

**CITY OF DAPHNE
CITY COUNCIL BUSINESS MEETING AGENDA
1705 MAIN STREET, DAPHNE, AL
MARCH 20, 2006
6:30 P.M.**

1. CALL TO ORDER

**2. ROLL CALL/INVOCATION:
PLEDGE OF ALLEGIANCE:**

3. APPROVE MINUTES: City Council Minutes meeting held March 6, 2006

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE – Scott

Review minutes meeting held March 9th

1.) MOTIONS:

- a.) Authorize Departments to Negotiate:
 - 1.) Inmate/Trustee Food Service
 - 2.) Jail Food

2.) Prepaid Travel / Resolution 2006-26

- a.) Ken Eslava / National Hurricane Conference / April 9-14, 2006 / Orlando, FL / \$210
- b.) Billy Crutchfield / Waste Expo / April 2-8, 2006 / Las Vegas, NV / \$245
- c.) Clement Conaway / Waste Expo / April 2-8, 2006 / Las Vegas, NV / \$245

3.) Appropriations of Funds

\$ 8,340 Police Replacement Vehicle / Ordinance 2006-26

4.) Financial Reports:

- 1.) Treasurers Report / February 28, 2006
- 2.) Sales Tax Collection Graphs / January 31, 2006
- 3.) Lodging Tax Collections / January 31, 2006
- 4.) Ad Valorem Tax Collections / February 28, 2006

B. BUILDINGS & PROPERTY - Lake

Review minutes meeting held March 3rd

- a.) Land exchange which include a 50 ft. swap of land from Mr. Irvine for a 150 sq. ft. tract of land at the waters edge in the Edge Water Subdivision in Bayfront Village. (Map in packet)

C. PUBLIC SAFETY - Burnam

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Landry

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY – Yelding

Review Beautification minutes meeting held March 3rd

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

- A. *Board of Zoning Adjustments – Eady*
- B. *Downtown Redevelopment Authority - Barnette*
 - a. *March 13- Minutes*
- C. *Industrial Development Board – Yelding*
 - a. *IDB Minutes for January 30, 2006*
- D. *Library Board – Lake*
- E. *Planning Commission – Barnette*
- F. *Recreation Board - Burnam*
- G. *Utility Board – Scott*
 - a.) *Sewer Exception / Dr. Ennis*

6. REPORTS OF OFFICERS:

- A. *Mayors Report*
 - a.) *Parade Permit / Animal Rescue Annual 5K & Fun Run / May 13, 2006*
- B. *City Attorney’s Report*
- C. *Department Head Comments*

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) *Acceptance of Streets and Drainage / TimberCreek Village, the Re-subdivision of Lot 1...../Resolution 2006-25*
- b.) *Prepaid Travel / Ken Eslava / Billy Crutchfield / Clement Conaway...../Resolution 2006-26*
- c.) *Authorize City Attorney to Initiate Legal Action to Enjoin Baldwin County Board of Education From Beginning Construction on Proposed Elementary School...../Resolution 2006-27*
- d.) *Authorizing the Filing of a 2006 CDBG Economic Development Application...../Resolution 2006-28*

ORDINANCES:

ORDINANCES 2006-16 – 2006-25 ARE 2ND READS

- a.) *Rezone: Country Club Development,m LLC / Bellaton Subdivision, Phase three / Property located off US Highway 181 / R-3 to R-4...../Ordinance 2006-16*
- b.) *Annexation: Julio Corte / 10 Foot Strip / Along Hwy 181...../Ordinance 2006-18*
- c.) *Annexation: Julio Corte / Oldfield / 11.66 Acres / Along Hwy 181...../Ordinance 2006-19*
- d.) *Annexation: French Settlement / County Hwy 13...../Ordinance 2006-20*

- e.) **Annexation: Julio Corte / Oldfield / 21.27 Acres / Along Hwy 181 /Ordinance 2006-21**
- f.) **Annexation: Julio Corte / Oldfield / 18.91 Acres / Along Hwy 181. /Ordinance 2006-22**
- g.) **Annexation: Julio Corte / Oldfield / 25.14 Acres / Along Hwy 181. /Ordinance 2006-23**
- h.) **Appropriation of Funds: Recreation Part-Time Employees /
Building Inspections Vehicle. /Ordinance 2006-25**
- i.) **Appropriating Funds: Police Vehicle Replacement
1ST READ. /Ordinance 2006-26**
- j.) **6% Lodging Tax Levy Amendment to the Use of
Lodging Tax Proceeds. /Ordinance 2006-13**
- k.) **Create Administrative Technician Position. /Ordinance 2006-27**

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

**MARCH 6, 2006
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

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1. CALL TO ORDER

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

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Councilman John Lake gave the invocation.

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

Also present: Mayor Small; David Cohen, City Clerk; Jay Ross, City Attorney; Bill Eady, Planning Department Director; Ken Eslava, Public Works Director; David McKelroy, Recreation Director; Mund Hanson, Fire Chief; David Carpenter, Police Chief; Sandra Morse, Civic Center Director; Sharon Cureton, Human Resource Director; Richard Merchant, Building Official; Nancy Seale, Library; Kim Briley, Finance Director; Melvin McCarley, Public Works Supervisor; Ray Moore, Hutchinson, Moore & Rauch; Al Guarisco, Village Point; Willie Robison, BZA; Starke Irvine, DRA.

3. APPROVE MINUTES:

MOTION BY Mrs. Barnette to approve the Work Session minutes meeting held February 16, 2006. *Seconded by Mr. Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to approve the Council Meeting minutes meeting held February 20, 2006. *Seconded by Mr. Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

PUBLIC HEARINGS:

a.) Rezone: Country Club Development, LLC / Bellaton Subdivision, Phase Three / Property located off U.S. Highway 181 / From R-3, High Density Single Family Residential to R-4, High Density Single Family Residential

Mr. David Diehl, with Engineering Development Services, gave a presentation.

Council President Burnam opened the Public Hearing at 6:35 p.m.

Council asked questions of Mr. Diehl.

No one spoke.

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Council President Burnam closed the Public Hearing at 6: 38 p.m.

b.) Rezone: Two Step Partners, LLC / Property located on the corner of 2nd Street and Van Buren Street / From R-3, High Density Single Family Residential to B-2, General Business

Mr. Doug Bailey, with Hutchinson, Moore and Rauch, gave a presentation.

Mrs. Barnette stated that the vote was unanimous by the Planning Commission to recommend approval of the rezoning.

Council President Burnam opened the Public Hearing at 6:40 p.m.

Mr. John Hull - an adjacent property owner - spoke in opposition to the rezoning. He stated that he had not been notified of the Planning Commission meeting, when he called the only meeting he was told about was the Council meeting tonight. He said he lives right across the street from the proposed rezoning, and he is concerned that putting an office there would create more traffic than the street was designed to handle. He said that construction trucks would be coming in and out distributing litter, and this would be for a year or more, and he did not want that burden.

Council discussed that the protocol was not followed and should be sent back to the Planning Commission.

Mr. Ross stated that since proper protocol was not followed, he recommends sending it back to the Planning Commission to be re-advertised and start over again, since the gentleman was left off the list.

Council President Burnam closed the Public Hearing at 6:55 p.m.

MOTION BY Mr. Lake to suspend the rules to consider a motion to send Ordinance 2006-17 back to the Planning Commission. *Seconded by Mrs. Barnette.*

ROLL CALL VOTE

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

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to send Ordinance 2006-17 back to the Planning Commission for another Public Hearing. *Seconded by Mr. Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

c.) Annexation: Julio Corte / 10 Foot Strip / R-1, Low Density Single Family Residential

Mr. David Diehl, with Engineering Development Services, gave a presentation.

Mrs. Barnette stated that the vote was unanimous by the Planning Commission to recommend approval of the annexation.

Mr. Ross stated that the Council could combine the annexation Public Hearings for the Julio Corte, Jr. property.

Presentation for the rest of Julio Corte, Jr. Annexations: 11.66 Acres, 21.27 Acres, 18.91 Acres, 25.14 Acres

Mr. Diehl gave a presentation on the rest of the annexation requests for the Julio Corte property, which is contained in Ordinances 2006-18, 2006-19, 2006-21, 2006-22, 2006-23.

Council President Burnam opened the Public Hearing at 7:01 p.m.

No one spoke.

Council President Burnam closed the Public Hearing at 7:05 p.m.

d.) Annexation: French Settlement / 132.02 Acres / R-1, Low Density Single Family Residential / R-2, Medium Density Single Family Residential / R-3, High Density Single Family Residential / R-4, High Density Single Family Residential

Mr. Christopher Baker, with Hutchinson, Moore and Rauch, gave a presentation.

Mrs. Barnette stated that the vote was unanimous by the Planning Commission to recommend the annexation.

Council President Burnam opened the Public Hearing at 7:07 p.m.

No one spoke.

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

e.) Revision of Zoning Map

Mr. Eady asked if he could do his presentation later, because Mr. Cohen could not get the disk with the maps to display. He stated that he had some maps in the Executive Council Chambers.

Council President Burnam said that would be fine.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE – Scott

The next meeting will be Thursday, March 9th at 5:00 p.m.

B. Buildings and Property Committee – Lake

Mr. Lake said that the Committee met last Friday. One item that will be brought up at the work session is the swap of a strip of property down Bayfront Drive for some other property, basically to allow for better ingress and egress towards the north to go behind the existing shopping center. The Committee gave an affirmative recommendation for the swap. It is a swapping 50 feet for 150 feet section down the road, but it will keep the city from having to maintain a longer strip of road. This will help in the development of that area.

C. PUBLIC SAFETY – Burnam

No report.

E. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Landry

There will not be a meeting in March. The next meeting will be April 4th at 5:30 p.m.

F. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY – Yelding

The minutes are in the packet from the February 24th meeting. Mr. Yelding stated that they have established a list for repairing streets, and the Council will be receiving a copy of the list. The next meeting will be March 24th at 8:00 am in the Council Chambers.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Eady

There will not be a meeting in March.

PUBLIC HEARING FOR THE REVISION OF THE ZONING MAP

Mr. Eady gave a presentation showing on a map the places that have been rezoned.

Council President Burnam opened the Public Hearing at 7:13 p.m.

No one spoke.

Council President Burnam closed the Public Hearing at 7:14 p.m.

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Mrs. Barnette stated that the vote was unanimous by the Planning commission to recommend approval of the revisions to the Zoning Map.

B. Downtown Redevelopment Authority – Barnette

The next meeting will be March 7th at 5:30 pm in the Council Chambers.

C. Industrial Development Board – Yelding

No report.

D. Library Board – Lake

The minutes from the meeting held February 13th are in the packet.

E. Planning Commission – Barnette

The Site Review meeting has been changed to Thursday, March 16th at 9:00 a.m., and the Planning Commission meeting will be March 23rd at 6:00 p.m. The minutes for the last meeting will be in the next Council packet.

Mrs. Melinda Immell – Vokert & Associates – reported to the Council regarding the presentation that she made to the Planning Commission regarding the Highway 90/Malbis and Canterbury Subdivision water main improvement and the Dauphine Acres sanitary sewer improvement project. No Council action is needed.

F. Recreation Board - Burnam

Mr. Burnam stated that they are going to try to have an organizational meeting in April. He is waiting on a few more names from several districts. He stated that if anyone cannot come up with a name for their district, there can be two or more from other districts.

G. Utility Board – Scott

The Board met last Wednesday, and the minutes will be in the next Council packet.

6. REPORTS OF THE OFFICERS:

A. *Mayor's Report*

1.) *Changing March 20th meeting date*

Mayor Small stated that the week of March 20th is spring break for school students, and he will be out of town. He didn't know if any of the other Council members were going to be out of town also.

Council did not change meeting date.

2.) *Set Public Hearing: Application for CDBG grant for the Highway 90 sewer project.*

Mrs. Immell stated that after the Public Hearing action by Council is needed.

MOTION BY Mr. Lake to set a Public Hearing for the ADECA grant application for Highway 90 sewer project for March 20, 2006 at 4:00 p.m. *Seconded by Mr. Scott.*

Council discussed changing the time to 5:00 p.m.

Mr. Lake amended the time of the meeting to 5:00 p.m.

Mr. Scott seconded the amendment.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

3.) *High School Exit Exam*

Mayor Small stated that a lot of citizens and businesses donated money to provide snacks for the students taking the exams, so that they will be alert. Daphne High School is on the list of non-conforming schools, and if they don't improve the state will take the school over. The test is given to 11th graders and if they opt to take it in the next year it counts against the school.

4.) *Coffee with the Mayor*

Mayor Small stated that he is starting "Coffee with the Mayor" to give the community a chance to come and bring suggestions or air problems in a informal chat session. Mrs. Briley has researched using city funds to provide refreshments for these meetings, and it is ethical. He asked for a motion approving funds for these meetings.

MOTION BY Mrs. Barnette to suspend the rules to consider a motion approving authorizing funds for the Coffee with the Mayor meetings to provide refreshment for citizens. *Seconded by Mrs. Landry.*

ROLL CALL VOTE

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

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to authorize funds for Coffee with the Mayor to provide refreshments for the citizens. *Seconded by Mrs. Landry.*

Discussion by Council regarding setting an amount of \$250 to be spent for the refreshments.

Mrs. Barnette amended her motion to state that the amount to be funded be \$250

Mrs. Landry seconded the amendment.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

B. City Attorney's Report

Mr. Ross stated that there are several issues to discuss with the Council in Executive Session. One is a personnel matter discussing the good name a character of an employee, and two (2) litigation issues.

Council President Burnam stated that the Council will do this at the end of the meeting.

C. Department Head Comments

No comments.

7. PUBLIC PARTICIPATION

No one spoke.

8. RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

RESOLUTIONS

- a.) **Naming of a Private Road Off of Wilson Avenue /
Kensington Place/Resolution 2006-21**
- b.) **Adopting City Street Map...../Resolution 2006-22**
- c.) **Set Public Hearing: Codification of Ordinances/Resolution 2006-23**
- d.) **Acceptance of Right-of-Way on Scenic Hwy 98 from
Daphne City Limits Southwesterly a distance of 652.00 Feet
to a Point...../Resolution 2006-24**

MOTION BY Mrs. Barnette to waive the reading of Resolution 2006-21. *Seconded by Mr. Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to adopt Resolution 2006-21. *Seconded by Mr. Lake.*

Mrs. Barnette stated that this received a favorable recommendation by the Planning Commission.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to waive the reading to Resolutions 2006-22. *Seconded by Mr. Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to adopt Resolutions 2006-22. *Seconded by Mr. Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to waive the reading of Resolution 2006-23. *Seconded by Mrs. Landry.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to adopt Resolution 2006-23. *Seconded by Mrs. Landry.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to waive the reading of Resolution 2006-24. *Seconded by Mrs. Landry.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to adopt Resolution 2006-24. Seconded by Mrs. Landry.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

ORDINANCES:

- a.) Franchise Agreement: Malbis Properties, LLC/Ordinance 2006-14
- b.) Rezone: Country Club Development,m LLC /
Bellaton Subdivision, Phase three / Property located off
US Highway 181 / R-3 to R-4...../Ordinance 2006-16
- c.) Rezone: Two Step Partners, LLC / Property on the Corner of
2nd Street and Van Buren Street / R-3 to B-2...../Ordinance 2006-17
- d.) Annexation: Julio Corte / 10 Foot Strip / Along Hwy 181/Ordinance 2006-18
- e.) Annexation: Julio Corte / Oldfield / 11.66 Acres /
Along Hwy 181/Ordinance 2006-19
- f.) Annexation: French Settlement / County Hwy 13/Ordinance 2006-20
- g.) Annexation: Julio Corte / Oldfield / 21.27 Acres /
Along Hwy 181/Ordinance 2006-21
- h.) Annexation: Julio Corte / Oldfield / 18.91 Acres /
Along Hwy 181...../Ordinance 2006-22
- i.) Annexation: Julio Corte / Oldfield / 25.14 Acres /
Along Hwy 181...../Ordinance 2006-23
- j.) Revision of Zoning Map/Ordinance 2006-24
- k.) Appropriation of Funds: Recreation Part-Time Employees /
Building Inspections Vehicle/Ordinance 2006-25

MOTION BY Mrs. Barnette to waive the reading of Ordinance 2006-14. Seconded by Mrs. Scott.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to adopt Ordinances 2006-14. *Seconded by Mr. Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Revision of Zoning Map

MOTION BY Mrs. Landry to suspend the rules to consider Ordinance 2006-24. *Seconded by Mr. Yelding.*

ROLL CALL VOTE

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

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Barnette to waive the reading of Ordinance 2006-24. *Seconded by Mrs. Landry.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Landry to adopt Ordinance 2006-24. *Seconded by Mr. Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

ORDINANCES 2006-16, 2006-17, 2006-18, 2006-19, 2006-20, 2006-21, 2006-22, 2006-23 and 2006-25
ARE 1ST READ

8. COUNCIL COMMENTS

Mrs. Barnette thanked all the city workers for their hard work during the Mardi Gras season. She also commended Mrs. Morse, and her staff for their hard work on the balls. She also commended Chief Hanson, and Firefighter Tom, she said that all the kids in Daphne adore him and what a great job he does for fire safety with the young kids, it is a great thing.

Mr. Lake agreed with Mrs. Barnette's comments regarding the Mardi Gras balls at the Civic Center. He was impressed with the way the Civic Center staff handled everything, they did a fantastic job on all the balls. He stated that he had a friend attend the balls with him, and she is a national planner for technology fairs, and had never considered holding a conference in Daphne, but is now considering it because of the way the facility is run. He said that he received a lot of compliments regarding the Civic Center and the staff, saying that it is a world class organization.

Mr. Scott stated that the S.E.E.D.S. Fun Run on Saturday had about 800 participants. He said the Recreation Department did a fabulous job helping, as well as the Police and Public Works. He said that they were extremely pleased with the amount of money that they raised.

Mr. Landry stated that people in her neighborhood had only good things to say about the automated garbage trucks. She also commended Mrs. Morse for her hard work on the Mardi Gras balls, saying she did a great job. She stated that the Police and Fire Departments were there working hard also. Mrs. Landry said that she appreciates all that they did.

Mr. Palumbo mentioned that on the calendar the Library Board meeting is listed as starting at 5:00 p.m., he asked if it had been changed from 4:30. It was established that it was a typo and the meeting is at 4:30 p.m.

Mayor Small mentioned to the Council that he thought after they were sworn in that they were going to change committees, he stated that it would give everyone a better knowledge of what goes on in the other committees. He said this is just a suggestion.

MOTION BY Mr. Palumbo to adjourn.

Mr. Ross stated that an Executive Session needs to be called.

Mr. Palumbo withdrew his motion.

MOTION BY Mrs. Barnette to enter into Executive Session to discuss the general reputation and character of an employee, and litigation. The City Attorney certifies that the Executive Session is warranted for these specific reasons. The session will last about 30 minutes. Seconded by Mr. Lake.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

**MARCH 6, 2006
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Council entered into Executive Session at 7:45 p.m.

Council returned from Executive Session at 8:32 p.m.

Mayor Small asked the Council for a motion to allow the City Attorney to investigate the feasibility of bringing a Stop Work Order Injunction against the Baldwin County System for the building of Daphne South School.

MOTION TO BY Mrs. Barnette to suspend the rules to consider a motion to allow the City Attorney to investigate the feasibility of bringing a Stop Work Order Injunction against the Baldwin County System for the building of Daphne South School. *Seconded by Mrs. Landry.*

ROLL CALL VOTE

Yelding	Aye	Landry	Aye
Barnette	Aye	Palumbo	Nay
Lake	Aye	Burnam	Aye
Scott	Aye		

AYE Yelding, Barnette, Lake, Scott, Landry, Burnam

NAY Palumbo

MOTION FAILED

Council President Burnam stated that this will be on the next agenda.

Mayor Small asked Council for a motion to change the March 20th Council meeting to March 27th.

MOTION BY Mrs. Landry to move the March 20, 2006 Council meeting to March 27, 2006. *Seconded by Mrs. Barnette.*

Council discussed the motion.

Mrs. Landry withdrew her motion.

Mrs. Barnette withdrew her second.

Council continued to discuss the issue of the Stop Work Order Injunction being on the next agenda. Council President Burnam stated that the fact that this happened tonight it will be a part of the minutes, so it is technically on the agenda.

Mr. Scott stated that obviously this is going to become public very quickly, and he ask the Mayor to let the Superintendent know that the Council wants to work with him. He prefers that he hear it from them rather than read it in paper.

**MARCH 6, 2006
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Council President Burnam stated that whenever they go into Executive Session or have debates, that is what it really should be. He does not think they will get anywhere if they start raising their voices, and taking personal shots at individuals. He does not think that is very productive, regardless of whether you are on the receiving end or giving end. He asked that the Council refrain from that type of speech, saying that it could make for a long term in office.

9. ADJOURN

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

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:38 P.M.

Respectfully submitted by,

David L. Cohen, City Clerk, MMC

Certification of Presiding Officer:

Greg Burnam
Date & Time Signed: _____

**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
March 9, 2006
5:00 P.M.**

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:00 pm. Present were Chairman Ron Scott; Councilman Bailey Yelding; Councilwoman Regina Landry; Finance Director Kim Briley; Senior Accountant Suz anne Henson; and Accountant Belinda Job.

Also in attendance were Public Works Director Ken Eslava and Captain Scott Taylor.

II. PUBLIC PARTICIPATION

A. FY2005 Audit Update – Mr. Jeff Allen, Allen & Allen CPA’s

Mr. Allen discussed the field work for the Fiscal 2005 audit is underway and that the ending date for the audit should be around mid May. Mr. Allen noted he should be ready to make an audit presentation to the full Council at that time. Mr. Scott asked how long Mr. Allen has been doing audit work for the City. Mr. Allen noted about 8 or 9 years. Mr. Scott noted he has been told that occasionally the City should change auditors in order to have a fresh look. Mr. Scott also noted he has been informed there is such a thing as Audit the Auditors. Mr. Scott asked Mr. Allen if he knew what something like that might cost. Mr. Allen replied he did not but noted there is a peer review done every 3 years and if you audit a governmental agency, a portion of that work is always examined at that time. Mr. Allen noted he just had a review completed at the end of this past year. Discussion continued when audit proposals are requested, you should always ask for a copy of the peer review from each firm. Mr. Allen also noted this summer is when the City would normally go out for proposals for the next 3-4 year period. Ms. Briley noted it is the Mayor’s responsibility to secure the auditor for the City.

III. ISSUES REQUIRING ACTION BY CITY COUNCIL

A. Prepaid Travel:

1. **Duke Crutchfield, Mechanical Supervisor; Clement Conaway, Solid Waste Supervisor** – Waste Expo – Las Vegas, NV, April 2-8, 2006 - \$245 each
2. **Ken Eslava, Public Works Director** – National Hurricane Conference – Orlando, FL, April 9-14, 2006 - \$210.

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

- ***Duke Crutchfield, Mechanical Supervisor; Clement Conaway, Solid Waste Supervisor in the amount of \$245 each to attend the Waste Expo in Las Vegas, Nevada, April 2-8, 2006.***
- ***Ken Eslava, Public Works Director in the amount of \$210 to attend the National Hurricane Conference in Orlando, Florida, April 9-14, 2006.***

Seconded by Mr. Yelding.

B. Bids

1. 2006-D-Inmate/Trustee Food Service

Ms. Henson discussed no bids were received. Discussion continued when no bids are received, this allows the City to negotiate contracts and that Mr. Eslava has negotiated a contract with Dell's Cafeteria and Catering for a cost of \$5.50 per meal. Mr. Eslava noted he only provides lunch for the inmates picked up from the Loxley Work Release Center.

2. 2006-F-Jail Food

Ms. Henson discussed no bids were received. Ms. Henson noted that no bids were received the last time Jail Food was bid either and the bid was negotiated with local vendors. Discussion continued the jail previously purchased freezers and microwaves for the inmates meals and that the frozen meals they have been purchasing from Winn-Dixie have been cost effective. Mr. Scott asked how many prisoners the jail normally has. Captain Taylor noted around 25-30 on a normal basis. Captain Bishop is recommending continuing to purchase frozen meals from a local vendor. Mr. Scott recommended a motion be presented to Council to authorize departments to purchase meals for the inmates from local vendors.

Motion to authorize Departments to negotiate the purchase of meals for Inmate/Trustee bid (prepared meals) and Jail Food Service bid (frozen meals) from local vendors at a cost to remain within the current budget..

C. Appropriation Requests:

1. Police Replacement Vehicle - \$8,340

Mr. Scott discussed an appropriation request in the amount of \$8,338.25 to replace a damaged 2004 Ford Crown Victoria that was totaled in an accident that occurred on January 31, 2006. Discussion continued the City's Insurance Company has settled the claim for a total of \$12,713.75 and the cost of the new vehicle will be \$21,052.00. Ms. Henson noted the vehicle will be purchased from a vendor on the state bid.

Motion by Ms. Landry to recommend to Council to adopt an ordinance appropriating funds in the amount of \$8,340 for the purchase of a new police vehicle, to replace one that was totaled in an accident. Seconded by Mr. Yelding.

IV. FINANCIAL REPORTS

A. Treasurers Report: February 28, 2006

Mr. Scott discussed the treasurer's report in the amount of \$14,107,820.15. Ms. Briley noted there was an increase of approximately \$273,000 over last month. Mr. Scott noted this is due to being over budget \$100,000 in sales tax and the balance in ad valorem taxes.

Motion by Ms. Yelding to recommend to Council to accept the Treasurer's Report as of February 28, 2006 in the amount of \$14,107,820.15. Seconded by Mr. Yelding.

B. Sales Tax Collection Graphs – January 31, 2006

Mr. Scott discussed total collections for January 2006 were \$887,468.11. Discussion continued collections were \$115,630.28 above collections for January 2005; and \$102,403.51 above budget for the month. Discussion continued collections are 14.98% over the same month last year. Mr. Scott noted YTD collections are \$358,770 (10.16%) over YTD budget as of January 31, 2006.

C. Monthly Lodging Tax Collections – January 31, 2006

Mr. Scott discussed lodging tax collections for January 31, 2006 were \$48,014.80 compared to \$40,334.81 for January 31, 2005; and total collections for FY06 were \$207,227.07 compared to \$175,675.89 for the same time last year. Mr. Scott noted that roughly \$617,000 has been budgeted for FY2006. Mr. Scott noted December 1997 was the last time an increase in lodging tax was adopted; an increase will be discussed in the next Council work session.

D. Ad Valorem, February 28, 2006

Discussion was made that Ad Valorem tax collections as of February 28, 2006 were \$2,770,992 and are currently \$496,008 under budget. Discussion continued the property taxes and auto taxes will continue to come in throughout the year. Ms. Briley noted shared taxes come in August.

E. New Business Licenses

The Business License report for February 2006 was contained in the Finance Packet and showed 22 new businesses opened in the City, 29 new businesses not in the City, 24 contractors, and 18 insurance companies. The report showed zero businesses closed.

F. Bills Paid – February 28, 2006

The bills paid report as of February 28, 2006 was contained in Packet #2.

V. OTHER BUSINESS

1. Grand Opening of New Police Precinct

Ms. Landry inquired on when the grand opening of the New Police Precinct will be held. Captain Taylor noted Chief Carpenter is hoping for next month. Captain Taylor discussed a few things that are not completed such as the lighted sign which is the responsibility of AIG Baker. Discussion continued there are some other minor cosmetic things to be done. Captain Taylor discussed a security issue that currently exists that instead of brick across the front of the building, AIG Baker built the precinct with a store front window across the front. Discussion continued this provides no protection from the potential of a truck or something rolling down from the Home Depot. Captain Taylor noted AIG has verbally agreed to put something in place as a barrier.

2. City Attorney Fees

Mr. Scott noted there is a need to discuss and consider increasing the hourly rate paid to Jay Ross, City Attorney. Discussion continued Mr. Ross is paid less than neighboring municipality attorneys. Discussion continued Mr. Ross has just been named the Attorney for Mobile County and is being paid \$150 per hour. Mr. Scott noted he discussed this with Mr. Ross and that while he does not want \$200 per hour, he would be happy with a rate of \$130-\$140 per hour. Ms. Landry noted the City would probably have to pay a higher rate if the City had to obtain a new attorney. Mr. Scott asked how the City would recommend changing what it pays Mr. Ross. Ms. Briley noted it would be done by motion. Discussion continued the Committee Members would consult with the other Council Members regarding increasing Mr. Ross's fee to at least \$140 per hour. Mr. Yelding discussed having a designated Council Member to make all contact with Mr. Ross rather than having everyone contact him as they felt the need.

3. Bond Issue

Ms. Briley gave an update on the bond issue noting it is underway. Discussion continued the preliminary official statements are done and have been sent to the rating agencies and to the bond insurance. Ms. Briley noted Mr. Pfil Hunt with Gardnyr Michael has recommended that the City make a presentation to the rating agencies which would mean traveling to New York. Discussion continued this would be toward the end of the month. Ms. Briley noted it would be Mayor Small, herself and Council President Greg Burnam along with Mr. Hunt who would make the trip.

VI. ADJOURN

The meeting was adjourned at 5:33 pm.

PREPAID TRAVEL REQUEST FORM	
EMPLOYEE NAME / TITLE	DUKE CRUTCHFIELD ^{MECH} SUPERVISOR
DEPARTMENT	MECHANICAL
DATES OF TRAVEL	APRIL 2-8
SCHOOL/ORGANIZATION	WASTE EXPO
LOCATION FOR TRAINING: CITY / STATE	LAS VEGAS
REGISTRATION FEE	\$ 599 ⁰⁰
LODGING	\$ 688 ³⁴
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS) 7DAYS	\$ 245 ⁰⁰

A complete Expense 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 Billy D. Crutchfield

[Signature] Department Head Approval Vendor # 167000 Dept Org # 52211 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.**

WELCOME

There is something for everyone at WasteExpo, North America's largest tradeshow serving the solid waste and recycling industries. Whether you are from the public sector, a small, medium or large private sector waste management company or a manufacturer or supplier, **at WasteExpo, We're on a Roll and Everyone's a Winner!**

With over **445 exhibitors**, WasteExpo is your chance to see and compare all of the latest equipment and technology the industry has to offer — all under one roof, saving you time and money!

Attend the **conference sessions** presented by private and public sector professionals and gain the knowledge necessary to run your business or department more effectively and efficiently.

Public Sector employees, this year we have designed conference sessions just for you!

Sessions in the **Municipal Track** include:

- **Is Privatizing Right for Your Town?**
- **Bidding on Municipal Contracts**
- **Municipal Contracting Issues**

As a member of the **private sector**, don't miss the Business Operations Sessions.

Some of the sessions in this track include:

- **Putting a Value on Your Business**
- **Increasing Profitability**
- **Welcome to the Waste Industry**

But much of the WasteExpo Conference program deals with issues confronted by all waste management professionals including sessions on safety, technology innovation, management, landfill operations and emergency planning. See the Conference at a Glance for the entire education offering.

Make new business contacts, discuss industry trends, share ideas and problem solve with colleagues at the WasteExpo **networking events**. Join your industry peers at the Welcome Reception, Inspirational Breakfast and the Annual Equipment Auction.

**For the latest show updates and to register online, visit www.wasteexpo.com.
Questions about the event? Call 877-598-2722 or 708-486-0729.**

Take advantage of pre-registration pricing, register by March 3, 2006!

If you register online, be sure to include your customer code printed on the registration form.

We look forward to seeing you in Las Vegas!

WasteExpo Schedule

WasteExpo Exhibit Hall:

Wednesday	April 5	10:00 am – 5:00 pm
Thursday	April 6	10:00 am – 5:00 pm
Friday	April 7	10:00 am – 1:00 pm

WasteExpo Conference Schedule:

Tuesday	April 4	9:00 am – 4:30 pm
Wednesday	April 5	10:15 am – 4:30 pm
Thursday	April 6	9:00 am – 5:00 pm

Medical Waste Conference Schedule:

Thursday	April 6	8:00 am – 6:30 pm
Friday	April 7	8:00 am – 12:15 pm



NEW
EXHIBIT HALL
SCHEDULE

This year's WasteExpo Conference Program covers the latest trends, topics and technologies in the solid waste industry. For complete WasteExpo conference information including session descriptions, speakers and session updates, please visit www.wasteexpo.com in the coming months and watch your mailbox for the WasteExpo Attendee Brochure.

uesday April 4, 2006

Session Time	Business Operations	Technical Information	Workshop
9:00 am - 10:15 am	Dealing with Unions	Complying with Emission Requirements: Alternative Fuels and Retrofitting	Landfill Operations Part I
10:30 am - 11:45 am	I: Putting a Value on Your Business II: 10 Secrets to Increase Your Profitability	Transfer Stations 101	
1:00 pm - 1:30 pm Boxed Lunch Discussions: I Video: Be Safe, be Proud at the Transfer Station II: Automated Collection Services - The Future?			
1:45 pm - 3:00 pm	Half of Farmer: Lonnae Poole, Jr.	I: Recycling Contracts II: Managing Solid Waste Facilities to Control Nuisances	Landfill Operations Part I (Continued)
3:15 pm - 4:30 pm	I: Turning the Tables: When Garbagemen Become Politicians II: Emerging Technologies: Alternatives to Landfills and Incineration	I: Composting II: History of Garbage	

ednesday April 5, 2006

Session Time	Business Operations	Technical Information	Safety	Municipal	Workshop
10:30 am - 11:45 am	Dealing with the Media: How to Avoid Mistakes and Control Your Image	E-Waste: Recycling and Collection	Safety Innovations in Waste Collection	Is Privatizing Right for Your Town?	Landfill Operations Part II
1:00 pm - 1:30 pm Boxed Lunch Discussion: Solid Waste Industry Trends					
1:45 pm - 3:00 pm	I: Flow Control Update II: Welcome to the Waste Industry: Perspectives from Newcomers to the Industry	Single Stream Recycling	Investing in Safety to Save Money	Bidding on Municipal Contracts	Landfill Operations Part II (Continued)
3:15 pm - 4:30 pm	I: Management 101: From the Back of the Truck to the Front Office II: Waste Management Brokers	C & D Processing	Practical Safety Tips for the Waste Industry		

ursday April 6, 2006

Session Time	Business Operations	Technical Information	Municipal	Workshop	Medical Waste Conference*
9:00 am - 10:15 am	How to Hire and Keep Good Employees	I: Roadside Inspections II: Using Route Optimization and GPS Technology	Municipal Contracting Issues	Emergency Planning	8:00 am - 6:30 pm
10:30 am - 11:45 am	How to Discipline and Terminate Employees	Special Delivery: Waste from Space		The Aftermath: Katrina Cleanup Operations	
2:00 pm - 1:30 pm Boxed Lunch Discussion: There's Nothing Like Being a Champion					
1:45 pm - 5:00 pm				I: Pricing Residential Services II: Everything You Wanted to Know about Paper Recycling III: Defensive Driving Techniques	

riday April 7, 2006

Medical Waste Conference*
9:00 am - 12:15 pm

For updates to the conference schedule and session descriptions, please visit www.wasteexpo.com.

*Separate registration is required for the Medical Waste Conference

Show Sponsors:



- Allied Publications:**
 American City & County
 American Liquid Waste Magazine
 American Recycler
 American Trucker
 BioCycle
 C&D Recycler
 Composting News
 Direct
 Environmental Protection
 Information Security and Product Destruction News
 Fleet Owner
 The Hauler Magazine
 Medical Waste Management News
 MLS/Heavy Equipment Catalog
 MLS/Truck & Trailer Catalog
 MSW Management
 Multichannel Merchant
 Paper Stock Report
 Pollution Equipment News
 Recycling International
 Recycling Product News
 Recycling Today
 Resource Recycling
 Solid Waste & Recycling
 Trailer & Body Builder
 Truck Market News
 Waste Age
 Waste Handling Equipment News
 Waste Management World

Supporting Organizations:

- CMRA — Construction Materials Recycling Association
 EREF — Environmental Research and Education Foundation
 Institute for Infrastructure and Environment Development
 Nevada Division of Environmental Protection
 Waste Management Association of Australia

Corporate Sponsors:

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 Autocar Truck
 BOMAG Americas, Inc.
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 Desert Micro
 GORE Cover Systems - North America
 Harris Waste Management Group, Inc.
 Heil Environmental
 Leach Co.
 McNeilus Truck & Manufacturing
 Muncie Power Products, Inc.
 OAKLEAF Waste Management
 PTR Baler & Compactor Co.
 RDK Truck Sales and Service Inc.
 Trucks & Parts
 Veolia Environmental Services

"The breadth of products and services displayed was fantastic. I learned new things in every aisle!"

Rebecca Guay, Solid Waste Manager, City of

Premier Partners:



www.accu-trax.com



www.heil.com



www.ptrco.co



www.bomag.com



www.leachusa.com



www.rdk.com



www.castrolhdi.com



www.mcneiluscompanies.com



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www.cat.com



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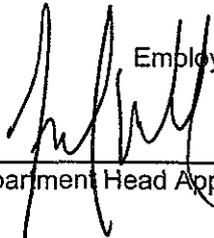
www.veolia.com

Hotel/Travel Info

WasteExpo has negotiated special rates with Las Vegas Hotels. For a list of official hotels and to make your reservations, please visit the travel page of www.wasteexpo.com call 800-727-2467 (non-US attendees call 312-527-7300) or email us at wasteexpo@tte.com. We can assist you with your airline reservations and car rentals too!

PREPAID TRAVEL REQUEST FORM	
EMPLOYEE NAME / TITLE	Ken Eslava, Director
DEPARTMENT	Public Works
DATES OF TRAVEL	April 9 - April 14, 2006
SCHOOL/ORGANIZATION	National Hurricane Conference
LOCATION FOR TRAINING: CITY / STATE	Orlando, FL
REGISTRATION FEE	\$
LODGING	\$
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)	\$ 210

A complete Expense 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 Vendor # 9017 Dept Org # 160200 Object # 52211 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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[EMI Sessions](#)

2006 National Hurricane Conference Schedule At A Glance

Monday- Wednesday

Training Sessions and

Rap Sessions

Wednesday
Opening General Session

Thursday
Workshops

Friday
Closing General Session

Monday, April 10, 2006

7:30 a.m.
Registration

8:30 a.m. to 5:00 p.m.
Concurrent Training Sessions

Wednesday, April 12, 2006

8:30 a.m. to 10:00 a.m.
Concurrent Training Sessions

8:30 a.m. to 10:00 a.m.
Concurrent Rap Sessions

9:30 a.m.
Exhibit Hall Opens

10:30 a.m. to 5:00 p.m.
Opening General Session

Friday, April 14, 2006

8:30 a.m. to 12:00 Noon
Closing General Session

12:00 Noon
Conference Adjourns

Tuesday, April 11, 2006

8:30 a.m. to 5:00 p.m.
Concurrent Training Sessions

Thursday, April 13, 2006

8:30 a.m. to 12:00 Noon
10 Concurrent Workshops

9:30 a.m.
Exhibit Hall Opens

12:00 Noon to 1:30 p.m.
Awards Banquet

1:30 p.m. to 5:00 p.m.
Concurrent Workshops

4:00 p.m.
Exhibit Hall closes

PURPOSE OF THE CONFERENCE

The primary goal of the National Hurricane Conference is to improve hurricane preparedness, response, recovery and mitigation in order to save lives and property in the United States and the tropical islands of the Caribbean and Pacific.

In addition, the conference serves as a national forum for federal, state and local officials to exchange ideas and recommend new policies to improve emergency management.

To accomplish these goals, the annual conference emphasizes:

- Lessons learned from hurricane strikes.
- State of the art programs worthy of emulation.
- New ideas being tested or considered.
- Information about new or ongoing assistance programs.
- The ABC's of hurricane preparedness, response, recovery and mitigation — in recognition of the fact that there is a continual turnover of emergency management leadership and staff.

We Want Your Ideas for SPEAKERS & TOPICS for the 2006 Conference

We invite you to help us "design" the 2006 conference.

Do you have a suggestion on an important topic that should be covered - either in a training session, workshop or a general session presentation?

Is there a specific speaker who could best cover that topic?

Do you want to volunteer to be a speaker?

EMAIL YOUR TOPIC SUGGESTIONS TO: teri@HurricaneMeeting.com

- Indicate what type of presentation (training session, workshop or general session)
- Title of the presentation. Please limit your recommendation to 150 words or less
- Provide complete contact information.

DEADLINE FOR YOUR IDEAS IS MONDAY, OCTOBER 31, 2005.

SPEAKER REGISTRATION FEES

Workshop and training session speakers who also plan to attend the conference are expected to pay the early registration fee of \$500.

SPEAKER EXPENSES

Speakers are responsible for their own travel expenses.

PLANNING COMMITTEE

Chair

John Wilson
Lee County Public Safety, Fort Myers, FL

Vice Chairs

Max Mayfield, National Hurricane Center, Miami, FL and
John Gambel, FEMA, Washington, DC

Executive Director

David L. Taft

Conference Coordinator

Stan Taft

Exhibit & Sponsorship Coordinator

Teri Besse

Dr. Jay Baker, Florida State University, Tallahassee, FL
Bruce Baughman, Alabama Emergency Mgmt. Agency, Clanton, AL
Jack Colby, Texas Dept. of Public Safety, Austin, TX
Guy E. Daines, Pinellas County, FL, retired
John Droneburg, Maryland Emergency Management Agency, Reisterstown, MD
Craig Fugate, Florida Division of Emergency Management, Tallahassee, FL
Frank Kottalk, Florida Division of Emergency Management, Tallahassee, FL
Billy Manning, SBCCI, retired, Hayesville, NC
Joe Myers, Disasters, Strategies & Ideas Group, LLC, Tallahassee, FL
Gregg O'Byon, American Red Cross, Washington, DC
Ronald Osborne, South Carolina Emergency Management Department,
West Columbia, SC
Col. Jeff Smith, Acting Deputy Director/LA Emergency Preparedness,
Baton Rouge, LA
T. Eric Stafford, FLASH, Birmingham, AL
William Wagner, Monroe County Emergency Management, Marathon, FL

WHO SHOULD ATTEND ?

Agricultural Interests
Amateur Radio
Armed Forces
Disaster Preparedness Officials
Building & Zoning Officials
City & County Commissioners
City & County Managers
Emergency Management Officials
Engineers
Environmental Officials
Fire/Emergency Medical
Geographers
Hospital/Health Care Officials
Insurance Company Officials
Law Enforcement
Meteorologists
News Media
Nursing Home Officials
Planners
Port Authority Officials
Public Information Officers
Public & Private Utility Officials
Public Works Officials
Transportation Departments (state & local)
Volunteer Agency Representatives

CONFERENCE SPONSORS

American Association for
Wind Engineering
Amateur Radio Relay League, Inc.
American Coastal Coalition
American Meteorological Society
American Public Works Association
American Red Cross
Caribbean Disaster Emergency
Response Agency
Coastal States Organization
Federal Coordinator for Meteorological
Services
Federal Emergency Management Agency
Florida Division of Emergency
Management
Florida Shore & Beach Preservation
Association
Insurance Information Institute
Institute for Business and Home Safety
International Code Council
International Association of Emergency
Managers
Louisiana State University Hurricane
Center
National Emergency Management
Association
National Hurricane Center
National Oceanic and Atmospheric
Administration
National Weather Service
U.S. Army Corps of Engineers
USAID/OFDA, U.S. State Department
U.S. Geological Survey/Coastal and
Marine Geology Program

PROFESSIONAL TRAINING

For Professional Training in Hurricane Preparedness, the conference offers a "crash course" in hurricane preparedness for public officials and private industry. America's leading experts will update your skills and offer practical ways to upgrade your hurricane planning.

PROFESSIONAL DEVELOPMENT HOURS

The Hurricane Conference awards Professional Development Hours to Conference attendees.

The Conference maintains a permanent record of each participant's hours.

EXHIBIT INFORMATION

The National Hurricane Conference provides an excellent opportunity for vendors to display their products to interested decision-makers.

For detailed information on exhibit space, advertising or sponsorships, contact:

Teri Besse at (850) 906-9224 or via email: teri@hurricanemeeting.com

Special Training Sessions

—By Reservation Only—See Registration Form Below

8:30 a.m. to noon—1:30 p.m. to 5:00 p.m. 8:30 a.m. to noon—1:30 p.m. to 5:00 p.m. 8:30 a.m. to noon

- 1
- 2
- 3
- 4
- 5
- 6
- 7

Debris Management Course

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

Recovery From Disaster: The Local Government Role

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

Emergency Planning and Special Needs Populations

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

Mitigation Planning Workshop for Local Government

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

Hurricane Planning Course

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

Community Mass Care Management

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

HURREVAC Training/SLOSH DISPLAY

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

NOTE:

These training sessions have a limited enrollment. Slots for these courses will be allocated to paid registrants of the National Hurricane Conference on a first-come, first-served basis. Please note that these sessions range from 1 and 1/2 to 2 and 1/2 days in length. You must attend the entire session to receive a certificate.

HOW TO REGISTER: Register directly when you register for the conference using the Registration Form below; or register online at www.hurricane-meeting.com

CONFERENCE & WORKSHOP REGISTRATION

Conference Registration
No registrations accepted without payment. No purchase orders accepted. Pre-registration is encouraged. We accept these credit cards



Early Registration \$300 (through February 10, 2006)
Registration \$350 (after February 10, 2006)
Cancellations will be accepted through April 3, 2006. A \$50 processing fee will apply.

For more information:
Phone: 850-906-9224
Fax: 850-906-9228
mail@hurricanemeeting.com

Please make checks payable to NHC
2952 Wellington Circle
Tallahassee, FL 32309
FCID #20-2105615

2006 NATIONAL HURRICANE CONFERENCE
April 10-14 • The Rosen Centre, Orlando, Florida

(Please print name as you would like it to appear on your name tag)

Name _____
Title _____
Company or Agency _____
Address _____
City _____ State _____ Zip _____
Phone _____ Fax _____
E-mail _____

Enclosed is a check for \$
THREE Ways to Register:
Credit Card by Fax: 850-906-9228
Credit Card On-Line: www.hurricanemeeting.com
or Mail: NHC, 2952 Wellington Circle, Tallahassee, FL 32309

Credit Card Number _____
Print Name of Card Holder _____
Signature: _____ Card Expires _____

Training Session Choice

Check which course you want to attend.

01
 02
 03
 04
 05
 06
 07

No phone registrations will be accepted. You will receive confirmation of acceptance by mail.

CITY OF DAPHNE

**BID OPENING MINUTES
BID DOCUMENT NO: 2006-D-INMATE/TRUSTEE FOOD SERVICE
NOVEMBER 30, 2005
11:30 A.M.
CITY HALL**

Those present were as follows:

Ms. Suzanne Henson Sr. Accountant
*Advised Captain Randy Bishop by phone that no bids were received

5 bid invitations were mailed/picked up , 0 sealed bids were received.

VENDOR

EXTENDED COST

NO BIDDERS

*Bid to be negotiated



Suzanne Henson, Sr. Accountant

MEMORANDUM

CITY of DAPHNE...DIVISION of PUBLIC WORKS

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

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



Date: March 7, 2006

Re: Inmate / Trustee Food Services

In November of last year, we issued a request for quotation to five(5) bidders, via BID DOCUMENT #2006-d-INMATE/TRUSTEE FOOD SERVICES, and received no bids at all.

The former contract, which stood at \$3.50/meal, expired on December 31, 2005 with Dell's Cafeteria and Catering. Prior to contract expiration, she advised us that she would no longer serving meals due to low profit margins, and the cost of fuel for food delivery. Until recently, we have been operating out of contract with Pauls Restaurant and paying \$7.50 per meal.

I recently contacted Dells catering and was successful at negotiating a new contract. Attached is a new signed one year bid quotation, with a price of \$5.50 / per meal(lunch is all we use). This is a \$2.50 savings over our current supplier.

I am formally recommending that the City of Daphne enter into a one year contract for Inmate / Trustee Food Services with Dell's Cafeteria and Catering, for a price of \$5.50 per meal.

cc: Mayor Fred Small

109

Attn: Aileen

By: John Payne

Company: Dell's Cafeteria & Catering

Address: P.O. BOX 204 Daphne, Ala.

cell-209-2031

Telephone: 621-5196 433-9955

Fax: _____

Federal Identification Number: 420-64-0022

QUOTATION

BREAKFAST	<u>\$ 5.00</u>	<u>Each</u>
LUNCH	<u>\$ 5.50</u>	<u>Each</u>
DINNER	<u>\$ 5.50</u>	<u>Each</u>

The bid is for twelve months. The City reserves the option to renew the contract for a second year if the vendor and the City of Daphne mutually agree in writing prior to the expiration of this contract. The City also reserves the right to extend for a third year under the same conditions as stated above.

CITY OF DAPHNE

**BID OPENING MINUTES
BID DOCUMENT NO: 2006-F-JAIL FOOD
DECEMBER 2, 2005
11:30 A.M.
CITY HALL**

Those present were as follows:

Ms. Suzanne Henson Sr. Accountant
*Advised Captain Randy Bishop by phone that no bids were received

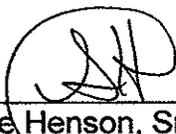
6 bid invitations were mailed/picked up , 0 sealed bids were received.

VENDOR

EXTENDED COST

NO BIDDERS

*Bid to be negotiated



Suzanne Henson, Sr. Accountant

Suzanne

From: rhb326@aol.com
Sent: Wednesday, January 18, 2006 1:04 PM
To: hensonsm@bellsouth.net
Cc: davidwilson302@hotmail.com; dcarpenter305@hotmail.com; tracy@aol.com
Subject: Food Bid

Dear Suzanne,

As per your request I am recommending we continue to purchase our food supplies for the inmates at our local Winn Dixie. They will not agree on any type price cap, quote, or anything along these lines.

Since using them the past few years we have had good success with them and they are quick to solve any problems that develop. They also deliver to our back door which is very convenient.

Should you have any questions please give me a call.

Captain Randy Bishop
Support Services
Daphne Police Department

TO: FINANCE COMMITTEE
FROM: CAPTAIN TAYLOR *SKT*
RE: REPLACE DAMAGED PATROL CAR
DATE: 02-20-2006

I am requesting \$8,338.25 to replace damaged patrol car #404 (2004 Ford Crown Victoria, VIN: 2FAFP71W54X137885)

On 01-31-06, Cpl Ron Gibney was on-duty driving patrol car #404, assisting with a funeral escort when a vehicle pulled out in front of him causing him to collide with the rear driver's side quarter panel of the other vehicle. The collision caused severe front end damage to patrol car #404. This accident was investigated by an Alabama State Trooper. The trooper determined that Cpl Ron Gibney did not contribute to this accident. The city's insurance company wants car #404 totaled out. The insurance company will pay \$12,713.75. The cost to purchase a new patrol car on the Alabama State Bid is \$21,052.00.

TREASURER'S REPORT

As of February 2006

TO: FINANCE COMMITTEE

FROM: KIMBERLY BRILEY, FINANCE DIRECTOR/TREASURER

ACCT TITLE	BANK	BALANCE
GENERAL FUND & ENTERPRISE FUNDS		
MMA ACCT	COMPASS	\$8,335,633.48
OPERATING ACCT	COMPASS	(\$96,853.35)
PAYROLL ACCT	COMPASS	(\$2,606.71)
MUNICIPAL COURT	COMPASS	\$267,478.40
		<u>\$8,503,651.82</u>
SPECIAL REVENUES FUND		
SAIL SITE	FIRST GULF	\$2,564.35
4 CENT GAS TAX	FIRST GULF	\$148,498.19
7 CENT GAS TAX	FIRST GULF	\$148,141.94
		<u>\$299,204.48</u>
CAPITAL PROJECTS FUND		
CDBG LOAN REPAY	COMPASS	\$532.35
CAPITAL GROWTH	SOUTHTRUST	\$3,427,079.03
97 WARRANT CONS	SOUTHTRUST	\$4,970.21
99 WARRANT CONS	REGIONS	\$537,593.32
2000 CONSTRUCTION	REGIONS	\$90,325.41
		<u>\$4,060,500.32</u>
DEBT SERVICE FUND		
DEBT SERVICE	SOUTHTRUST	\$1,244,463.53
		<u>\$14,107,820.15</u>

SALES & USE TAXES

ACTUAL COLLECTIONS

	1999	2000	2001	2002	2003	2004	2005	2006
October	505,823.52	523,515.85	565,075.77	671,699.04	636,482.64	697,830.58	833,700.71	932,634.66
November	477,755.53	535,573.14	591,377.80	650,308.98	646,534.10	710,788.74	814,666.03	901,512.38
December	677,887.14	730,634.15	803,488.81	858,086.86	892,208.68	941,151.87	1,091,073.78	1,168,443.68
January	486,672.84	504,442.67	557,344.42	639,638.85	590,727.65	697,083.68	771,837.83	887,468.11
February	493,808.01	540,963.07	587,990.90	602,215.06	632,654.31	688,421.54	788,825.08	
March	604,374.14	595,340.89	682,504.29	710,960.77	705,390.20	848,156.86	917,832.17	
April	546,895.63	535,336.42	649,639.77	629,853.17	692,148.44	752,039.55	863,144.81	
May	552,248.34	618,037.66	684,188.67	668,867.28	702,692.15	757,610.49	867,446.44	
June	592,710.00	657,414.17	693,747.71	731,684.73	752,668.04	818,209.20	982,863.46	
July	556,101.54	627,156.12	622,924.98	679,602.58	721,790.90	803,051.14	908,576.13	
August	572,426.86	618,088.96	652,404.99	657,027.91	739,993.63	745,320.33	869,818.11	
September	567,326.23	623,657.72	660,492.09	644,827.41	715,641.36	830,260.80	998,476.08	
Totals	6,634,029.78	7,110,160.82	7,751,180.20	8,144,772.44	8,428,932.10	9,289,924.78	10,708,260.63	3,890,058.83

FY 2006 BUDGET/ACTUAL COMPARISONS

	Actual-2006	Budget	Monthly Variance	YTD Variance	% of Budget
October	932,634.66	825,474	107,160.68	107,160.68	12.98%
November	901,512.38	820,652	80,860.42	188,021.10	9.85%
December	1,168,443.68	1,100,098	68,345.56	256,366.66	6.21%
January	887,468.11	785,065	102,403.51	358,770.17	13.04%
February		787,808			0.00%
March		923,786			0.00%
April		852,157			0.00%
May		870,852			0.00%
June		952,994			0.00%
July		903,547			0.00%
August		875,817			0.00%
September		920,338			0.00%
Totals	3,890,058.83	10,618,586	358,770.17		

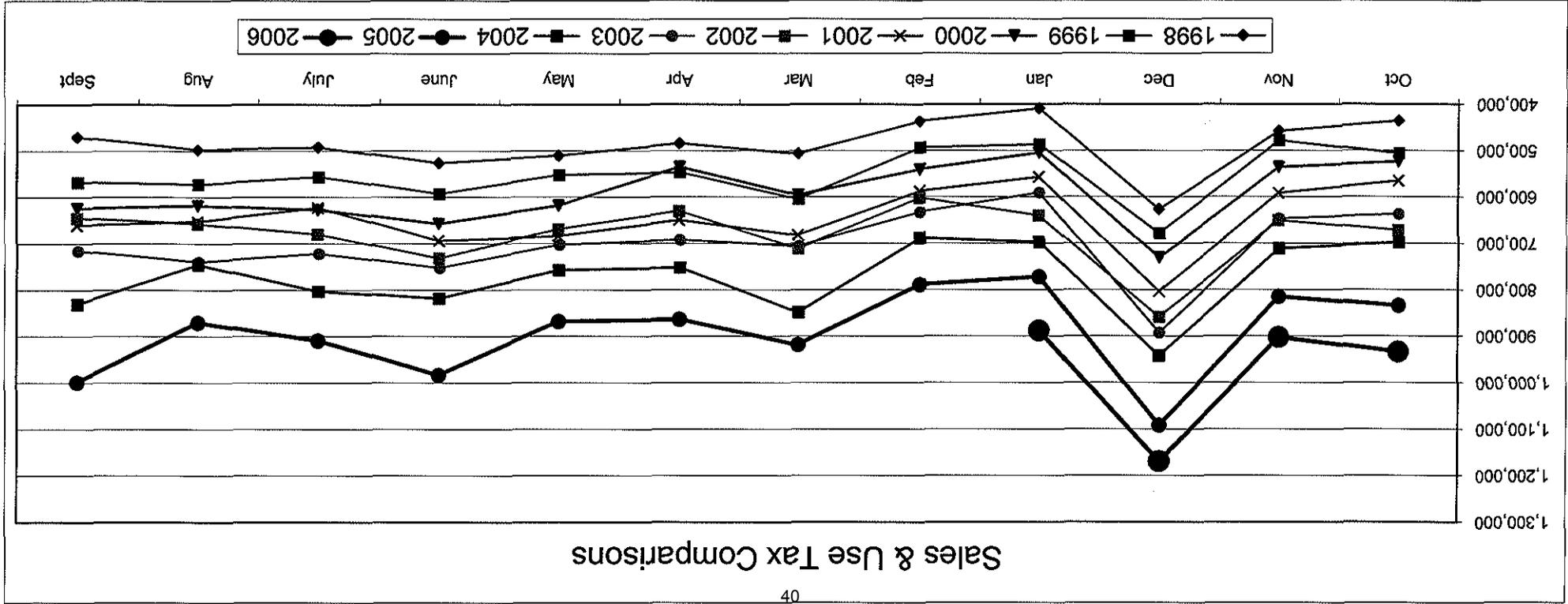
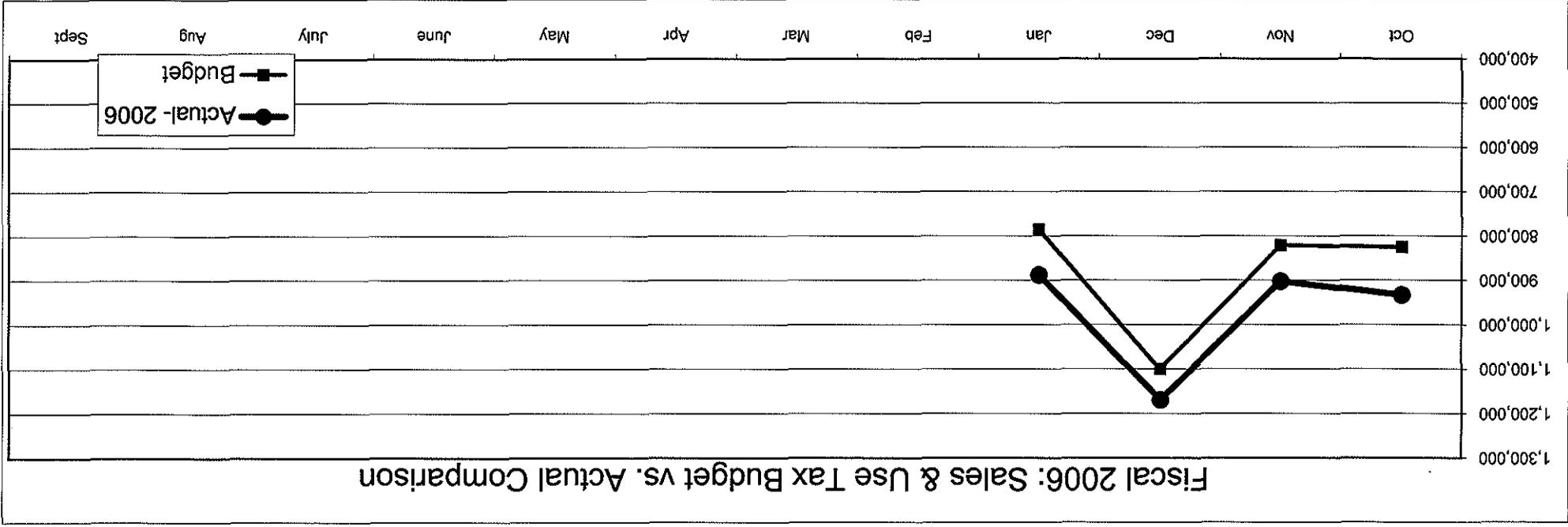
FISCAL YEAR COMPARISONS

	<u>\$ Change</u>						
	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006
October	17,692.33	41,559.92	106,623.27	(35,216.40)	61,347.94	135,870.13	98,933.95
November	57,817.61	55,804.66	58,931.18	(3,774.88)	64,254.64	103,877.29	86,846.35
December	52,747.01	72,854.66	54,597.85	34,122.02	48,943.19	149,921.91	77,369.90
January	17,769.83	52,901.75	82,294.43	(48,911.20)	106,356.03	74,754.15	115,630.28
February	47,155.06	47,027.83	14,224.16	30,439.25	55,767.23	100,403.54	
March	(9,033.25)	87,163.40	28,456.48	(5,570.57)	142,766.66	69,675.31	
April	(11,559.21)	114,303.35	(19,786.60)	62,295.27	59,891.11	111,105.26	
May	65,789.32	66,151.01	(15,321.39)	33,824.87	54,918.34	109,835.95	
June	64,704.17	36,333.54	37,937.02	20,983.31	65,541.16	164,654.26	
July	71,054.58	(4,231.14)	56,677.60	42,188.32	81,260.24	105,524.99	
August	45,662.10	34,316.03	4,622.92	82,965.72	5,326.70	124,497.78	
September	56,331.49	36,834.37	(15,664.68)	70,813.95	114,619.44	168,215.28	
Annual \$ Change	476,131.04	641,019.38	393,592.24	284,159.66	860,992.68	1,418,335.85	

	<u>Percent Change</u>						
	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006
October	3.50%	7.94%	18.87%	-5.24%	9.64%	19.47%	11.87%
November	12.10%	10.42%	9.97%	-0.58%	9.94%	14.61%	10.66%
December	7.78%	9.97%	6.80%	3.98%	5.49%	15.93%	7.09%
January	3.65%	10.49%	14.77%	-7.65%	18.00%	10.72%	14.98%
February	9.55%	8.69%	2.42%	5.05%	8.81%	14.58%	
March	-1.49%	14.64%	4.17%	-0.78%	20.24%	8.21%	
April	-2.11%	21.35%	-3.05%	9.89%	8.65%	14.77%	
May	11.91%	10.70%	-2.24%	5.06%	7.82%	14.50%	
June	10.92%	5.53%	5.47%	2.87%	8.71%	20.12%	
July	12.78%	-0.67%	9.10%	6.21%	11.26%	13.14%	
August	7.98%	5.55%	0.71%	12.63%	0.72%	16.70%	
September	9.93%	5.91%	-2.37%	10.98%	16.02%	20.26%	
Annual % Change	7.18%	9.02%	5.08%	3.49%	10.21%	15.27%	

TOTAL collections: FY 05	10,708,261
TOTAL est. bdgt coll: FY 06	10,618,586
Budgeted Dollar Variance 05/06	(89,675)
Budgeted Percent Variance 05/06	-0.84%

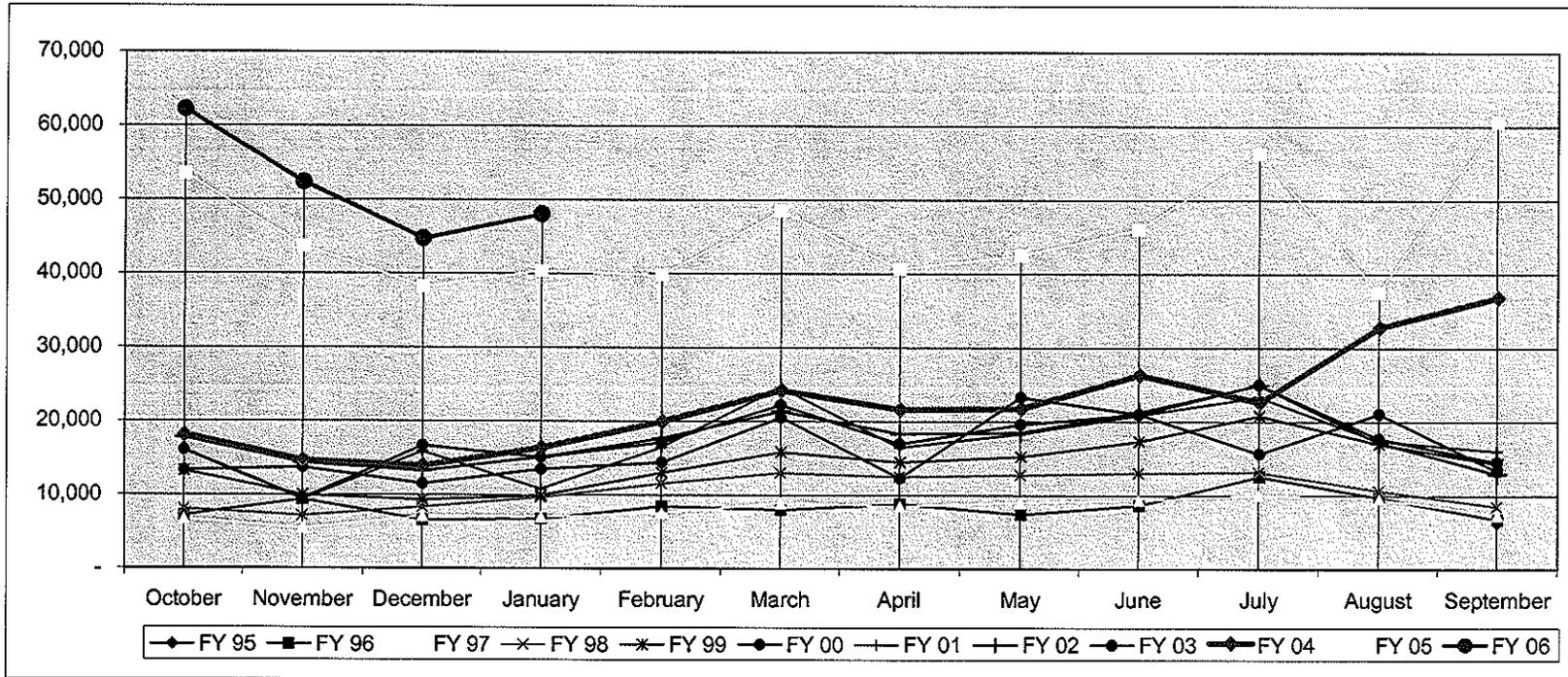
TOTAL collections: 1-31-06	3,890,059
Budgeted:10-1-05 to 1-31-06	3,531,289
Actual Coll(<)Budget, 1-31-06	358,770
% Over/(Under) Budget, 1-31-06	10.16%



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>
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
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
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
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	
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	
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	
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	
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	
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	
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	
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>	
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	207,227.07

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



FY 2006 Budget
617,000
% Budget Collected,
<u>1/31/2005</u>
34%

Ad Valorem Taxes

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006*</u>	<u>2006- Budget</u>	<u>2006: Budget/ Actual Variance</u>
Property Taxes	1,996,746	2,130,635	2,254,739	2,508,168	2,552,513	2,629,759	2,886,000	(256,241)
Shares Taxes	29,688	29,881	30,090	30,316	30,543	-	31,000	(31,000)
Auto Taxes	<u>369,493</u>	<u>385,623</u>	<u>384,801</u>	<u>396,865</u>	<u>432,838</u>	<u>141,234</u>	<u>350,000</u>	<u>(208,766)</u>
	2,395,927	2,546,138	2,669,631	2,935,349	3,015,895	2,770,992	3,267,000	(496,008)

* As of 2-28-2006

NEW BUSINESSES FOR FEBRUARY 2006

BRICK & MORTAR BUSINESSES - CITY LIMITS

GROUNDSAW ENTERPRISES LLC	1
EASTERN SHORE PROSTHODODNTICS LLC	1
BAY VISTA APARTMENTS	1
ECOSOLUTIONS LLC	1
IBC INTERNATIONAL BUSINESS CONSULTING	1
SWISHER HYGIENE	1
AAA CASH	1
TRUCK ZONE LLC	1
INTEGRATED HEALTHCARE SOLUTIONS	1
CITY BLENDS SBB LLC	1
ANDERSON, DEBORAH A	1
AIRA LOREN GRAPHIC ARTS	1
HENRY SCHEIN INC	1
TZ HOME INVENTORY	1
KEYSTONE RECOVERY LLC	1
J MATTHEW FOLMER, ATTORNEY AT LAW	1
ISLAND TIME BEDS	1
CENTER FOR FAMILY HEALTH & WELLNESS, T	1
BELLA PLACE	1
IMC DIAGNOSTIC MEDICAL	1
CUSTOM HOMES BY J&P FAULKINGHAM CORP	1
GULF SOUTH ENTERPRISES	1
TOTAL NEW BUSINESSES - CITY LIMITS	22

OUT OF CITY

STANDARD ELECTRIC SUPPLY CO INC	1
METROCALL INC	1
ARONOV REALTY MANAGEMENT INC	1
LAKELAND BANK	1
COLUMBIA ENGINEERING	1
CHRISTIAN TESTING LABORATORIES INC	1
CONSOLIDATED CONTAINER CO	1
WATER WORKS	1
RITE HITE	1
JOSEPH T RYERSON & SONS INC	1
COLDWELL BANKER JME REALTY	1
BROOKSTONE STORES INC	1
HEAVENS BEST	1
VINYL WORLD USA INC	1
COMFORT SOLUTIONS HEATING & COOLING II	1
GENLYTE THOMAS GROUP LLC	1
SIZEWISE RENTALS LLC	1
SFNTC/RSM LLC	1
OMNITRITION INTERNATIONAL INC	1
CABLES TO GO	1
PHILIPS MEDICAL SYSTEMS NA	1
IMPROVED CONSTRUCTION METHODS INC	1
INTEGRATED MERCHANDISING SYSTEMS LLC	1
MATTRESS DEPOT INC	1
CENTURY CONCEPTS INC	1
ARCHWAY MARKETING SERVICES	1
T-MOBILE SOUTH LLC	1
ASI COMPUTER SYSTEMS INC	1
BEACH BAY WEDDINGS & EVENTS LLC	1
TOTAL NEW BUSINESSES - NOT IN CITY	29

CONTRACTORS

CREATIVE DESIGN MASONRY LLC	1
BLOUNT CAMPBELL CONSTRUCTION INC	1
QUALITY LANDSCAPING SOLUTIONS LLC	1
AVAILABLE HEATING & AIR INC	1
GARZA'S BUILDING SALES	1
J K NELSON CONSTRUCTION LLC	1
MCINNIS LLC	1
AUTUMN ELECTRIC SERVICES INC	1
BARAC CONSTRUCTION	1
A+1 REMODELING & REPAIR	1
PERALTA FLOORING	1
TEMPLE ELECTRIC CO INC	1
A-1 HURRICANE FENCE INDUSTRIES	1
RJS SEAMLESS GUTTERS	1
URSINY ELECTRIC	1
LENAIRE CONSTRUCTION	1
ARNETTS GRADING & LANDSCAPING	1
JOHN A BYRD	1
TYSON STEEL BUILDING PRODUCTS INC	1
MCMULLAN HOMES LLC	1
LYKINS, MICHEAL D	1
SOUTHERN LANDWORKS LLC	1
DANT CLAYTON CORPORATION	1
MESQUITE CONSTRUCTION CORP	1
TOTAL NEW CONTRACTORS	24

INSURANCE COMPANIES

GLOBE LIFE & ACCIDENT INSURANCE CO	1
PACIFIC SPECIALTY INSURANCE CO	1
FEDERAL HOME LIFE INSURANCE CO	1
GENWORTH RESIDENTIAL MORTG INS COF	1
HUMANADENTAL INSURANCE CO	1
ATLANTA SPECIALTY INSURANCE CO	1
WINDSOR INSURANCE COMPANY	1
INFINITY INSURANCE COMPANY	1
INFINITY SELECT INSURANCE COMPANY	1
COMMONWEALTH INS CO OF AMERICA	1
HERITAGE CASUALTY INC	1
CONTINENTAL WESTERN INSURANCE CO	1
AXIS REINSURANCE CO	1
OMNI INSURANCE COMPANY	1
OMNI INDEMNITY COMPANY	1
MEDAMERICA INSURANCE CO	1
JOHN HANCOCK LIFE INSURANCE CO	1
JEWELERS MUTUAL INSURANCE CO	1
TOTAL INSURANCE COMPANIES	18

TOTAL NEW BUSINESSES OCTOBER 2005	93
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TOTAL BUSINESSES CLOSED - CITY LIMITS

TOTAL DAPHNE BUSINESSES CLOSED	0
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Buildings and Property Committee Meeting

Friday, March 3, 2006

9:00 a.m.

City of Daphne

Council Chambers

Committee

Councilman John Lake, Chairman

Mayor Fred Small

Councilman August A. Palumbo

Sandra Morse, Director Daphne Civic Center

Ken Eslava, Public Works, Director

Richard Merchant, Buildings Inspector

Ragan

Ashley, Erosion Inspector

Absent: Ken Eslava

Minutes

Bayfront Park Land Swap

City of Daphne/ Mr. Stark Irvine

The meeting opened with a presentation by Mr. Stark Irvine concerning Bayfront Park Drive Property. Mr. Irvine stated that he has been working with the City of Daphne and Daphne Utilities on drainage and utilities issues that would have an effect on property that he is developing. Mr. Irvine stated that Hutchinson, Moore & Rauch, LLC has redesigned the street and upgrades on the utilities and there has been discussion about Police Department, Fire Department, and traffic concerns. This new design will improve traffic and provide the city with space for an amphitheater.

Mr. Irvine requested that the Committee consider recommending to the Council an exchange of land. The land exchange will give Mr. Irvine 50 feet of unusable land for a retention pond and provide the city with a 150 sq. ft tract of land that would provide better way for the public to access under used park land.

Motion by Councilman Palumbo to make recommendation to the Council the proposed land exchange which includes a 50 ft. swap of land from Mr. Irvine for a 150 sq. ft. tract of land at the waters edge in the Edge Water Subdivision in Bayfront Village. **Seconded** by Mayor Small. **Motion Approved.** (see attached description)

Mr. Irvine stated that his company, Daphne Utilities, and the City of Daphne will enter into an agreement with reference to utilities.

Marina

Next, Mr. Phillip H. Spear discussed the possibility of the City of Daphne building a marina. Mr. Spear stated that a marina is part of the existing Comprehensive Plan for the City of Daphne. Mr. Spear stated that the marina should include a yacht club along with a building for yacht club members, a pool and that these facilities could possibly pay for themselves with dues and rental fees. Mr. Spear stated that the marina could

be used for excursions and a gathering place for community boaters, swimmers, and serve as an asset for the community.

The Committee discussed possible locations for a marina. The Lake Forest marina was discussed and Mr. Spear stated that it was not a good location for a marina as it sits out in the bay. Mr. Spear presented information indicating that there is a possibility that the Corp of Engineers has a program that could pay for part of the project.

Motion by Councilman Palumbo to have the City Clerk investigate the Boating Infrastructure Grant Program through the Corp of Engineers and the Alabama Coastal Non-Point Pollution Control Program through the Alabama Department of Conservation and Natural Resources, State Lands Divisions and report back to the Buildings and Property Committee his findings at the next monthly meeting in April.

Seconded by Mayor Small. **Motion Approved.** (See attached)

Councilman Palumbo stated that there would probably be several agencies that would have to grant approval for a marina. Mayor Small stated that a committee should be formed to research many of the discussed items and come up with a plan that can be presented to the Committee. The Committee requested that Mr. Spear and Mr. Irvine, and someone from the Village Pointe Committee research these matters.

Building Inspection Report

Mr. Richard Merchant, Building Inspector presented monthly building reports. (See attached). Mr. Merchant discussed the possibility of new building codes and requested guidance as to the proper committee to send the changes to. Mayor Small stated that he would work with Mr. Merchant on those issues. Mr. Merchant also informed the Committee of requests to change building codes that would require additional fees and the addition of requiring a structural engineer for new construction.

Councilman Palumbo discussed the addition of new volleyball courts in the City of Daphne as well as possible locations.

The meeting ended at 10:25

Hank Burch, Alabama Dept. of Conservation and Natural Resources state lands divisions. Fairhope office.
251-929-0900

OWNER	ADDRESS	SUBDIVISION	PERMIT#	DATE CLOSED
MIKE HOLLIS	29369 OAKSTONE DR. E.	OAKSTONE	04-01209	2/1/06
JUDY BRYANT	29929 ST. HELEN ST.	HISTORIC MALBIS	05-00774	2/3/06
BARBARA LITTLE	29957 ST. HELEN ST.	HISTORIC MALBIS	05-00773	2/3/06
JOYCE GAUTIER	30194 LOBLOLLY CIR.	TIMBERCREEK	05-01123	2/7/06
JONATHAN PORTO	9441 ASPEN CIR.	TIMBERCREEK	05-00236	2/7/06
FLORA CHAMBERLIN	8357 ROCKING HORSE LANE	STRATFORD GLEN	05-00876	2/8/06
ERNIE & SHARON COLLINS	27800 OAKACHOY LOOP	SEHOY	05-1215	2/13/06
ART LAMI HOMES	210 MAPLEWOOD CIR.	LAKE FOREST	05-1394	2/15/06
WAL-GREENS	30957 MILL LANE	TIMBERREEK VILLAGE	05-01131	2/16/06
DEAN & HOLLY KIM SUNSERI	30571 PINE CT.	TIMBERCREEK	05-00587	2/17/06
JENNIFER MILLER	216 MONTCLAIR LOOP	LAKE FOREST	05-00874	2/17/06
KURT BOZENHARDT	29928 ST. SIMON ST.	HISTORIC MALBIS	05-00724	2/21/06
TOM DEAN	30191 GREEN CT.	TIMBERCREEK	05-00395	2/21/06
TWO-FIFTY AUTOMOTIVE	4007 U.S. HWY 98		05-1185	2/21/06
DR. BOUNDARANT	27587 U.S. HWY 98		05-00288	2/21/06
MICHAEL HARRIS	8421 PREAKNESS CT.	STRATFORD GLEN	05-00875	2/22/06
COASTAL CARPENTRY	29525 ST. JOHN ST.	HISTORIC MALBIS	05-1166	2/22/06
ADAMS HOMES	8020 DEERWOOD DR.	DEERWOOD SQUARE	05-00999	2/22/06
EDDIE & SUSAN WILSON	30323 MIDDLECREEK CIR.	TIMBERCREEK	05-00136	2/24/06
DOTTIE YATES	8365 ROCKING HORSE CIR.	STRATFORD GLEN	05-00877	2/24/06
LEE & KAREN RICHARDS	8098 BROOKSIDE LANE	BROOKSIDE	05-00891	2/24/06
LIPSCOMB HOMES	8246 PECAN CT.	PECAN TRACE	05-00699	2/24/06
BENJAMIN CHARLES	8036 DEERWOOD DR.	DEERWOOD SQUARE	05-00893	2/24/06
WILLIAM & LINDA TUCKER	102 BUCU CIR.	LAKE FOREST	05-00267	2/27/06

PLANNING/ZONING/BUILDING DEVELOPMENT OUTLINE FOR FEBRUARY 2006

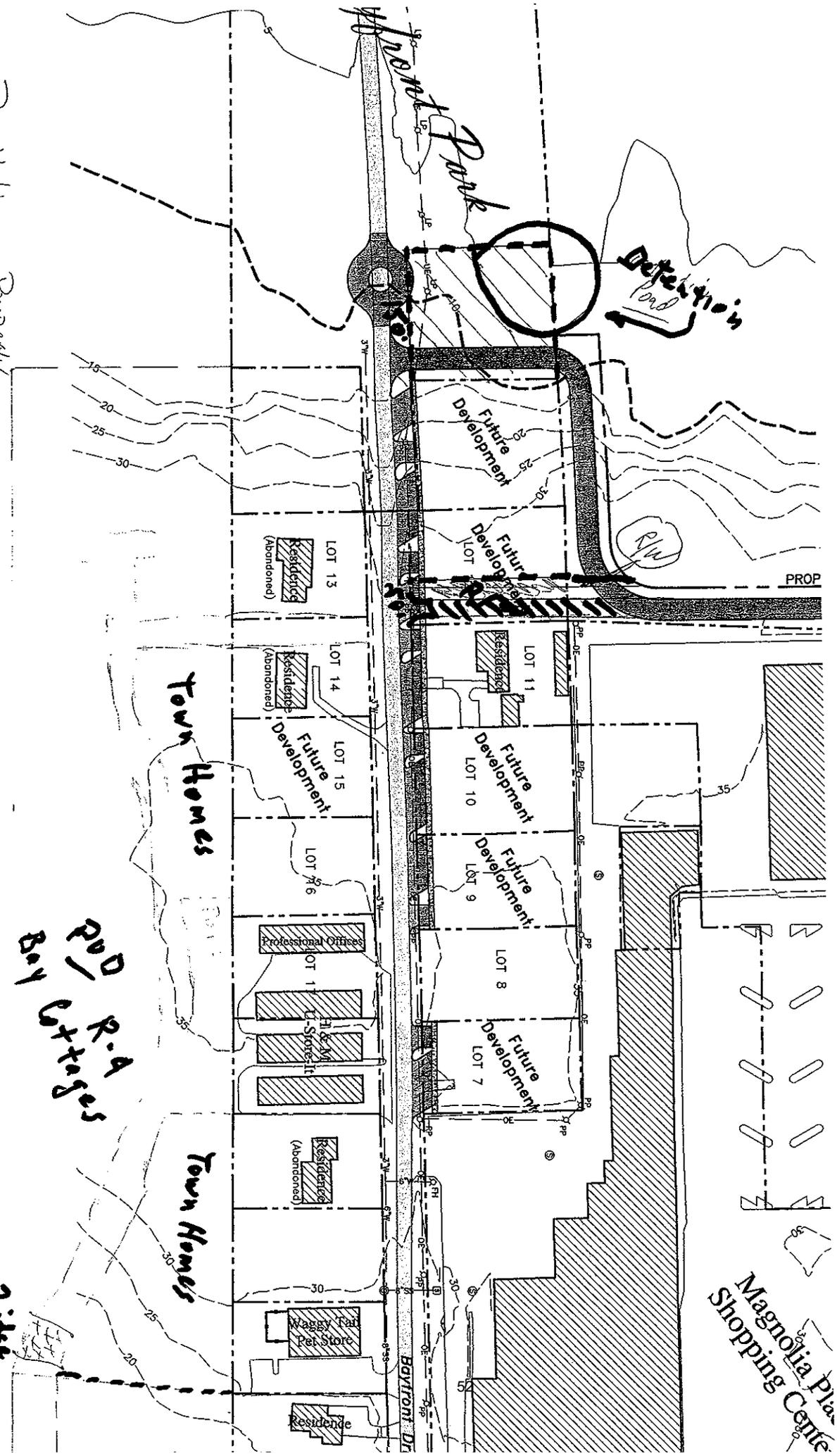
SUBDIVISIONS CORPORATE LIMITS	NUMBER OF LOTS	NO. RESIDENTIAL AND COMMERCIAL PERMITS ISSUED
ASHLEY PLACE, PHASE ONE	20	
AUSTIN PLACE, PHASE ONE	14	
AUSTIN PLACE, PHASE TWO	9	
BELLATON, PHASE ONE	59	1
BLACKSHER PLACE, PHASE ONE	8	
BRISTOL CREEK, PHASE ONE	40	
BROOKSIDE, PHASE ONE		
CANTERBURY PLACE, PHASE ONE	36	
CANTERBURY PLACE, PHASE TWO	34	
CANTERBURY PLACE, PHASE THREE	40	
CANTERBURY PLACE, PHASE FOUR	13	
CHARLESTON OAKS, PHASE ONE	24	
CHATEAUGUAY SQUARE, PHASE ONE	12	
CREEKSIDE, PHASE ONE	37	
CREEKSIDE, PHASE TWO	50	1
CREEKSIDE, PHASE THREE	5	2
DAPHNE COMMERCIAL PARK, PHASE ONE	25	
DELACHASE SQUARE, PHASE ONE	6	
DEERWOOD SQUARE	26	1
EAGLE CREEK, PHASE ONE	32	
EAGLE CREEK, PHASE TWO	42	
FRANKLIN SQUARE, PHASE ONE	17	
HARBOR PLACE, PHASE ONE	25	
HIDDEN CREEK, PHASE ONE	9	
HISTORIC MALBIS, PHASE ONE	122	
HISTORIC MALBIS, PHASE TWO, PART A	101	
HISTORIC MALBIS, PHASE TWO, PART B	69	
HISTORIC MALBIS, PHASE THREE, PART A	8	
HWY 64 COMMERCIAL PARK, PHASE ONE	15	
JACKSON SQUARE, PHASE ONE	29	
KAYLAR PLACE		
LACASA DI SAN FRANCESCO, PHASE ONE	24	1

LACASA DI SAN FRANCESCO, PHASE TWO	13	1
LAKE FOREST		
LAUREL PLACE, PHASE ONE	15	

MADISON PLACE, PHASE ONE	67	
OAKSTONE, PHASE ONE	12	
PECAN TRACE, PHASE ONE	29	
POLO TRACE, PHASE ONE	18	
POTTERS MILL, PHASE THREE	24	
SAINT CHARLES PLACE, PHASE ONE	22	
SEHOY, PHASE ONE	75	1
SEHOY, PHASE TWO	32	1
SEHOY, PHASE THREE	57	
SEHOY, PHASE FOUR	53	1
SEHOY, PHASE FIVE	29	1
STRATFORD GLEN, PHASE ONE	34	
STRATFORD GLEN, PHASE ONE B	17	
STRATFORD GLEN, PHASE TWO	29	
STRATFORD GLEN, PHASE THREE	47	
SUNSET BAY VILLAS		
TIAWASEE TRACE, PHASE ONE	51	
TIMBERCREEK, PHASE ONE	191	
TIMBERCREEK, PHASE TWO	81	3
TIMBERCREEK, PHASE THREE	54	
TIMBERCREEK, PHASE FOUR	55	
TIMBERCREEK, PHASE FIVE	26	
TIMBERCREEK, PHASE SIX	85	
TIMBERCREEK, PHASE SEVEN	72	1
TIMBERCREEK, PHASE EIGHT	52	
TIMBERCREEK, PHASE NINE	93	2
TIMBERCREEK, PHASE TEN	31	
TRACE CROSSING, PHASE ONE	14	
VAN AVENUE, PHASE ONE	8	
VICTORIA SQUARE, PHASE ONE		
WOOD FOREST, PHASE ONE	26	

YANCEY BRANCH, PHASE ONE	28	
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Buildings & Property
Land Swap
Stalle Irvine



POD / Bay Cottages

Magnolia Plaza Shopping Centre

Bridge

Town Homes

Town Homes

North Park

Deflection Pond

PROP

BYRONIA DR

Building & Property's

PROPOSAL:

Construction of Marina in Daphne

Presented To:

✓ Mayor Fred Small
Councilwoman Cathy Barnette
Councilman Greg Burnam
Councilman John Lake
Councilwoman Regina Laundry
Councilman Gus Palumba
Councilman Ron Scott
Councilman Bailey Yelding

Presented By:

Philip H. Speir
730 Oak Bluff Drive
Daphne, Al. 36526
251-621-0998

The stated purpose in the comprehensive plan is for "Daphne to be preferred residential waterfront community in South Alabama for families, retirees, and businesses"

There is a need for a marina in Daphne. Twenty-three percent of the membership in the Fairhope Yacht Club is from Daphne.

Daphne owns property on the bay that is suitable for construction of a marina. There are 18 acres in south Daphne between Captain Oneal and Montrose Village. The other piece of property is the nearly 100 acres at Village Point.

To broaden the appeal to the people and increase interest in the development, a swimming pool could be included.

To complete the development a nautically oriented building should be built. This building would be used for:

- Meeting place for Daphne Yacht Club (to be organized)
- Restaurant
- Parties, receptions, business meetings, etc.

I visualize the building having glass windows across the back of building. Looking out back of building, the swimming pool would first be seen and then the marina closer to the bay.

There are several possibilities for funding the project:

- There is a \$2.2 million excess of revenue over budget
- There is \$1.0 million proposed to be included in federal budget to be spent on parks

- There is a Boating Infrastructure Grant Program (BIG) authorized by congress that uses federal gas tax monies paid by recreational boaters to construct new facilities or renovate and upgrade existing facilities to serve transit boats. The increased transit boating traffic also is intended benefit local waterfront economies. Under the funding formula, the states will receive as much as \$55-60 million in BIG funds over the next 5 years. A first class marina would put Daphne on the map for Great Loop cruisers. Being on the Great Loop should place Daphne in a high priority for receiving a grant since the money is to be used to serve transient boats.
- This facility can pay for itself by generating income from transit slip rental, permanent slip rental, fuel dock, pool and yacht club membership dues, restaurant and rental of facility for special events. I am currently paying \$344 per month for a slip at the Grand Hotel.

An additional benefit of having a marina would be that bay excursions could be conducted by private boats, which would be a recreational activity for local people as well as for tourist.

This facility would be a gathering place for the citizens of Daphne and assist in developing a sense of belonging to a community. The facility would be of the quality that the community would be proud of. To develop a sense of belonging and pride in the citizen of Daphne is the greatest need of the community.

The facility would be used by boaters, swimmers, diners and non-boaters who enjoy being part of the social situation that would exist in a nautical environment.

Enclosures:
BIG Returns Of fuel Tax
Hurricanes, Baby Boomers Fill Up Marinas

BIG Returns on Fuel Tax

With the exception of two East Coast states, the federal fuel tax boaters pay is hard at work providing new facilities for transient cruisers on all three U.S. coasts, the Great Lakes, the major inland rivers, Alaska and Hawaii, according to a report from the Sport Fishing and Boating Partnership Council. The council is a federally chartered advisory body to the Secretary of the Interior, through the U.S. Fish and Wildlife Service.

The Boating Infrastructure Grant program (BIG), which Congress reauthorized for an additional five years last August, uses federal gas tax monies paid by recreational boaters to construct new facilities or renovate and upgrade existing facilities to serve transient boats. The increased transient boating traffic also is intended to benefit local waterfront economies.

Grant funds, matched by non-federal monies, provide needed infrastructure like marina slips, mooring fields, channel improvements, dinghy landings and aids to navigation to serve thousands of Americans who travel the nation's waterways by boat.

From 2000 to 2003, the BIG program invested \$32 million in such improvements but the report notes that demand for funds for qualified projects has exceeded available monies by well over two-to-one, despite availability of ample state, local and private matching funds. Under the new funding formula, the states will receive as much as \$55 - \$60 million in BIG funds over the next five years. BIG is administered by the U.S. Fish and Wildlife Service.

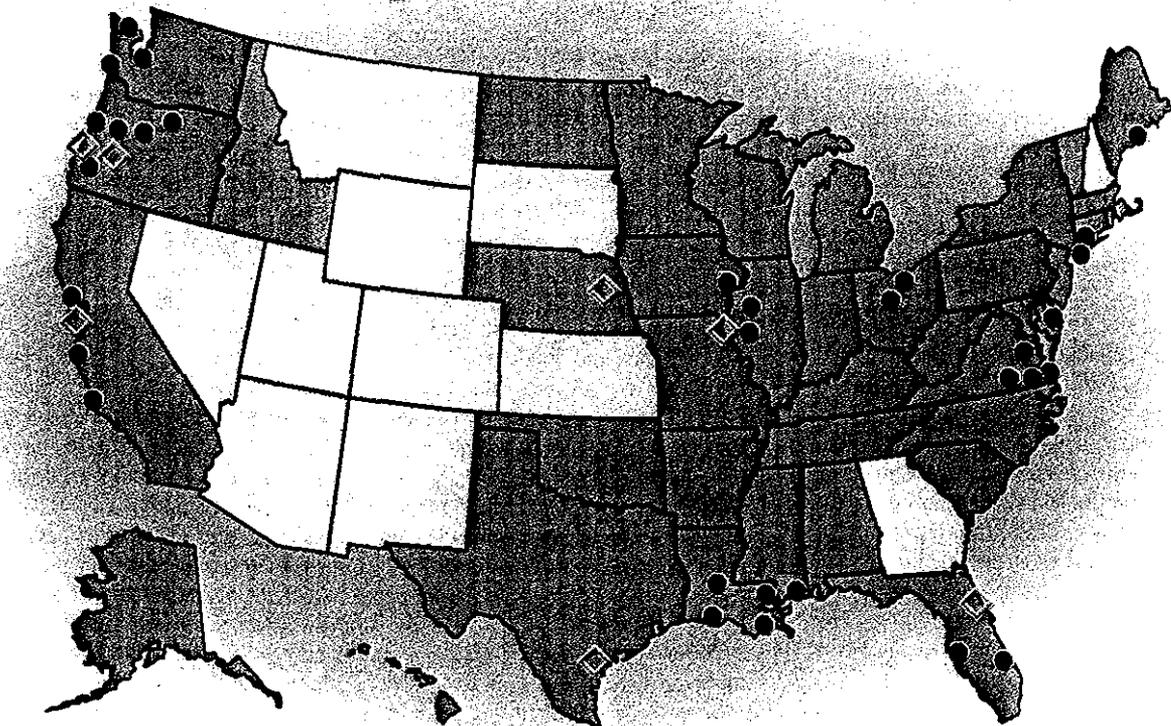
"We're hopeful that this new round of funding will encourage the states that have not participated thus far, New Hampshire

and Georgia, to put these boater dollars to work in their home waters," said BoatU.S. Senior Vice President Michael Sciulla. BoatU.S. shepherded the BIG Program through Congress in 1998 and pushed strongly for its expansion.

In November 2005, the Service announced the latest round of \$5 million in grants to be awarded for projects in eight states under the original authorization. They are: Kenlake Marina, Hardin, KY; Annapolis City Dock, Annapolis, MD; Tuckerton Seaport, Tuckerton, NJ; Glass City Municipal Marina, Toledo, OH; Cumberland Yacht Harbor, Nashville, TN; Fulton Harbor, Rockport, TX; Nauticus Marina, Norfolk, VA; Town of Occoquan, VA; Port of Wahkiakum, Cathlamet, WA, and Port of Everett, WA. ◀

— By Ryck Lydecker

States With Boating Infrastructure Grant (BIG) Funding



■ States with Tier I Projects ● Tier II Projects Funded, 2000-2003 ◆ Tier II Projects Funded, 2004

(Tier I grants total \$100,000 for each state that applies. States must compete for Tier II grants, usually for infrastructure projects requiring more than \$100,000.)

Hurricanes, baby boomers fill up inland marinas

By EARL DESCANT

Commercial Dispatch

COLUMBUS, Miss. — Hurricanes, a shortage of marina space in coastal areas, high insurance costs and, yes, more baby boomers, are just a few of the steering currents keeping inland waterway facilities like Columbus Marina filled to capacity and beyond.

Recently, "we had more boats in here than we've ever had," said Chuck Bigelow, who, along with his wife, Barbara, has operated the Columbus Marina for more than five years.

"We had more than 70 boats here, tied up everywhere," said Bigelow from the porch of his marina office, looking out over boats ranging from squat, sleek sailboats to 45-foot "motor yachts," some tied to each other because all slips and dock space were full.

Operators at the John C.

Stennis Lock and Dam agree the traffic is swift.

"There's not a doubt. There has been a lot more of them heading through here than in the past. Since the first of the month, we've counted 55 boats coming through," Sean Harper, a lock operator, said about recreational boat traffic on the Tennessee-Tombigbee Waterway.

"You see more money floating down this river than you could ever imagine," Harper said.

Hurricanes like Dennis, Katrina and Rita this year, along with the four storms that crisscrossed Florida last year, have left coastal marinas damaged or destroyed, and boaters are leery of putting their water-homes in harm's way. Furthermore, many boaters who normally would go down the Mississippi River see no reason to visit New Orleans under current conditions.

"People now want to make

sure hurricane season is over before they go down there. Because, for one, they may not get insurance coverage," said Mike Agee, who with his wife, Vicki, recently docked their 45-foot motor yacht. Drifters, at the marina near the lock and dam.

They are traveling what is known in boater parlance as the "Great Loop," a 10,000-mile system of largely inland waterways through the U.S. on the east side of the Mississippi River.

The Agees, who live in Charleston, W. Va., began their trip from Green Turtle Bay on the Cumberland River in western Kentucky, and see Columbus as a nice spot midway along the Tennessee-Tombigbee Waterway to the up, and, believe the annual migration of boats which usually go south for the winter may be stopping well short of their destination because of hurricane damage. However, they also see more

boats on the water thanks to factors like aging baby boomers who may be taking early pensions and investing in recreation like boating.

"Boats are definitely a hobby that a lot of retirees get into," said Agee, who himself retired from the chemical industry.

"There are a lot more baby boomers out there now, I think you'll see this trend for the next few years."

But for all of the hard facilities and insurance costs — one boater quoted a \$5,000 a year difference in premiums between a boat in Columbus and a boat in Mobile — the boaters all drift toward the more important, but perhaps more important, measures like hospitality.

"This is a nice marina and this is a nice town," said Gale Muttum from the deck of Nirvana, his 45-trawler, which he sails with his wife, Marde, and their cat Popeye.

"And the price is right here.

There's a \$500 a month difference in slip fees between here and northern Florida.

"But Chuck and Barbara will treat you like family, and that's important. It's a big deal when you're a boater," said Muttum, who along with his wife, are both retired from the Air Force and claim no zip code since they've lived fulltime on boats for the last 11 years.

The Bigelows often serve as a form of nautical concierge, offering a range of services from boat repairs to boat washing, and it's not unusual for them to head into a local restaurant with 20 to 30 boaters in tow.

Other boaters agree the outgoing nature of not only the Bigelows, but also Columbus has turned the city into a destination rather than just a through-station.

"This one's my favorite," said Phil Spier from Stuart, Fla., whose 34-foot power-catamaran, Peacay, was tied to the dock just off the marina offices.

FEBRUARY 2006
CERTIFICATE OF OCCUPANCY

OWNER	ADDRESS	SUBDIVISION	PERMIT#	DATE CLOSED
MIKE HOLLIS	29369 OAKSTONE DR. E.	OAKSTONE	04-01209	2/1/06
JUDY BRYANT	29929 ST. HELEN ST.	HISTORIC MALBIS	05-00774	2/3/06
BARBARA LITTLE	29957 ST. HELEN ST.	HISTORIC MALBIS	05-00773	2/3/06
JOYCE GAUTIER	30194 LOBLOLLY CIR.	TIMBERCREEK	05-01123	2/7/06
JONATHAN PORTO	9441 ASPEN CIR.	TIMBERCREEK	05-00236	2/7/06
FLORA CHAMBERLIN	8357 ROCKING HORSE LANE	STRATFORD GLEN	05-00876	2/8/06
ERNIE & SHARON COLLINS	27800 OAKACHOY LOOP	SEHOY	05-1215	2/13/06
ART LAMI HOMES	210 MAPLEWOOD CIR.	LAKE FOREST	05-1394	2/15/06
WAL-GREENS	30957 MILL LANE	TIMBERREEK VILLAGE	05-01131	2/16/06
DEAN & HOLLY KIM SUNSERI	30571 PINE CT.	TIMBERCREEK	05-00587	2/17/06
JENNIFER MILLER	216 MONTCLAIR LOOP	LAKE FOREST	05-00874	2/17/06
KURT BOZENHARDT	29928 ST. SIMON ST.	HISTORIC MALBIS	05-00724	2/21/06
TOM DEAN	30191 GREEN CT.	TIMBERCREEK	05-00395	2/21/06
TWO-FIFTY AUTOMOTIVE	4007 U.S. HWY 98		05-1185	2/21/06
DR. BOUNDARANT	27587 U.S. HWY 98		05-00288	2/21/06
MICHAEL HARRIS	8421 PREAKNESS CT.	STRATFORD GLEN	05-00875	2/22/06
COASTAL CARPENTRY	29525 ST. JOHN ST.	HISTORIC MALBIS	05-1166	2/22/06
ADAMS HOMES	8020 DEERWOOD DR.	DEERWOOD SQUARE	05-00999	2/22/06
EDDIE & SUSAN WILSON	30323 MIDDLECREEK CIR.	TIMBERCREEK	05-00136	2/24/06
DOTTIE YATES	8365 ROCKING HORSE CIR.	STRATFORD GLEN	05-00877	2/24/06
LEE & KAREN RICHARDS	8098 BROOKSIDE LANE	BROOKSIDE	05-00891	2/24/06
LIPSCOMB HOMES	8246 PECAN CT.	PECAN TRACE	05-00699	2/24/06
BENJAMIN CHARLES	8036 DEERWOOD DR.	DEERWOOD SQUARE	05-00893	2/24/06
WILLIAM & LINDA TUCKER	102 BUCU CIR.	LAKE FOREST	05-00267	2/27/06

PLANNING/ZONING/BUILDING DEVELOPMENT OUTLINE FOR FEBRUARY 2006

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AUSTIN PLACE, PHASE ONE	14	
AUSTIN PLACE, PHASE TWO	9	
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BLACKSHER PLACE, PHASE ONE	8	
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CHATEAUGUAY SQUARE, PHASE ONE	12	
CREEKSIDE, PHASE ONE	37	
CREEKSIDE, PHASE TWO	50	1
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DELACHASE SQUARE, PHASE ONE	6	
DEERWOOD SQUARE	26	1
EAGLE CREEK, PHASE ONE	32	
EAGLE CREEK, PHASE TWO	42	
FRANKLIN SQUARE, PHASE ONE	17	
HARBOR PLACE, PHASE ONE	25	
HIDDEN CREEK, PHASE ONE	9	
HISTORIC MALBIS, PHASE ONE	122	
HISTORIC MALBIS, PHASE TWO, PART A	101	
HISTORIC MALBIS, PHASE TWO, PART B	69	
HISTORIC MALBIS, PHASE THREE, PART A	8	
HWY 64 COMMERCIAL PARK, PHASE ONE	15	
JACKSON SQUARE, PHASE ONE	29	
KAYLAR PLACE		
LACASA DI SAN FRANCESCO, PHASE ONE	24	1
LACASA DI SAN FRANCESCO, PHASE TWO	13	1
LAKE FOREST		
LAUREL PLACE, PHASE ONE	15	

PLANNING/ZONING/BUILDING DEVELOPMENT OUTLINE FOR FEBRUARY 2006

MADISON PLACE, PHASE ONE	67	
OAKSTONE, PHASE ONE	12	
PECAN TRACE, PHASE ONE	29	
POLO TRACE, PHASE ONE	18	
POTTERS MILL, PHASE THREE	24	
SAINT CHARLES PLACE, PHASE ONE	22	
SEHOY, PHASE ONE	75	1
SEHOY, PHASE TWO	32	1
SEHOY, PHASE THREE	57	
SEHOY, PHASE FOUR	53	1
SEHOY, PHASE FIVE	29	1
STRATFORD GLEN, PHASE ONE	34	
STRATFORD GLEN, PHASE ONE B	17	
STRATFORD GLEN, PHASE TWO	29	
STRATFORD GLEN, PHASE THREE	47	
SUNSET BAY VILLAS		
TIAWASEE TRACE, PHASE ONE	51	
TIMBERCREEK, PHASE ONE	191	
TIMBERCREEK, PHASE TWO	81	3
TIMBERCREEK, PHASE THREE	54	
TIMBERCREEK, PHASE FOUR	55	
TIMBERCREEK, PHASE FIVE	26	
TIMBERCREEK, PHASE SIX	85	
TIMBERCREEK, PHASE SEVEN	72	1
TIMBERCREEK, PHASE EIGHT	52	
TIMBERCREEK, PHASE NINE	93	2
TIMBERCREEK, PHASE TEN	31	
TRACE CROSSING, PHASE ONE	14	
VAN AVENUE, PHASE ONE	8	
VICTORIA SQUARE, PHASE ONE		
WOOD FOREST, PHASE ONE	26	
YANCEY BRANCH, PHASE ONE	28	

**CITY OF DAPHNE BUILDING PERMITS FOR MONTH OF FEBRUARY
2006**

DATE	NO.	NAME	ADDRESS	COST	FEE
2/1/06	06-154	A & B, LLC.	27154-A POLLARD RD.	130,000	780
2/2/06	06-155	MARK HAMMOND	8178 SOLDIER CT. LT 26 UT 2 C/S	271,230	1,375
2/2/06	06-160	JOHN ECKENSTALER	8052 CREEKBANK DR. LT 3 UT 3 C/S	196,860	1,000
2/3/06	06-171	BAZOR CONST.	8299 PINE RUN LT 57 UT 7 T/C	278,970	1,410
2/6/06	06-176	COPELAND CUSTOM HOMES	30058 PERSIMMON DR. LT 64 UT 9 T/C	187,530	955
2/7/06	06-199	MCLAUGHLIN BUILDERS	7980 PINE RUN LT 65 UT 9 T/C	163,680	835
2/10/06	06-216	ADAMS HOMES	8068 DEERWOOD DR. LT 26 UT 1 DW/SQ.	116,700	600
2/13/06	06-224	J.K. NELSON CONSTRUCTION LLC	27994 OAKACHOY LOOP LT 4 UT 5 SEHOY	175,860	895
2/14/06	06-230	JANET WHITE PENRY	25355 PROFIT DR. LT 16	373,000	2,238
2/14/06	06-240	STEADMAN CONTRACTING SERVICES, INC.	1013 DAPHNE AVE.	1,103,200	6,618
2/14/06	06-248	JOHN ECKENSTALER	8036 CREEKBANK DR. LT 2 UT 3 C/S	194,520	990
2/16/06	06-271	DAVID STAPLETON BUILDERS	30715 PINE CT. LT 17 UT 2 T/C	207,090	1,055
2/20/06	06-289	HONS BUILDERS	27595 CLAIBORNE CIR. LT 1 UT 2 SEHOY	143,670	735
2/20/06	06-290	HOMES BY DESIGN BUILDERS, LLC	9298 WIND CLAN TRAIL LT 51 UT 1 SEHOY	148,860	760
2/21/06	06-292	LUXURY LIVING BUILDERS	27787 MONIAC COVE LT 12 UT 4 SEHOY	181,950	925
2/21/06	06-293	RCI, INC.	30769 PINE CT. LT 21 UT 2 T/C	169,380	865
2/22/06	06-294	JERRY SMITH HOME BUILDERS	9764 BELLA DR. LT 56 UT 1 BELLATON	249,780	1,265
2/24/06	06-302	MCMULLAN HOMES, LLC	30941 PINE CT. LT 38 UT 2 T/C	254,250	1,290
2/24/06	06-305	BENCHMARK HOMES	206 N. GREENBRIAR CIR. LT 8 UT 12 L/F	105,090	545
2/27/06	06-318	BAZOR CONSTRUCTION	26124 VIA DEL SAN FRANCESCO LT 6 UT 2 LACASA	127,200	655

FEEES

RESIDENTIAL:	17	3,172,620	16,155
COMMERCIAL:	3	1,606,200	9,636
ELECTRICAL:	36	11,800	3,465
HVAC:	29	0	2,690
PLUMBING:	54	2,500	3,805
ADDITIONS:	1	80,000	415
REPAIRS:	2	29,500	180
REMODELS:	4	49,500	310
POOLS:	3	80,202	450
SUNROOMS:	2	19,292	120
FENCES:	1	12,000	75
RE-ROOF:	6	29,538	255
STORAGE BLDG.:	1	1,300	25
INTERIOR FINISH:	1	34,000	204
TOTAL:	160	5,128,452	37,785

**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:

Daphne Beautification Committee
City Hall 1705 Main Street, Daphne, AL

Meeting Minutes

March 3, 2006 10:00 AM

Type of Meeting: General Membership Meeting

Meeting Facilitator: Carollee Grindel

Invitees:

City Liaison: Marshall Parsons, Marjorie Bellue, Ken Eslava

Members:

Carollee Grindel (4)	Vincent A. Russo (2)	Anne Talton (7)
Jerry Guillott (4)	Dorothy Rankins (5)	Frieda Romanchuck (7)
Roger L. Davidson (6)	Audrey Rouire (6)	Marilyn O'Connor Moore (2)
Dorothy Morrison (2)	Nancy Henderson (3)	Tomasina Werner (4)
Bea Wilson (2)	Patty Kerney (5)	

I. Call to order Time: 10:04

II. Roll call

(P=Present, E=Excused, A=Absent)

P__ Carollee Grindel	P__ Vincent Russo	P__ Anne Talton
P__ Jerry Guillott	P__ Dorothy Rankins	P__ Frieda Romanchuck
P__ Roger Davidson	P__ Audrey Rouire	A__ Marilyn O'Connor Moore
P__ Dorothy Morrison	A_ Nancy Henderson	A__ Tomasina Werner
P__ Bea Wilson	P__ Patty Kerney	

III. Approval of minutes

The minutes of the last meeting were read. Anne had one correction. Nancy Henderson is on the Crepe Myrtle subcommittee instead of Audrey Rouire. A motion was made to accept the corrected minutes, there was a second and a unanimous vote to accept them.

IV. Announcements

Arbor Day was a great success with over three thousand trees given away. Margorie will give us a time line to follow to help the sub committee get started for next year.

V. Open business

- a) Membership Update – There were suggestions on votes and number of voters per districts.
 - 1. First and second alternates for each District to vote in the absence of the appointed voter. *There was a motion and a second to do this. It was accepted by unanimous vote. Carollee Grindel will revise the Charter.*
 - 2. Subcommittee chairperson gets extra vote. *This was discussed and voted down.*
 - 3. Chairman or Facilitator has no vote unless there is a tie. *This follows Robert's Rules of Order. Therefore Tomasina Werner will fill in District 4 instead of Carollee Grindel.*
 - 4. Media Relations person is needed. *Tomasina Werner was recommended for this.*

- b) U.S. 98 Crape Myrtles – The Crepe Myrtle Sub committee gave a report asking for Crepe Myrtles to be planted on Johnson Rd. behind the dog pound, three beds in Lake Forest intersections (Golf Terrace and Bayview and two beds at Ridgewood - Bayview south), and the D'Olive Boardwalk (Alligator Alley). There was a motion made to accept these recommendations and a second. The report and recommendations were accepted by a unanimous vote.

Under open business, we needed to discuss meeting guidelines, but decided to wait until a later date.

VI. New business

- a) Butterfly Garden/Monarch Way station – D'Olive Boardwalk Park/Scenic Overlook Hill – This area is perfect for a butterfly garden to attract Monarch Butterflies on their annual migration as well as the other butterflies. People walking this trail will have more to look for and hopefully this will help attract tourists therefore helping the tourist industry. The Trail Blazers are also working on this and some of the Crepe Myrtles will add to the beauty of the area. A sub committee was formed with Dorothy Morrison and Anne Talton as Co-chairs. The rest of the committee are Jerry Guillott, Audrey Rouire, Vincent Russo, Roger Davidson, Patty Kerney, Carollee Grindel, Frieda Romanchuck, and Marilyn O'Connor Moore. Ken Eslava assured the committee that the city would provide water and heavy equipment when needed.

- b) Rose Gardens – Jon Morgan will attend the April meeting and update us on plans.

- c) Benches – Roger Davidson informed us of the bench information that he had received from Ken Eslava. The vote from the February Meeting was revisited and put on hold as to buying only one type of bench throughout the city of Daphne. The motion was made to not recommend one bench for overall use in Daphne at

this point. This was seconded and accepted unanimously. This decision will be postponed until another meeting.

d) Public Works Report

Margorie Bellue asked for a subcommittee to help decorate for the Annual Easter Egg Hunt at Lott Park. She said that she wanted to buy permanent plantings. Roger made a motion to have her buy the plants that she needs, not to exceed \$500. This was seconded and a vote taken that was unanimous. After the easter egg hunt, the subcommittee will direct the planting of these plants in designated areas. Roger Davidson will be the chairman of the Easter Egg Hunt Subcommittee and the following people will be on his committee: Patty Kerney, Frieda Romanchuck, Carollee Grindel and Anne Talton.

Meeting Room – This room is small and we need to find more space. We may move to the large adjoining room. This will be checked into.

VII. Adjournment - 11:22 a.m.

Respectfully submitted,

Anne Talton

Secretary/Treasurer

**DOWNTOWN REDEVELOPMENT AUTHORITY
DAPHNE, AL
1705 MAIN STREET
MARCH 13, 2006
5:15 P.M.**

1. CALL TO ORDER/ROLLCALL

Starke Irvine called the meeting to order with a quorum present at 5:30 p.m.

Present: Starke Irvine; Glenn Glass; Chris Donald; Kit Smith.

Absent: Todd Chambliss; Tracey Woodham; Ceann Wachter; Jackie Ward.

Board Members Absent: Mayor Small; Cathy Barnette; Jeff Hudson; Andy Citrin.

Also present: Rebecca Hayes, Recording Secretary; Mary Lloyd; Robert Lloyd.

THERE WAS NOT A QUORUM PRESENT

The members informally discussed getting the proposed estimate for putting the utilities underground in the Olde Towne District from Riviera Utilities.

Informally discussed putting decorative street lamps in the district.

Informally discussed strategy for the Olde Towne District.

The meeting adjourned at 6:30 p.m.

**January 30, 2006
CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING 6:00 P.M. at City Council
Chambers**

1. CALL TO ORDER/ROLL CALL

Members present – John Coulter, Jack Ehlenberg, Yancey Baldwin, Toni Fassbender, Nancy Cox

Also present – Ron Scott, David Cohen, Bob Higgins, and Robert Ingram

2. OLD BUSINESS

a. Approval of November 28, 2005 Minutes

Motion by Ms. Fassbender Seconded by Mr. Baldwin To approve the minutes.

ALL IN FAVOR NONE OPPOSED MOTION CARRIED

3. TREASURERS REPORT

Mr. Coulter gave the report with a balance of \$61,480.38.

Motion by Ms. Fassbender Seconded by Mr. Baldwin To approve the treasures report.

ALL IN FAVOR NONE OPPOSED MOTION CARRIED

4. DAPHNE COMMERCE AND TECHNOLOGY CENTER

Mr. Ehlenberg gave the board an update about a meeting with Spanish Fort officials with regard to the Daphne Commerce and Technology Center.

5. OTHER BUSINESS

The IDB board state that due to Mardi Gras on the Feb. 28 that the board meeting needed to be changed to Feb. 21, 2006.

6. ADJOURN

Motion by Mr. Baldwin Seconded by Ms. Fassbender To adjourn.

ALL IN FAVOR NONE OPPOSED MOTION CARRIED

**THERE BEING NO FURTHER BUSINESS TO DISCUSS THE MEETING
ADJOURNED AT 7:05 P.M.**

Respectfully Submitted,

David L. Cohen, Secretary

Approved:

Jack Ehlenberg, Chairman

Utility

ROSS & JORDAN, P.C.

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

writers e-mail address: jay@rossandjordan.com

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

MAILING ADDRESS:
POST OFFICE BOX 210
MOBILE, AL 36601

February 20, 2006

Mr. Greg Burnam
President of the City Council
THE CITY OF DAPHNE
Post Office Box 400
Daphne, Alabama 36526

RE: DR. LARRY ENNIS SEWER ORDINANCE WAIVER REQUEST

Dear Mr. Burnam:

During the Monday, February 6, 2006 City Council meeting, a presentation was made by Dr. Larry Ennis. He is seeking an exemption from requiring his parcel of real property to be tied into the City's sanitary sewer system pursuant to the provisions of Ordinance Number 1999-04. During Dr. Ennis' presentation to the City Council, reference was made to the *200% Rule*. The Council requested that I review this matter as City Attorney, and present the City Council with my opinion as to whether the *200% Rule* was applicable in Dr. Ennis' particular situation.

Article XI of the City of Daphne Land Use and Development Ordinance entitled *MINIMUM STANDARDS AND REQUIRED IMPROVEMENTS*, predominantly relates to new subdivisions of land, new construction and developments that occur after the enactment of the Ordinance. Article XI was adopted on September 3, 2002, but the provisions related to the *200% Rule* existed well prior to the Ennis' property being so constructed. Specifically, Dr. Ennis' makes reference to Section 11-12: *Water and Sewer Connections (b) Sanitary Sewer System Requirements*. That provision provides in pertinent part:

A centrally connected sanitary system shall be installed when the cost of installing such a system does not exceed two hundred (200%) percent of the cost of installing individual septic systems on all the lots in the subdivision. Where a public sanitary sewer system is not available and a private system is installed, it must contain adequate

area for the installation of an individual septic system and disposal field as approved by the Baldwin County Health Department..

The provisions of City of Daphne Ordinance 1999-04 authorizes Dr. Ennis to request the Council grant an exception from the enforcement of the Ordinance and establish some criteria for Council's consideration. Section 7 of Ordinance Number 1999-04 entitled "Special Exceptions" provides in pertinent part:

"The City Council of the City of Daphne is hereby authorized to grant limited special exceptions to the requirements of this Ordinance upon determination that compliance with the provisions thereof would impose a substantial hardship on the property owner. In determining whether a substantial hardship exists, the City Council may consider all relevant facts and circumstances, including but not limited to: (1) ages of the improvements upon the property in relation to the availability of sewer; (2) the age and condition of the septic tank or other septic system servicing such premises and (3) the size, dimensions and topographic configuration of the property upon which the premises is located; (4) the distance from any improvements on said private or public premises from the City sewer system"... "there must be a majority vote of the City Council when granting exceptions. The City Council shall not grant any special exception in excess of five (5) years. Any exemption that may be granted shall be subject to user charges and other fees as may be contained in any resolution(s) or the Utilities Board of the City of Daphne or user fees that are charged by the Utilities Board of the City of Daphne."

After review of the totality of the Land Use and Development Ordinance, and particularly Article XI, it is clear that the *200% Rule* does not apply to existing parcels of real property in place at the time of enactment of the Land Use and Development Ordinance. The *200% Rule* only applies to new construction or new subdivision parcels, as that is the clear intent of the Ordinance. Further, it is clear that, at the time of the Council's passage of that portion of the Ordinance requiring compliance, by allowing real property owners the possible option of five (5) years to comply, the Council was fully aware of the entire Land Use and Development Ordinance and the *200% Rule*.

In conclusion, it is my opinion that the *200% Rule* does not apply to Dr. Ennis' situation. The Council should consider Dr Ennis' request for exception without consideration of the *200% Rule* as provided in the Land Use and Development Ordinance Article XI.

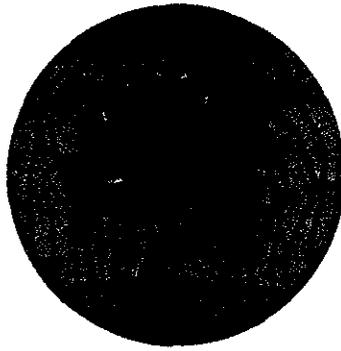
Should you or the Council have any further questions concerning this matter, please do not hesitate to contact me.

Sincerely yours,



JAY M. ROSS

JMR/bi



WOODMONT ASSOCIATION

P.O. BOX 260 MONROSE, ALABAMA 36559

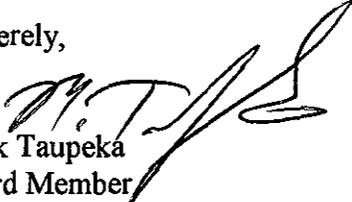
February 8, 2006

Mr. Greg Burnam
Council President
City Of Daphne

Dear Greg:

I located the attached document in our files which shows one of the Ennis' signatures on our neighborhood property owners' association resolution to support a sewer system. Please consider this in the council's deliberations for their exception request and make it a part of the council packet for the next meeting.

Sincerely,


Mark Taupeka
Board Member
Woodmont Association, Inc.

Cc:

Mr. Bailey Yelding, District 1
Ms. Cathy Barnette, District 2
Mr. John Lake, District 3
Mr. Ron Scott, District 5
Ms. Regina Landry, District 6
Mr. August Palumbo, District 7
Mr. Fred Small, Mayor
Mr. David Cohen, Clerk

Donny Mecke - President ● Denise Browning - Vice President
Mark Taupeka - Treasurer ● Jay Willis - Secretary ● Melinda Hicks - Past President

WOODMONT ASSOCIATION

REPRESENTING THE PROPERTY OWNERS IN MONTROSE VILLAGE AND WOODBRIDGE SUBDIVISIONS DAPHNE, ALABAMA

Resolution Adopted June 23, 1999

By the Board

That the City of Daphne pay \$400,000 toward the sewer system

For the above subdivisions, as designed by Volkert Engineering

And bid by Bay Equipment

And that the property owners for the above subdivision

Pay additional costs up to \$150,000.

WE AGREE WITH AND WILL SUPPORT THE PROPOSAL.

NAME	ADDRESS	YES	NO
27. U S Lange Jr	436 Village Drive	✓	
28. Nat Worgan	438 Village Drive	✓	
29. Maryann K. Seyer	John W Seyer	✓	
30. Forest W Small	444 Village Dr	✓	
31. Hugh M. Brown Jr	441 Vill. Dr	✓	
32. Debra Mckee	439 Village Drive	✓	
33. J. M. Weldon Jr	433 Village Drive	✓	
34. A. B. Brethler	435 Village Drive	✓	
35. G. D. Sweeney	424 Village Drive	✓	
36. Joyce C. Dugas	419 Village Dr	✓	
37. _____	450 Village Dr.	✓	
38. Ray L. Davis	427 Village Dr	✓	
39. Sam Woodham	315 WOODBRIDGE DR.	✓	

cc: Ross

Presented at the
February 6, 2006
City Council mtg.

Page 1 of 1

Mark Taupeka

From: Mark Taupeka [Mtaupeka@bellsouth.net]
Sent: Monday, February 06, 2006 12:53 PM
To: 'yelding1@bellsouth.net'; 'Cathy Barnette'; 'johnlake3@bellsouth.net'; 'burnam4@bellsouth.net'; 'ronscott5@bellsouth.net'; 'reginalandry6@bellsouth.net'; 'palumbo7@bellsouth.net'
Cc: 'dmecke@bellsouth.net'; 'jpwillis@311magnolia.com'; 'denisebrowning@bellsouth.net'; 'm2d3@hotmail.com'
Subject: Ennis Sewer Exception Request

Dear Councilpersons:

The Board of Woodmont Association that governs Montrose Village Subdivision in which the Ennis' property is located objects to their request for a sewer exception to the City of Daphne Ordinance Numbers 1999-10 and 2001-12. Every lot in this subdivision along with those in the other three Woodmont subdivisions (Montrose Village First Addition, Hillwood and Woodbridge) is under the same requirement. All but a few have complied. Granting an exception to the Ennis' would set a dangerous precedent that could be used by the other lot owners who have so far refused to comply. The Board of Woodmont Association, which represents about 75 lot owners in the above referenced subdivisions, supports the Daphne Utilities Board in the uniform application of the above referenced City of Daphne Ordinances without exceptions, and further concurs with said Board that the best way to protect the eastern shore's natural waterways and environment is through hookup to the city's sanitary sewer system.

Mark Taupeka
Woodmont Association, Inc.
P.O. Box 260
Montrose, AL 36559
251-621-7687
mtaupeka@bellsouth.net

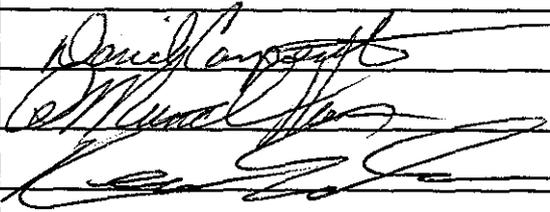
Board Members:

Donny Mecke, 424 Village Drive
Mark Taupeka, 300 Woodbridge Drive
Jay Willis, 446 Village Drive
Melinda Hicks, 306 Woodbridge Drive
Denise Browning, 301 Woodbridge Drive

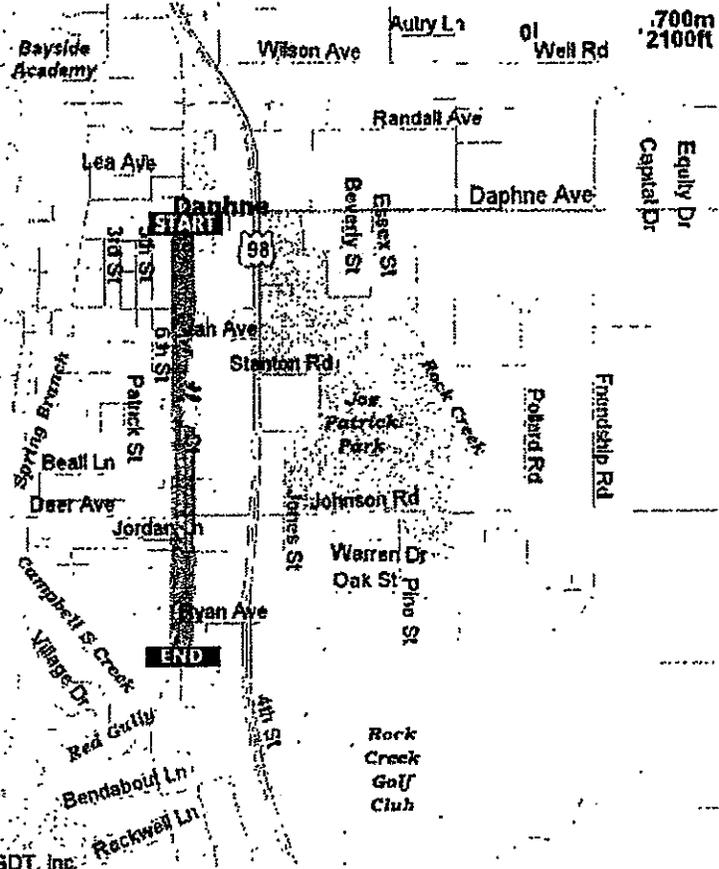
**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

CITY OF DAPHNE PARADE PERMIT

ORGANIZATION:	<i>Animal Rescue</i>
CONTACT PERSON:	<i>James Pennington</i>
ADDRESS:	<i>PO Box 1217 Mobile, AL 36633</i>
PHONE NUMBER (HOME): PHONE NUMBER (BUSINESS):	<i>Cell# 367-4599</i>
TYPE OF PARADE:	<i>Annual 5K and 1 mile Fun Run</i>
DATE OF PARADE:	<i>May 13, 2006</i>
ROUTE TO BE TRAVELED:	<i>See attached map</i>
APPROXIMATE # OF PEOPLE & CARS:	<i>300</i>
START TIME:	<i>8:00 AM</i>
STOP TIME:	<i>10:00 AM</i>
ASSEMBLY AREA/STREET:	<i>Main Street / Centennial Park</i>
ASSEMBLY TIME:	<i>7:30 AM</i>
SPECIAL REQUEST:	
APPROVAL	
POLICE: Chief David Carpenter:	
FIRE: Chief Mund Hanson	
PUBLIC WORKS: Ken Eslava	
CITY COUNCIL: March 20, 2006	
SPECIAL INSTRUCTIONS:	
DATE ROUTED:	<i>March 9, 2006</i>
NOTIFICATION:	

03-13-06 P03:07 IN



CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

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

NOTES:

RECOMMENDATIONS

COUNCIL COMMENTS:

RESOLUTION 2006-25

**Acceptance of Streets and Drainage
located in TimberCreek Village, the Resubdivision of Lot 1**

Whereas, the City Council of the City of Daphne, Alabama has received notice that the Planning Commission of Daphne has given Final Plat approval to TimberCreek Village, Resubdivision of Lot 1 on May 26, 2005 and the City of Daphne hereby recommends acceptance of said street located in TimberCreek Village, Resubdivision of Lot 1; and,

Whereas, an inspection was made by the Director of Community Development. All reports, as well as, all other related documents has been provided stating that said streets and storm water drainage have been installed in conformity with city standards; and,

Whereas, the Division of Public Works has accepted said streets and storm water drainage of TimberCreek Village, Resubdivision of Lot 1; and,

Whereas, the Utilities Board of the City of Daphne has accepted the utilities of TimberCreek Village, Resubdivision of Lot 1; and,

Whereas, the developer has provided to the City a two-year construction warranty bond as required and requests acceptance and dedication of the same for maintenance of said improvements as outlined in Article XVII, entitled Subdivision Review of the City of Daphne Land Use and Development Ordinance; and,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE AS FOLLOWS, that TimberCreek Village, Resubdivision of Lot 1 according to the plat by Rester & Coleman Engineers as recorded in the Judge of Probate, Baldwin County, Alabama, and said street being named Mill Lane is hereby accepted by the City of Daphne, Alabama as a city street for maintenance.

ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF _____, 2006.

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

GREG BURNAM
COUNCIL PRESIDENT
Date & Time Signed: _____

FRED SMALL
MAYOR
Date & Time Signed: _____

ATTEST:

DAVID L. COHEN
CITY CLERK, MMC

**CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY**

SUBDIVISION NAME: TimberCreek Village Resubdivision of Lot 1

LOCATION: North End of Mill Lane

THIS ACCEPTANCE OF ROADS AND RIGHTS-OF-WAY is made this 2nd day of March, 2006 by Baldwin (AL) Development, LLC, hereinafter called the Subdivider, owner of certain property located in Baldwin County, Alabama known as TimberCreek Village Subdivision to be recorded in the office of the Judge of Probate of Baldwin County, Alabama; and,

WHEREAS, the Subdivider has agreed to the dedication of the roads and rights-of-way located in said subdivision to the City of Daphne, and further warrants that said roads and rights-of-way are complete and are in compliance with the minimum standards as outlined for construction in the City of Daphne Land Use and Development Ordinance, Article XVII, entitled Subdivision Review, and Article XI, Minimum Requirements and Required Improvements. The Subdivider further warrants that the same are free from defects from any cause and are free and clear of any liens and encumbrances; and,

WHEREAS, the Subdivider does hereby agree to provide a Maintenance Bond, as outlined in Article XVII, entitled Subdivision Review, in an amount equal to ten (10) percent of the total street and drainage improvements (\$ previously subm) ~~in~~ the subdivision for a period of two (2) years after the date of their acceptance and dedication of the same to the City. Said bond shall be required by the City as a condition to the acceptance and dedication of any new roads or rights-of-way within the City; and,

WHEREAS, the Project Engineer acting on behalf of the Subdivider does hereby certify that all roads and rights-of-ways are complete and are in compliance with the minimum standards as outlined for construction in the City of Daphne Land Use and Development Ordinance, Article XVII, entitled, Subdivision Review, and Article XI, Minimum Requirements and Required Improvements.

WHEREAS, the City of Daphne, Alabama, acting by and through the recommendation of the City of Daphne Planning Commission, has agreed to accept the responsibility for the maintenance of the roads and rights-of-way of said subdivision subject to a two (2) year maintenance period as described above; and,

WHEREAS, the City of Daphne has agreed to accept the property within the confines of the road right-of-way which does not include drainage or utility easements or any other improvements outside of these confines.

CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY

NOW, THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Subdivider does hereby dedicate the roads and rights-of-way in said subdivision to the City of Daphne, a municipal corporation, as per the recommendation of the City of Daphne Planning Commission at their regular meeting of May 26, 2005. That street being named Mill Lane (394 Feet)

is hereby accepted for maintenance by the City of Daphne, Alabama as a city street.

IN WITNESS WHEREOF, the Subdivider has caused the execution of this dedication as of the date setforth above.

Respectfully submitted,

Baldwin (AL) Development, LLC
Name of Individual or Corporation

By: Tom Mitchell


Its: General Partner

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned Notary Public in and for said State and County, hereby certify that Tom Mitchell whose name as General Partner of Baldwin (AL) Development, LLC, an Alabama corporation or as owner of TimberCreek Village 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 or owner and with full authority, executed the same voluntarily on the day same bears date.

Given under my hand and official seal on this the 24 day of March, 2006

Selen Boudette (NOTARY SEAL)
NOTARY PUBLIC

My commission expires: June 7, 2008

Recommendation:

CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY



William H. Eady, Sr., Director of Community Development
City of Daphne

Approval:



Planning Commission Chairman or authorized representative
City of Daphne

Revised: March 18, 2004

**RESOLUTION 2006-26
PREPAID TRAVEL**

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

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

Ken Eslava, Public Works Director, National Hurricane Conference, April 9-14, 2006, Orlando, FL - \$210

Billy Crutchfield, Mechanical Maintenance Supervisor, Waste Expo, April 2-8, 2006, Las Vegas, NV - \$245

Clement Conaway, Solid Waste Supervisor, Waste Expo, April 2-8, 2006, Las Vegas, NV - \$245

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 _____, 2006.**

Greg Burnam, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen
City Clerk MMC

CITY OF DAPHNE
RESOLUTION 2006-27

**RESOLUTION TO AUTHORIZE CITY ATTORNEY TO INITIATE LEGAL
ACTION TO ENJOIN THE BALDWIN COUNTY BOARD OF EDUCATION
FROM BEGINNING CONSTRUCTION ON PROPOSED
ELEMENTARY SCHOOL**

Whereas, The City Council of the City of Daphne desires to promote the health, education and welfare of its citizens, and

Whereas, the City Council of the City of Daphne, Alabama has learned that the Baldwin County Board of Education intends to build a new school on the south side of Daphne along Scenic Highway 98 which will hold approximately 1,150 students in grades from Kindergarten through 6th Grade; and

Whereas, The City Council of the City of Daphne, Alabama recognizes and believes that said proposed elementary school is not in the best interests of the citizens of Daphne, Alabama, inasmuch, as it is believed that the young children attending will receive a lower quality of education, be subjected to higher student/teacher ratios, and will be subjected to more dangers from a significant increase in traffic flow; and

Whereas, The City Council of the City of Daphne, Alabama recognizes that the increased traffic flow for this region of the city will significantly impact the quality of life for the surrounding and neighboring citizens of the City of Daphne; and

Whereas, The City Council of the City of Daphne, Alabama recognizes that such a school, with its proposed size, breadth and function is contrary to the vision encompassed by the City of Daphne in its Comprehensive Plan;

Whereas, The City Council of the City of Daphne, Alabama recognizes that the Baldwin County School Board has not consulted with city officials in any meaningful way, has not heeded the requests and concerns of the city officials in regards to this proposed school; and

Whereas, The City Council of the City of Daphne, Alabama recognizes that the construction of the school will significantly and financially burden the city if and when it decides whether to form its own city school system and/or will otherwise significantly impact the city and its citizens in deciding whether to form its own school system; and

Whereas, The City Council of the City of Daphne, Alabama does not believe that the construction of the proposed elementary school is in the best interest of the citizens of Daphne, Alabama, and that the construction of said school does not promote the health, education and welfare of the city or its citizens;

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

for the City of Daphne is hereby authorized to initiate such legal action as he deems appropriate, including, if necessary, filing suit, to enjoin the Baldwin County Board of Education from beginning construction of said elementary school.

ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF _____, 2006.

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

**GREG BURNAM
COUNCIL PRESIDENT**

Date & Time Signed: _____

**FRED SMALL
MAYOR**

Date & Time Signed: _____

ATTEST:

DAVID L. COHEN, CITY CLERK, MMC

CITY OF DAPHNE

**RESOLUTION 2006-28
AUTHORIZING THE FILING OF A
2006 CDBG ECONOMIC DEVELOPMENT APPLICATION**

WHEREAS, the State of Alabama has funds available to municipal governments for housing and public facilities improvements through its Community Development Block Grant Program; and

WHEREAS, the City of Daphne desires to apply for a Community Development Block Grant for the purpose of providing sanitary sewer service at the site of the Lowe' Corporation's Home Improvement Center; and

WHEREAS, the public was informed about the Community Development Project including the proposed filing of this application in a public hearing held on March 20, 2006 at the Daphne City Hall; and

NOW THEREFORE BE IT RESOLVED by the Daphne City Council that an application to the Department of Economic and Community Affairs hereby requesting \$500,000 in grant funds while the City guarantees a local cash match of \$1,250,000 for a total project cost of \$1,750,000 is hereby approved.

Motion to approve the foregoing resolution and authorize the mayor to sign all appropriate grant application forms and documents was made by Council Person _____ and seconded by

Council Person _____ and approved by

the Council on this the 20th day of March 2006.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor, City of Daphne

David L. Cohen
City Clerk , MMC

ORDINANCE NO. 2006 - 16

**Ordinance to Rezone Property Located off of U.S. 181 Highway
Bellaton Subdivision**

WHEREAS, the owners of certain real property within the City of Daphne, Alabama, have requested that said property be rezoned from R-3, High Density Single Family Residential District, to R-4, High Density Single Family Residential District, said property is located off of U.S. 181 Highway in Daphne, Alabama, being more particularly described as follows:

Legal Description:

COMMENCE AT AN IRON PIN MARKER AT THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 5 SOUTH, RANGE 2 EAST, ST. STEPHENS MERIDIAN, AND RUN THENCE SOUTH 00 DEGREES 22 MINUTES 30 SECONDS WEST, A DISTANCE OF 714.95 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 36 MINUTES 47 SECONDS WEST, A DISTANCE OF 197.48 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 36 MINUTES 47 SECONDS WEST, A DISTANCE OF 1720.42 FEET; THENCE RUN NORTH 87 DEGREES 41 MINUTES 05 SECONDS WEST, A DISTANCE OF 585.09 FEET; THENCE RUN NORTH 58 DEGREES 51 MINUTES 38 SECONDS WEST, A DISTANCE OF 175.74 FEET; THENCE RUN SOUTH 00 DEGREES 17 MINUTES 17 SECONDS WEST, A DISTANCE OF 1327.15 FEET; THENCE RUN SOUTH 89 DEGREES 42 MINUTES 43 SECONDS EAST, A DISTANCE OF 449.04 FEET; THENCE RUN NORTH 00 DEGREES 28 MINUTES 10 SECONDS EAST, A DISTANCE OF 1038.16 FEET; THENCE RUN SOUTH 77 DEGREES 00 MINUTES 09 SECONDS EAST, A DISTANCE OF 340.70 FEET; THENCE RUN SOUTH 56 DEGREES 09 MINUTES 43 SECONDS EAST, A DISTANCE OF 67.45 FEET; THENCE RUN SOUTH 74 DEGREES 30 MINUTES 19 SECONDS EAST, A DISTANCE OF 141.86 FEET; THENCE RUN SOUTH 82 DEGREES 33 MINUTES 37 SECONDS EAST, A DISTANCE OF 150.28 FEET; THENCE RUN SOUTH 83 DEGREES 12 MINUTES 38 SECONDS EAST, A DISTANCE OF 305.95 FEET; THENCE RUN SOUTH 86 DEGREES 09 MINUTES 25 SECONDS EAST, A DISTANCE OF 95.76 FEET; THENCE RUN SOUTH 85 DEGREES 17 MINUTES 55 SECONDS EAST, A DISTANCE OF 148.01 FEET; THENCE RUN NORTH 88 DEGREES 21 MINUTES 15 SECONDS EAST, A DISTANCE OF 152.70 FEET; THENCE RUN NORTH 06 DEGREES 00 MINUTES 26 SECONDS WEST, A DISTANCE OF 39.94 FEET; THENCE RUN NORTH 83 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 141.62 FEET; THENCE RUN NORTH 05 DEGREES 39 MINUTES 45 SECONDS EAST, A DISTANCE OF 163.73 FEET; THENCE RUN SOUTH 89 DEGREES 36 MINUTES 47 SECONDS EAST, A DISTANCE OF 217.93 FEET; THENCE RUN NORTH 00 DEGREES 23 MINUTES 13 SECONDS EAST, A DISTANCE OF 140.00 FEET; THENCE RUN SOUTH 89 DEGREES 36 MINUTES 47 SECONDS EAST, A DISTANCE OF 138.50 FEET; THENCE RUN NORTH 61 DEGREES 55 MINUTES 58 SECONDS EAST, A DISTANCE OF 104.94 FEET; THENCE RUN NORTH 12 DEGREES 10 MINUTES 22 SECONDS EAST, A DISTANCE OF 143.02 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 32.55 ACRES, MORE OR LESS, AND LIES IN SECTION 27, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

WHEREAS, the Planning Commission of the City of Daphne on January 26, 2006 has considered said request and set forth affirmative recommendation to the City Council of the City of Daphne that said property be rezoned; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on Monday, March 6, 2006 concerning the requested rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that said property described above is hereby rezoned from R-3, High Density Single Family Residential District, to R-4, High Density Single Family Residential District, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS day ____ day of _____, 2006.

Greg Burnam
Council President
Date & Time Signed:_____

Fred Small
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen
City Clerk, MMC

ORDINANCE NO. 2006- 18

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

**JULIO CORTE, JR.
ANNEXATION OF 10 FOOT STRIP ALONG
ALABAMA 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 January 26, 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 March 6, 2006 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 AA@

LEGAL DESCRIPTION:

DESCRIPTION TO ACCOMPANY SKETCH OF 0.62 ACRES TO-WIT:

COMMENCE AT THE SOUTHEAST CORNER OF BELLATON, PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE FILE 2194-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA FOR A POINT OF BEGINNING; RUN THENCE SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, ALONG THE WEST RIGHT-OF-WAY OF ALABAMA HIGHWAY 181, A DISTANCE OF 2684.82 FEET; THENCE RUN NORTH 89 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 10.00 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 56 SECONDS EAST, A DISTANCE OF 2684.81 FEET TO A POINT ON THE SOUTH MARGIN OF THE AFOREMENTIONED BELLATON, PHASE ONE; THENCE RUN SOUTH 89 DEGREES 33 MINUTES 59 SECONDS EAST, ALONG SAID SOUTH MARGIN, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 0.62 ACRES, MORE OR LESS, AND LIES IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 5 SOUTH, RANGE 2 EAST, ST. STEPHENS MERIDIAN.

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 _____ 2006.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

ORDINANCE NO. 2006- 19

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

**JULIO CORTE, JR.
OLDFIELD
11.66 ACRES**

**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 January 26, 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 March 6, 2006 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 AA@

LEGAL DESCRIPTION:

DESCRIPTION TO ACCOMPANY SKETCH OF 11.66 ACRES TO-WIT:

COMMENCE AT A RAILROAD SPIKE MARKER AT THE "LOCALLY ACCEPTED" NORTHEAST CORNER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SAINT STEPHENS MERIDIAN, AND RUN THENCE NORTH 89 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A CAPPED IRON PIN MARKER ON THE WEST RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY NO. 181; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 25.00 FEET; THENCE RUN NORTH 89 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 886.30 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 07 SECONDS WEST, A DISTANCE OF 942.34 FEET FOR A POINT OF BEGINNING: RUN THENCE SOUTH 05 DEGREES 28 MINUTES 09 SECONDS EAST, A DISTANCE OF 174.69 FEET; THENCE RUN SOUTH 47 DEGREES 45 MINUTES 52 SECONDS EAST, A DISTANCE OF 95.68 FEET; THENCE RUN SOUTH 01 DEGREES 33 MINUTES 25 SECONDS WEST, A DISTANCE OF 175.51 FEET; THENCE RUN NORTH 82 DEGREES 19 MINUTES 07 SECONDS WEST, A DISTANCE OF 555.72 FEET; THENCE RUN NORTHWESTWARDLY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 7350.00 FEET, AN ARC DISTANCE OF 711.34 FEET, (CHORD BEARS NORTH 84 DEGREES 56 MINUTES 20 SECONDS WEST, 711.06 FEET); THENCE RUN NORTH 88 DEGREES 26 MINUTES 17 SECONDS WEST, A DISTANCE OF 63.54 FEET; THENCE RUN NORTH 00 DEGREES 39 MINUTES 48 SECONDS EAST, A DISTANCE OF 170.56 FEET; THENCE RUN NORTH 38 DEGREES 39 MINUTES 29 SECONDS EAST, A DISTANCE OF 74.86 FEET; THENCE RUN NORTH 00 DEGREES 39 MINUTES 48 SECONDS EAST, A DISTANCE OF 170.05 FEET; THENCE RUN SOUTH 87 DEGREES 49 MINUTES 57 SECONDS EAST, A DISTANCE OF 24.81 FEET; THENCE RUN SOUTHEASTWARDLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 7750.00 FEET, AN ARC DISTANCE OF 754.04 FEET, (CHORD BEARS SOUTH 84 DEGREES 57 MINUTES 13 SECONDS EAST, 753.74 FEET); THENCE RUN SOUTH 82 DEGREES 09 MINUTES 59 SECONDS EAST, A DISTANCE OF 417.38 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 11.66 ACRES, MORE OR LESS, AND LIES IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, 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 _____ 2006.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

ORDINANCE NO. 2006-20

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

**DEREK ANTONIO DEFILLIPI AND KEVIN STACEY DEFILLIPI
ANTONIO JAMES DEFILLIPI
LUTHER G AND SHARON MILSTEAD
STEVE MILSTEAD**

FRENCH SETTLEMENT

**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 January 26, 2005 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 March 6, 2006 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 AA@

LEGAL DESCRIPTION:

PROPOSED PLANNED UNIT DEVELOPMENT

DESCRIPTION OF SURVEY ACCOMPANIED BOUNDARY OF 132.02 ACRES TO-WIT:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH, 1325.58 FEET TO A POINT; THENCE RUN S-88°55'22"-W, 38.72 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF BALDWIN COUNTY HIGHWAY NO. 13 AND THE POINT OF BEGINNING; THENCE RUN N-89°40'47"-W, 2609.34 FEET TO A POINT; THENCE RUN N-00°11'51"-E, 1327.01 FEET TO A POINT; THENCE RUN S-89°39'19"-E, 878.41 FEET TO A POINT; THENCE RUN N-00°02'00"-E, 1327.93 FEET TO A POINT; THENCE RUN S-89°39'19"-E, 878.41 FEET TO A POINT; THENCE RUN N-00°02'00"-E, 1327.93 FEET TO A POINT; THENCE RUN S-89°41'22"-E, 1725.58 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY HIGHWAY NO. 13; THENCE RUN SOUTH ALONG SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY HIGHWAY NO. 13, 2654.89 FEET TO THE POINT OF BEGINNING, CONTAINING 132.02 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 _____ 2006.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

ORDINANCE NO. 2006-21

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

**Julio Corte Jr.
ANNEXATION OF 21.27 ACRES
OLDFIELD**

**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 January 26, 2006 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned R-4, High Density Single Family Residential, zone**; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on March 6, 2006 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 AA@**LEGAL DESCRIPTION:****DESCRIPTION TO ACCOMPANY SKETCH OF 21.27 ACRES TO-WIT:**

COMMENCE AT A RAILROAD SPIKE MARKER AT THE "LOCALLY ACCEPTED" NORTHEAST CORNER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SAINT STEPHENS MERIDIAN, AND RUN THENCE NORTH 89 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A CAPPED IRON PIN MARKER ON THE WEST RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY NO. 181; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 25.00 FEET FOR A POINT OF BEGINNING; CONTINUE THENCE SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 1008.66 FEET; THENCE RUN NORTH 89 DEGREES 21 MINUTES 55 SECONDS WEST, A DISTANCE OF 345.36 FEET; THENCE RUN SOUTHWESTWARDLY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 400.00 FEET, AN ARC DISTANCE OF 140.54 FEET, (CHORD BEARS SOUTH 80 DEGREES 34 MINUTES 09 SECONDS WEST, 139.82 FEET); THENCE RUN SOUTH 70 DEGREES 30 MINUTES 13 SECONDS WEST, A DISTANCE OF 174.96 FEET; THENCE RUN SOUTHWESTWARDLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 467.72 FEET, AN ARC DISTANCE OF 223.09 FEET, (CHORD BEARS SOUTH 84 DEGREES 10 MINUTES 09 SECONDS WEST, 220.98 FEET); THENCE RUN NORTH 05 DEGREES 28 MINUTES 09 SECONDS WEST, A DISTANCE OF 174.69 FEET; THENCE RUN NORTH 00 DEGREES 39 MINUTES 07 SECONDS EAST, A DISTANCE OF 942.34 FEET; THENCE RUN SOUTH 89 DEGREES 30 MINUTES 17 SECONDS EAST, A DISTANCE OF 886.30 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 21.27 ACRES, MORE OR LESS, AND LIES IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, 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 _____ 2006.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

ORDINANCE NO. 2006-22

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

**JULIO CORTE, JR.
ANNEXATION OF 18.91 ACRES
OLDFIELD**

**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 January 26, 2006 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned R-3, High Density Single Family Residential, zone**; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on March 6, 2006 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 AA@

LEGAL DESCRIPTION:

DESCRIPTION TO ACCOMPANY SKETCH OF 18.91 ACRES TO-WIT:

COMMENCE AT A RAILROAD SPIKE MARKER AT THE "LOCALLY ACCEPTED" NORTHEAST CORNER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SAINT STEPHENS MERIDIAN, AND RUN THENCE NORTH 89 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A CAPPED IRON PIN MARKER ON THE WEST RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY NO. 181; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 1384.21 FEET; THENCE RUN SOUTH 89 DEGREES 52 MINUTES 20 SECONDS WEST, A DISTANCE OF 537.27 FEET; THENCE RUN SOUTH 85 DEGREES 33 MINUTES 41 SECONDS WEST, A DISTANCE OF 262.08 FEET FOR A POINT OF BEGINNING; THENCE RUN SOUTH 52 DEGREES 13 MINUTES 55 SECONDS WEST, A DISTANCE OF 185.08 FEET; THENCE RUN SOUTHWESTWARDLY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 52.86 FEET, (CHORD BEARS SOUTH 05 DEGREES 17 MINUTES 04 SECONDS WEST, 50.43 FEET); THENCE RUN SOUTH 48 DEGREES 23 MINUTES 32 SECONDS WEST, A DISTANCE OF 68.97 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 08 SECONDS WEST, A DISTANCE OF 140.90 FEET; THENCE RUN NORTH 89 DEGREES 41 MINUTES 03 SECONDS WEST, A DISTANCE OF 1575.84 FEET; THENCE RUN NORTH 01 DEGREES 24 MINUTES 54 SECONDS EAST, A DISTANCE OF 169.87 FEET; THENCE RUN NORTH 13 DEGREES 17 MINUTES 25 SECONDS WEST, A DISTANCE OF 154.56 FEET; THENCE RUN NORTH 65 DEGREES 03 MINUTES 18 SECONDS WEST, A DISTANCE OF 93.92 FEET; THENCE RUN NORTH 20 DEGREES 20 MINUTES 42 SECONDS WEST, A DISTANCE OF 172.87 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 12 SECONDS EAST, A DISTANCE OF 510.03 FEET; THENCE RUN SOUTH 88 DEGREES 26 MINUTES 17 SECONDS EAST, A DISTANCE OF 188.56 FEET; THENCE RUN SOUTHEASTWARDLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 7350.00 FEET, AN ARC DISTANCE OF 711.34 FEET, (CHORD BEARS SOUTH 84 DEGREES 56 MINUTES 20 SECONDS EAST, 711.06 FEET); THENCE RUN SOUTH 82 DEGREES 19 MINUTES 07 SECONDS EAST, A DISTANCE OF 555.72 FEET; THENCE RUN SOUTH 01 DEGREES 33 MINUTES 25 SECONDS WEST, A DISTANCE OF 32.32 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 18.91 ACRES, MORE OR LESS, AND LIES IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, 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 _____ 2006.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

ORDINANCE NO. 2006-23

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

**JULIO CORTE, JR.
ANNEXATION OF 25.14 ACRES
OLDFIELD**

**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 January 26, 2006 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned R-2, Medium Density Single Family Residential, zone**; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on March 6, 2006 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 AA@

LEGAL DESCRIPTION:

DESCRIPTION TO ACCOMPANY SKETCH OF 25.14 ACRES TO-WIT:

COMMENCE AT A RAILROAD SPIKE MARKER AT THE "LOCALLY ACCEPTED" NORTHEAST CORNER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SAINT STEPHENS MERIDIAN, AND RUN THENCE NORTH 89 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A CAPPED IRON PIN MARKER ON THE WEST RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY NO. 181; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 25.00 FEET; THENCE RUN NORTH 89 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 886.30 FEET FOR A POINT OF BEGINNING; CONTINUE THENCE NORTH 89 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 1373.33 FEET; THENCE RUN SOUTH 08 DEGREES 24 MINUTES 17 SECONDS EAST, A DISTANCE OF 397.33 FEET; THENCE RUN SOUTH 38 DEGREES 17 MINUTES 06 SECONDS EAST, A DISTANCE OF 99.73 FEET; THENCE RUN NORTH 88 DEGREES 25 MINUTES 11 SECONDS EAST, A DISTANCE OF 100.00 FEET; THENCE RUN SOUTH 01 DEGREES 22 MINUTES 22 SECONDS EAST, A DISTANCE OF 150.36 FEET; THENCE RUN SOUTH 29 DEGREES 48 MINUTES 18 SECONDS WEST, A DISTANCE OF 58.44 FEET; THENCE RUN SOUTH 01 DEGREES 22 MINUTES 22 SECONDS EAST, A DISTANCE OF 161.39 FEET; THENCE RUN SOUTHEASTWARDLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 7750.00 FEET, AN ARC DISTANCE OF 754.04 FEET, (CHORD BEARS SOUTH 84 DEGREES 57 MINUTES 13 SECONDS EAST, 753.74 FEET); THENCE RUN SOUTH 82 DEGREES 09 MINUTES 59 SECONDS EAST, A DISTANCE OF 417.38 FEET; THENCE RUN NORTH 00 DEGREES 39 MINUTES 07 SECONDS EAST, A DISTANCE OF 942.34 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 25.14 ACRES, MORE OR LESS, AND LIES IN THE NORTHEAST QUARTER OF SECTION 34 , TOWNSHIP 5 SOUTH, RANGE 2 EAST, 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 _____ 2006.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

ORDINANCE 2006-25

An Ordinance Appropriating Funds:

**Recreation Part-Time Employees
Building Inspections Vehicle**

WHEREAS, Ordinance 2005-69 approved and adopted the Fiscal Year 2006 Budget December 5, 2005; and

WHEREAS, such Fiscal Year 2006 budget, as heretofore amended, includes \$ 109,438 Revenues in excess of Appropriations; and

WHEREAS, the City Council has considered certain capital, personnel, and operating appropriation requests.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2006 General Fund Budget is hereby amended to include:

Appropriations totaling \$ 37,872 as summarized below:

- \$ 19,872 Personnel: Recreation (3) PT Community Ctr Assc
- \$ 18,000 Building Inspections: Vehicle for Erosion Control Officer

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this _____ day of _____, 2006.

Greg Burnam, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk, MMC

ORDINANCE 2006-26

An Ordinance Appropriating Funds

Police Vehicle Replacement

WHEREAS, Ordinance 2005-69 approved and adopted the Fiscal Year 2006 Budget December 5, 2005; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2006 budget, the City Council has from time to time determined that certain additional appropriations are required and should be approved and made a part of the Fiscal Year 2006 budget; and

WHEREAS, a police vehicle was involved in an accident and subsequently "totaled" by the insurance company; and

WHEREAS, insurance proceeds totaling \$ 12,713 have been received and the cost of a replacement vehicle is \$ 21,052; and

WHEREAS, the vehicle needs to be replaced as soon as possible for police operations.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2006 Budget is hereby amended to include a General Fund appropriation not to exceed \$ 8,339 (21,052-12,713) for the purchase of a replacement police vehicle.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this _____ day of _____, 2006.

Greg Burnam, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen
City Clerk, MMC

ORDINANCE NO 2006- 13

**6% Lodging Tax Levy
Amendment to the Use of Lodging Tax Proceeds**

WHEREAS, the following Ordinances regarding Lodging Taxes were heretofore adopted:

Ordinance No. 2000-34 adopted October 2, 2000
Ordinance No. 2000-25 adopted July 17, 2000
Ordinance No. 1997-28 adopted December 8, 1997
Ordinance No. 1995-15 adopted August 7, 1995

WHEREAS, the City Council has determined that in order to better meet the needs of the City of Daphne, the Lodging Tax levy and the use of Lodging Tax proceeds must be amended.

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

SECTION I: Section 1 of Ordinance 2000-34 is hereby amended as follows:

The uses of lodging taxes collected are hereby divided as follows:

- 1) Payment of Debt Service required for the purchase, development, and/or maintenance of beachfront property.
- 2) Fifteen percent (15%) of gross proceeds collected shall be used for the purpose of providing funding to the Daphne Industrial Development Board (IDB) for the implementation of strategies, action items, and tactics included in the Strategic Economic Development Plan as approved and adopted in Resolution 2000-31 by the Daphne City Council June 19, 2000.
- 3) Such Lodging Tax proceeds remaining after debt service payments and IDB Contributions are hereby divided into reserves as follows:
 - 60% Beachfront Property: Purchase/Development/Maintenance
 - 40% Vehicles and EquipmentSuch reserves shall be subject to annual appropriation as approved by the City Council.

All other provisions of Ordinance No. 2000-34 shall remain in full force and effect.

**6% Lodging Tax Levy
Amendment to Use**

SECTION II: LEVY OF TAX IN CITY- Section 1 of Ordinance 1997-28 which levied a four percent (4%) tax for lodging is hereby amended and a six percent (6%) Lodging Tax is hereby levied.

All other provisions of Ordinance No. 1997-28 shall remain in full force and effect.

SECTION III: SEVERABILITY CLAUSE- The provisions of this ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the part that remains.

SECTION IV: EFFECTIVE DATE- This Ordinance shall be in full force and effect at 12:01 am on the first day of May 2006, and the first payment of taxes hereunder shall become delinquent unless paid on or prior to June 20, 2006.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this _____ day of _____, 2006.

Greg Burnam, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk, MMC

ORDINANCE 2006 –27

An Ordinance to establish a new position in the Police Department

WHEREAS, the City Council has considered the personnel needs in the Police Department; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2006 budget, the City Council has from time to time determined that certain additional appropriations are required and should be approved; and

WHEREAS, there is a need for an additional Administrative Technician to provide support to a Division Captain in the Police Department.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Daphne that this additional position in the Police Department be funded.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this _____ day of _____, 2006.

Greg Burnam, Council President

Date & Time Signed:_____

Fred Small, Mayor

Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk, MMC