,992,288)	-60%
Licenses & Permits	133,916	120,205	153,766	163,165	203,664	230,124	1,861,800	(1,631,676)	-88%
Other Revenues	268,581	177,622	235,443	206,351	203,860	273,178	1,190,225	(917,047)	-77%
Total Revenues	2,806,950	2,927,546	2,959,052	3,195,358	3,510,942	3,857,798	20,183,000	(16,325,202)	-81%
Expenditures									
General Government									
Personnel	292,596	300,928	321,800	349,111	353,306	364,763	1,903,220	(1,538,457)	-81%
Operating	131,502	150,926	113,219	113,903	157,553	160,654	1,291,453	(1,130,799)	-88%
Capital	-	17,057	-	-	-	-	62,000	(62,000)	-100%
	424,099	468,911	435,019	463,014	510,859	525,417	3,256,673	(2,731,256)	-84%
Public Safety									
Personnel	904,234	894,486	922,166	930,490	1,034,997	1,239,085	5,704,050	(4,464,965)	-78%
Operating	132,467	156,020	163,657	134,331	184,503	260,928	1,377,770	(1,116,842)	-81%
Capital	8,180	12,351	1,933	-	-	-	254,540	(254,540)	-100%
	1,044,881	1,062,857	1,087,756	1,064,821	1,219,500	1,500,014	7,336,360	(5,836,346)	-80%
Public Works									
Personnel	412,122	420,787	417,022	437,972	464,471	565,190	2,500,045	(1,934,855)	-77%
Operating	242,939	198,677	136,980	136,722	194,449	236,648	1,983,843	(1,747,195)	-88%
Capital	887	11,803	-	-	-	47,059	307,313	(260,254)	-85%
	655,948	631,267	554,002	574,694	658,920	848,896	4,791,201	(3,942,305)	-82%
Parks & Recreation									
Personnel	184,075	181,003	185,113	208,699	215,835	222,435	1,171,191	(948,756)	-81%
Operating	104,261	120,489	102,785	103,544	115,671	143,207	618,813	(475,606)	-77%
Capital	210	6,591	-	31,132	-	200,000	254,250	(54,250)	-21%
	288,546	308,083	287,898	343,375	331,505	565,642	2,044,254	(1,478,612)	-72%
Total Departmental									
Personnel	1,793,027	1,797,204	1,846,102	1,926,273	2,068,609	2,391,473	11,278,506	(8,887,033)	-79%
Operating	611,170	626,111	516,641	488,499	652,176	801,437	5,271,879	(4,470,442)	-85%
Capital	9,277	47,802	1,933	31,132	-	247,059	878,103	(631,044)	-72%
	2,413,474	2,471,118	2,364,676	2,445,905	2,720,785	3,439,969	17,428,488	(13,988,519)	-80%
Other Financing Sources & Uses									
Debt Proceeds	-	15,737	-	-	-	-	-	-	-
Transfers to Debt Service	(629,022)	(794,135)	(421,107)	(559,255)	(516,644)	(802,254)	(2,668,795)	(1,866,541)	70%
Other Transfers & Uses	(220,545)	(122,632)	(74,995)	(84,900)	(70,137)	(40,447)	(1,295,717)	(1,255,270)	97%
Total Other Financing Sources/Uses	(849,567)	(901,030)	(496,101)	(644,155)	(586,781)	(842,701)	(3,964,512)	(3,121,811)	79%
Total Revenues Over Expenditures									
	(456,091)	(444,601)	98,275	105,298	203,377	(424,872)	(1,210,000)	785,128	
Unreserved Fund Balance, 10-01	2,381,054	2,386,488	3,825,172 ⁸²	4,106,801	5,968,130	8,298,623			
Unreserved Fund Balance, 1-31	1,924,963	1,941,887	3,923,447	4,212,099	6,171,507	7,873,751			

ROBERTSDALE ET CETERA LLC	1
SOUTHERN EXCAVATING, LLC	1
WILSONS SERVICES LLC	1
MDL CONTRACTING INC	1
ELLER & SONS CONSTRUCTION	1
CONTRACTORS TOTAL	21

TOTAL NEW BUSINESSES	93
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Buildings and Property Committee Meeting

February 9, 2007

10:00 a.m.

City of Daphne

Council Chambers

Committee

Councilman John Lake, Chairman

Mayor Fred Small-Absent

Councilman August A. Palumbo

Sandra Morse, Director Daphne Civic Center

Ken Eslava, Public Works, Director

Richard Merchant, Buildings Inspector

Dr. Frank Montecalvo

The meeting opened at 10:10 a.m. with a discussion concerning the ordinance for erosion control. Mr. Richard Merchant stated that the ordinance will be routed through the Planning Commission. Mr. Merchant also stated that residential and commercial permits were up for the month of February. (See building report).

Councilman Palumbo also stated his concerns about the animal shelter and pet adoption. Councilman Palumbo stated his willingness to better understand the pet adoption process and what can be done to better inform the community about pet adoption.

Dr. Frank Montecalvo of Huntingdon College was introduced. He expressed the willingness of the college to make a "Huntingdon at Daphne" campus a reality. He stated that Huntingdon is a one hundred fifty year old Methodist College that understands the needs of the community and the need to work in harmony with the city's needs. The Committee discussed the proposed location of the old Eastern Star building which was donated to the city for just this type purpose. Dr. Montecalvo stated that their initial focus was providing business classes initially and then move into offering pre-med classes.

The proposal includes having one onsite student coordinator. It was mentioned by Councilman Palumbo that the Malbis family has proposed offering land for the additional pre-med classes.

Motion: By Councilman Palumbo for the Council to authorize Mayor Small to conduct a feasibility study for building renovations and negotiations for the lease of the Eastern Star Building to Huntingdon College for the purpose of a college campus of higher learning in Daphne, Alabama. **Seconded** by Councilman Lake.

Motion Approved.

Meeting adjourned at 11:30 a.m.

Public Safety Committee

Tuesday, February 6, 2007

Councilman Greg Burnam, Chairman
Councilman Gus Palumbo
Councilwoman Regina Landry
Fire Chief Mund Hanson
PW Sup. Melvin McCarley

Police Chief David Carpenter
Captain David Wilson
Captain Randy Bishop
Captain Scott Taylor
Michele Hanson - Secretary

Committee Members Attending:

Councilman Gus Palumbo, Councilwoman Regina Landry, Chief David Carpenter, Capt. Danny Bell and PW Sup. Melvin McCarley.

I. CALL TO ORDER

Mr. Burnam **convened** the meeting at 4:35 p.m.

II. PUBLIC PARTICIPATION

III. APPROVAL OF MINUTES FROM PREVIOUS MEETING

Minutes from January 2, 2007 Meeting

Motion by Mr. Palumbo to adopt the minutes with corrections submitted. *Seconded by Ms. Landry.* The minutes were adopted without revision. **Motion carried.**

Work Session Minutes January 4, 2007

Motion by Mr. Palumbo to adopt the minutes with corrections submitted. *Seconded by Ms. Landry.* The minutes were adopted without revision. **Motion carried.**

IV. FIRE DEPARTMENT

A. New Business
No Report.

B. Old Business

V. POLICE DEPARTMENT

A. New Business

1. Statistics for December 2006

Chief Carpenter reviewed the stats for December 2006. Chief stated that detectives made an arrest in the Fat Fish robbery.

Mr. Palumbo inquired about a dog park being implemented within the City. He asked about changing the Animal Control Ordinance to extend the grace period for animals before they are euthanized as long as the animal is healthy. He would like to see more advertising about pet adoptions maybe place ads in the Jubilee Breeze, at the library

and on the City's website. He requested that Capt. Taylor get a cost estimate to expand the shelter.

B. Old Business

Mr. McCarley stated the speed hump on Deer Avenue will be installed this week.

VI. OTHER BUSINESS

VII. ADJOURN

There being no further business to discuss, Mr. Palumbo **adjourned** the meeting at 5:05 p.m. The next meeting will be **Tuesday, March 6, 2007 at 4:30 p.m. at City Hall Council Chambers.**

Respectfully submitted,

Daphne Public Safety Committee

CITY OF DAPHNE
FIRE DEPARTMENT MONTHLY REPORT
Report Period: December 2006

	Current:	FY to Date:
Suppression:		
1-Fire/Explosion:		
10-Fire, Other	0	0
11-Structure Fire/Commercial	1	1
11-Structure Fire/Residential	3	5
12-Fire in Mobile Property used as fixed structure	0	0
13-Mobile Property (vehicle) Fire	2	5
14-Natural Vegetation Fire	4	6
15-Outside Rubbish Fire	0	0
16-Special Outside Fire	1	1
17-Cultivated Vegetable Crop Fire	0	1
2-Overpressure Rupture:	0	1
3-Rescue Call and Emergency Medical Service Incidents:	131	370
4-Hazardous Conditions (No fire):	3	9
5-Service Call:	10	33
6-Good Intent Call:	19	33
7-False Alarm & False Call:	15	31
8-Severe Weather & Natural Disaster:	0	1
9-Other Situation:	1	3
Total Emergency Calls:	165	436
Monthly Total Calls:	190	499
Response Time:		
Highest:	16	25
Lowest:	1	1
Average (Minutes/Seconds) :	4/44	4/28
Miscellaneous Reports:		
Training Hours	68	510
Property Loss - \$	\$30,950	\$36,501
Fire Personnel Injuries by Fire/Civilian Injuries by Fire	0/0	0/0
Advance Life Support Rescues	51	105
Child Passenger Safety Seat Inspections/Installations	13	34
Fire Prevention Awareness/Education:		
Classes	1	21
Persons Attending	10	1659
Bureau of Fire Prevention:		
Plan Reviews	0	13
Final/Certificate of Occupancy	2	7
General/Annual Inspections	147	470
General/Re-Inspections (Violation Follow-up - Annual)	40	99
Business Licenses	12	32
Consultations	0	0
All Other/Misc. Activities	0	8
Total Activities:	201	629

Authorized by:

Kenneth Hanak

Kenneth Hanak

CITY OF DAPHNE
FIRE DEPARTMENT MONTHLY REPORT
Report Period: January 2007

	Current:	FY to Date:
Suppression:		
1-Fire/Explosion:		
10-Fire, Other	0	0
11-Structure Fire/Commercial	2	3
11-Structure Fire/Residential	1	6
12-Fire in Mobile Property used as fixed structure	0	0
13-Mobile Property (vehicle) Fire	1	6
14-Natural Vegetation Fire	3	9
15-Outside Rubbish Fire	0	0
16-Special Outside Fire	0	1
17-Cultivated Vegetable Crop Fire	0	1
2-Overpressure Rupture:	0	1
3-Rescue Call and Emergency Medical Service Incidents:	109	479
4-Hazardous Conditions (No fire):	4	13
5-Service Call:	11	44
6-Good Intent Call:	16	49
7-False Alarm & False Call:	10	41
8-Severe Weather & Natural Disaster:	0	1
9-Other Situation:	1	4
Total Emergency Calls:	137	573
Monthly Total Calls:	158	657
Response Time:		
Highest:	10	25
Lowest:	1	1
Average (Minutes/Seconds) :	4/07	4/23
Miscellaneous Reports:		
Training Hours	568.5	1078.5
Property Loss - \$	\$37,000	\$73,501
Fire Personnel Injuries by Fire/Civilian Injuries by Fire	0/0	0/0
Advance Life Support Rescues	58	163
Child Passenger Safety Seat Inspections/Installations	9	43
Fire Prevention Awareness/Education:		
Classes	2	23
Persons Attending	36	1695
Bureau of Fire Prevention:		
Plan Reviews	0	13
Final/Certificate of Occupancy	0	7
General/Annual Inspections	222	692
General/Re-Inspections (Violation Follow-up - Annual)	61	160
Business Licenses	11	43
Consultations	0	0
All Other/Misc. Activities	0	8
Total Activities:	294	923

Authorized by:

Kenneth Hanak

Kenneth Hanak

Daphne Police Department			Monthly Report				December 2006			
Patrol Division		Detective Division:		JAIL:		Drug Report - Routine Patrol & Special Ops:		Crimes Reported This Month:		
(Capt. Taylor)		(Lt. Bell / Capt. Taylor)		(Capt. Bishop)		(Capt. Wilson)				
						YTD				
# Complaints	1,432	# New Cases Received:	64	Total Arrestees Received & Processed:	171	<u>574</u>	# Misd. Marijuana Arrest	3	Arson	0
# Misd. Arrests	26	# Previous Unsolved Cases:	111	Arrestees by Agency:			# Felony Marijuana Arrest	0	Burglary – Commercial	1
# Felony Arrests	12	# Cases Solved:	13	Daphne PD	107	364	# Controlled Substance Arrest:	3	Burglary – Residence	3
# Citations	60	Resulting in Total Arrests:		BCSO	8	<u>31</u>	# Drug Paraphernalia Arrest	1	Burglary - Vehicle	5
# Close Patrols	136	Felonies:	2	Loxley PD	31	<u>84</u>			Criminal Mischief	12
# Warnings	132	Misdemeanors:	6	Silverhill PD	8	<u>24</u>	Vehicles Searched		Disorderly Conduct	1
# Motorist Assist	179	Houses Searched		Spanish Fort PD	12	<u>48</u>			Domestic Disturbance	31
# Alias Warrants	45			Troopers	2	<u>13</u>	Drugs Seized: cocaine, marijuana		False Info to Police	4
# Roadway Accidents	72			INS	0	<u>0</u>	Money Seized	\$0	Felony Assault	0
# Private Prop. Accidents	26	Warrants:		Other Agencies	3	<u>10</u>	Vehicles Seized	0	Felony Theft	18
# DUI's	9	Bettner Served	33					6	Harassment	8
Traffic Homicide	0	Officer Served	20	Highest	43		Animal Control		Identity Theft	4
		Recalls (Pd Fines)	18	Lowest	22		#Complaints	51	Indecent Exposure	0
		Total Warrants Served	71				#Follow-ups	82	Kidnapping	0
				Meals Served	2,341	8,623	#Citations	6	Menacing	0
		Sex Offender:		Medical Cost	\$4,802.70	\$7,471.20	#Warnings	3	Misdemeanor Assault	2
		New Registration:	0	Worker Inmate Hours	417	2,117	#Felines Captured	10	Misdemeanor Theft	25
		Contact Verification	1				#Canines Captured	35	Murder	0
		Total # registered in Daphne	4				#Other Captured	9	Other Death Investigations	4
		DARE:					#Returned to Owner	8	Public Intoxication	1
		# Hours Report Writing:	3				#Adopted Out	26	Public Lewdness	0
		# Students Instructed SRO	100				#Euthanized	31	Receiving Stolen Property	1
		# Students Instructed DARE	430						Reckless Endangerment	0
		# Police Reports by SRO	2						Resisting Arrest	0
		# Arrest by SRO	2						Robbery	2
									Sex Crime Investigations	0
		CODE ENFORCEMENT:							Suicide	0
		Wanings:	1						Suicide, attempted	0
		Citations	3						Theft of Services	0
		Warning Compliance	0						Unauthorized Use of Services	0
		Follow – Up	6						Weapon Offenses	1
									White Collar Crimes	3
<i>Approved by:</i>				David Carpenter, Chief of Police						

Daphne Beautification Committee - Meeting Agenda

City Hall 1705 Main Street Daphne, Alabama

February 2, 2007

9:15 AM

Meeting: General Membership Meeting

Location: 9:15AM Jubilee Courtyard (Next to Will Hughes Catering) Main Street followed by regular meeting at City Hall, 1705 Main Street Daphne, AL

Invitees:

City Liaison: Marshall Parsons, Marjorie Bellue

Members:

Chair:	Jerry Guillott (4)	Audrey Rouire (6)
Vice Chair: Vincent Russo (2)	Tomasina Werner (4)	Jessia Prater (1)
Secretary: Anne Talton (7)	Dorothy Rankins (5)	Bea Wilson (2)
Frieda Romanchuk (7)	Patty Kearney (5)	Nancy Henderson (3)
Marilyn O'Connor Moore (2)	Dorothy Morrison (2)	Toni James (1)
Frances Harrell (1)	Selena Vaughn	Carolyn Coleman

- I. Call to Order** – 10:00 a.m.
- II. Roll Call** – We have two new members Selena Vaughn and Carolyn Coleman. Absent were Frances Harrell and Toni James
- III. Approval of Minutes** – Everyone had received the minutes by email. The minutes were accepted as sent.
- IV. Budget Report** – Dorothy Morrison, Vincent and Frieda had met and worked on the budget. Discussion on the \$10,000 proposed by city council had now dropped to \$8,500. Frieda read the budget report to the committee. The report is proposed policy and needed adopting. Marshall said operating budget finds it hard to follow policies. The report was changed to proposed guidelines. The proposed guidelines were accepted with a unanimous vote. The capital budget was reviewed by Frieda and Vincent.

The following propped DBC Budget Guidelines were based on the above figure of \$10,000 operating budget:

1. Expenditures will be forecast at each monthly DBC meeting to include a 3 month projection and updated monthly.
2. The public Works accountant will provide a year-to-year budget report for the DBC Budget Sub-committee the Friday preceding the monthly DBC meeting. This report will be separated into expenditures for operating and capital outlays rather than line-itemed into one report.

3. Expenditures in excess of the forecasted monthly amount exceeding \$300 will need to be approved by the Budget Chairperson/committee.
4. The cap on the above unforeseen expenses is \$600. Expenditures over this amount need to be approved by the entire Budget Sub-committee.
5. All non-budgeted committee expenditures need to be submitted to and approved by the budget sub-committee.

V. Open Business

- a) Status Johnson Rd. – Marshall met with Tom Byrnes, who is receptive to the city landscaping and maintaining the area. Everyone agreed to put crape myrtles, shrubs and climbing vines along the wall and in front. We would pay for this out of the capital budget. A motion was made by Dorothy Morrison to spend \$3,000 for this project. Motion was denied. Marshall was asked to put together a plan, with a budget estimate and discuss it with Tom Byrnes, exploring the notion of a shared expenditure between ourselves and Riveria.
- b) Mardi Gras – Marjorie needs LED lights, which will cost around \$500. Dorothy Morrison made a motion to purchase the lights and Frieda seconded. The motion passed. Marjorie will need lights for Easter. The subcommittee will make a proposal in March.
- c) Form Education Subcommittee- This was tabled until a later date.
- d) Welcome to Daphne Signs – The sign is finished and will be lighted. A motion was made by Frieda to have all of our welcome signs have the same style. This was seconded by Nancy and passed.

VI. New Business

*Most of the Daphne Beautification Committee members met earlier (9:15 a.m.) as part of this regular meeting. The purpose of this early meeting was to look at the Jubilee Courtyard and its wrought iron fencing to discuss the possibility of opening it up more and making it accessible to the businesses in that area. Mayor Fred Small and City Clerk Becky Hayes joined the members at the courtyard for discussion on several ideas. When we got back to the regular meetin in City Hall, Frieda Romanchuck reviewed the discussions with input from Marshall Parsons. Two votes were taken. The first vote was to open the back of the patio up with a section removed. This voted passed unanimously. The second vote was to a) remove all front sections, b) remove just the six foot section in front and leave the three foot sections on each side which makes a wider entrance. c) remove the three foot sections on each end and move the six foot sections down where the three foot sections were, giving us a wider entrance but still giving us a big section of fence to decorate. The committee voted to accept **a**). The entry way will stay as is because it is wide enough for several people to pass through together, if anyone has little children with them it will help keep them safe, it gives us an area to decorate and it reflects the fence that encloses the parking lot.*

Vincent said that we need a Schedule of Events and Time frame of each event. Volunteers will be needed at some times to help the city. Anne said that all of the ladies who had been working in the beautification building would like to form a Decorations committee to inventory what we have to work with and decorate for all events. Plus take photos for future decorating guides. This was accepted and the committee list will be finalized later.

Signs at the Civic center were discussed and Selena will make phone calls. We will discuss this next month under Open business.

Rules posted at all parks. Selena would like for signs at all parks to look similar. Daphne Beautification Committee may be able to help.

VII. Sub-Committee Reports

Arbor Day – Anne read a report and asked for DBC to purchase a Japanese Maple to plant at the Daphne High School tree planting ceremony. The committee voted to buy a 25 gallon Japanese Maple. Marshall will purchase the tree for the planting.

Mardi Gras – The decorations were old and faded. Even after testing, replacing lights we were not able to use some of the decorations and will be getting new lights. Also recommended was to purchase new bright flags.

Butterfly Garden – Frieda and Dorothy Morrison will co-chair. They said that many people are coming forward to help with this big project. There was discussion on making a plan and what Marshall is going to do.

VIII. Public Works Report -Marshall said Dauphin Acres wants him to remove the fence and landscaping he put in and move it back. The crape myrtles project is going good and they are planting at the schools and will then plant downtown areas.

IX. Adjournment –11:38 a.m.

Respectfully submitted,

Anne Talton, Secretary

**CITY COUNCIL MEETING
REPORTS OF SPECIAL COMMITTEES**

NOTES:

BOARD OF ZONING ADJUSTMENTS REPORT:

DOWNTOWN REDEVELOPMENT AUTHORITY REPORT:

INDUSTRIAL DEVELOPMENT BOARD:

LIBRARY BOARD:

PLANNING COMMISSION REPORT:

RECREATION BOARD REPORT:

UTILITY BOARD REPORT:

**DOWNTOWN REDEVELOPMENT AUTHORITY
DAPHNE, AL
1705 MAIN STREET
JANUARY 8, 2007
5:30 P.M.**

1. CALL TO ORDER/ROLLCALL

Starke Irvine called the meeting to order with a quorum present at 5:40 p.m.

Present: Starke Irvine; Ceann Wachter; Kit Smith; Jackie Ward; Chris Donald; Glenn Glass

Members Absent: Lad Drago

Board Members Present: Mayor Small; Andy Citrin

Board Members Absent: Jeff Hudson; Cathy Barnette;

Also present: Rebecca Hayes, Recording Secretary; Bob Lloyd; Mary Lloyd; Mary Riser; Jack West.

MINUTES

**MOTION BY Ceann Wachter to approve the minutes meetings held January 8, 2007.
Seconded by Chris Donald.**

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

DOWNTOWN PARKING

The members discussed the problem of downtown parking for the restaurants in the Olde Towne area since renovation on city hall started. Mayor Small has asked Utilities to use the sub-station behind their building for additional parking for the downtown area. He has also talked with Mr. Taylor, who owns property on Guarisco Street by the park, about doing a long term lease and eventually buying his property for parking. The Mayor said that his assistant will set up a meeting with the Post Mistress about parking behind the Post Office during lunch hours.

STREET PLAN FOR OLDE TOWNE

There is not a specific master plan for the Olde Towne area. The members discussed drafting a comprehensive plan to bring all factions together and have it to present for funding and for citizens to review. Starke and Jackie will start working on the comprehensive plan.

PRESENTATION BY JACK WEST

Mr. West presented his plans for the property where Judge Roy Beans stood. He would like to build multi-use buildings on the property, and asked the members to support in bringing the boundary for the Olde Towne District down to include his property.

**DOWNTOWN REDEVELOPMENT AUTHORITY
DAPHNE, AL
1705 MAIN STREET
JANUARY 8, 2007
5:30 P.M.**

2

ARCHITECTURAL REVIEW COMMITTEE FOR THE OLDE TOWNE DISTRICT

The committee is working diligently and making progress on the standards for the Olde Towne District. The committee met after the DRA meeting.

NEXT MEETING

The next meeting will be March 12, 2007.

ADJOURN

The meeting adjourned at 6:35 p.m.

**Daphne Public Library Board
February 12, 2007
Meeting Minutes**

In Attendance:

Library Director Tonja Young; Board Members Gayle Robinson; Board Chairman Ernie Seckinger, and Vice Board Chairman Ron Allen; Capital Campaign Committee member Jan Blankenhorn; FODL President Dan Wilson.

Call to Order:

After a quorum was established, Board Chairman Ernie Seckinger called the meeting to order at 4:30pm.

Reading and Approval of the Minutes:

The minutes of the January 8, 2007 meeting were reviewed and approved.

Monthly Statistical Report:

The monthly report indicated an increase in circulation of over 16% since this month last year.

Public Participation:

None

Old Business of the Board:

Ms. Young reported that the Finance Committee (held Jan. 12, 2007 at 4:00 pm) voted to recommend that the Council approve an expenditure of \$26,000 from the \$1M set aside for the Library building project. Copies of the presentation made by Ms. Young to the City Council on Monday, February 5 were included in the Board packets for those who were unable to attend. Board Chair Ernie Seckinger, Vice Board Chair Ron Allen, and Board member Cassandra Day were in attendance at the Council meeting to support the Library Director.

Staff issues are still being worked out at City Hall. No word on lifting the hiring freeze yet. The Director is still hopeful that the issues will be worked out since the Library desperately needs the additional help.

There was some discussion of the lightning incident at the new Fairhope Library.

The Board Chair Ernie Seckinger discussed some issues the Library needs to handle, including fundraising, setting up an endowment, FTE levels, staff pay levels, and writing a new five-year plan.

Ms. Young announced that Mr. Scully had been successful with the Foundation incorporation and had received an EIN number. He has also applied for the 501C-3 status for the Foundation.

Ms. Young announced that she had been able to receive a set of plans from Mr. Hudson. She and Mr. Allen also reported to the group that their meeting with Mr. Hudson to look at his ideas for building plans was successful.

New Business of the Board:

The Board Chair announced that the architect he had hoped would give us a second set of ideas would not be able to work on the project, but reiterated the need for a second opinion on the architectural plans.

Capital Campaign Foundation Committee

Mrs. Blankenhorn gave the Foundation Committee report and presented the minutes for the last meeting. She discussed the findings of the committee's interview with Howard Benson of NCDS and stated that it had become very clear to the group that this firm offered the most complete service.

Library Director:

No comment. Most issues already covered in old business.

Closing Comments:

The Library Board is anxious to get approval for the fundraiser at the next council meeting.

Adjourn:

The meeting adjourned at 6:00pm.

Respectfully submitted by Tonja Young, Library Director, January 16, 2007

**THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF JANUARY 25, 2007
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.**

SUMMARIZATION OF MINUTES:

THIS DOCUMENT IS A SUMMARIZATION OF THE MINUTES OF CITY OF DAPHNE PLANNING COMMISSION MEETING AND IS TO BE USED FOR REVIEW PURPOSES ONLY. THE OFFICIAL MINUTES OF THIS MEETING MAY BE OBTAINED IN THE CITY CLERK'S OFFICE UPON APPROVAL.

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 6:02 p.m.

CALL OF ROLL:

Members Present:

Fred Small, Mayor
Victoria Phelps
DeLeon Thomas
Jeff Carrico, Chairman
Warren West, Vice Chairman
Don Terry
Larry Chason, Secretary
Cathy Barnette, Councilwoman
Ed Kirby

Staff Present:

William H. Eady, Sr., Director of Community Development
Jan Dickson, Planning Coordinator
Adrienne Jones, Planner
Missty C. Gray, Associate Attorney
Nancy Anderson, GIS Technician

Staff Absent:

Jay Ross, Attorney

The Chairman stated the first order of business is the call to order. Please let the record reflect that all members of the Commission are present. The next order of business is approval of the minutes.

APPROVAL OF MINUTES:

The minutes of December 28, 2006 regular meeting were considered for approval. A copy of the minutes was furnished to us previously. Do any of the Commissioners have any questions or comments?

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Ms. Barnette stated she would like to add a copy of the two-to-two hundred year storm water requirements provided by Hutchinson, Moore & Rauch for the SBC Commercial Park, the Renaissance Center, and the Medical and Center Subdivisions to the minutes for future reference.

Mayor Small commented and requested a correction to each motion because they say motion to adjourn.

Ms. Dickson stated the copy had been added and the corrections have already been made to the minutes.

The Chairman stated do any of the Commissioners have any questions or comments. If there are no additions, deletions, or further corrections at this time, the Chair will entertain a motion.

A **Motion** was made by Mr. West and **Seconded** by Ms. Barnette **to approve the minutes of the regular meeting. The Motion carried. Mr. Thomas abstained due to his absence at the meeting.**

The Chairman stated the next order of business under old business is preliminary plat review for the Renaissance Center Subdivision. The engineer will be late and has requested that the project be moved to the end of the agenda. With that, the next order of business under new business is an administrative presentation of the proposed City of Daphne Zoning and Street Map.

NEW BUSINESS:

ADMINISTRATIVE PRESENTATION:

Revision to the City of Daphne Zoning Map and Street Map

An introductory presentation was given by Ms. Nancy Anderson, GIS Technician, of the proposed City of Daphne Zoning and Street Maps. This is a revision of the zoning map, with a listing of changes made in the city, and a revised street map.

Mr. Eady stated this Department requests acceptance and a recommendation to the City Council.

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 for a recommendation to the City Council to accept the maps.

A **Motion** was made by Ms. Barnette and **Seconded** by Mr. Kirby **for the**

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affirmative recommendation by the Planning Commission to the City Council of Daphne for the adoption of the City of Daphne Zoning and Street Maps. The Motion carried unanimously.

The Chairman stated the first order of business is site plan review for the Don Gordon Office/Storage Building.

SITE PLAN REVIEW:

File S07-02:

Site: Don Gordon Office/Storage Building

Location: 26201 Capital Drive
Area: 0.98 Acres +
Owner: Jim Boothe Contracting Supply Co., Inc.
Engineer: Rester & Coleman - Andy Bobe or Joel Coleman

An introductory presentation was given by Mr. Andy Bobe, representing Rester & Coleman Engineers, requesting site plan review for an office/storage facility located Northwest of the intersection of County Road 64 and Capital Drive. I will be 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 Mayor Small and **Seconded** by Mr. Kirby **to approve the site plan for the Don Gordon Office/Storage Building. The Motion carried unanimously.**

The Chairman stated the first order of business is site plan review for Tameron Honda Eastern Shore.

File S07-01:

Site: Tameron Honda Eastern Shore

Location: North of Frederick Boulevard & Justine Avenue, Lot 2 of Eastern Shore Park Subdivision
Area: 8.09 Acres +
Owner: Tameron Properties, L.L.C.
Engineer: Columbia Engineering - Jennifer Losurdo

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An introductory presentation was given by Mr. Jason Hurst, representing Columbia Engineering, and Tommy Atchinson, the owner, requesting site plan review for an automobile sales and service center facility located North of Frederick Boulevard and Justine Avenue on Lot 2 of the Eastern Shore Park Subdivision. I will be happy to answer any questions you may have.

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

The Commission discussed at length the location of sidewalks along Alabama Highway 181, compliance of the sign details, and landscaping.

Mr. Kirby stated that a memorandum was not included in the packet, but the sign details which had been submitted were in compliance with the ordinance.

Mr. Hurst addressed the issue with regard to sidewalks for the interior of the site, but questioned whether or not the owner should be required to place sidewalks on Alabama Highway 181.

Mr. Tommy Atchinson spoke up and stated that he would prefer not to place sidewalks along Alabama Highway 181 relative to safety issues and liability associated with sidewalks along this right-of-way.

Mr. Hurst reiterated that the owner would be willing to do anything on this site to be in compliance with the overlay district, but questioned the purpose of the extension of the sidewalk to Interstate 10. The owner's main concern is liability for the pedestrians which may travel the sidewalk. He also pointed out that Lowe's did not have sidewalks.

The Commission commented that Lowe's is expected to come into compliance with the district requirements.

Mr. Kirby stated that he could see the placement of sidewalks along the interior streets, but not see what purpose it would serve to put a sidewalk on the exterior of the subdivision up to Interstate 10.

Ms. Barnette and the Chairman discussed whether or not the owner could be given a credit on this site for the placement of sidewalks else where in the city. It is a district requirement to have sidewalks along both sides of all interior streets.

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

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A **Motion** was made by the Chairman and **Seconded** by Ms. Phelps **to approve the site plan for Tameron Honda Eastern Shore contingent upon the resolution of the sidewalks negotiated and established with the Director of the Community Development department, Mr. Eady. The Motion carried. Ms. Barnette abstained.**

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

FINAL PLAT REVIEW:

File SDF07-01:

Subdivision: Oldfield, Phase One

Location: On the West side of Alabama Highway 181 approximately one half mile North of Higbee Road

Area: 83.01 Acres +, (151) lots

Owner: DMAP, Inc. - Mike McLaughlin

An introductory presentation was given by Mr. Mike McLaughlin representing DMAP, Inc., the owner, requesting the Commission to table the review of the final plat due to the fact that he was able to produce a letter of credit for this meeting.

Ms. Barnette stated if the owner wishes to do that, then he must agree to waive the thirty-day requirement. If the requirement is not waived and the Planning Commission does not hold a meeting within the thirty days the subdivision would be approved.

Mr. McLaughlin agreed to waive the thirty-day requirement.

Ms. Dickson stated before the owner leaves, you need a motion to table the final plat.

A **Motion** was made by Mr. Kirby and **Seconded** by Ms. Barnette **to table the final plat for Oldfield Subdivision, Phase One. The Motion carried unanimously.**

The Chairman stated the next order of business is preliminary/final plat plan review for SBC Commercial Park.

PRELIMINARY/FINAL PLAT REVIEW:

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File SDPF06-16:

Subdivision: SBC Commercial Park

Location: North of U.S. Highway 90, West of County Road 13
Area: 12.15 Acres +, (3) lots
Owner: SBC Daphne, L.L.C.
Engineer: Hutchinson, Moore & Rauch - Ray Moore

An introductory presentation was given by Mr. Ray Moore, representing Hutchinson, Moore & Rauch, requesting the preliminary/final plat review of a twelve-acre subdivision consisting of three lots located Northeast of the intersection of U.S. Highway 90 and U. S. Highway 98 immediately East of the Infirmary Medical Center. I will be happy to answer any questions you may have.

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

The Commission discussed at the length the proposed development and had comments with regard to drainage in the development.

Mr. Chason commented on his request at the previous meeting for the owner/developer of the subdivision reserve a wider drainage and utility easement for the provision of storm water drainage. He stated that he had asked for the preservation of this area based on the amount of water which is directed from Spanish Fort and Interstate 10 onto this site and into Lake Forest lake. He felt that the City Council really needed to assign an engineering firm to do a hydraulic study on the impact of the storm water drainage on U. S. Highway 90.

The Chairman requested the attorney to comment.

Ms. Missty Gray, Associate Attorney, stated she had researched the topic and a denial cannot be based on a drainage issue.

Ms. Barnette stated a denial can be based on upstream and downstream impact on that site.

Ms. Gray stated it would not have an effect on the flow of the existing storm water drainage if the property owner is only relocating the interior lines of the subdivision.

A Motion was made by Mr. Kirby and **Seconded** by Mayor Small **to favorably recommend to the City Council to request funding of a**

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hydraulic and feasibility study for the Lake Forest Water Shed. The Motion carried unanimously.

The owner, Mike Commisky, addressed the Commission to explain that drainage will be addressed by each lot owner at the time of the presentation to the Planning Commission for each site plan review.

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. Kirby and **Seconded** by Mayor Small **to approve the preliminary/final plat for SBC Commercial Park.**

Upon roll call vote, the Motion carried.

<i>Mayor Small</i>	<i>Aye</i>
<i>Ms. Phelps</i>	<i>Aye</i>
<i>Mr. Thomas</i>	<i>Aye</i>
<i>Mr. West</i>	<i>Aye</i>
<i>Mr. Carrico</i>	<i>Aye</i>
<i>Mr. Terry</i>	<i>Aye</i>
<i>Mr. Chason</i>	<i>Nay</i>
<i>Ms. Barnette</i>	<i>Nay</i>
<i>Mr. Kirby</i>	<i>Aye</i>

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

PRELIMINARY REVIEW:

File SDP06-20:

Subdivision: Dunmore

Location: The East side of Alabama Highway 181, South of Austin Road, North of Dick Higbee Road

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Area: 79.2 Acres +, (122) lots
Owner: The Mitchell Company, Inc. - Stephen Schuhmann
Engineer: Rester & Coleman - Andy Bobe or Joel Coleman

An introductory presentation was given by Mr. Andy Bobe, representing Rester & Coleman Engineers, requesting preliminary plat review of a seventy-nine acre subdivision consisting of one hundred and twenty-two lots located on the East side of Alabama Highway 181 approximately one half mile North of Higbee Road with R-1, Low Density Single Family, R-2, Medium Density Single Family Residential, R-3, High Density Single Family Residential, and R-4, High Density Single Family, zoning, respectively. I will be happy to answer any questions you may have.

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

Ms. Barnette questioned the percentage of green space which would remain after the Alabama Department of Transportation widens Alabama Highway 181.

Mr. Bobe stated at the time the widening occurs the remaining green space of the seventy-nine acre site will be approximately six acres or eight percent of the total area. May I also point out that the Alabama Department of Transportation has requested the installation of a left turnout, as well as, acceleration and deceleration lanes.

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

A **Motion** was made by Mr. Kirby and **Seconded** by Mayor Small **to approve the preliminary plat for Dunmore Subdivision.**

The Chairman stated the next order of business is annexation review for Vilai Marino.

PETITIONS:

ANNEXATION REVIEW:

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An introductory presentation was given by Mr. Joseph Harper, representing Gulfwide Engineering, requesting annexation of a four-point one four-acre parcel located Southeast of the intersection of Pollard Road and County Road 64 with B-2, General Business, zoning. The owner of subject property is Vilai Marino, and I am here on her behalf to request annexation of this parcel into the City of Daphne. I will be 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. West and **Seconded** by Mr. Kirby *for the affirmative recommendation by the Planning Commission to the City Council of Daphne requesting annexation of a four-point one four-acre parcel located Southeast of the intersection of Pollard Road and County Road 64 with B-2, General Business, zoning for Vilai Marino. The Motion carried unanimously.*

The Chairman stated the next order of business is zoning amendment review for Vilai Marino/The Marino Family Trust.

ZONING AMENDMENT REVIEW:

File Z07-01: Vilai Marino/The Marino Family Trust

Location: Pinehill Drive
Area: 13 Acres +
Owner: Vilai Marino/The Marino Family Trust
Agent: Gateway Construction Company

Present Zoning: R-3 Proposed Zoning: R-4

An introductory presentation was given by Mr. Tommy Ward, representing Gateway Construction, and Reverend Johnny Whitfield, representing Baldwin County Homeowners Association and Ecumenical Ministries, requesting the rezoning of a thirteen-acre parcel for Vilai Marino/The Marino Family Trust located on Pinehill Drive from R-3, High Density Single Family Residential, to an R-4, High Density Multi-Family Residential, zoning. We are asking for the rezoning of this

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parcel for the construction of high density multi-family residential apartment complex for the elderly. This facility would not be an assisted living or section eight housing facility. This would be equipped facility for the elderly which have a need for a tailored setting for a disability, special need or could not otherwise live in the community because of their income. The people in the community which would utilize this facility are those who have contributed to our quality of life and cannot otherwise afford housing and medication without assistance. He commented on the association and support of area agencies such as Community Action and Ecumenical Ministries. This type of facility has very strict guidelines which must be met in order to receive funding the design must be approved and regulated by the State of Alabama. If those requirements are not met, the facility is not closed, rather it is taken over and brought into compliance to assure that the facility is operational. 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. He opened the floor to public participation.

Mr. West addressed his concern with regard to a previous apartment complex for which the property located at North Main Street and Park Drive was rezoned some years ago and expressed his concerns about additional traffic in the neighborhood.

Reverend Johnny Whitfield stated this facility will not have many residents which have automobiles. Many of these residents use the Brats bus as a means of travel.

Ms. Phelps addressed her concern with regard to putting a multi-family facility in a seemingly single family residential setting and questioned whether or not this may be spot zoning.

The adjacent property owners addressed the Commission to express her concerns regarding the proposed development and how it would impact her property. The main concerns were traffic, character of parcel appears to be out of character with the neighborhood, affect on property values in adjacent subdivisions, the effect on the neighborhood if the facility were not to be successful and become alternate housing.

The Chairman commented on the number of correspondence received by the

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adjacent property owners expressing their concerns and requesting that the request be denied by the Commission.

The Commission addressed the concerns of the adjacent property owner and discussed at length its possible effect on the adjacent property.

The Chairman stated do any of the Commissioners have any questions or comments. He closed public participation.

Mayor Small requested the Planning Commission take a ten minute break in order to allow the residents of the community to meet with Mr. Ward and Reverend Whitfield to possibility address some of those concerns.

The Chairman stated the Planning Commission will convene for a break at 7:45 p.m. The meeting was reconvened at 8:00 p.m.

The Chairman questioned whether or not the concerns of the adjacent property owners had all been addressed.

An adjacent property owner stated if this is rezoning is going to open up this type of development in our community, then we do not want it.

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 Mayor Small and Seconded by Mr. Chason for the affirmative recommendation by the Planning Commission to the City Council of Daphne of a thirteen-acre parcel for Vilai Marino/The Marino Family Trust located on Pinehill Drive from R-3, High Density Single Family Residential, to an R-4, High Density Multi-Family Residential, zoning.

Upon roll call vote, the Motion failed.

<i>Mayor Small</i>	<i>Aye</i>
<i>Ms. Phelps</i>	<i>Nay</i>
<i>Mr. Thomas</i>	<i>Aye</i>
<i>Mr. West</i>	<i>Nay</i>
<i>Mr. Carrico</i>	<i>Aye</i>
<i>Mr. Terry</i>	<i>Nay</i>
<i>Mr. Chason</i>	<i>Nay</i>
<i>Ms. Barnette</i>	<i>Aye</i>

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Mr. Kirby Nay

A Motion was made by Ms. Barnette and **Seconded** by Ms. Phelps *for the negative recommendation by the Planning Commission to the City Council of Daphne of a thirteen-acre parcel for Vilai Marino/The Marino Family Trust located on Pinehill Drive from R-3, High Density Single Family Residential, to an R-4, High Density Multi-Family Residential, zoning.*

Upon roll call vote, the Motion failed.

Mayor Small Aye
Ms. Phelps Nay
Mr. Thomas Aye
Mr. West Nay
Mr. Carrico Aye
Mr. Terry Nay
Mr. Chason Nay
Ms. Barnette Aye
Mr. Kirby Nay

The Chairman noted six affirmative votes are necessary for a recommendation to the City Council for a zoning amendment. The Chair will entertain another motion.

A Motion was made by Ms. Barnette and **Seconded** by Ms. Phelps *for the negative recommendation by the Planning Commission to the City Council of Daphne of a thirteen-acre parcel for Vilai Marino/The Marino Family Trust located on Pinehill Drive from R-3, High Density Single Family Residential, to an R-4, High Density Multi-Family Residential, zoning.*

Upon roll call vote, the Motion carried.

Mayor Small Aye
Ms. Phelps Aye
Mr. Thomas Aye
Mr. West Nay
Mr. Carrico Aye
Mr. Terry Nay
Mr. Chason Nay
Ms. Barnette Aye
Mr. Kirby Aye

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Mr. Kirby stated the Planning Commission does not make the decision whether or not a piece of property is rezoned. This body only makes a recommendation to the City Council for them to review and ultimately make a decision. I changed my vote to achieve the six affirmative vote so the zoning amendment would be forwarded to them.

The Chairman stated the next order of business under old business is preliminary plat review for the Renaissance Center Subdivision.

OLD BUSINESS:

PRELIMINARY REVIEW:

File SDP06-17:

Subdivision: Renaissance Center (Revision)

Location: South of Alabama Highway 181 and Interstate 10, one quarter mile into the Commerce Park
Area: 69.38 Acres +, (5) lots
Owner: Renaissance Center, L.L.C. - Lee Davenport
Engineer: Hutchinson, Moore & Rauch - Ray Moore

An introductory presentation was given by Mr. Moore, representing Hutchinson, Moore & Rauch, requesting revised preliminary plat review of a sixty-nine acre subdivision consisting of five lots located South of Alabama Highway 181 and Interstate 10 one quarter mile into the Commerce Park. The subdivision consists of a two-phase development consisting of five lots which will be created by the installation of the right-of-way through the middle. The size of the proposed right-of-way had been increased to be compatible with the existing Frederick Boulevard at the previous meeting by our firm to accommodate the without consulting the owners.

Mr. Moore stated now we are asking to revise the previous drawing from the ninety foot right-of-way to a sixty foot right-of-way with a thirty-foot easement as reflected on the revised drawing I have just given to you. I will be happy to answer any questions you may have.

Mr. Pittman, one of the owners of the Renaissance, L.L.C., stated I am one of the investors involved in this project. Previously the plat was revised to accommodate a ninety-foot right-of-way for the extension of Frederick Boulevard. The original layout and funding for the subdivision did not lend itself to the allocation of this property for the extension. The revision was not discussed or approved by the

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owners prior to its submittal to the Commission. The investors are requesting to decrease the right-of-way to the original sixty feet with the reservation of a thirty-foot easement associated with the right-of-way.

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

Ms. Barnette questioned whether or not the detention had been revised to reflect central detention for the subdivision as required by the overlay district requirements.

Mr. Moore stated central detention cannot be achieved on this site. The Eastern Shore Park Subdivision layout was dictated by the types of development for the site and the central storm water detention was designed by the developer to accommodate that entire site. Without the knowledge of the types of development for this site, that cannot be achieved. We have knowledge of a hotel which will be located in the Northwest corner of the site which will have its own detention pond.

Ms. Barnette commented on detention for the Medical Office and Cancer Center site.

Mr. Moore stated that Mayor Small and the owner, Malbis Plantation, Inc., are in negotiations regarding the provision for a detention facility on lot 4 of the subdivision.

The Commission discussed at length the alignment of the sixty-foot right-of-way, the connection to the existing ninety-foot right-of-way, Frederick Boulevard, and the cul-de-sac which was constructed on the West end of Frederick Boulevard with the construction of the Eastern Shore Park Subdivision.

Mr. Moore stated the cul-de-sac is located on the Eastern Shore Park property which is not owned by my client. The transition will be achieved by painting directional arrows to direct traffic.

Mr. Kirby stated the cul-de-sac is beneficial for automobiles or large truck traffic. It allows a truck a location to turn around without exiting onto U.S. Highway 90.

The Chairman asked if public participation was required.

Mr. Dickson stated no. It was held last month.

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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 Ms. Barnette and **Seconded** by Mr. Kirby **to approve the revised preliminary plat for the Renaissance Center with a sixty-foot right-of-way with a thirty-foot drainage and utility easement continuing consistently onto Frederick Boulevard to the East into the Eastern Shore Park Subdivision and the installation of sidewalks.**

Mr. Bob James questioned what type landscaping and irrigation would be required along U.S. Highway 90. He stated this has not been discussed or approved previously.

The Commission requested that the landscaping be consistent with that of Eastern Shore Park Subdivision.

A **Motion** was made by Ms. Barnette and **Seconded** by Mr. Kirby **to approve the revised preliminary plat for the Renaissance Center with a sixty-foot right-of-way with a thirty-foot drainage and utility easement continuing consistently onto Frederick Boulevard to the East into the Eastern Shore Park Subdivision, the installation of sidewalks, and landscaping along U.S. Highway 90 consistent with that of the Eastern Shore Park Subdivision. The Motion carried unanimously.**

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

ATTORNEY'S REPORT:

Missty Gray, the Associate Attorney, stated no report.

PLANNING COMMISSION DISCUSSION:

Ms. Barnette requested to set a work session on Wednesday, February 7, 2007 to discuss drainage and the proposed changes to the Land Use and Development Ordinance.

A **Motion** was made by Ms. Barnette and **Seconded** by Mr. Chason **to set the work session meeting date for Wednesday, February 7, 2007. The Motion carried unanimously.**

ADJOURNMENT:

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF JANUARY 25, 2007
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

SUMMARIZATION OF MINUTES:

THIS DOCUMENT IS A SUMMARIZATION OF THE MINUTES OF CITY OF DAPHNE PLANNING COMMISSION MEETING AND IS TO BE USED FOR REVIEW PURPOSES ONLY. THE OFFICIAL MINUTES OF THIS MEETING MAY BE OBTAINED IN THE CITY CLERK'S OFFICE UPON APPROVAL.

The Chairman stated 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 to adjourn.

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

There being no further business, the meeting was adjourned at 8:50 p.m.

Respectfully submitted by:

Jan Dickson, Planning Coordinator

APPROVED: March 22, 2007

Jeff Carrico, Chairman

To: Office of the City Clerk
From: William H. Eady, Sr.,
Director of Community
Development
Subject: U. S. Highway 90
Date: February 9, 2007

MEMORANDUM

At the regular meeting of the City of Daphne Planning Commission on January 25, 2007, nine members were present and the motion carried for the affirmative recommendation of the above-mentioned which is outlined in the attached minutes for consideration by the City Council at their next meeting.

If you should have any questions, please do not hesitate to contact the undersigned.

Thank you,

WHE/jd

cc: file

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF JANUARY 25, 2007
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

SUMMARIZATION OF MINUTES:

THIS DOCUMENT IS A SUMMARIZATION OF THE MINUTES OF CITY OF DAPHNE PLANNING COMMISSION MEETING AND IS TO BE USED FOR REVIEW PURPOSES ONLY. THE OFFICIAL MINUTES OF THIS MEETING MAY BE OBTAINED IN THE CITY CLERK'S OFFICE UPON APPROVAL.

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 6:02 p.m.

CALL OF ROLL:

Members Present:

Fred Small, Mayor
Victoria Phelps
DeLeon Thomas
Jeff Carrico, Chairman
Warren West, Vice Chairman
Don Terry
Larry Chason, Secretary
Cathy Barnette, Councilwoman
Ed Kirby

Staff Present:

William H. Eady, Sr., Director of Community Development
Jan Dickson, Planning Coordinator
Adrienne Jones, Planner
Missty C. Gray, Associate Attorney
Nancy Anderson, GIS Technician

Staff Absent:

Jay Ross, Attorney

The Chairman stated the first order of business is the call to order. Please let the record reflect that all members of the Commission are present. The next order of business is approval of the minutes.

APPROVAL OF MINUTES:

The minutes of December 28, 2006 regular meeting were considered for approval. A copy of the minutes was furnished to us previously. Do any of the Commissioners have any questions or comments?

Ms. Barnette stated she would like to add a copy of the two-to-two hundred year storm water requirements provided by Hutchinson, Moore & Rauch for the SBC Commercial Park, the Renaissance Center, and the Medical and Center Subdivisions to the minutes for future reference.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF JANUARY 25, 2007
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

SUMMARIZATION OF MINUTES:

THIS DOCUMENT IS A SUMMARIZATION OF THE MINUTES OF CITY OF DAPHNE PLANNING COMMISSION MEETING AND IS TO BE USED FOR REVIEW PURPOSES ONLY. THE OFFICIAL MINUTES OF THIS MEETING MAY BE OBTAINED IN THE CITY CLERK'S OFFICE UPON APPROVAL.

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

The Commission discussed at the length the proposed development and had comments with regard to drainage in the development.

Mr. Chason commented on his request at the previous meeting for the owner/developer of the subdivision reserve a wider drainage and utility easement for the provision of storm water drainage. He stated that he had asked for the preservation of this area based on the amount of water which is directed from Spanish Fort and Interstate 10 onto this site and into Lake Forest lake. He felt that the City Council really needed to assign an engineering firm to do a hydraulic study on the impact of the storm water drainage on U. S. Highway 90.

The Chairman requested the attorney to comment.

Ms. Missty Gray, Associate Attorney, stated she had researched the topic and a denial cannot be based on a drainage issue.

Ms. Barnette stated a denial can be based on upstream and downstream impact on that site.

Ms. Gray stated it would not have an effect on the flow of the existing storm water drainage if the property owner is only relocating the interior lines of the subdivision.

A Motion was made by Mr. Kirby and Seconded by Mayor Small to favorably recommend to the City Council to request funding of a hydraulic and feasibility study for the Lake Forest Water Shed. The Motion carried unanimously.

The owner, Mike Commisky, addressed the Commission to explain that drainage will be addressed by each lot owner at the time of the presentation to the Planning Commission for each site plan review.

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. Kirby and Seconded by Mayor Small to approve the preliminary/final plat for SBC Commercial Park.

Upon roll call vote, the Motion carried.

<i>Mayor Small</i>	<i>Aye</i>
<i>Ms. Phelps</i>	<i>Aye</i>
<i>Mr. Thomas</i>	<i>Aye</i>
<i>Mr. West</i>	<i>Aye</i>

City of Daphne Recreation Board Minutes
1705 Main Street
Daphne, AL
February 7, 2007
6:00 p.m.

Members Present: Chairman Ed Nelson, Erick Smith, Kit Smith, Matt Cunningham, and John Peterson,

Members Absent: James Foster, Rick Cleveland

Advisory Staff Present: David McKelroy, Director of Recreation, Councilman Gus Palumbo, Councilman Greg Burnam, Councilman John Lake, and Coach Glenn Vickery

Others Present: Brandon Adams, Michelle Heim, and Linda Tipp

1. Call to Order

The meeting was called to order by Chairman Ed Nelson at 6:04 p.m.

2. Review and Approval of Minutes

The Board reviewed the minutes from January 9, 2007. Mr. John Peterson made a motion to approve the minutes; Mr. Kit Smith seconded the motion and the motion carried.

3. Business

A. Board Member Replacement (James Foster)

Councilman Palumbo reported that the City Council has approved the removal of Mr. James Foster from the Recreation Board, due to extensive absenteeism from Board meetings and has approved filling the vacant position. Mr. Foster represented District 3, Councilman John Lake's district, and Councilman Lake has made a recommendation for a new Board member to Mr. Palumbo, the Council advisor for the Recreation Department. Should the nominee not accept the position, nominations from citizens in that district will be accepted and a recommendation will be made to Mr. Lake from the Board.

B. Master Plan-New Recreation Complex

Joe Warrington and Patrick Collins were not present at this meeting as indicated in the agenda.

Chairman Nelson asked Councilmen Lake and Palumbo to speak to the process that needs to be used in submitting the Master Plan to the Mayor and Council. Mr. Palumbo advised that when ready for submission, the Plan should be sent to the Buildings and Property Committee, which consists of Mr. Palumbo, Mr. John Lake, and Mayor Small. Before it goes to the Council, the committee will review, in order to ascertain the

financial impact. Mr. Lake suggested that the presentation include short range/long range operating/capital budget impact, phases of implementation, environmental impact, etc.

Brandon Adams met with the subcommittee (Ed Nelson, Kit Smith, David McKelroy, and Scott Hutchinson) on January 17, 2007, to further review the Master Plan options he presented at the Recreation board meeting on January 9, 2007, with emphasis on creating a soccer/football fields at Trione Park. He presented draft proposals, based on input from the committee attending the January 9 meeting, to the Board members on both the new property and Trione Park and solicited feedback. Several suggestions were made and he will incorporate these ideas and present revised plans at the next meeting in March.

A motion was made by Kit Smith to send a request to the Council to allow HMR to proceed with starting the water retention permit process on the new property. The motion was seconded by Erick Smith and the motion carried.

A motion was made by Matt Cunningham for the Recreation Director to send a request to David Cohen to research possible grants to fund the water retention area and walking trails. The motion was seconded by Erick Smith and the motion carried.

Kit Smith advised the Board that the National Resource Conservation Service (NRCS), a federal entity, will work with interested parties on the design, core sampling, and layout of water lines free of charge. Larry Morris and Frank Fuqua are the NRCS personnel to contact. John Peterson will make contact and get further information and report back at the next board meeting.

Comments from Recreation Director

Mr. David McKelroy distributed copies of the proposed park rules for the Trione Sports Complex for the Board to review and approve. A motion was made by John Peterson to approve the rules as presented. Matt Cunningham seconded the motion and the motion carried.

Comments from Board Members

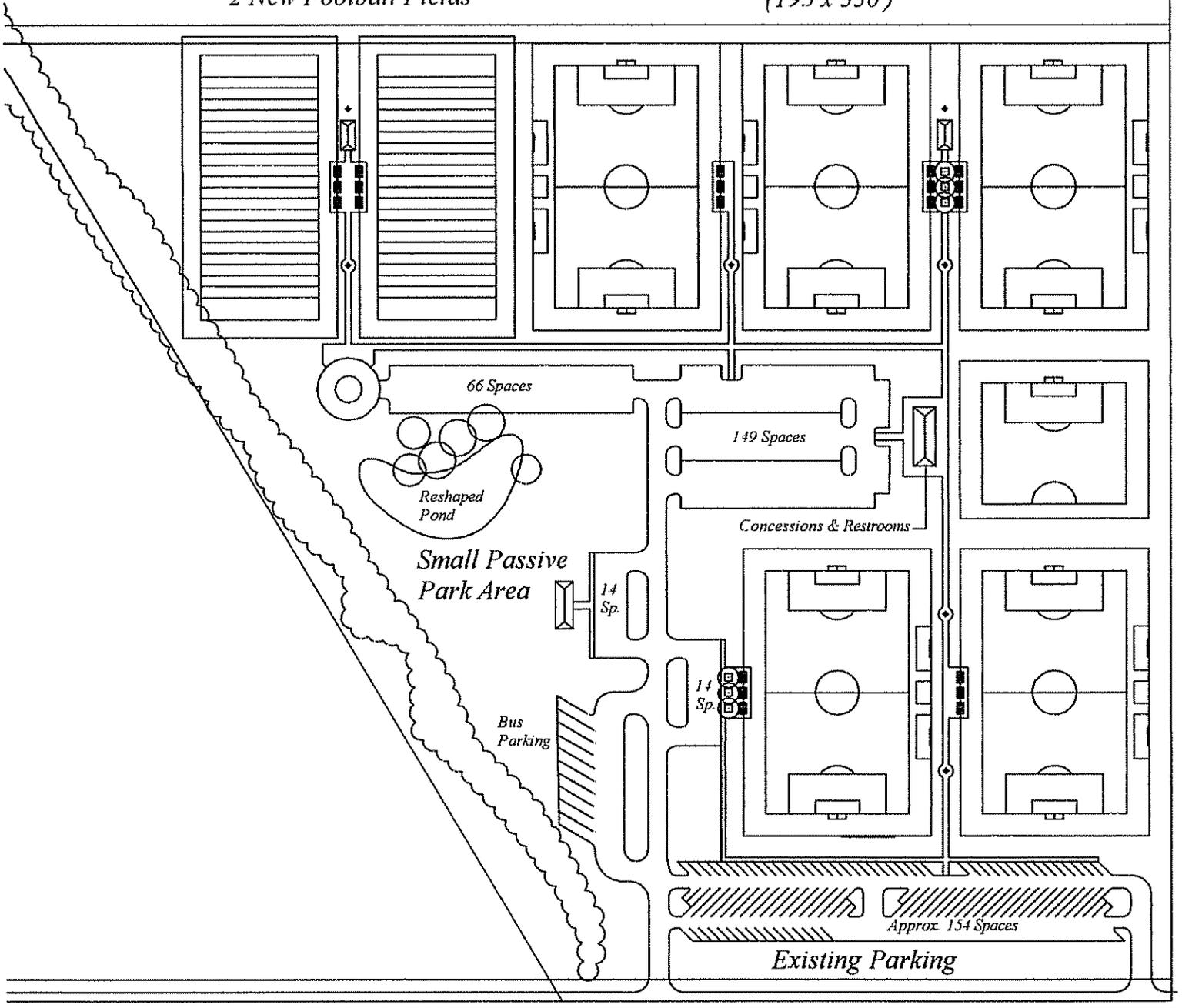
Mr. Ed Nelson distributed copies of the report from the Recreation Department Director that gives a description of the various programs and activities offered by the department, along with the respective participation levels. This includes the Seniors program and the fitness center. Mr. Greg Burnham will share the report at the next Council meeting.

6. Adjourn

The meeting adjourned at 7:50 p.m.

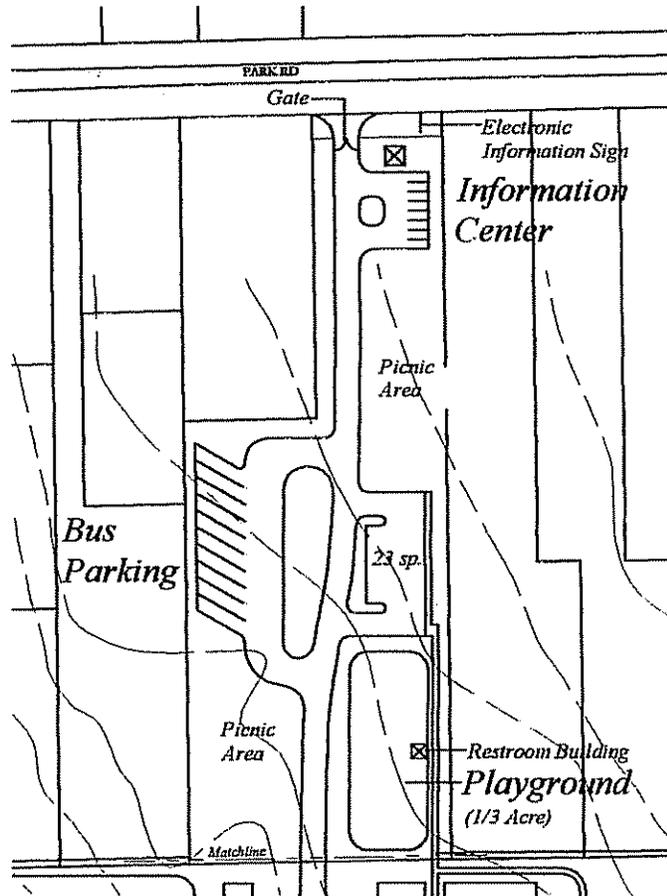
2 New Football Fields

5 1/2 Soccer Fields
(195' x 330')



Trione Soccer & Football Complex
Scale: 1" = 200'
February 7, 2007

HANDOUT 2/7/07 BY BRANDON ADAMS "DRAFT"



WELCOME TO AL TRIONE SPORTS COMPLEX
DAPHNE, ALABAMA

We ask that all patrons comply with the following rules.
Your cooperation is appreciated.

PATRONS ASSUME ALL RISK OF INJURY, DAMAGE OR LOSS
SUSTAINED ON THE PREMISES.

NO PROFANITY

NO ALCOHOLIC BEVERAGES

NO "SOFT TOSS" ON FENCES

NO PETS

NO BICYCLES, SKATEBOARDS, SKATES OR SCOOTERS

NO "WALL BALL"

NO UNAUTHORIZED VEHICLES

**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

CITY OF DAPHNE PARADE PERMIT

ORGANIZATION:	<i>Daphne United Methodist Church</i>
CONTACT PERSON:	<i>Neil Beasley</i>
ADDRESS:	<i>P. O. Box 609 Daphne, AL 36526</i>
PHONE NUMBER (HOME): PHONE NUMBER (BUSINESS): CELL NUMBER:	<i>709-1222 (Neil Cell) 626-2722 (Church)</i>
TYPE OF PARADE:	<i>Annual 5K & Fun Run</i>
DATE OF PARADE:	<i>April 7, 2007</i>
ROUTE TO BE TRAVELED:	<i>"See attached"</i>
APPROXIMATE # OF PEOPLE & CARS:	<i>100-150</i>
START TIME:	<i>8:30 a.m.</i>
STOP TIME:	<i>9:30 a.m.</i>
ASSEMBLY AREA/STREET:	<i>Daphne United Methodist Church 2401 Main Street</i>
ASSEMBLY TIME:	<i>8:00 a.m.</i>
APPROVAL	
POLICE: Chief David Carpenter:	<i>Randy H. Bishop for Chief Carpenter</i> <i>Kenny Hanak</i> <i>M. W. C. C. C.</i>
FIRE: Chief Kenny Hanak	
PUBLIC WORKS:	
CITY COUNCIL:	
SPECIAL INSTRUCTIONS:	
DATE ROUTED:	<i>February 22, 2007</i>
NOTIFICATION:	

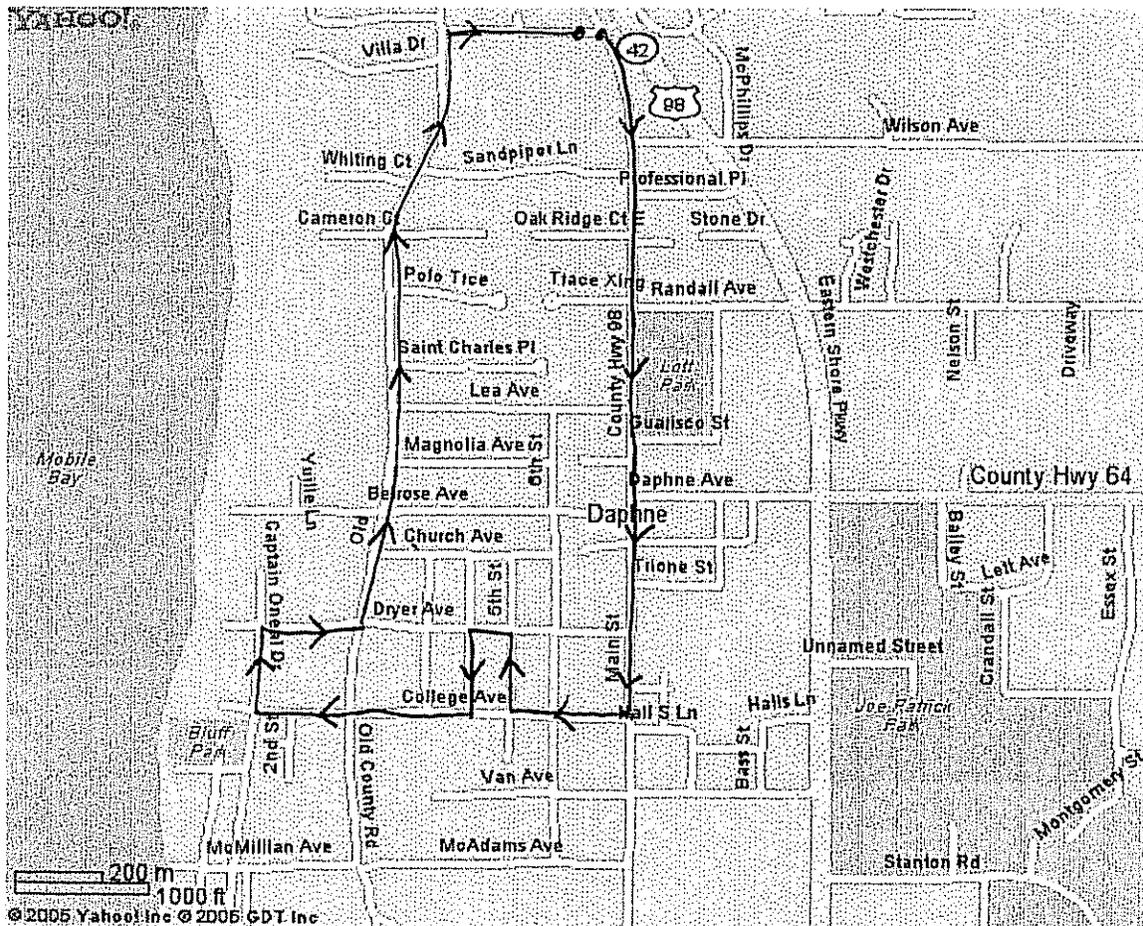
Daphne United Methodist Church Community Life Center

2401 Main Street
P.O. Box 609
Daphne, AL 36526

CLC Office: (251) 626 - 2722
Church Office: (251) 626 - 2287
Fax: (251) 626 - 7728
Email: neil@dumc.org

Saturday April 7th 8:30 - 9:30 AM 5k & Fun Run

Our church would like to offer a 5K and Fun Run to our church members. The 5K would follow the route outlined on the map below. The fun Run would follow a similar route - South on Main, West on Lea Ave., and then north on Old County. Both runs would start and stop at the church.



PRESIDENT:
CARROLL L. WATSON
MAYOR, LINCOLN

EXECUTIVE DIRECTOR:
PERRY C. ROQUEMORE, JR.
MONTGOMERY



Alabama League of Municipalities

Official Publication: Alabama Municipal Journal

P.O. BOX 1270
MONTGOMERY, ALABAMA 36102
TELEPHONE (334) 262-2566

Web address: www.alalm.org

535 ADAMS AVENUE
MONTGOMERY, ALABAMA 36104
FAX (334) 263-0200

Serving Alabama's Home-Town Governments and Home-Town Officials

February 9, 2007

TO: All Mayors and Clerks

FROM: League Headquarters *PR*

SUBJECT: Voting Delegate, Annual Convention Business Meeting

ENCLOSURE: Voting Delegate Designation Form

The annual convention of the Alabama League of Municipalities will be held April 21-24, 2007, in Huntsville, at the Von Braun Center. The annual business session will be held at 2:00 P.M. on Tuesday, April 24, at the Embassy Suites Huntsville.

The League Constitution contains the following provision pertaining to voting powers at the annual convention business session:

"Each member municipality shall have one vote in the Convention proceedings of the League, such vote to be cast by the delegate authorized by the governing body of such town or city. The League shall send to the mayor of each member municipality a form to be used by the municipal governing body to designate the municipality's voting delegate, first alternate voting delegate and second alternate voting delegate. In order for the municipality to be eligible to cast its vote during convention proceedings, the official delegate designation form must be returned to the League Headquarters not later than fifteen (15) days prior to the first day of the Annual Convention."

In accordance with the League Constitution, a copy of the official Voting Delegate Authorization Form, which should be used by your municipal governing body to designate the official voting delegate and alternates eligible to cast the municipality's vote during the business session of the convention, is being sent to each mayor. An additional copy is being sent to each clerk, but **only one completed form** should be returned by each League member municipality.

Please have the enclosed form completed and returned to the League by April 6, so that your city or town will be eligible to cast its vote at the convention.

We look forward to seeing a good delegation from your municipality in Huntsville.

COPY

THIS FORM MUST BE RETURNED TO THE ALABAMA LEAGUE OF MUNICIPALITIES NOT LATER THAN APRIL 6, 2007, IN ORDER FOR THE MUNICIPALITY NAMED BELOW TO BE ELIGIBLE TO HAVE ITS DESIGNEE CAST A VOTE AT THE OFFICIAL BUSINESS SESSION OF THE LEAGUE ON TUESDAY, APRIL 24, 2007, AT 2:00 P.M., IN THE EMBASSY SUITES HUNTSVILLE.

VOTING DELEGATE AUTHORIZATION FORM

The following person(s)* is authorized to cast the municipality's vote at the business session of the annual convention of the Alabama League of Municipalities on April 24, 2007:

Voting Delegate (PLEASE PRINT)

1st Alternate Voting Delegate
(To vote only in absence of Voting Delegate)

2nd Alternate Voting Delegate
(To vote only in absence of 1st Alternate Voting Delegate)

******IMPORTANT NOTICE******

**THE LEAGUE CONSTITUTION REQUIRES THAT
VOTING DELEGATES AND ALTERNATES BE ELECTED
MUNICIPAL OFFICIALS.**

Signed by _____
(Please Print)

Title _____

City/Town _____

Date _____

Jane

From: David Kirchharr [davidkirchharr@bellsouth.net]
Sent: Tuesday, February 13, 2007 8:11 AM
To: 'Fred Small'; 'Shannon Spivey'
Cc: SUPERLI52@aol.com; erosado@bcbe.org; rthomas@bcbe.org
Subject: Daphne Middle School Band Competetion In Gatlinburg, TN
Importance: High

Mayor Small:

Attached is a request to the City Council for the band trip we discussed last week. We would like to present this request at the work session Thursday night. Can you request a slot on the agenda for Daphne Middle School Band?

Thanks,

David L. Kirchharr, P.E.
<http://www.seaconeng.com>
251-662-0300 Office
251-422-9039 Cell

Feb 26th
[Signature]

**Daphne City Council
P.O. Box 400
Daphne, Alabama 36526
251-621-9000
Mr. Fred Small, Mayor**

Part I

Applicant Information

1. Daphne Middle School Band
One Jody Davis Circle
Daphne, AL 36526
Telephone: 251-626-2845
www.daphnemiddleschool.com

2. Dr. Ernie Rosado, Principal
telephone: 251-626-2845
email: erosado@bcbe.org

Renee' Thomas, Band Director
Betty Godwin, Band Director
telephone: 251-626-2845
email: rthomas@bcbe.org
email: bgodwin1@bcbe.org

David Kirchharr, Parent
11060 County Road 54
Daphne, AL 36526
telephone: 251-626-3049
email: davidkirchharr@bellsouth.net

Susan Fant, Parent
27228 Parker Lane/PO Box 515
Daphne, AL 36526
telephone: 251-626-7945
email: superli52@aol.com

Part II

Proposal Summary

The Daphne Middle School 7th and 8th Grade Bands have been invited to participate in the “Music in the Parks” Festival in Gatlinburg, Tennessee on May 3-6, 2007. The band students, parents, band directors and principal are requesting financial assistance from the Daphne City Council for this worthwhile endeavor.

Part III

Statement of Need

There have been significant amounts of research in the area of the benefits that instrumental music has in the development of the brain and the positive effects of learning how to play an instrument has on overall learning. The combination of senses used, the immediate feedback on progress, and the need to quickly problem-solve makes playing an instrument a worthy undertaking.

Daphne Middle School has some 115 band students in 7th and 8th grades making this pursuit a reality. They are excelling in instrumental music. On February 8, both bands made SUPERIOR scores at the 2007 Alabama Bandmasters’ Association District VII Band Assessment. Twenty-two band students made the Baldwin County Middle Honor Band in November and three band students recently made the All-State Band. This is not only positive recognition for Daphne Middle School, but also for the entire city of Daphne.

Now, the Daphne Middle School Bands would like to represent their school and Daphne, Alabama in Gatlinburg, Tennessee this spring. The “Music in the Parks” Festival is a regional

competition that is recognized nationally. Almost half of these same students attended the Southern Star Music Festival in Atlanta, Georgia in 2006 and brought home SUPERIOR scores from the judges. With so many accolades to their credit, the Daphne Middle School Bands would once again relish the chance to out-perform their peers in Tennessee.

Needless to say, Gatlinburg, Tennessee is quite a distance from Daphne. The Baldwin County Board of Education has approved the trip. While some parents are more able to pay than others, there is certainly a need for some help for all those who will go. Obviously, there has to be a sufficient number of adult chaperones to make the trip safe and enjoyable for the young people. This trip requires 32 chaperones and three (3) teachers. Chaperones are naturally the parents of some of the band students and that makes a double financial responsibility for some families. There are also those students who will not be able to attend the Festival because of lack of funds.

Part IV

Proposal Description

1. Objectives

- A. To provide financial assistance to pay for bus transportation and hotel accommodations.
- B. To provide financial assistance to pay for "Music in the Parks" registration fees.
- C. To provide financial assistance to pay for meals.
- D. To provide financial assistance to pay for tee-shirts.
- E. To provide financial assistance to pay for admission to Dollywood theme park.
- F. To provide financial assistance to pay for substitute teachers.
- G. To provide financial assistance to pay for medals, trophies, and medallions.

H. To promote partnership and collaboration between the City of Daphne and Daphne Middle School Bands.

2. Activities

1. The band students, band directors and chaperones will travel by chartered bus from Daphne to Gatlinburg, Tennessee.
2. The band students, band directors and chaperones will attend the Dixie Stampede for dinner and a musical show.
3. The bands will perform at the “Music in the Parks” Festival competition.
4. The bands will attend Dollywood theme park.
5. The band students, band directors and chaperones will travel by chartered bus from Gatlinburg, Tennessee to Daphne.

3. Products

Participants will:

- A. receive a tee shirt to commemorate the Festival event as well as to provide a recognizable method to keep track of the students.
- B. receive any trophies won through the competition to be returned to Daphne Middle School for display.
- C. receive medals and/or medallions for participation in the Festival competition.

4. Roles and Responsibilities

The Daphne Middle School Band Proposal Coordinators will be David Kirchharr and Susan Fant, parents of band students. They are responsible for the design, execution and administration of the budget and will serve as the contact persons. They will facilitate and coordinate efforts between Daphne Middle School Bands and the Daphne City Council. Daphne Middle School Band Directors, Renee’ Thomas and Betty Godwin and Daphne

Middle School principal, Dr. Ernie Rosado will ensure successful implementation of the Proposal as Directors.

5. Timeline

DATE (2006-2007)	TASKS TO BE ACCOMPLISHED
December	Seek advice from Daphne Mayor Fred Small about procedures for proposal.
January	Determine Objectives, Activities, Plan of Action.
February	Seek advice from Dr. Rosado; Gather information about costs from Mrs. Thomas; Write Proposal; Submit Proposal to Mayor and City Council.
March - April	Report to principal and directors on status of proposal; Communicate with parents.
May	Attend Festival; Present awards to school and participants.
June	Submit final report to City Council and Mayor.

Part V**Projected Budget**

Proposal Coordinators	5 hours per month	In-Kind
David Kirchharr	Proposal Coordinator	(\$1,000)
Susan Fant	Proposal Coordinator	(\$1,000)
Renee' Thomas	Proposal Director	(\$1,000)
Betty Godwin	Proposal Director	(\$1,000)
Ernie Rosado	Proposal Director	(\$1,000)
<hr/>		
Bus Transportation (3 Buses)		\$10,605
<hr/>		
Hotel (Super 8 Motel: 40 rooms @ \$76 / includes continental breakfasts)		9,120
<hr/>		
Festival Registration and Dollywood (includes meal ticket)		9,356
<hr/>		
Meals (includes Dixie Stampede Dinner Musical)		8,286
<hr/>		
Tee Shirts		1,500
<hr/>		
Substitute Teachers		350
<hr/>		
Medals, Medallions, Trophies		1,645
<hr/>		
Copier/Computer Use		In Kind
<hr/>		
TOTAL		\$40,862

2007-1
case no.

ABC LICENSE ROUTING

(initial)

DATE RECEIVED BY REVENUE DIV. 1/9/08 Whg
DATE FORWARDED TO POLICE DEPT. 1/9/07 Whg
DATE RECEIVED BY POLICE DEPT. 1-10-07 MMH
DATE: APPROVED DISAPPROVED

POLICE DEPT. SIGNATURE Daniel A...

DATE RETURNED TO REVENUE DIV. 2/6/07 whg
DATE FORWARDED TO CITY CLERK 2/6/07 4:30 p.m. whg
DATE RECEIVED BY CITY CLERK 2/6/07 4:37 PM RE
SCHEDULED DATE ON AGENDA 2/26/07 RH

Council Action : APPROVED DISAPPROVED TABLED

COMMENTS- _____

Rescheduled for Council Agenda Date _____

Council Action : APPROVED DISAPPROVED TABLED

COMMENTS- _____

DATE RETURNED TO REVENUE DIV. _____

DATE RETURNED TO TAXPAYER OR TO ABC FIELD OFFICE _____ (per taxpayer request)

STATE OF ALABAMA, ALCOHOLIC BEVERAGE CONTROL BOARD, MONTGOMERY, ALABAMA

Date Refused _____ TYPE APPLICATION Date Approved _____
 By: _____ 060 - Retail Table Wine - (On or Off Premises) By: _____

Name of Applicant (s) The Barrel Room, Inc.
 Circle One: Ind Part Assoc. Corp LLC

Name and address of individual, partners and members, association, corporate officers, etc.:

Name	D.L. # Title	Date of Birth Place of Birth	Present Residence Address	Length at Residence
Keith David Rector	AL 7103744 President	2-20-1956 Honshu Japan	11078 Lake Circle Daphne AL 36526	8 years
Lauri Jill Rector	AL 6926825 Vice- President	3-8-1962 Harrison MS	11078 Lake Circle Daphne AL 36526	8 years

Corporate Information: Instrument # 969735 Date 4-20-2006 County Baldwin
 (Enter book and page or document info) (Incorporation or Authority)

Trade Name Un-Corked Fine Wines
 Location 1114 Main Street Daphne AL 36526 County Baldwin

Mailing Address 11078 Lake Circle Daphne AL 36526
 (Include Street or Post Office Box Address, City, State, and Zip Code)

Previous Licensee Information Transferee

Licensee Name N/A Type N/A Year N/A

Trade Name N/A License Number N/A

Location (location transfer only) N/A

Has applicant complied with ABC Regulation # 20-X-5-.14 regarding financial responsibility? Y N
 Does the ABC Board have any actions pending against the current licensee? (If Yes, explain in Investigation Section) Y N
 Has ANYONE, including manager or applicant, had a Federal/State permit or license suspended, revoked or declined? Y N
 Has a liquor, wine, malt or brewed beverage license for these premises ever been denied, suspended or revoked? Y N
 Are the applicant(s) named above, the only person(s), in any manner, interested in the business sought to be licensed? Y N
 These premises are located in the: Corporate Limits Police Jurisdiction of Daphne, Alabama (Enter N/A if not located in either)
 Are any of the applicants, whether individual, member of partnership or association, or officers and directors of corporation or the corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this Act? Y N
 Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage or distilled liquors permit or license issued under authority of this Act? Y N
 Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate of another licensee, or from any firm, association or corporation operating under or regulated by the authority of this Act? Y N
 What is the applicants' primary source of funding? Loan Inheritance Individual(s) Business Other (explanation attached)
 Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of ANY law violation? Y N
 (If Yes, explain in Investigation Section) Signature of applicant [Signature]

The undersigned agree, if a license is issued as herein above applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the Board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the licensed premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him in connection with said licensed premises. The undersigned hereby understands that should he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

STATE OF ALABAMA Signed [Signature]
 COUNTY OF Baldwin Title President Date 01/09/2007

The undersigned Keith David Rector, President of The Barrel Room, Inc.
 (Name of applicant or member if Partnership or Association of Name and Title of Officer, if a Corporation)
 applicant for the Alcoholic Beverage license requested, hereby swears and affirms that he/she has read said application and all statements therein and the facts set forth are true and correct, and that the applicant is the only person interested in the business for which license is requested

Sworn to and subscribed before me this 9th day of January, 2007
[Signature] 139 [Signature]
 Signature of Notary Public Signature of Applicant

/For Central Office Use Only License No. Date of Issue Amount of fees Total

GENERAL APPLICATION INFORMATION

Contact Person: Keith David Rectur
Phone Numbers: Home: (251) 625-2153 Business: (251) 471-318
Fax: Page: Other: (251) 490-1199
Internet/Web Address: Email Address:

Does the premises have a fully equipped and operational kitchen? Y (N) NA
Does the establishment have restroom facilities? (Y) N
Is place of business habitually and principally used for providing food to the public? Y (N) Snacks Only NA
Are these premises equipped with services and facilities for on premise consumption of alcoholic beverages? (Y) N
Will this business be operated PRIMARILY as a package store? Y (N)
If a COMMON CARRIER, does each vehicle seat 10 or more persons? Y N (NA)

INVESTIGATION SECTION OF APPLICATION (To be completed by investigating ABC Agent)

Will applicant engage in the sale of tobacco products? (Y) N If yes, type of business: 53 - Other
Number of tobacco vending machines present: n/a
Neighborhood Investigation waived in accordance with Application Guidelines (X)
Building seating capacity: N/A License premises includes patio area Y (N)
Building Dimensions: Length 11 Width 19 Square Footage 748 Sales and Display Square Footage 748
License covers: (X) Entire structure () Portion of: () Top Floor () Bottom Floor () Other
License Structure: (X) One Story () Two Story () Multi-Story () Single Structure () Shopping Center () Motel/Hotel
Structure Material: () Wood (X) Brick/Block () Metal/Pre-Fab () Other
Is location within city limits? Y (N) Police Protection: County (City)
Number of licenses issued in vicinity: () 0 (X) 1-5 () 6-10 () more than 10 Nearest: across the street
Nearest: School Church Private Residence
[X] within 2 blocks within 1/2 mile Exceeds Above
[X] within 2 blocks within 1/2 mile Exceeds Above
[X] within 2 blocks within 1/2 mile Exceeds Above

EXPLANATION OF LAW VIOLATIONS

List below the court records for law violations, if any, of each person interested in this application, including manager whether as a sole applicant, partner, officer or member (Do not include traffic violations, except DUI and Reckless Driving)
Name Date Violation Jurisdiction Disposition
I certify no member of this corporation has a criminal record.

FILING FEE ACKNOWLEDGEMENT

In reference to ACT NO 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application

Signature of Applicant: [Signature]

TRANSFER AGREEMENT

License Type: License #

I, [Name], This is not a License Transfer as [Name] holding current ABC License [Title]

this location, hereby authorize the ABC Board to transfer the license(s) to APPLICANT as appears on front of application, provided that this applicant obtains approval from the appropriate local governing body and meets all requirements of the ABC Board. I understand that I am responsible for the operation of this licensed establishment until the applicant obtains a re-issued license from the ABC Board. I also understand that if for any reason this transfer is not approved by the local governing body or the ABC Board, I must take over complete control, operation, and responsibility of these licensed premises. If I do not continue operation of this licensed establishment, I will relinquish my ABC License to the local ABC Board office, or local Agent.

Licensee [Name] Date
Applicant [Name] Date

(Note: If applicant or licensee is a partnership, ALL partners must sign this agreement)

LEASE/PROPERTY OWNERSHIP

If applicant OWNS property, is copy of recorded deed attached? Y (N)
If applicant has CONTRACT TO PURCHASE, is a copy of the recorded sales contract attached? Y (N)
If applicant is LEASING the property, is a copy of the lease agreement attached? (Y) N
A: Name of Property Owner/Lessor: Michael C Delaney Contact #: (251) 454-6317
B: What is the LESSOR'S primary business? Attorney
C: Is LESSOR involved in any way with the Alcoholic Beverage business? Y (N) (If yes, explain on an attached sheet)
D: Is there any further interest in, or connection with, the licensee's business by the LESSOR? Y (N) (If yes, explain on an attached sheet)

Applicant attests to the truthfulness of the above responses. (Applicant's Initials) [Signature]
Agent/ID: Jamir Maloy 114 Supervisor: [Signature] (Review includes complete application pack)

AGENT: Application taken: 01/09/2007 Application/Investigation completed: Forwarded to D.O.:
LOCAL GOVERNMENT: Submitted: Received from:
SUPERVISOR: Received in District Office: Reviewed: Forwarded to C.O.:



BOB RILEY
GOVERNOR

ALABAMA DEPARTMENT OF TRANSPORTATION

NINTH DIVISION
OFFICE OF DIVISION ENGINEER
1701 I-65 WEST SERVICE ROAD N
MOBILE, ALABAMA 36618-1109

Telephone: (251) 470-8200
Fax: (251) 473-3624



JOE MCINNES
TRANSPORTATION DIRECTOR

February 2, 2007

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

Dear Mayor Small:

RE: Alabama 181 @ Lawson Road

As you are aware, we have been working with Baldwin County on jointly funding a traffic signal at the Alabama 181 intersection with Lawson Road. The County has recently brought to our attention that they deeded Lawson Road over to the City in November of 1994. Therefore, they have declined to enter into an agreement with ALDOT for the construction and maintenance of a traffic signal at this location.

If the City is still interested in pursuing this project, please execute and return the attached Resolution, Memorandum of Understanding, and Traffic Signal Maintenance Agreement to this office along with a check for \$25,000 made payable to the Alabama Department of Transportation.

If any additional information is needed, please advise.

Sincerely,

R.F. Poiroux, P.E.
Division Engineer

Resolution 2007-12

RFP/WPC/sj
Attachments
C: Mr. Wayne Curry
Ms. Deborah Leo
File

February 12, 2007

Mr. Fred Small, Mayor
City of Daphne
P.O. Box 400
Daphne, Alabama 36526

RE: EWP- City of Daphne - EWP -Agreement no. 69-4101-6-30

Dear Mr. Mayor:

Enclosed are three copies of amendment no. 2 to the Cooperative Agreement between the City of Daphne and the United States Department of Agriculture. Please sign and return all three copies as soon as possible. I will return a signed copy after signature from Gary Kobylski, State Conservationist. This amendment will extend contract date to May 15, 2007.

Please call if you have any questions or need assistance. Phone 937-3297 ext. 3.



Larry Morris
District Conservationist

Attach: Amendment no. 2 (3 copies)

AGREEMENT NO.: 69-4101-6-30
STATE: ALABAMA

COOPERATIVE AGREEMENT
between
CITY OF DAPHNE
and the
UNITED STATES DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

AMENDMENT NO. 2

- I. Subject agreement is hereby amended to extend the completion date from 22 November 2006 to 15 May 2007. Paragraph B 1 of the agreement is amended accordingly.
- II. All other terms and conditions remain unchanged.

III. APPROVED:

CITY OF DAPHNE

This action is authorized at an official
Meeting of the _____ on
On the ____ day of _____, 2006 at
_____,
State of Alabama

BY: _____

TITLE: _____

DATE: _____

(Signature)

Date: _____

UNITED STATES DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

BY: _____

TITLE: State Conservationist

DATE: _____

CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

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

NOTES:

RECOMMENDATIONS

COUNCIL COMMENTS:

Resolution 2007 - 06

Change Order: Village Point Park/Yancey Branch/Lakeview Loop

WHEREAS, the City of Daphne did heretofore by Resolution 2006-86 award Bid Document 2006-FF-VP Park/Yancey Branch/Lakeview Loop to ERS Inc in the negotiated amount of \$ 667,535.80; and

WHEREAS, due to certain unforeseen changes in the scope of the project, a contract change order in the amount of \$ 117,605 is necessary; and

WHEREAS, such project is a Natural Resources and Conservation Services (NRCS) grant; and

WHEREAS, the amount of such change order will be reimbursed to the City of Daphne by the NRCS.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE hereby approve a change order in the amount of \$ 117,605 for the Village Point Park/Yancey Branch/Lakeview Loop NRCS project.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2007.

Greg Burnam,
Council President

Date & Time Signed:_____

Fred Small,
Mayor

Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk, MMC

**RESOLUTION 2007- 07
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:

David Cohen, City Clerk, Council, National League of Cities Conference, Washington, D.C., March 10-14, 2007 - \$175

Cathy Barnette, Council, National League of Cities Conference, Washington, D.C., March 10-14, 2007 - \$175

Bailey Yelding, Council, National League of Cities Conference, Washington, D.C., March 10-14, 2007 - \$175

John Lake, Council, National League of Cities Conference, Washington, D.C., March 10-14, 2007 - \$175

Ron Scott, Council, National League of Cities Conference, Washington, D.C., March 10-13, 2007 - \$140

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

**APPROVED AND ADOPTED BY THE CITY COUNCIL, CITY OF DAPHNE, ALABAMA on
this ____-__-__ day of _____, 2007.**

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk MMC

**RESOLUTION 2007- 08
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:

***Ha Le Riggio (Fi Fi), Court Magistrate, Certification Training and Maintenance
Training Institute for Municipal Court Clerks and Magistrates, March 5-8, 2007,
Tuscaloosa, AL - \$140***

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

**APPROVED AND ADOPTED BY THE CITY COUNCIL, CITY OF DAPHNE, ALABAMA on
this ____ - __ day of _____, 2007.**

Greg Burnam
Council President
Time Signed: _____

Fred Small
Mayor
Time Signed: _____

ATTEST:

David L. Cohen,
City Clerk MMC

**RESOLUTION NO. 2007 - 09
2007-G-JUBILEE BREEZE PUBLICATION**

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

WHEREAS, The City of Daphne acknowledges that the cost for the THE JUBILEE BREEZE PUBLICATION will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the THE JUBILEE BREEZE PUBLICATION and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the THE JUBILEE BREEZE PUBLICATION be awarded to Interstate Printing & Graphics, Inc.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Interstate Printing & Graphics, Inc. for the following cost:

	# OF COPIES		
	13,000	14,000	15,000
44 PAGES	\$8,835	\$9,409	\$9,983
48 PAGES	\$10,683	\$11,397	\$12,111

as specified in BID SPECIFICATION NO: 2007-G-JUBILEE BREEZE PUBLICATION.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2007

Greg Burnam, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

**RESOLUTION NO. 2007 - 10
2007-E-PAYROLL TIMEKEEPING SYSTEM**

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

WHEREAS, The City of Daphne acknowledges that the cost for the THE PAYROLL TIMEKEEPING SYSTEM will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the THE PAYROLL TIMEKEEPING SYSTEM and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the THE PAYROLL TIMEKEEPING SYSTEM be awarded to Kronos, Inc.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Kronos, Inc. for the following cost:

1. Software Product-License Fees	7,595.00
a. Software: Install / Implementation / Training	12,900.00
	2,813.00
b. Hardware Equip (Dedicated Server...)	8,296.00
c. Fingerprint Terminal / 6 Terminals @ \$1695/ea (addit purch-\$2,000)	10,170.00
d. Installation Fingerprint Terminal- incl	-
e. Annual Maint - 6 Terminals / @\$225/ea	1,350.00
Maintenance Cost -Software (List cost for five years-include annual increases)	1,876.00
Total	45,000.00

as specified in BID SPECIFICATION NO: 2007-G-PAYROLL TIMEKEEPING SYSTEM .

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
DAPHNE, ALABAMA, THIS ____ day of _____, 2007

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk MMC

RESOLUTION NO. 2007- 11

2007-F-PARKS (3) TWO WHEEL DRIVE OUTFRONT MOWERS

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

WHEREAS, The City of Daphne acknowledges that the cost for the PARKS (3) TWO WHEEL DRIVE OUTFRONT MOWERS will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the PARKS (3) TWO WHEEL DRIVE OUTFRONT MOWERS and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the PARKS (3) TWO WHEEL DRIVE OUTFRONT MOWERS be awarded to Foley Implement Company; and

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Foley Implement Company for the amount of \$46,950 as specified in BID SPECIFICATION NO: 2007-F-PARKS (3) TWO WHEEL DRIVE OUTFRONT.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ day of _____, 2007.

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk MMC

RESOLUTION 2007-12

Agreement with ALDOT: Installation of Traffic Signal at the Intersection of AL 181 and Lawson Road

BE IT RESOLVED, by the City Council of Daphne, Alabama that the City enter into an agreement with State of Alabama, acting by and through the Alabama Department of Transportation for the installation, maintenance, and operation of a traffic signal at the intersection of AL 181 and Lawson Road, which agreement is before this Council, and that the agreement be executed in the name of the Council for and on it's behalf, by the Mayor of the City, and that it be attested by the City Clerk and the seal of the City be affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City Clerk.

ADOPTED AND APPROVED this _____ day of _____, 2007.

GREG BURNAM,
COUNCIL PRESIDENT
Date & Time Signed: _____

FRED SMALL,
MAYOR
Date & Time Signed: _____

ATTEST:

DAVID L. COHEN
CITY CLERK, MMC

RESOLUTION 2007-12 TRAFFIC LIGHT AT LAWSON & HWY 181 PAGE 2

I, the undersigned qualified and acting City Clerk of the City of Daphne, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City of Daphne, Alabama named therein, at a regular meeting of such Council held on the _____ day of _____, 2007, and that such resolution is on file and of record in the office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this _____ day of _____, 2007.

DAVID L. COHEN
CITY CLERK

Project Number: _____

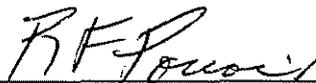
Accounting Project Number: _____

MEMORANDUM OF UNDERSTANDING

FUNDING RATIO FOR THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF AL 181 AND LAWSON ROAD IN DAPHNE, ALABAMA

The Alabama Department of Transportation (hereinafter referred to as the STATE) and the City of Daphne, Alabama (hereinafter referred to as the CITY) wishes to install a traffic signal at the intersection of AL 181 and Lawson Road in the City of Daphne. This installation requires participation by the CITY in funding the installation cost. The total estimated cost to install a traffic signal at this location is \$50,000 with 50 percent funded by the CITY.

In the event the final installation cost is less than the total estimated cost, the CITY will receive the cost underrun at the above-mentioned ratio and therefore the STATE will refund to the CITY 50 percent of the underrun. In the event the final installation cost exceeds the total estimated cost, the CITY will bare the cost overrun at the above-mentioned funding ratio and therefore the CITY will submit a check to the STATE for 50 percent of the cost overrun.



Alabama Department of Transportation
Division Engineer

City of Daphne
Authorized Signature

Permit Number _____ Project Number _____
 Division NINTH County BALDWIN

STATE OF ALABAMA acting by and through the
 ALABAMA DEPARTMENT OF TRANSPORTATION
 AGREEMENT FOR THE INSTALLATION AND/OR MAINTENANCE OF
 TRAFFIC CONTROL SIGNALS AND/OR STREET LIGHTING

This Agreement, in accordance with resolution number _____
 dated _____, attached hereto and made a part of this Agreement, is made
 and entered into by and between the Alabama Department of Transportation (hereinafter referred to as STATE),
CITY OF DAPHNE (hereinafter referred to as OWNER), and [() applicable
 (X) not applicable] _____ (hereinafter referred to as PERMITTEE,
 if applicable and so indicated) for the accomplishment of the following work as hereinafter indicated by the
 alphabetic letter of X marked in parenthesis, to wit:

- (X) A Installation of new:
 - (X) Traffic Control Signals () Flashing Signal(s)
 - () Street Lighting () Other: _____
- () B Upgrading of existing traffic control signal(s) and/or street lighting
- () C Removal of existing traffic control signal(s) and/or street lighting
- (X) D Operation and maintenance of installed or upgraded existing traffic control signal(s) and/or street lighting

The accomplishment of the work above indicated by the alphabetic letter X marked in parenthesis and hereinafter signified by the use of the corresponding alphabetic letter A, B, C, and/or D as applicable, will be at the following location(s): *NOTE - If more space is needed, please use continuation sheets*
AL 181 and Lawson Rd

Now therefore, in consideration of the benefits occurring to each of the parties to this Agreement from the accomplishment of the work hereinbefore described, the parties hereto do hereby agree to the following provisions and terms for the accomplishment of the work hereinabove identified

- 1 In the event the work to be accomplished is hereinabove identified by A and/or B, the (X) STATE () OWNER () PERMITTEE will furnish and the (X) STATE () OWNER () PERMITTEE will install the equipment and/or associated hardware utilized in the accomplishment of the work. In the event the STATE contributes funds to the work and the OWNER and/or PERMITTEE will be credited or debited for under-runs or overruns respectively, then "Exhibit O" is attached to and made a part of this agreement
- 2 In the event the OWNER and/or PERMITTEE agrees to furnish and install the equipment and/or associated hardware at its own expense, the STATE will not participate in either the purchase, installation, maintenance, or provision of electrical energy for the equipment and/or associated hardware
- 3 The equipment and/or associated hardware shall be installed in accordance with the applicable following:
 - A Manual on Uniform Traffic Control Devices for Streets and Highways, current edition
 - B The State of Alabama Special and Standard Highway Drawings, current year version
 - C The National Electrical Code, current edition.
 - D Alabama Department of Transportation Standard Specifications of Highway Construction, current edition
 - E Special Provision #3483, dated 15 September 1999, SECTION 750 - Furnishing & Installing Roadway Lighting System.

F. Code of Alabama, 1975 (as Amended) with specific reference to:

- 1) §23-1-113, Municipal Connecting Link Roads - Stipulations and conditions [specifically subparagraphs (6) and (7)]
- 2) §32-5A-32, Traffic-control signal legend
- 3) §32-5A-33, Pedestrian-control signals
- 4) §32-5A-34, Flashing signals
- 5) §32-5A-35, Lane-direction-control signals

4. The STATE shall determine the type, quality, and quantity of the equipment and/or associated hardware to be utilized in the accomplishment of the work hereinbefore provided for under this Agreement. In the event the OWNER and/or PERMITTEE furnishes and/or installs the equipment and/or associated hardware to be utilized in the accomplishment of the work hereinabove identified by A and/or B, the OWNER and/or PERMITTEE shall ascertain that the type and quality of the equipment and/or associated hardware is in accordance with the STATE's Materials, Sources, and Devices with Special Acceptance Requirements as maintained by the STATE's Bureau of Materials and Tests.
5. Title to any and all equipment and/or associated hardware furnished by the STATE shall remain in the STATE and the STATE is deemed to be the sole owner of such equipment and/or hardware.
6. The equipment and/or associated hardware shall be operated and maintained at the sole expense of the OWNER. The OWNER agrees to provide electrical energy on a continuing basis as required, beginning at the time of initial electrical service connection during the construction of the system. The OWNER agrees further to maintain said equipment and/or associated hardware in a good state of repair at all times, as required in accordance with the applicable documents: Manual on Uniform Traffic Control Devices for Streets and Highways; Alabama Department of Transportation Standard Specifications for Highway Construction; and Special Provision #3483, dated 15 September 1999, SECTION 750. Any traffic control signal equipment and/or associated hardware must also be in accordance with any traffic signal operating plan of the STATE which is in effect at the applicable time of such maintenance. If a malfunction of the equipment and/or associated hardware should ever occur, the OWNER shall effect repairs immediately. If said malfunction presents a potential hazard to the motoring public and the OWNER is unable to repair the equipment and/or associated hardware in a timely manner as determined by the STATE, the STATE reserves the right to repair the equipment and/or associated hardware and invoice the owner for all costs incurred. The OWNER agrees to pay to the STATE all such costs incurred by the STATE promptly upon receipt of the invoice from the STATE.
7. *Removal of the equipment and/or associated hardware, hereinabove identified by C, will be at the sole expense of the (X) STATE () OWNER () PERMITTEE*
8. The STATE reserves the right to demand the removal of the equipment and/or associated hardware should the STATE deem its condition or operation hazardous. Further, the STATE shall have the right to remove the equipment and/or associated hardware should the OWNER fail to do so upon demand by the STATE. Any equipment and/or associated hardware which is deemed by the STATE to be non-uniform or obsolete will be removed and disposed of by the OWNER. None of the non-uniform or obsolete equipment and/or associated hardware which has been removed shall be reused on the STATE highway system.
9. In the event the STATE furnished equipment and/or associated hardware is removed by the OWNER at any future time, all such equipment shall be removed and returned to the STATE.
10. If future traffic conditions require changes and/or adjustments to said equipment and/or associated hardware (other than ordinary timing), the OWNER will obtain the approval of the STATE before such changes are implemented. All such changes shall be at the sole cost and expense of the OWNER.
11. In the event Federal funds are utilized in the accomplishment of the work hereinbefore described, "*Exhibit M*" is attached to and made a part of this Agreement.
12. **FUNDS SHALL NOT BE CONSTITUTED AS A DEBT**

It is agreed that the terms and commitments contained herein shall not be construed as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this Agreement shall contravene any statute of Constitutional provision or amendment, either now in effect or which may, during the course of this Agreement, be enacted, then the conflicting provision in the Agreement shall be deemed null and void.

For any and all disputes arising under the terms of this Agreement, the parties hereto agree, in compliance with the recommendations of the Governor and Attorney General, when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through the Attorney General's Office of Administrative Hearings or where appropriate, private mediators.

In witness whereof, the parties hereto have caused this Agreement to be executed by those officers, officials, and persons thereunto duly authorized, and the Agreement is deemed to be dated and to be effective on the date stated hereinafter as the date of the approval of the Maintenance Engineer.

(Seal of OWNER)

Legal Name of PERMITTEE (if applicable)

By: _____
Authorized Signature

Legal Name of OWNER

Attest: _____

By: _____
Authorized Signature

Recommended for approval:

By: RF Fournier
Division Engineer

Approved as to form:

By: _____
Jim R. Ippolito, Jr
Chief Counsel
Alabama Department of Transportation

STATE OF ALABAMA acting by and through the ALABAMA DEPARTMENT OF TRANSPORTATION

The within and foregoing Agreement is hereby approved on this _____
day of _____, 20_____.

APPROVED:

By: _____
State Traffic Engineer

By: _____
Maintenance Engineer

RESOLUTION NO. 2007-13

To Support State Legislation That Enables The Formation Of A Voluntary Regional Stormwater Management Authority That Is Offered To Incorporated And Unincorporated Areas Of Baldwin County, Alabama

Whereas, Baldwin County is facing unprecedented pressures on its surface water resources that, left unattended, will have the effect of reducing aesthetics and County property values; and

Whereas, these pressures include rapid urban development which greatly increases flooding, increases channel erosion, and causes habitat destruction, aging drainage infrastructure (culverts, ditches, pipes, inlets, etc.) that is not being fully maintained, and deteriorating water quality in streams and the bay due to increasing pollution and sediment runoff; and

Whereas, these impacts cannot be entirely avoided or eliminated but can be minimized; and

Whereas, it is in the public interest and the health, safety, and welfare of the citizens of the City of Daphne, Alabama to promote effective and efficient management of regional and local stormwater runoff; and

Whereas, it is currently recognized that control of stormwater quantity and quality is most effectively implemented on a watershed scale, across boundaries of individual municipalities; and

Whereas, the development and implementation of an effective regional stormwater cooperative program will assist the City of Daphne, Alabama in meeting its stormwater related needs;

Whereas, the City of Daphne, Alabama is responsible for providing appropriate and consistent stormwater services and protections to all its citizens, and to promote compliance with federal and state laws, rules, regulations, and permits relating to stormwater discharges regulated under stormwater rules; and

Whereas, the City of Daphne, Alabama supports promoting the inter-cooperation of Baldwin County governing bodies in implementing stormwater programs that address stormwater management on a watershed scale and across municipal boundaries; and

NOW, THEREFORE BE IT RESOLVED that the City of Daphne, Alabama fully supports State of Alabama Legislation to enable the formation of the Baldwin County Stormwater Cooperative, a totally voluntary public corporation that will both perform key services County-wide and will, optionally, assist local governments who desire in managing their own local stormwater programs.

BE IT FURTHER RESOLVED that the intention of supporting the establishment of the Baldwin County Stormwater Cooperative is made with the understanding that, through the development of a representative board of directors, the methods and procedures they shall use to carry out the stormwater program, to make their respective participation in a public corporation inter-cooperation program optional, and to adopt policies and procedures pertaining to their responsibilities in the program and the procedure for entry into and exit from the program will be determined in such a manner as to promote balance and equity among its members.

ADOPTED AND APPROVED by the City Council of the City of Daphne, Alabama on this ____ day of _____, 2007.

Greg Burnam,
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen,
City Clerk, MMC

DRAFT

**CITY OF DAPHNE
RESOLUTION NUMBER 2007- 14**

**RESOLUTION TO FIX COSTS FOR DEMOLITION OF UNSAFE
STRUCTURES LOCATED AT 403 DRYER AVENUE, DAPHNE, ALABAMA**

WHEREAS, the Mayor and City Council of the City of Daphne, Alabama wish to promote the health, safety and welfare of the citizens of the City of Daphne by ensuring that all structures located therein or within the planning jurisdiction thereof are safe; and,

WHEREAS, the home place located at 403 Dryer Avenue, Daphne, Alabama was damaged by fire and thereafter abandoned by Paula J. Dunbar the owner of record according to the records of the Office of the Judge of Probate of Baldwin County, Alabama; and,

WHEREAS, the City of Daphne, pursuant to Ordinance 2005-31 gave said owner proper notice to abate the nuisance thereof and comply with all existing Codes, Standards, Laws and/or Ordinances; and,

WHEREAS, said property owner failed to comply with the requests of the City of Daphne to abate said nuisance and bring the structure into compliance with all laws, rules and regulations; and,

WHEREAS, an inspection has been made of the structure located at 403 Dryer Avenue, Daphne, Alabama 36526 by the Building Official of the City of Daphne, Alabama, and all reports, documents, correspondences and photographs are on file; and,

WHEREAS, the said structure was determined to be unsafe, dangerous and in violation of City of Daphne Ordinance 2005-31; and,

WHEREAS, the property owner was given proper notice and the chance to abate said nuisance and failed to do so; and,

WHEREAS, the City of Daphne was required to abate said nuisance and issue an order of demolition of said structure for the health, safety and welfare of the citizens of the City of Daphne, Alabama; and,

WHEREAS, the City incurred certain expenses in relation to said demolition and hereby resolves to set and fix the cost of said demolition and place upon said parcel of real property an assessment and lien for such expenses; and

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:

That, pursuant to City of Daphne Ordinance 2005-31, the property located at 403 Dryer Avenue, Daphne, Alabama 36526 and according to the records of the Office of the Judge of Probate of Baldwin County, Alabama being owned by Paula J. Dunbar constitutes a public nuisance due to the unsafe condition of the building located thereon and said building was thereby demolished by the City of Daphne, Alabama; and

That said parcel of real property is more particularly described as:

PARCEL A: Beginning at the southwest corner of Lot 11, Block 10 of Dryer Subdivision as recorded in Map Book 1, Page 98 of the Baldwin County, Alabama Probate records, run thence south 79 degrees 54' 06" east along the south line of Lot 11, 176.92 feet to an iron pipe, thence run south 11 degrees 9' 8" west 65.64 feet to an iron pipe, thence run south 44 degrees 36' 08" west 49 feet to an iron pipe, thence run north 81 degrees 08' west 150 feet to an iron pipe on the east right of way on Old County Road, thence run north 11 degrees 09' 08" east along said right of way 109.25 feet to the point of beginning, being situated in Section 19, Township 5 south, Range 2 east.

PARCEL B: From the southwest corner of Lot 11, Block 10 of Dryer Subdivision as recorded in Map Book 1, Page 98 of the Baldwin County, Alabama Probate records run thence south 11 degrees 09' 08" west along the eastern right of way of Old County Road 109.25 feet to an iron pipe for the point of beginning thence run South 81 degrees 08' East 150 feet to an iron pipe thence run south 11 degrees 09' 08" west 108 feet to an iron pipe on the north right of way of Dryer Avenue, thence run North 81 degrees 08' west along the north right of way Dryer Avenue 150 feet to an iron pipe at the Northeast intersection of Dryer Avenue and Old County Road, thence run north 11 degrees 09' 08" east along the east right of way of Old County Road 108 feet to the point of beginning being situated in Section 19, Township 5 south, Range 2 east.

That, the City of Daphne, Alabama hereby imposes an assessment and lien upon said real property in the amount of **Six Thousand Six Hundred Seven and 56/100 (\$6,607.56) Dollars** for the demolition of said structure; and

That the City of Daphne, Alabama by the recording of this resolution directs that the Judge of Probate of Baldwin County, Alabama hereby record this instrument in the Grantor/Grantee index as any other lien is so recorded.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this 26th day of February, 2007.

GREG BURNAM
COUNCIL PRESIDENT

Date & Time Signed:_____

FRED SMALL
MAYOR

Date & Time Signed:_____

ATTEST:

DAVID L. COHEN,
CITY CLERK, MMC

CITY OF DAPHNE
ORDINANCE NO.: 2007- 06

=====

**AN ORDINANCE FOR ELECTION AND APPOINTING OF CITY
EMPLOYEES BY CITY COUNCIL AS APPOINTING AUTHORITY**

=====

WHEREAS, the City Council of the City of Daphne, Alabama has heretofore adopted various resolutions and ordinances vesting within the Mayor, the power of appointment for certain City employees and to set the term of service ; and,

WHEREAS, the City Council of the City of Daphne, Alabama believes that it will be in the best interest of the City to amend said past resolutions and ordinances to remove the appointing authority from the Mayor for certain employment positions and have it placed within the sole discretion of the City Council; and

WHEREAS, the City Council of the City of Daphne, Alabama now believes it will be in the best interest of the City to amend those past resolutions to reinstate the City Council as the appointing authority for the following positions: (City Clerk, City Treasurer/Finance Director, City Attorney, Police Chief, Fire Chief, Public Works Director, Library Director, Civic Center Director, Recreation Director, Court Clerk, City Judge, City Prosecutor, Personnel Director, Building Inspector, and Director of Community Development) subject to the rules and regulations of the ordinances related to the City of Daphne’s Personnel Policy and Procedures.

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

SECTION I: APPOINTING AUTHORITY

That pursuant to the authority granted to the City Council by the laws of the State of Alabama and pursuant to and to the procedures established by the Personnel Handbook, commonly known as the City Personnel Policy and Procedures Handbook, as originally established by Resolution 1994-39 and as amended by Resolution No.: 1995-13, Resolution No.: 1990-24, Resolution No.: 1990-63, Ordinance No.: 1997-31, Ordinance No.: 1998-10, Ordinance No.: 1999-08, Ordinance No.: 2000-04 and all subsequent Resolutions and Ordinances as it relates to Personnel Policy and Procedures manual, as amended, shall be amended to reflect that the City Council shall have the authority to exercise appointing authority by electing to fill all City offices and setting terms of service, and to be designated as appointing authority for the City of Daphne, except as otherwise provided by state statute. As appointing authority, the City Council reserves the right to any hiring, firing, and/or disciplinary action(s) and that all references made or referred to the Office of Mayor in the Personnel Policy and Procedures manual. Such officers shall include (City Clerk, City Treasurer/Finance Director, City Attorney, Police Chief, Fire Chief, Public Works Director, Library Director, Civic Center Director, Recreation Director, Court Clerk, City Judge, City Prosecutor, Personnel Director, Building Inspector, and Director of Community Development).

ORDINANCE NO.: 2007- 06
An Ordinance for Election and Appointing of
City Employees by City Council as Appointing Authority
Page 2

SECTION II: SEVERABILITY

That if any section, sub-section, sentence, clause, phrase or portions of ordinances for any reason without invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provisions and such holding shall not effect the ability of the remaining portion thereof pertaining to the election and appointment of officers thereof shall remain in full force and effect.

SECTION III: REPEALER

That Ordinance No.: 2005-45 be and is hereby specifically repealed, as well as any other Resolution(s) or Ordinance(s) or parts of any Resolution(s) or Ordinance(s) conflicting with the provisions of this Ordinance are hereby repealed as far as they conflict.

SECTION IV: EFFECTIVE DATE

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

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA this ____ day of _____, 2007.

GREG BURNAM
COUNCIL PRESIDENT

Date and Time Signed: _____

FRED SMALL
MAYOR

Date & Time Signed: _____

ATTEST:

DAVID COHEN
CITY CLERK, MMC

ORDINANCE NO. 2007- 07

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

WOODLAND BAY GROUP, INC.

THE ESTATES OF TIAWASSEE

(Property located off of County Road 13 and adjacent to Tiawassee Trace Subdivision)

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

WHEREAS, the owners of the property described in Section 2 of this Ordinance have signed and filed a written petition with the City Clerk of the City of Daphne, Alabama, requesting that such property be annexed to the corporate limits of the City of Daphne, Alabama; and,

WHEREAS, all of such property is located and contained within an area contiguous to the corporate limits of the City of Daphne, Alabama and does not lie within the corporate limits or police jurisdiction of any other municipality; and,

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

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne on December 28, 2006 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned R-1, Low Density Single Family Residential, zone**; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on February 26, 2007 concerning the petition for annexation; and,

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

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

SECTION 1: CONSENT TO ANNEXATION. The City Council of the City of Daphne, Alabama does by this Ordinance assent to the annexation of the property described in Section 2 of this Ordinance to the corporate limits of the City of Daphne, Alabama, and does by the adoption of this Ordinance, extend and rearrange said corporate limits to embrace and include such property.

SECTION 2: THE PROPERTY. That property requested to be annexed into the City of Daphne is described in Exhibit "A", attached hereto and made a part of this Ordinance as if fully set out herein.

EXHIBIT "A"**LEGAL DESCRIPTION:**

BEGINNING AT THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89° 29' 03" EAST, 2272.75 FEET; THENCE RUN NORTH 89° 26' 59" EAST, 385.67 FEET; THENCE RUN SOUTH 89° 45' 35" EAST, 609.37 FEET TO THE NORTHWEST CORNER OF TIAWASEE TRACE AS RECORDED ON SLIDE NUMBER 1778-B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00° 00' 24" WEST ALONG THE WEST LINE OF SAID TIAWASEE TRACE, 537.04 FEET; THENCE RUN SOUTH 63° 43' 30" EAST, 104.34 FEET, MORE OR LESS; THENCE RUN SOUTH 39° 28' 24" EAST, 295.53 FEET, MORE OR LESS; THENCE RUN SOUTH 58° 15' 23" EAST, 61.91 FEET, MORE OR LESS; THENCE RUN SOUTH 34° 07' 36" EAST, 146.67 FEET, MORE OR LESS; THENCE RUN SOUTH 45° 50' 46" EAST, 158.08 FEET, MORE OR LESS; THENCE RUN SOUTH 64° 37' 10" EAST, 182.10 FEET, MORE OR LESS; THENCE RUN SOUTH 53° 15' 53" EAST, 152.16 FEET, MORE OR LESS; THENCE RUN SOUTH 72° 52' 23" EAST, 109.07 FEET, MORE OR LESS; THENCE DEPARTING THE SAID WEST LINE OF TIAWASEE TRACE, RUN NORTH 62° 09' 14" EAST, 133.73 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF INNISFREE AS RECORDED ON SLIDE NUMBER 2132-F IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 11° 19' 19" EAST ALONG THE WEST LINE OF SAID INNISFREE, 64.48 FEET, MORE OR LESS; THENCE DEPARTING THE SAID WEST LINE OF INNISFREE, RUN NORTH 89° 49' 14" WEST, 786.38 FEET, MORE OR LESS; THENCE RUN NORTH 89° 50' 14" WEST, 1697.53 FEET; THENCE RUN NORTH 03° 30' 10" WEST, 1266.69 FEET TO THE POINT OF BEGINNING, AND CONTAINING 49.84 ACRES, MORE OR LESS.

SECTION 3: MAP OF PROPERTY. The property hereby annexed to the City of Daphne, Alabama, is set forth and described in Exhibit "B" and attached hereto a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this Ordinance.

SECTION 4: PUBLICATION. This Ordinance shall be published as required by Section 11-42-21, Code of Alabama, 1975, as amended, and the property described herein shall be annexed to the corporate limits of the City of Daphne, Alabama, upon such publication.

SECTION 5: PROBATE COURT. A description of the property described in this Ordinance shall be filed in the Office of the Judge of Probate of Baldwin County, Alabama, as required by Section 11-42-21, Code of Alabama, 1975, as amended.

ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this _____ day of _____ 2007.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

ORDINANCE NO. 2007- 08

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

THE MITCHELL COMPANY, INC.

**DUNMORE SUBDIVISION
(Property located Alabama State Highway 181)**

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

WHEREAS, the owners of the property described in Section 2 of this Ordinance have signed and filed a written petition with the City Clerk of the City of Daphne, Alabama, requesting that such property be annexed to the corporate limits of the City of Daphne, Alabama; and,

WHEREAS, all of such property is located and contained within an area contiguous to the corporate limits of the City of Daphne, Alabama and does not lie within the corporate limits or police jurisdiction of any other municipality; and,

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

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne on December 28, 2006 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned R-1, Low Density Single Family Residential, R-2, Medium Density Single Family Residential, R-3, High Density Single Family Residential, and R-4, High Density Single Family Residential zones**; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on February 26, 2007 concerning the petition for annexation; and,

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

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

SECTION 1: CONSENT TO ANNEXATION. The City Council of the City of Daphne, Alabama does by this Ordinance assent to the annexation of the property described in Section 2 of this Ordinance to the corporate limits of the City of Daphne, Alabama, and does by the adoption of this Ordinance, extend and rearrange said corporate limits to embrace and include such property.

SECTION 2: THE PROPERTY. That property requested to be annexed into the City of Daphne is described in Exhibit "A", attached hereto and made a part of this Ordinance as if fully set out herein.

EXHIBIT "A"**LEGAL DESCRIPTION:**

COMMENCING AT THE NORTHWEST CORNER OF SECTION 35, T5S-R2E, BALDWIN COUNTY, ALABAMA, SAID POINT BEING THE SOUTHWEST CORNER OF SECTION 26, T5S-R2E, BALDWIN COUNTY, ALABAMA, RUN N 89° 49' 17" E ALONG THE LINE BETWEEN SECTIONS 26 AND 35, T5S-R2E, 40.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ALABAMA STATE HIGHWAY NO. 181; SAID POINT BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING N 89° 49' 17" E ALONG SAID LINE BETWEEN SECTIONS 26 AND 35, T5S-R2E RUN A DISTANCE OF 1962.76 FEET TO A POINT; THENCE RUN N 00° 14' 28" E 1335.11 FEET TO A POINT; THENCE RUN S 89° 40' 17" W 666.55 FEET TO A POINT; THENCE RUN N 00° 17' 11" E 666.69 FEET TO A POINT; THENCE RUN N 89° 35' 47" E 1332.06 FEET TO A POINT; THENCE RUN S 00° 11' 45" W 2005.27 FEET TO A POINT ON THE AFOREMENTIONED LINE BETWEEN SECTION 26 AND SECTION 35 OF T5S-R2E, BALDWIN COUNTY, ALABAMA; THENCE ALONG SAID SECTION LINE RUN N 89° 49' 17" E 1335.18 FEET TO A POINT; THENCE RUN S 00° 40' 28" W 1323.72 FEET TO A POINT; THENCE RUN S 89° 57' 50" W 2002.49 FEET TO A POINT; THENCE RUN S 00° 39' 55" W 30.00 FEET TO A POINT; THENCE RUN S 89° 57' 50" W 1962.49 FEET TO A POINT ON THE AFOREMENTIONED EAST RIGHT OF WAY LINE OF ALABAMA STATE HIGHWAY NO. 181; THENCE ALONG SAID EAST RIGHT OF WAY LINE RUN N 00° 39' 23" E 1343.85 FEET TO THE POINT OF BEGINNING. CONTAINING 162.2680 ACRES. THIS DESCRIPTION INCLUDES LOTS 11, 12, 21 AND 28 SITUATED IN SECTION 26, T5S-R2E, AND LOTS 3 THROUGH 14 IN SECTION 35, T5S-R2E, AS SHOWN ON PLAT OF HIGHLAND FARMS, AS RECORDED IN MISCELLANEOUS BOOK 1, PAGES 290 AND 291 OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.

SECTION 3: MAP OF PROPERTY. The property hereby annexed to the City of Daphne, Alabama, is set forth and described in Exhibit "B" and attached hereto a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this Ordinance.

SECTION 4: PUBLICATION. This Ordinance shall be published as required by Section 11-42-21, Code of Alabama, 1975, as amended, and the property described herein shall be annexed to the corporate limits of the City of Daphne, Alabama, upon such publication.

SECTION 5: PROBATE COURT. A description of the property described in this Ordinance shall be filed in the Office of the Judge of Probate of Baldwin County, Alabama, as required by Section 11-42-21, Code of Alabama, 1975, as amended.

ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this _____ day of _____ 2007.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

ORDINANCE NO. 2007 - 09

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

MYRON HENRY MINER, II
(Property located on the corner of 3rd Street and Gabel Street)

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

WHEREAS, the owners of the property described in Section 2 of this Ordinance have signed and filed a written petition with the City Clerk of the City of Daphne, Alabama, requesting that such property be annexed to the corporate limits of the City of Daphne, Alabama; and,

WHEREAS, all of such property is located and contained within an area contiguous to the corporate limits of the City of Daphne, Alabama and does not lie within the corporate limits or police jurisdiction of any other municipality; and,

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

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne on December 28, 2006 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned B-2, General Business District**; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on February 26, 2007 concerning the petition for annexation; and,

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

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

SECTION 1: CONSENT TO ANNEXATION. The City Council of the City of Daphne, Alabama does by this Ordinance assent to the annexation of the property described in Section 2 of this Ordinance to the corporate limits of the City of Daphne, Alabama, and does by the adoption of this Ordinance, extend and rearrange said corporate limits to embrace and include such property.

SECTION 2: THE PROPERTY. That property requested to be annexed into the City of Daphne is described in Exhibit "A", attached hereto and made a part of this Ordinance as if fully set out herein.

SECTION 3: MAP OF PROPERTY. The property hereby annexed to the City of Daphne, Alabama, is set forth and described in Exhibit "B" and attached hereto a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this Ordinance.

SECTION 4: PUBLICATION. This Ordinance shall be published as required by Section 11-42-21, Code of Alabama, 1975, as amended, and the property described herein shall be annexed to the corporate limits of the City of Daphne, Alabama, upon such publication.

SECTION 5: PROBATE COURT. A description of the property described in this Ordinance shall be filed in the Office of the Judge of Probate of Baldwin County, Alabama, as required by Section 11-42-21, Code of Alabama, 1975, as amended.

“Exhibit A”

LEGAL DESCRIPTION:

COMMENCE AT THE SOUTHEAST CORNER OF SQUARE 10 IN THE VILLAGE OF MONTROSE (SAID POINT IS THE NORTHWEST CORNER OF THE INTERSECTION OF THIRD STREET AND GABEL STREET) AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN DEED BOOK “E” AT PAGE 388, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, AND RUN THENCE N-76°00’00”-E, 66 FEET TO AN OLD ½” IRON PIPE MARKER AT THE SOUTHWEST CORNER OF LANDS LOCALLY KNOWN AS SQUARE 27 OF THE VILLAGE OF MONTROSE FOR A POINT OF BEGINNING; THENCE CONTINUE N-76°00’00”-E, 120’ TO A POINT; THENCE RUN N-14°00’04”-W, 208.60 FEET TO A POINT; THENCE RUN S-76°00’00”-W, 120 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF THIRD STREET; THENCE RUN S-14°00’04”-E ALONG SAID RIGHT-OF-WAY LINE OF THIRD STREET; 208.60 FEET TO THE POINT OF BEGINNING.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this _____ day of _____, 2007.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC