

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

1. CALL TO ORDER

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

3. APPROVE MINUTES: March 7, 2005

- PUBLIC HEARINGS:**
1. Municipal Information Signs
 2. Daphne Zoning Map
 3. Olde Towne District Map
 4. Village Overlay Map

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE - Scott

Review minutes meeting held March 10th

- a.) Surety Bonds/Employees / Dishonesty Insurance / Ordinance 2005-9
- b.) Bid Award:
 - 1.) Jubilee Breeze Magazine / Resolution 2005-23
- c.) Search & Rescue Squad:
 - 1.) Authorization for Loan Pay-Off / MOTION
- d.) Workers Compensation Renewal / Resolution 2005-24
- e.) Police Department Personnel
 - 1.) Authorize Position Re-Alignment / MOTION
 - 2.) Authorize Chief Corrections Officer / MOTION
- f.) Agreement: Volunteer Firefighters Association /
Brush Truck / Resolution 2005-25
- g.) Approve SARPC FY05 1st Half Pro-Rata Contribution / MOTION
- h.) Approve Daphne High School Reimbursement- Summer Utilities / MOTION
- i.) Financial Reports:
 - 1.) Treasurers Report / 2-28-05
 - 2.) Sales & Tax Collections / 1-31-05
- j.) Overtime / Admin Pay Policy During Declared Emergency / Ordinance 2005-04

B. BUILDINGS AND PROPERTY COMMITTEE- Lake

Review minutes meeting held February 4th

C. PLANNING/ZONING/CODE ENFORCEMENT - Barnette

D. PUBLIC SAFETY/ORDINANCE COMMITTEE- Burnam

Review minutes meeting held March 8th

E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY - Yelding

Review minutes meeting held Feb. 25

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments - Eady

B. Downtown Redevelopment Authority – Barnette

Review minutes meeting held January 25th

Review minutes meeting held February 15th

C. Industrial Development Board - Yelding

- D. Library Board - Lake
- E. Planning Commission – Barnette
- F. Recreation Board - Burnam
- G. Utility Board - Scott

6. REPORTS OF THE OFFICERS:

- A. *Mayor=s Report*
- B. *City Attorney=s Report*
- C. *Department Head Comments*

7. PUBLIC PARTICIPATION:

Ruth Sewell / SEEDS Organization

8. RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS:

RESOLUTIONS:

- a.) **Bid Award: Jubilee Breeze Magazine**
 Interstate Printing & Graphics, Inc /Resolution No. 2005-23
- c.) **Workers Compensation Renewal**/Resolution No. 2005-24
- d.) **Agreement: Daphne Volunteer Firefighter Assoc.**/Resolution No. 2005-25

ORDINANCES:

- a.) *Overtime / Admin Pay Policy During Declared Emergency*/Ordinance No. 2005-04
- b.) *Fire Prevention Code for the City of Daphne / 2nd READ.*/Ordinance No. 2005-07
- c.) **Surety Bonds / Employee Dishonesty Insurance Coverage** /Ordinance No. 2005-09
- d.) **Municipal Information Signage**/Ordinance No. 2005-10
- e.) **Adopting Revision to the Zoning Map**/Ordinance No. 2005-11
- f.) **Adopting Revision to the Olde Towne District Map**/Ordinance No. 2005-12
- g.) **Adoptng the Village Overlay Map**/ Ordinance No. 2005-13
- h.) **Six Month Moratorium Height Variances**/Ordinance 2005-14

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

Consideration of the requested height variance by Chunchula Energy Corporation, Apalachee Project:

Mrs. Barnette reported that the Planning Commission decision was split 4/4 on a recommendation to favorably or unfavorably recommend the height exception for the Apalachee Building, Lot 1 of Sundowne Subdivision. Mrs. Barnette read a four page memo regarding the height variance, which is spread out upon these minutes.

Public Participation for the Height Variance:

Mr. Eady presented some slides of the proposed building site.

Mr. Kevin Spriggs - Business owner in Daphne - spoke in favor of the project.

Mr. John Hull - Van Buren - questioned the traffic flow and safety issues.

Mr. Lon Johnston - 316 Whiting Avenue - spoke regarding the need for good planning on the city's part.

Mr. Jim Ellis - 564 Stuart Street - said the infrastructure issues need to be addressed. He said he is not exactly in favor of the project.

Mr. Willie Robison - Stuart Street - asked if they are allowed to build that it will have reached 95% allowable density for that piece of property, if that is true, and they build a second building, will they come and ask for a variance on the density of the population of that acreage?

Mr. Ernest Berger - 306 Belrose Avenue - spoke regarding having a vision for the city, the city setting goals and standards for the city and sticking to them.

Mr. Rod Drummond - Ridgewood Drive - spoke regarding Daphne becoming like Mobile, and is against the project.

Mrs. Judy Sullivan - 156 Green Bay Circle - spoke against the project.

Mrs. Karen Nady - Captain O'Neal - Mrs. Nady asked that her comments be made a part of the permanent record. Her comments are spread out in these minutes as given.

Mr. Philip Speirs - 730 Oak Bluff Drive - spoke against the project, saying they need to get input from the citizens.

Mr. Brice Cocke - 105 N Bradbury Circle - spoke in favor of the project.

Mr. Ray Micsan - Hillwood - spoke in favor of the project saying it will be an asset to the community and lead to enhancements.

Ms. Kathleen Pattengale - spoke against the project saying this is the start of the end of Daphne as we know it.

Mr. Bob Segalla - Daphne - not for or against, but says there is a better way of doing it.

Mr. Ron Burkhardt - Lake Forest - spoke in favor of the project saying he does not think it will detract from the look of the city.

Mr. Barry Breeland - 105 Fern Cliff Circle - asked the Council to delay the project.

Mrs. Valla Grodzicki - 600 Sandpiper Lane - spoke in favor of the project.

Mr. David Preston - spoke against the project.

Mr. E. Jeffery Jefferies - Fairway Drive - spoke in favor of the project saying he wants to live in the condo's.

Mr. Warren West - Vice-Chairman of the Planning Commission - spoke against the project saying there is nothing in the Comprehensive Plan for this type of high rise. He urged the Council to deny.

Mr. David Wessler - Old County Road - Spoke against the project saying it is all about money.

Mrs. Joan Crowder - Belrose Avenue - asked the Council to check out the roads.

Dr. Barry Booth - Montrose - Developer of project said his intent with the project is to share a vision with his neighbors with a well conceived, environmentally sensitive, and socially responsible residential development can positively influence and reinforce the growth goals and aspirations of Daphne.

MOTION BY Mrs. Barnette to table the Chunchula Energy Corp., Apalachee Project variance request, and place a 60 day moratorium on height requests to provide the City of Daphne and the City of Daphne Planning Commission time to develop a plan to address building height needs. Seconded by Mr. Scott.

The Council discussed the pros and cons of the issue of the height variance.

ROLL CALL VOTE

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

AYE Barnette, Scott, Landry

NAY Yelding, Lake, Burnam, Palumbo

MARCH 7, 2005
CITY OF DAPHNE, AL
CITY COUNCIL MEETING
6:30 PM

that the city will be reimbursed 100% for debris removal, which will be \$332,000 coming back to the city. The Mayor recognized Representative Randy Davis for working hard on this along with the Governor, Bradley Byrne and Jo Bonner. He commended the Public Works Department for helping in all kinds of areas for the citizens of Daphne.

a.) Parade Permit / Animal Rescue Run / 5K & 1 mile Fun Run

MOTION BY Mr. Lake to approve the Parade Permit for the Animal Rescue 5K & 1 Mile Fun Run for April 16, 2005. Seconded by Mrs. Landry.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

B. City Attorney's Report
No report.

C. Department Heads Comments:

Dale Foster personally thanked Representative Randy Davis for his help in acquiring the grant to have the library open on selected Tuesday evenings. He reported that the Library is now a wireless hot spot.

7. PUBLIC PARTICIPATION:

Mr. Lon Johnston - 316 Whiting Court - asked about the Mayor's veto rights for the height variance motion.
Mr. Brice Cocke - 105 N Bradbury Circle - spoke regarding the Lake Forest Lake being offered to the City.

Mrs. Landry asked that this be put on the next Work Session Agenda.

Mr. Willie Robison - Stuart Street - Apologized for the rudeness of the audience during consideration of the height variance, and commended the Council for their courtesy.
Mr. Carl Schneider - 27580 Harbor Place - spoke regarding the approval of the height variance, and storm water management.
Mr. David Preston - County Road 64 - spoke regarding the height variance.
Mrs. Karen Nady - 1301 Captain O'Neal - spoke regarding the Olde Towne Daphne West Association.
Mrs. Judy Sullivan - 156 Green Bay Circle - commended the Utility Department for helping with a problem she had, the liter around the Lake Forest Lake, and height variance.
Mrs. Joan Crowder - Daphne - spoke regarding the Pie Social at the Museum.
Mr. Barry Breeland - 105 Fern Cliff Circle - spoke regarding being kept abreast of the goings on in the city.

8. RESOLUTIONS, ORDINANCES, & OTHER BUSINESS:

RESOLUTIONS:

- a.) Prepaid Travel /David Cohen/Bailey Yelding/Cathy Barnette/
Regina Landry...../Resolution No. 2005-20
- c.) Acceptance of Streets & Drainage/Resolution No. 2005-21

MOTION BY Mr. Lake to waive the reading of Resolution No. 2005-20. Seconded by Mr. Palumbo.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mr. Lake to adopt Resolution No. 2005-20. Seconded by Mr. Yelding.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mr. Lake to waive the reading of Resolution No. 2005-21. Seconded by Mrs. Landry.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mrs. Lake to adopt Resolution No. 2005-21. Seconded by Mrs. Landry.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

ORDINANCES:

a.) *Fire Prevention Code for the City of Daphne...../Ordinance No. 2005-07*

The Council agreed to make this a 1st READ.

9. COUNCIL COMMENTS:

Mr. Yelding said it has been really interesting, especially with the citizens comments. He said he wished they would all come out and support them at the Council meetings, and give them information and direction. He said they can even e-mail them. He did not hear from anyone in his district on any issues. He said the Council are people just like they are.

Mrs. Barnette responded to Mr. Carl Schneider’s comments regarding storm water management. She said the city is looking into storm water management, participating with Fairhope and Foley on a storm water management grant. Some of those recommendations maybe to establish a Storm Water Authority to allow for better storm water management. They have also discussed in the Public Works meetings hiring a erosion, sediment control specialist, so that they can have some enforcement capabilities to the ordinance. She mentioned the Board of Education, and discussions the Council has had regarding the need for Daphne Council involvement, not knowing what is going on with the schools, saying that some time in the future they might decide to appoint the SEEDS organization as a liaison between the Council and School Board, and she would like to see them put on a standing report basis like other Boards and Committees, maybe this could be on a work session, if Mr. Burnam deems it appropriate . She said that citizens can e-mail them and find information on the web-site. Mrs. Barnette said she is disappointed in the way the Council voted this evening, she did not feel this was a responsible decision. She is pleased that they put a moratorium on further action. She thinks it shows that even though they did not agree, at least they acknowledged the need for action. She encouraged the developers to rethink their proposal, she knows they have the right to do it, but she thinks that they have heard that the community does not really want it, and perhaps they might want to refine what they are looking at.

Mr. Lake said that a lot of the storm water problems is not only from the city, but comes from the County. It is something that needs to be looked at together. It is not something that goes away, they need to look at a Storm Water Utility and address it in a pro-active, not a reactive way, and look at managing these retention ponds effectively and appropriately inside and outside the community.

**MARCH 7, 2005
CITY OF DAPHNE, AL
CITY COUNCIL MEETING
6:30 PM**

Greg Burnam
Council President

Date & Time Signed: _____

To: ~~Office of the City Clerk~~
From: William H. Eady, Sr.,
Director of Community
Development
Subject: Proposed Amendment to the City
of Daphne Land Use and
Development Ordinance -
Municipal Information Signs

MEMORANDUM

10

Date: January 28, 2005

At the regular meeting of the City of Daphne Planning Commission, January 27, 2005, nine members were present and the vote was unanimous for the affirmative recommendation of the above-mentioned amendment (proposed ordinance).

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

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

Thank you,

WHE/jd

cc: Mayor Small
file

Supporting documentation to follow via email from Jay Ross,
City Attorney.

To: Office of the City Clerk
From: William H. Eady, Sr.,
Director of Community
Development
Subject: City of Daphne Zoning Map,
Olde Towne District Map, and
Village Overlay Map
Date: January 28, 2005

MEMORANDUM

At the regular meeting of the City of Daphne Planning Commission, January 27, 2005, eight members were present and the vote was unanimous for the affirmative recommendation of the above-mentioned documents (maps).

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

Attached please find two (2) copies of the appropriate documents to place on display at City Hall and the Public Library.

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

Thank you,

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file

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**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 10, 2005
4:00 P.M.**

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:10 P.M. Present were Councilman Bailey Yelding; Councilwoman Regina Landry; Finance Director Kim Briley; Senior Accountant Suzâne Henson; and Accountant I Belinda Job.

Chairman Ron Scott was absent.

Also in attendance were Police Captain Randy Bishop; Public Works Director Ken Eslava; Human Resources Director Sharon Cureton; Fire Chief Mund Hanson; and Recreation Director David McKelroy.

II. PUBLIC PARTICIPATION

A. FY04 Audit Progress Update – Allen and Allen, CPAs – Mr. Jeff Allen

Mr. Allen discussed he wanted to introduce himself to the new Committee members and give an update on the current audit. Discussion continued that the hurricane in September and all the FEMA work that resulted has delayed the start of the audit process; however, the time period to complete the audit will be May. Mr. Allen noted all the major revisions to the new governmental accounting reporting requirements were completed last year so it should only be a matter of adding to what we currently have. Mr. Allen noted if anyone has any specific questions or concerns they need addressed, to please contact either Ms. Briley or him directly.

III. ISSUES REQUIRING ACTION BY CITY COUNCIL

A. Surety Bonds / Employee Dishonesty Insurance Coverage – Mr. Robbie Robertson, John Robertson Insurance Company

Ms. Briley discussed Ordinance 96-27 established a \$100,000 surety bond limit for 5 positions within the City. There is also a \$25,000 Employee Dishonesty Policy that covers employees in general. Discussion continued when these limits were adopted, the budget was \$9.5 million dollars. Ms. Briley noted the current budget is almost \$18 million and quickly approaching \$20 million. Discussion continued the City's Employee Dishonesty Policy currently does not include forgery, alterations, or computer fraud. Ms. Briley noted it is very important that these coverages be added now that the Council Packets are online and with the increased wireless and internet communications between departments. Discussion continued the City's current policy does not include any type of robbery, whether physically inside the building or while taking money to the bank.

Ms. Briley noted discussions with the League of Municipalities and Robbie Robertson of John Robertson Insurance have resulted in a recommendation to increase the surety bond coverage to a minimum of \$500,000 for check signers, the Revenue Officer, and Court Magistrate. Discussion continued it is also recommended that the employee dishonesty policy be increased to \$500,000 and that forgery, alterations, computer fraud, and robbery be added to the policy.

Ms. Briley discussed the City currently pays \$2,150 annually for the Surety Bonds and \$1,512 annually for Employee Dishonesty Insurance. The increase in coverage limits would result in an additional cost to the City of \$15,722 annually (to be prorated for the balance of the current Fiscal Year). Ms. Briley noted an ordinance would need to be adopted to amend Ordinance 96-27.

Motion by Ms. Landry to recommend to Council to adopt an ordinance to:

- 1) amend Ordinance 96-27 and increase the Surety Bond limit to \$ 500,000, and***
- 2) amend the budget in the amount of \$15,722 for the increased cost of premiums and coverage for the \$ 500,000 Surety Bonds and \$ 500,000 Employee Dishonesty Insurance Policy. Seconded by Mr. Yelding.***

B. Bids: 2005-K-JUBILEE BREEZE

Mr. David McKelroy, Recreation Director, discussed the only bid received for the printing of the Jubilee Breeze was from Interstate Printing and Graphics. Discussion continued Interstate Printing and Graphics has provided the printing service for the past two years and that their current bid is below the bid amounts received two years ago from competitors.

Motion by Ms. Landry to recommend to Council to adopt a resolution awarding the bid for printing of the Jubilee Breeze to Interstate Printing & Graphics for costs as specified in bid. Seconded by Mr. Yelding.

C. Search & Rescue Squad – Payoff of Boat Loan - \$1,355.61

Mr. Eslava discussed the outstanding balance on a Search and Rescue 26' Proline Boat loan was \$17,855 at the time the boat sank. (Daphne Search & Rescue purchased the boat, it is titled to Search & Rescue, and the City of Daphne insures the boat.) Discussion continued a check has been received from insurance in the amount of \$16,500, leaving a balance of \$1,355.61 on the loan. Funds are available in the General Fund Search & Rescue budget; however these funds need to be approved to pay off the loan on behalf of Daphne Search & Rescue. Mr. Eslava discussed the request for the City of Daphne to pay off the loan with funds available in the FY 2005 Search & Rescue budget.

Motion by Mr. Yelding to recommend to Council to authorize use of funds budgeted for Search & Rescue activities to payoff the boat loan balance in the amount of \$1,355.61 on behalf of the Daphne Search & Rescue Squad. Seconded by Ms. Landry.

D. Workers Compensation – Insurance Renewal

Ms. Briley discussed a letter received from Municipal Workers Compensation Fund, Inc. It was noted that in previous years, the Workers Compensation Insurance has been renewed without a resolution; however, Municipal Workers Compensation Fund, Inc. is now requiring all municipalities who participate in the fund to formally adopt a resolution stating the City is going to participate in the Municipal Workers Compensation Fund. Sharon Cureton, Human Resources Director, noted one of the reasons a resolution is now being required is three paragraphs have been added to the contract. Discussion continued Paragraph 13 (e), (f) and (g) state that coverage can be declined if a member fails to report an injury within 60 days; if a member receives a lawsuit regarding a workers compensation litigated matter and fails to send it to Workers Comp within 7 days; or if the member hires someone who tested positive for drugs and alcohol. Ms. Briley noted this is included in the budget and is a procedural matter for the contract renewal.

Motion by Mr. Yelding to recommend to Council to adopt a resolution authorizing the Mayor to execute the Municipal Workers Compensation Fund 2005 Contract Renewal. Seconded by Ms. Landry.

E. Police Personnel:

1. **Realign Authorized Personnel: Officers/Detectives**

Captain Randy Bishop discussed a request to have a funded position moved from Patrol to the Detective Division. Discussion continued the Detective Division previously had two vacant slots; one due to a detective being assigned to the Baldwin County Drug Task Force and the other from a detective going back to patrol. When the reclassification was done, and, due to some miscommunication, one of the detective positions was picked up as a patrol position. Captain Bishop discussed the recent job reclassification resulted in the Detectives being upgraded to Grade 14, therefore eliminating the ability to move officers between Patrol and Detectives as needed (due to the pay scale differential.) Ms. Cureton discussed the Detectives were basically given an extra step for the higher level of detective responsibilities. Captain Bishop discussed the Detective Division is getting very busy and there is a need to bring the position back to Detective from Patrol. Ms. Cureton discussed the position would have to be announced to be filled due to being a promotion and pay raise. Ms. Landry stated what the Police Department is asking for is the

difference in pay between a Patrolman and a Detective. Ms. Briley noted the difference in starting rates between Patrol and Detectives is \$950 annually. Discussion continued the Police Department has had vacancies this year; therefore the budget would not need to be amended. Ms. Briley also noted the Police Department would maintain the same number of authorized sworn police officers (40).

Motion by Ms. Landry to recommend to Council to authorize the realignment of one Police Department personnel position from Patrol Officer to Detective. Seconded by Mr. Yelding.

2. Chief Corrections Officer Promotion Request

Ms. Briley discussed the Police Department is requesting to promote from within to fill the position of Chief Corrections Officer; no new personnel are being added. The position was evaluated in the recent job classification study and is already graded in the current pay plan. Captain Bishop discussed there are ten spots in Corrections and one of those spots will be moved up to Supervisor. Mr. Yelding noted the Police Department's long range plan does not reflect this position. Captain Bishop discussed that the long range plan was created several years ago and that it is not a stagnant plan; while the department has fallen behind in some areas it has moved ahead in others. Captain Bishop further discussed that the long range plan needed to be reviewed and updated. Ms. Landry suggested the Public Safety Committee review the long range plan and make adjustments as necessary. Ms. Cureton stated the position will be announced for interested parties to apply. Captain Bishop discussed he will still oversee the entire operation of the jail; however the new Chief Correction Officer will be responsible for the day to day operations.

Motion by Ms. Landry to recommend to Council to authorize the position of Chief Corrections Officer to be posted and filled with no change in the total authorized correction positions. Seconded by Mr. Yelding.

F. Agreement: Volunteer Firefighters Association Purchase - Brush Truck

Mr. Yelding discussed a request from the Daphne Volunteer Firefighter's Association for the City to issue a Purchase Order in the amount of \$33,066 plus delivery charges (to be calculated at a later date) for the purchase of an F-550 Brush Truck (from the State Bid List) for the Daphne Fire Department. Chief Hanson noted once the invoice is received, the Volunteer Firefighters Association will issue a check to the City for the amount of the invoice. The vehicle will be titled to the City of Daphne and the City will assume all insurance and maintenance costs. It was noted this is a replacement vehicle.

Motion by Mr. Yelding to recommend to Council to adopt a resolution authorizing the Mayor to enter into an agreement with the Daphne Volunteer Firefighters Association for the purchase from the State Bid List of a 2005 Ford F-550 Brush Truck in the amount of \$33,066 plus delivery charges. Seconded by Ms. Landry.

G. SARPC 2005 Contribution

Ms. Briley discussed the request from the South Alabama Regional Planning Commission (SARPC) for payment in the amount of \$8,000 which represents ½ of the fees for 2005. Discussion continued this was brought up at a previous meeting and tabled pending receipt of additional information from SARPC. Ms. Briley noted SARPC has provided the information; therefore, she needs to know if the information is acceptable to the Council and if the Council wishes to pay the 1st half of Daphne's pro-rata share due to the SARPC for 2005. Ms. Briley noted the remaining balance due for 2005 could be included with the budget amendments, so additional funds would not need to be appropriated at this time. Ms. Landry stated that after making payment this year, the services need to be evaluated at year end.

Motion by Mr. Yelding to recommend to Council to authorize payment in the amount of \$8,000 to the South Alabama Regional Planning Commission for the 1st half pro-rata share for Fiscal 2005. Seconded by Ms. Landry.

H. Daphne High School - Athletic Fields Utilities Reimbursement Request

Ms. Briley discussed David McKelroy, Recreation Director, met with Coach Vickery of Daphne High School to discuss the various utility bills being submitted to the City for reimbursement. Discussion continued the meeting resulted in an understanding that the City should pay \$2,229.45. It was also determined that no charges were submitted for the City's use of the gymnasium. Mr. McKelroy discussed the charges submitted were mainly outdoor facilities. Discussion continued there was a separate agreement with the Dixie Boys that has already expired. Ms. Landry discussed the field house during the summer is used primarily by the High School with some City use intermingled. Discussion continued the City should not be responsible for 100% of this bill, that it should be split with the school. Ms. Landry expressed concern over the current agreement between the school and the City. Ms. Landry also discussed the School Board has advised Spanish Fort that it will have free use of the Daphne School facilities that the City of Daphne is maintaining. Ms. Landry stated that it is going to be very important that everything be in writing. Mr. Yelding concurred with the need to have a new agreement between the City of Daphne and Daphne High School drafted and approved.

Motion by Ms. Landry to recommend to Council to authorize payment to Daphne High School in the amount of \$2,229.45 for the 2004 Athletic Field Summer Utilities, and that a new contract regarding the use of facilities and payment of the utility bills be drafted. Seconded by Mr. Yelding.

I. Overtime/Administrative Compensation During Declared Emergencies

Ms. Briley discussed the Public Safety Committee forwarded a recommendation to adopt an ordinance regarding overtime/administrative compensation during declared emergencies. Chief Hanson discussed the Police and Fire Department initiated the ordinance due to some situations that arose during Hurricane Ivan. Ms. Landry discussed the Public Safety Committee wrote the ordinance and the City Attorney reviewed it. However, it was not forwarded to Human Resources or Finance for review. After review by HR and Finance, a new section addressing administrative pay was added. The purpose for the addition was to clarify administrative pay issues. The 2nd version of the ordinance went back to the Public Safety Committee for review. Ms. Briley met with Tim Fleming, from the City Attorney's office, and a section of definitions was added to the 2nd version. Discussion continued the ordinance had a 1st reading, but is has changed significantly since the first reading. The new proposed ordinance could be presented as a first reading at the next Council meeting.

Motion by Ms. Landry to recommend that the proposed Ordinance Authorizing Overtime Compensation for Salaried Employees and Setting Forth Administrative Pay Policy During Declared Emergencies be included in the Council packet for a First Reading. Seconded by Mr. Yelding.

IV. CURRENT BUSINESS

A. Appropriation Requests:

1. People to People Student Ambassador Program

Ms. Briley noted this was previously discussed at a Council Meeting and referred to the Finance Committee. Mr. Yelding stated this needs to be on the next work session agenda for discussion by the full Council.

2. Starlight School of Arts, Summerdale AL

Ms. Briley noted Becky Hayes talked with a representative of this group and they asked that their request be tabled until a representative could attend the meeting and make a presentation.

3. County Road 64 Widening - \$85,000

Mr. Eslava discussed the road is not complete and recommended no action at this time.

B. Discuss Street and Road Maintenance

Mr. Eslava discussed a memo he submitted with attachments to all Council members regarding the depreciation of the City's infrastructure and the need for immediate maintenance efforts. Discussion continued there are roads in the City that are approaching the point of structural failure. Mr. Eslava discussed the City may need to consider a new bond issue to cover this type of infrastructure upgrade. Mr. Eslava requested placing this item on the upcoming work session agenda. Mr. Eslava noted the roads listed in his report are the worst in the City; however, there are others that need to be added. Mr. Yelding inquired about the "driveway bridges". Mr. Eslava discussed they impede the storm water flows and that the City needs to come up with some recommendations for changing this. Discussion continued these are a result of continuous overlays over the years. Mr. Yelding commended Mr. Eslava for the well prepared report. Mr. Yelding noted this item would be placed on the upcoming work session agenda.

V. FINANCIAL REPORTS

A. Report: New Business Licenses

Ms. Briley discussed Councilman Palumbo had requested a report on new businesses in Daphne each month during a recent Council meeting. Discussion continued the report shows new business licenses issued in February and is broken down into several categories. Ms. Briley discussed there were 15 licenses issued in the "Brick and Mortar" category (businesses with a physical location in Daphne); 37 licenses issued for businesses making deliveries in Daphne but who are physically located outside of the City; 29 new contractor licenses issued; and 11 new insurance company licenses issued. Discussion continued there was only 1 business reported as closing during February.

B. Treasurers Report: February, 2005

Ms. Briley discussed the Treasurers Report in the amount of \$9,811,884.56. Ms. Briley noted cash was down about \$307,000 from January. Discussion continued January is a peak month for the receipt of ad valorem taxes and business licenses so a drop in February is expected.

C. Sales Tax Collection Graphs – January 31, 2005

Ms. Briley discussed total collections for January 2005 were \$771,837.83. Discussion continued collections were \$74,754.15 above collections for January 2004; and \$105,025.23 above budget for the month. As of January 31, 2005 (4th month of the fiscal year), actual collections exceeded budget by \$616,588 (21.30%).

D. Ad Valorem, February 28, 2005

Ms. Briley discussed Ad Valorem Tax collections through February 28, 2005 were \$2,490,707. Discussion continued \$3,136,000 was budgeted resulting in a variance of \$645,293. Ms. Briley noted the City is \$60,000 above collections at February 28, 2004.

E. Lodging Tax Collections, January 31, 2005

Ms. Briley reviewed the data and graph.

F. Bills Paid – February 28, 2005

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

VI. OLD BUSINESS

A. Fire Truck Equipment – Set Cost for Sale of Surplus equipment

Chief Hanson requested this item be removed from the agenda. Chief Hanson discussed the company that was interested in the purchase of the equipment is not willing to pay the same amount of money the insurance company was going to pay; therefore, the Fire Department will retain the equipment in inventory for use as spare parts.

B. County Rd 13

Mr. Eslava discussed the major traffic issues on County Rd 13 around the schools. Discussion continued he visited the Baldwin County work session this morning and was able to secure \$272,000 (\$136,000 from the Board of Education and \$136,000 from the Baldwin County Commission) for work to be performed to help the situation. Discussion continued the City will need to contribute \$136,000 also. Mr. Eslava discussed that from the South end of the school property around the Well Road area to just past Whispering Pines Road, it will be widened to 3-lanes with turn lanes and stacking lanes included. Discussion continued the total cost for this project according to the engineering estimates is \$410,000 and that the project will be bid out. A request will be coming forward at the next Finance Meeting for the appropriation of \$136,000 for the City's portion of the project.

VII. ADJOURN

The meeting was adjourned at 5:03.

CITY OF DAPHNE INTERNAL MEMO

DATE: MARCH 8, 2005
TO: FINANCE COMMITTEE
FROM: KIMBERLY BRILEY, FINANCE DIRECTOR
RE: SURETY/DISHONESTY BONDS

- Ordinance 1996-27 established surety bond limits of \$100,000 for the following:
 - Finance Director/Treasurer
 - Mayor
 - Mayor Pro-Tempore
 - Revenue Agent
 - Municipal Court Magistrate

The total annual cost for these surety bonds is \$2,150.

The total budget in the Fiscal Year this Ordinance was adopted totaled \$9,500,000. The total budget is now \$17,900,000.

Therefore, the following are recommended surety bond and employee Dishonesty coverage increases:

- Each employee/position to be insured for \$500,000
 - Finance Director/Treasurer.....\$ 3,750
 - Mayor.....\$ 1,750
 - Council President.....\$ 1,750
 - Council Vice President.....\$ 1,750
 - Revenue Agent.....\$ 1,750
 - Court Magistrate.....\$ 1,750
 - \$12,500

- Increase Dishonesty Policy from \$25,000 to \$500,000 – this is a one-time annual coverage with a \$5,000 deductible (Blanket coverage for all employees). Current cost for \$25,000 insurance coverage is \$1,512.
 - Dishonesty Policy (\$500,000).....\$3,315

Listed below are coverages the City does not currently have (Coverage amount - \$500,000):

- Forgery/Alteration (Form B).....\$ 644
- Computer Fraud (Form F).....\$ 371
- Robbery – Money/Inside (Form C1)\$2,260
- Robbery – Money/Outside (On way to Bank)(Form C2)\$ 294

The above options were discussed with and recommended by the Alabama League of Municipalities and Robbie Robertson, Robertson Insurance Agency.

ORDINANCE NO. 1996- 27

AN ORDINANCE TO ESTABLISH CERTAIN SURETY BONDS FOR CERTAIN MUNICIPAL OFFICERS AND EMPLOYEES OF THE CITY OF DAPHNE, ALABAMA.

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

SECTION 1: The following officers and employees of the City of Daphne, Alabama, shall give bond in the amount of \$100,000.00 with an appropriate surety:

MAYOR

FINANCE DIRECTOR/TREASURER

MAYOR PRO-TEMPORE

REVENUE AGENT

MUNICIPAL COURT MAGISTRATE

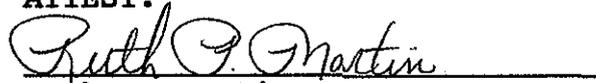
COUNCIL MEMBERS authorized by ordinance as signatories on bank accounts

SECTION 2: That said premiums for the above surety bonds shall be paid by the City of Daphne, a municipality.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE 21st DAY OF October, 1996.

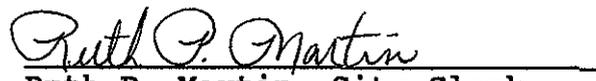

E. Harry Brown
Mayor

ATTEST:


Ruth P. Martin
City Clerk

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, Ruth P. Martin, City Clerk of the City of Daphne, Alabama, do hereby certify the foregoing to be a true and exact copy of an Ordinance approved and adopted by the City Council of the City of Daphne, Alabama, at its meeting held on the 21st day of October, 1996.


Ruth P. Martin, City Clerk

MEMORANDUM

Memorandum

To: Kim Briley, Finance

CC:

From: David McKelroy, Recreation *wjm*

Date: 3/8/05

Re: Jubilee Breeze – Printing Bid

It is my recommendation that the City of Daphne award the bid for printing the Jubilee Breeze to Interstate Printing and Graphics. Interstate Printing has done the printing for the Jubilee Breeze for the past two years. I am pleased with the quality of their product and professionalism.

Although no other bids were received, Interstate Printing's bid was still below the bids received two years ago from competitors.

Thanks.

CITY OF DAPHNE

**BID OPENING MINUTES
BID DOCUMENT NO: 2005-K-JUBILEE BREEZE PUBLICATION
MARCH 7, 2005
11:30 A.M.
CITY HALL**

Those present were as follows:

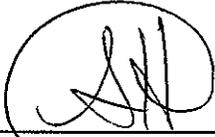
Ms. Suzanne Henson Sr. Accountant
Mr. David McKelroy Recreation Director

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

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

<u>VENDOR</u>	<u>QUANTITY</u> <u>14,000 Copies</u>	<u>15,000 Copies</u>	<u>16,000 Copies</u>
Interstate Printing & Graphics (44 Pages)	\$ 8,925	\$ 9,453	\$ 9,980
(48 Pages)	\$ 9,630	\$10,210	\$10,790

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



Suzanne Henson, Sr. Accountant

MEMORANDUM

CITY of DAPHNE...DIVISION of PUBLIC WORKS

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

From: Ken Eslava, Director
Divisions of Public Works & Maintenance
Member, Daphne Search & Rescue Squad

Date: March 3, 2005

Re: Contribution...Insurance loss

Please consider this my formal request of the Finance Committee to grant the Daphne Search & Rescue Squad a "contribution" in the amount of \$1355.61. This contribution will be used for the payoff of a bank loan negotiated last year to finance one of our rescue boats. The City insurer paid approximately \$16,500.00 as their portion of the coverage. The above \$1355.61 is the balance remaining on the loan after the insurance payoff. As verification of the debt, I am attaching a copy of the letter from Mr. Tom Penry, Vice President of the Citizens Bank in Robertsdale.

For those not aware, this rescue boat was moored at a boat slip in the Lake Forest Marina, and sank last summer due to an unknown cause. The vessel and its engines were declared a total insurance loss as a result of this incident.

I further request that this \$1355.61 contribution be deducted from the FY 2005 Search & Rescue Squad budget, and I hereby attest to the fact that funds are available in our budget to cover this expense.

I thank you for your assistance in this matter.



P.O. DRAWER 569
ROBERTSDALE, ALABAMA 36567

MEMBER FDIC
TELEPHONE (251) 947-1991
FAX (251) 947-1084

March 2, 2005

Daphne Search & Rescue
Daphne, AL 36526

Re: Loan #12000067

The payoff on the above referenced loan as of 03/12/05 is \$1355.61 with a per diem of \$.2386. If we may be of further assistance, please advise.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Penry".

Tom Penry
Asst. Vice President



MUNICIPAL WORKERS COMPENSATION FUND, INC.

P.O. Box 1270 • 535 ADAMS AVENUE • MONTGOMERY, AL 36102
334-262-2566 • FAX 334-263-0200

LEON SMITH
Mayor, Oxford
President

CYNTHIA McCOLLUM
Councilmember, Madison
Vice President

TED JENNINGS
Mayor, Brewton
Secretary-Treasurer

GEORGE ROY
Mayor, Calera
Director

DAN WILLIAMS
Mayor, Athens
Director

PERRY C. ROQUEMORE, JR.
General Manager

STEVE MARTIN
Operations Manager

*Renewal premium
190046*

February 23, 2005

Mayor Fred Small
City of Daphne
P.O. Drawer 400
Daphne, AL 36526

RE: Workers Compensation 2005 Renewal Contract

SECOND REQUEST

Dear Mayor Small:

Please find enclosed the 2005 renewal contract.

For the 2005 Fund Year, the Municipal Workers' Compensation Fund, Inc. is requiring a new renewal contract be executed.

The terms of the coverage remain intact except that there are three situations that may occur to which the Municipal Workers' Compensation Fund, Inc. will now be given the option to decline coverage concerning workers compensation benefits and employer's liability claims.

Please refer to Paragraph 13 (e), (f) and (g).

Paragraph 13 (e) gives the Municipal Workers' Compensation Fund, Inc. the option to decline coverage in the event a member is put on actual notice of a workers compensation injury and does not report the injury to the Municipal Workers' Compensation Fund, Inc. within 60 days.

Paragraph 13 (f) gives the Municipal Workers' Compensation Fund, Inc. the option to decline coverage if a member receives a lawsuit in regards to a workers compensation litigated matter and fails to send the lawsuit to the Municipal Workers' Compensation Fund, Inc. within 7 days of receipt of service of the lawsuit.

Paragraph 13 (g) gives the Municipal Workers' Compensation Fund, Inc. the option to decline coverage if a member hires an employee who tests positive for drugs or alcohol on the pre-employment drug test and subsequently suffers a workers compensation injury and tests positive for drugs or alcohol on the post accident drug test.

Included with the enclosed contract, is a resolution for the City Council or Board of Directors to pass authorizing your entity to sign the renewal contract. This is provided for your convenience.

The renewal contract, with the resolution, was mailed out via certified mail on December 10, 2004 and were due by January 31, 2005; therefore, we ask that you submit this completed information as quickly a possible to:

Municipal Workers Compensation Fund, Inc.
Post Office Box 1270
Montgomery, Alabama 36102

Your coverage for the 2005 Fund Year is as follows:

Part A – Workers Compensation Benefits are statutory
(Mandated by State Laws of Alabama).

Part B – Employers Liability - \$1,000,000 per occurrence
(The Fund will pay a maximum total of 1,000,000 for each occurrence per Fund Year).

We would also like to reiterate the type of volunteer employment coverage that the Fund offers to its members. The Fund currently covers volunteer firefighters, rescue squad workers, and police officers. This is an optional coverage for these volunteer workers and we must be notified as soon as possible that coverage is desired. The coverage includes medical benefits, which are paid by the Fund and limited disability benefits, which are paid by Provident Life and Accident Insurance Company. We also require that each member that opts for this coverage to continually update approved rosters at the council meetings when any changes are made. These rosters will be requested by our office in the event a claim is filed. Volunteer firefighters, rescue squads and police officers are the only volunteer employees covered by this Fund.

In the event you have any questions concerning this matter, please feel free to contact Tom Roper at 1-888-736-0210 or Steve Martin at 334-262-2566.

I remain sincerely yours,



Tom R. Roper
Outside General Counsel

RESOLUTION TO PARTICIPATE IN THE
MUNICIPAL WORKERS COMPENSATION FUND, INC.

NOW COMES, _____, a municipal entity,
and desires to participate in the Municipal Workers Compensation Fund,
Inc. for the purpose of being insured for workers compensation risk.

After due consideration with appropriate motion being made and
seconded the following Resolution was adopted:

RESOLVED, the _____ Board of Directors
hereby joins the Municipal Workers Compensation Fund, Inc. for the
purpose of obtaining workers compensation insurance coverage and
authorizes its appropriate agent to sign such documents as necessary to
complete said coverage.

This Resolution adopted this ___ day of _____ 20____.

witness

Mayor or Chairman

STATE OF ALABAMA

COUNTY OF MONTGOMERY

AGREEMENT

THIS AGREEMENT, entered into by and between MUNICIPAL WORKERS' COMPENSATION FUND, INC., hereafter referred to as "Company" and the undersigned of the State of Alabama, hereafter referred to as "Member" for the purpose of providing statutory benefits prescribed by the Alabama Workers Compensation Law for employees of such member;

WITNESSETH:

WHEREAS, The undersigned member has heretofore been accepted by the Workers Compensation Division of the Department of Industrial Relations of the State of Alabama as a "Self-Insurer" Workers Compensation Employer and desires to become one of the members of Company's Fund of Self Insurer Employers Members. The conditions of membership agreed upon by and between the parties are as follows:

1. The initial term of the contract shall commence on February 1, 2005, and shall continue in force annually thereafter until terminated. Either party may terminate on the first day of any month by giving 30 days written notice to the other party of their intention to terminate.
2. An annual estimated payroll, by payroll classifications, will be furnished by the member to the company. It is understood that this is an estimate that shall be adjustable at the end of each premium year so as to reflect the actual payroll of the books of each member.
3. The member agrees to pay a premium payable for its payroll classifications computed on a formula determined by first computing the rates using as a guide the classification of payrolls for the rates published by the National Council on Compensation Insurance multiplied by the applicable payroll classifications and as adjusted according to an applicable State Regulations. The result shall be the manual rate. Premiums shall be modified by the experience modification by reason of having been insured by a workers compensation insurer and having earned an experience modification promulgated by the appropriate rating bureau, i.e., the Southeastern Compensation Rating Bureau. It is understood and agreed that the company may from time to time and in its sole discretion determine and authorize discounts to the members. The member agrees to pay premiums, in advance, for the initial coverage period, commencing on

the date of this agreement and thereafter, annually, on February 1ST of each year. It is understood and agreed by the member that there may be rate adjustments, as required, because of increased benefit levels mandated by amendments to the Alabama Workers Compensation Law and published by the said rating bureau.

4. The estimated premium for the member shall be based upon payroll estimate and shall be payable as provided for in Section 3, above. At the end of the year, there will be submitted by the member, actual payrolls reflected by the books of the member and any additional amounts payable to the company, based upon the actual payroll, shall be paid and any lesser amounts payable shall be adjusted by refund to the member. The company reserves the right to audit the payroll records of any member.

5. The company agrees to use as a guide a workers compensation rating plan as prescribed by a rating bureau and to calculate and furnish each member with individual experience modifications, if earned, in accordance with the provisions of such experience rating plans.

6. The company hereby agrees to maintain, at all times, with underwriters adequate reinsurance coverage for protection of the member.

7. It is agreed that the member shall have no joint or several liability with other members of the Fund; except that the total sum of premiums over and above fixed costs paid by all members shall be available for payment of Workers Compensation claims of all members. Any surplus to the company resulting from overall loss experience less than 70% of the paid in premiums shall be available for dividend credit to future premiums, or as a reserve, or for the company and/or members use as determined and declared by the company's Board of Directors.

8. The company (through its designee) agrees to handle and pay any and all claims legally required to be paid by the member under Alabama's Workers Compensation Laws (except as provided in Paragraph 13), after timely notice of injury has been given, (any penalty collectible because of untimely notice shall be borne by the member), to prepare all required forms and to provide a defense if required. The company or its designee shall carry on all negotiations with the injured employee or his attorney and negotiate settlements. If a personal appearance by an employee of the member is necessary in any dispute, the expense of such shall be paid by the member. The company or its designee will retain and supervise legal counsel on behalf of an at the expense of the company necessary for the

prosecution or defense of any litigation. The company assures the member that the services agreed upon by it in the Service Contract entered into by and between the company and its designee shall be performed where appropriate for and on behalf of the member. It is agreed that this coverage includes employer's liability insurance.

9. The company agrees to provide to the member, quarterly, a computer print-out showing a statement of claims, claim status, and activities report.

10. The member agrees to execute necessary authorization forms permitting the company and its designee to obtain information and data required in determining the experience rating modification of the member. The member agrees that upon termination hereof that the company may file with the appropriate authorities loss and payroll data pertaining to the member used to develop the experience modification.

11. In the event the member fails or refuses to make payments of premiums, as provided for above, the company reserves the right to terminate such member by giving 30 days written notice. Upon such termination, the member agrees to pay any and all premiums that are owed, pro-rata, for the period preceding termination hereunder and shall not be entitled to any part of the surplus distribution which has not been declared prior to the date of termination.

12. The member agrees that any suit brought against it by one of its employees under the Workers Compensation Laws (except as provided in Paragraph 13) shall be defended in the name of the member by counsel selected by the company, and the member agrees to fully cooperate by supplying any information needed or helpful to defend such action.

13. The company will pay any and all claims which the member must pay under the Alabama Workers Compensation Laws except as provided herein:

a. VOLUNTEER FIREMEN AND AUXILIARY POLICEMEN: The company will pay medical benefits to a member's volunteer firemen and/or auxiliary policemen provided the member has supplied to the company, or its designee, a certified roster of the volunteer firemen and/or auxiliary policemen for said member and paid the premium associated with the member's volunteer firemen and auxiliary policemen's rosters.

b. MOONLIGHTING: The company will neither pay any claim nor defend any claim made by a member's employee who, at the time

of the accident, was not working for the member and who was working for another employer performing substantially similar services for the other employer.

- c. CO-EMPLOYEE LAW SUITS: The company will neither pay any claim nor defend any claim made between two co-employees of the member against one another.
- d. AMERICANS WITH DISABILITIES ACT: The company will neither pay any claim nor defend any claim made against the member under the Americans with Disabilities Act.
- e. LACK OF NOTICE OF EVENT: If a member is put on notice of a workers compensation incident and does not report the incident to the company or its designated agent on the State of Alabama First Report of Injury form within 60 days of said notice of event, the company, in its sole discretion, may refuse to accept the claim as covered under this agreement for workers compensation benefits.
- f. LACK OF NOTICE OF LEGAL ACTION: If a member is put on notice of legal action taken by an employee against the member and the member does not put the company or its designated service company on notice of the legal action by delivering a copy of any legal documents pertaining to the legal action to said representative within 7 days of such notice of legal action, the company, in its sole discretion, may refuse said claim as covered under this agreement for workers compensation benefits and defense to said legal action.
- g. PRE-EMPLOYMENT DRUG AND ALCOHOL: The company will neither pay any claim nor defend any claim where said employee tested positive on a pre-employment drug and alcohol test and subsequently incurs a workers compensation incident and tests positive on a post-accident drug screen for drug or alcohol use.

14. The member agrees to abide by and is bound by the rules, regulations and bylaws relating to the operation of the Fund which are adopted by the Board of Directors of the Fund.

15. In order to have an orderly, complete and well-understood basis for contributions to Fund, the current plans and future amendments with respect to workers compensation rates and premiums are hereby adopted as a guide, but by such adoption, it is recognized by each party hereto that the rating structure promulgated by the appropriate rating bureau is not applicable to self-insurance. Any

reference at any time in this agreement to an insurance term not ordinarily a part of self-insurance shall be deemed, for convenience only, and is not to be construed as being contrary to the self-insurance concept.

16. Notice shall be effective if mailed by certified mail to Fund at its address - Post Office Box 1270, Montgomery, Alabama, 36102, and to the member at its address _____, Alabama.

IN WITNESS WHEREOF, The parties hereunto set their hands and seals in duplication, with each copy to have the force and effect of an original, by their representatives, thereunto duly authorized, on this the ____ day of _____, 20__.

MUNICIPAL WORKERS COMPENSATION FUND, INC.

ATTEST:

By: _____

Its President

By: _____

Its Secretary

MEMBER: _____

ATTEST:

By: _____

Its Chief Executive Officer

By: _____

Witness

V. POLICE DEPARTMENT

2. **Detective Funded Position**

Chief Carpenter stated there used to be 7 detective positions, one was signed to DEA task force. When that term was finished, that detective came back and resigned from the department. That position was never filled because patrol was not fully staffed. Somehow through mis-communication, the finance department placed the detective position under patrol and we would like to have it moved back under detectives. With the new classification plan, detectives now are at a grade 14.

Motion by Gus Palumbo to recommend to the Finance Committee to move the funded position out from underneath patrol back to detectives with a pay grade of 14. *Seconded by Regina Landry.* Motion carried.

M E M O R A N D U M

To: Finance Committee
From: Public Safety Committee
Date: February 23, 2005
Subject: Recommendations

At their regular meeting held Tuesday, February 22, 2005, the Public Safety Committee made a favorable recommendation to approve the position of Chief Corrections Officer and to submit said recommendation to the Finance Committee for review. Attached please find a copy of the job description for this position.

If you should have any questions, please contact Capt. Randy Bishop.

/mth

Kim,

Randy said if you have any questions call him

2128105-

Called; left message w/ Randy

Thanks

~~MTA~~

V. POLICE DEPARTMENT

A. New Business

- 1. **Statistics for January 2005**
Chief Carpenter reviewed the stats for January.
- 2. **Yearly Stats for 2004**
Chief Carpenter reviewed the yearly stats for 2004.
- 3. **SAICS Equipment (E-Citation software)**
Capt. Wilson

Promotion only



- 4. **Chief Corrections Officer Position**
Mr. Palumbo stated that the position of Corrections Supervisor needed to be filled. This position has been vacant for some time now and this would not be a new hire, it would be more of a internal promotion. There are currently 10 correction officer positions. One would be promoted to Chief Corrections Officers and will assume administrative responsibilities and will supervise the department.

<p>Motion by Regina Landry to recommend to the Finance Committee to approve the position of Chief Corrections Officer. Seconded by Gus Palumbo.</p>	<p>Motion carried.</p>
--	-------------------------------

CITY OF DAPHNE, ALABAMA CLASSIFICATION SPECIFICATION

CLASSIFICATION TITLE: ~~CORRECTIONS SUPERVISOR~~
Chief Corrections Officer

PURPOSE OF CLASSIFICATION

The purpose of this classification is to supervise daily operations of the jail, to manage a large municipal correction facility, and to supervise correction officers while providing operational guidance, employee accountability and discipline, work production, high morale and high standards of work performance, and equipment maintenance.

ESSENTIAL FUNCTIONS

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

Supervises, directs, and evaluates assigned staff, processing employee concerns and problems, directing work, counseling, recommending discipline and completing employee performance appraisals.

Supervises the management of correctional facility inmates; maintains security for inmates and correctional facility personnel while ensuring inmates' health, personal hygiene, Constitutional rights; identifies and minimizes liability areas.

Reviews subordinates' paperwork and approves reports; maintains files and transmits as appropriate.

Consults with vendors for pricing information and to resolve problems; orders necessary equipment and supplies; orders inmates' food.

Ensures proper maintenance of alcohol tester.

Ensures inmate visits are scheduled and properly monitored to ensure security.

Classifies inmates; monitors bonding and arrest procedures; fingerprints inmates and takes photographs; fingerprints citizens.

Responds to citizen complaints.

Interviews applicants for employment and makes recommendations; trains new recruits; identifies and resolves improper employee performance.

Regulates inmate movement; safeguards against inmate escape and prevents physical confrontations; performs inmate head counts; monitors security cameras; conducts security fence checks.

Performs security checks and contraband searches; searches inmates, cells, and common areas; responds to inmate fights, suicides, and escape attempts.

(13)

Supervises inmate meals, outdoor/indoor recreation, and janitorial duties; issues prescription and non-prescription medications.

Authorizes inmates on work release; schedules doctor appointments for sick or injured inmates; escorts inmates to medical offices.

Conducts inspections to ensure cleanliness and maintenance of facility; requests City maintenance for jail.

Assists in preparing budget.

Prepares a variety of reports, records, warrants, logs, bonds, and related documentation; files and/or transmits as appropriate.

ADDITIONAL FUNCTIONS

Performs routine maintenance of vehicle.

Performs as a Communications Officer.

Performs other related duties as required.

MINIMUM QUALIFICATIONS

High school diploma or GED; supplemented by little or no previous experience or training; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Must possess and maintain a valid Alabama driver's license. Must be certified as a Correction Officer.

PERFORMANCE APTITUDES

Data Utilization: Requires the ability to calculate and/or tabulate data. Includes performing subsequent actions in relation to these computational operations.

Human Interaction: Requires the ability to perform in a supervisory capacity over subordinate supervisors.

Equipment, Machinery, Tools, and Materials Utilization: Requires the ability to operate, maneuver and/or control the actions of equipment, machinery, tools, and/or materials used in performing essential functions.

Verbal Aptitude: Requires the ability to utilize a wide variety of reference, descriptive, and/or advisory data and information.

Mathematical Aptitude: Requires the ability to perform addition, subtraction, multiplication, and division.

Functional Reasoning: Requires the ability to apply principles of rational systems; to interpret instructions furnished in written, oral, diagrammatic, or schedule form; and to exercise independent judgment to adopt or modify methods and standards to meet variations in assigned objectives.

Situational Reasoning: Requires the ability to exercise judgment, decisiveness and creativity in situations involving the evaluation of information against sensory, judgmental, or subjective criteria, as opposed to that which is clearly measurable or verifiable.

ADA COMPLIANCE

Physical Ability: Tasks require the regular and sustained performance of moderately physically demanding work, typically involving some combination of climbing and balancing, stooping, kneeling, crouching, and crawling, and that generally involves lifting, carrying, pushing, and/or pulling of moderately heavy objects and materials (20-50 pounds), and occasionally heavier objects (over 100 pounds).

Sensory Requirements: Some tasks require the ability to perceive and discriminate sounds and visual cues or signals. Some tasks require the ability to communicate orally.

Environmental Factors: Performance of essential functions may require exposure to adverse environmental conditions, such as dirt, dust, traffic hazards, toxic agents, violence, disease, or pathogenic substances.

The City of Daphne, Alabama, is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.



Established
1953

DAPHNE FIRE DEPARTMENT

28280 NORTH MAIN STREET • PO BOX 400
DAPHNE, ALABAMA 36526-0400
BUSINESS OFFICE: (251) 621-2836
BUREAU OF FIRE PREVENTION: (251) 621-2815
FAX: (251) 621-2833
daphfire@bellsouth.net



Established
1927

March 2, 2005

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

Re: Purchase of Brush Truck

Dear Honorable Fred Small:

Please accept this letter as a formal request, per our conversation today, for the City of Daphne to purchase an F-550 Brush Truck for the City of Daphne Fire Department. This truck is listed on the State of Alabama Bid List for \$33,066. At this time, I am requesting the City of Daphne issue a Purchase Order in this amount along with the delivery charge, which will be calculated at a later date, and the Daphne Volunteer Firefighter's Association will reimburse the City of Daphne in full.

Please contact me at your earliest convenience to discuss your decision on this matter. Thank you for your consideration.

Sincerely,

Melvin McCarley,
Volunteer Fire Chief

/kaf



South Ala

William J. Lovett, Secretary

*Spoke @ 12-6-04 spec mtg
will bring more info for another meeting
This goes to Keni Briley*

n
actor

*12/20/04
Council meeting
to print
until
receive
written
documents*

*You are supposed to get
with these folks to see
what all they do for
\$16,000 per Council work
@
Secretary*

November 22, 2004

Honorable Fred Small
City of Daphne
P. O. Drawer 400
Daphne, AL 36526

Dear Mayor Small:

Enclosed please find a statement for the first half pro-rata share due the South Alabama Regional Planning Commission for Fiscal Year 2004.

Sincerely,

Larry W. White

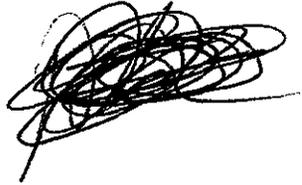
Larry W. White
Treasurer

*Finance
Committee*

/pm

Enclosure

cc: Mr. David Cohen, City Clerk
Pro-rata file



**SOUTH ALABAMA REGIONAL PLANNING COMMISSION
INVOICE**

TO: CITY OF DAPHNE
P. O. DRAWER 400
DAPHNE, AL 36441

DATE	DESCRIPTION	AMOUNT
11/22/04	PRO-RATA SHARE FOR FISCAL YEAR 2004	\$16,083.00
	AMOUNT DUE FOR FIRST HALF	8,041.50

FY 01 4,702
 FY 02 5,355
 FY 03 7,599
 FY 04 6,912
 FY 05-Budget 8,000

PLEASE MAKE CHECK TO:

SOUTH ALABAMA REGIONAL PLANNING COMMISSION
P O BOX 1665
MOBILE ALABAMA 36633

THANK YOU!

Memorandum

To: Kim Briley, Finance
CC:
From: David McKelroy, Recreation
Date: 3/3/05
Re: Facility use at Daphne High School

Kim,

The Recreation Department uses these facilities during these times at Daphne High School as follows:

Baseball Field – Dixie Boys
Baseball Field – High School
Baseball Batting Cages
Football Field House
Football Field – Stadium (no lights)
Football Practice Fields
Softball Field (no lights)
Gymnasium

March – July – 1161.54
June – July – 443.03
Year Round – 506.98
June – July – 117.90
June – July
September – mid November
June – July
June – July

2229.45

The past two years, the Recreation Department has not used the football stadium for games, due to heavy high school game traffic.

No concession stands were operated by the Recreation Department at the High School. Booster Clubs operated concessions for football and baseball and keep the proceeds for their programs.

I have highlighted the amounts on the attached spreadsheet that I recommend the City of Daphne reimburse Daphne High School, in the amount of \$2229.45. I have gone over these amounts with Coach Vickery. However, I do not see any utility usage for the gymnasium for summer programs in June and July.

David



DAPHNE HIGH SCHOOL

9300 LAWSON ROAD
DAPHNE, ALABAMA 36526

BARRY K. PENNINGTON
PRINCIPAL

TELEPHONE
(334) 626-8787
(334) 621-0109
FAX (334) 626-3024

January 25, 2005

FY 2000	2781.07
FY 2001	3556.76
FY 2002	1892.76
FY 2003	3266.96
FY 2004	4868.45

Mr. Fred Small, Mayor
City of Daphne
1705 Main Street
P.O. Box 400
Daphne, Al 36526

Re: Daphne High School Athletic Fields

Dear Mr. Small:

Attached are copies of the summer utilities for our athletic fields. We would appreciate reimbursement for these expenses.

We sincerely appreciate the support we have received from the City of Daphne and look forward to continuing our relationship in the future.

Sincerely,

Barry K. Pennington
Principal

Glenn Vickery
Athletic Director

NEW BUSINESSES FOR FEBRUARY

Brick and Mortar Businesses (in the city)

HOOD, PAUL	1
DEAN CLEAN INC	1
TIDEWATER REAL ESTATE INC	1
BULLARD MOTOR CARS INC	1
SIRMON & PAWLOWSKI PC	1
CHROMIAK, BLAISE MD	1
WHORTER, ALICIA	1
GILSDORE DONALD L	1
C-MAC ENVIRONMENTAL GROUP INC	1
DAMESIMO ELIZABETH	1
PERRUTTA DOMINIC P	1
SCUBAYUBA DESIGNS	1
MOVIE GALLERY US INC	1
RUSSELL HOWARD L.	1
TMH FINANCIAL SERVICES LLC	1
	15

OUT OF CITY

SWIFT SUPPLY INC	1
VALUEOPTIONS INC	1
IN STEP STUDIO INC	1
FACILITIES RESOURCE GROUP INC	1
BESTMANN, LAWRENCE P	1
BRYANT, DONNA M	1
ASAP SOFTWARE EXPRESS	1
PROQUEST BUSINESS SOLUTIONS INC	1
VAXSERVE INC	1
ADP PROFIT POINT GROUP	1
QUALITY GLASS COMPANY INC	1
AVID TECHNOLOGY INC	1
CHEROKEE METALS COMPANY	1
POWERMOTION INC	1
INTERMAC CORPORATION	1
ROUSSOS RESTAURANTS INC	1
BAY POINT REALTY	1
REGIONAL STEEL PRODUCTS INC	1
KIRKLEY INVESTMENTS LLC	1
SIGNAGE SERVICES INC	1
GLIDDEN GROUP LLC THE	1
MARCO OPHTHALMIC INC	1
KEY CONTROL HOLDING INC	1
KENNAMETAL INC	1
COLDWELL BANKER JME REALTY	1
ABM JANITORIAL	1
AIRCAST LLC	1
YOKOGAWA CORP OF AMERICA	1
NUVOX COMMUNICATIONS INC	1
PINNACLE HOSPITALITY SYSTEMS	1
LEGEND INC.	1
CHAPMAN TERESA	1
PRECISION PRODUCTS	1
COASTAL GLASS LLC	1
MIDDLE BAY FOREST PRODUCTS LLC	1
INFIRMARY HOME MEDICAL	1

NEW BUSINESSES FOR FEBRUARY

SHIELDS, CRAIG	1
GRAY, TABITHA	1
	37

Contractors

K&S CONCRETE LLC	1
LAMBERTH, ROY	1
CFL LLC	1
WOODROW, GORDON	1
COASTAL ALABAMA SERVICES INC	1
ALL-PRO POWER INC	1
HOPKINS, JOHN	1
TERRA FORM INC	1
JARVIS PLUMBING CO	1
SULLIVAN, ROBERT D	1
TRADITIONAL SERVICES LLC	1
KRUSKO KENNETH S	1
SWLB CONSTRUCTION CORPORATION	1
BROWNLOW ISAAC S	1
PAULK'S FRAMING & REMODELING	1
HILBERT LOCKE	1
REED JEREMY	1
MITCHELL AMBER LYNETTE	1
MONROE RUEL R	1
BRAZELL DAVID J	1
MARTINIERE CONSTRUCTION INC	1
BAY HAULING SERVICES INC	1
BRENDLE SPRINKLER CO INC	1
REEVES, MICHAEL	1
S/G CONSTRUCTION INC	1
EDDIE BULLARD FENCING DECKS & HOME REPAIRS	1
MCALEER, JIM	1
D&W HOMES LLC	1
BAY SHORE ELECTRIC	1
	29

Insurance Companies

HARTFORD INSURANCE GROUP	16
HARTFORD INSURANCE GROUP	17
HARTFORD INSURANCE GROUP	18
FORTIS INSURANCE COMPANY	3
UNION BANKERS INSURANCE COMPANY	1
PLATTE RIVER INSURANCE COMPANY	1
GENERAL ELECTRIC MORTGAGE INSURANCE CORP	1
AMERICAN MEMORIAL LIFE INSURANCE CO	1
SHELBY INSURANCE COMPANY, THE	1
PETROLEUM CASUALTY COMPANY	1
COLONIAL PENN LIFE INS CO	1
	11

TOTAL NEW BUSINESS 94

NEW BUSINESSES FOR FEBRUARY

BUSINESSES CLOSED IN THE MONTH OF FEBRUARY

WORKPLACE WELLNESS INC

1

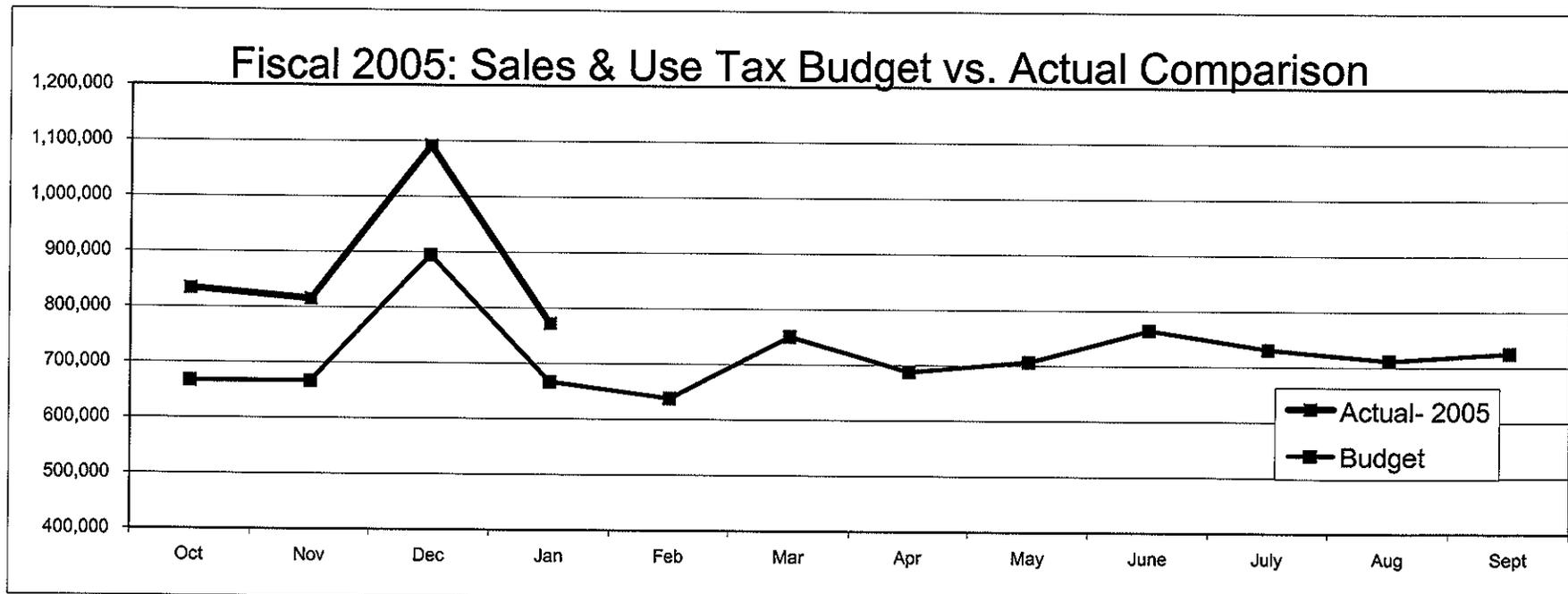
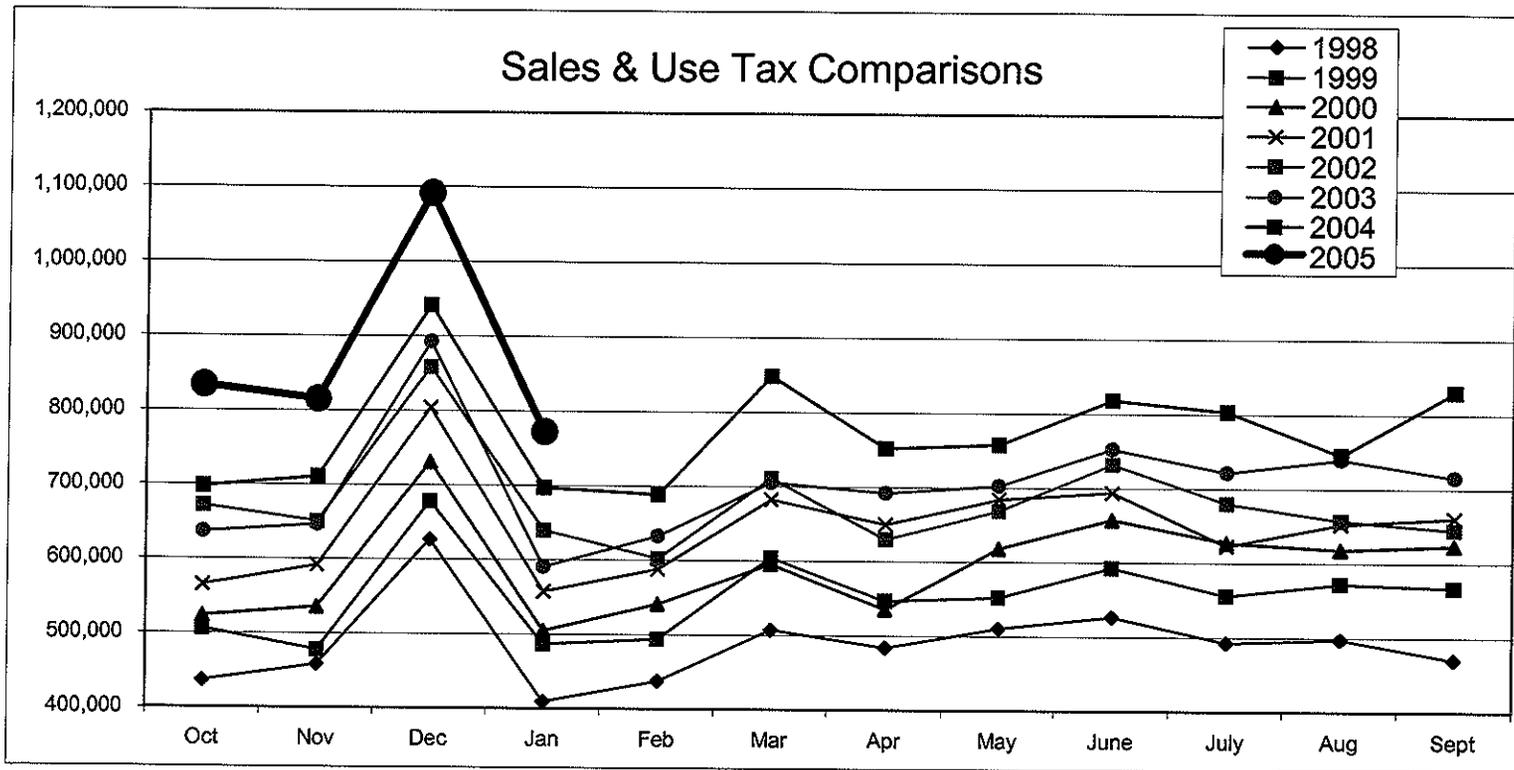
TREASURER'S REPORT

As of February 2005

TO: FINANCE COMMITTEE

FROM: KIMBERLY BRILEY, FINANCE DIRECTOR/TREASURER

<u>ACCT TITLE</u>	<u>BANK</u>	<u>BALANCE</u>
GENERAL FUND & ENTERPRISE FUNDS		
MMA ACCT	COMPASS	\$5,688,559.31
OPERATING ACCT	COMPASS	(\$429,394.56)
PAYROLL ACCT	COMPASS	(\$8,595.83)
MUNICIPAL COURT	COMPASS	\$250,148.94
		<u>\$5,500,717.86</u>
SPECIAL REVENUES FUND		
SAIL SITE	FIRST GULF	\$2,365.75
4 CENT GAS TAX	FIRST GULF	\$113,515.32
7 CENT GAS TAX	FIRST GULF	\$78,507.92
		<u>\$194,388.99</u>
CAPITAL PROJECTS FUND		
CDBG LOAN REPAY	COMPASS	\$5,847.00
CAPITAL GROWTH	SOUTHTRUST	\$1,760,404.74
97 WARRANT CONS	SOUTHTRUST	\$4,815.55
99 WARRANT CONS	REGIONS	\$932,737.14
2000 CONSTRUCTION	REGIONS	\$89,672.93
		<u>\$2,793,477.36</u>
DEBT SERVICE FUND		
DEBT SERVICE	SOUTHTRUST	\$1,323,300.35
		<u>\$9,811,884.56</u>



56

Ad Valorem Taxes

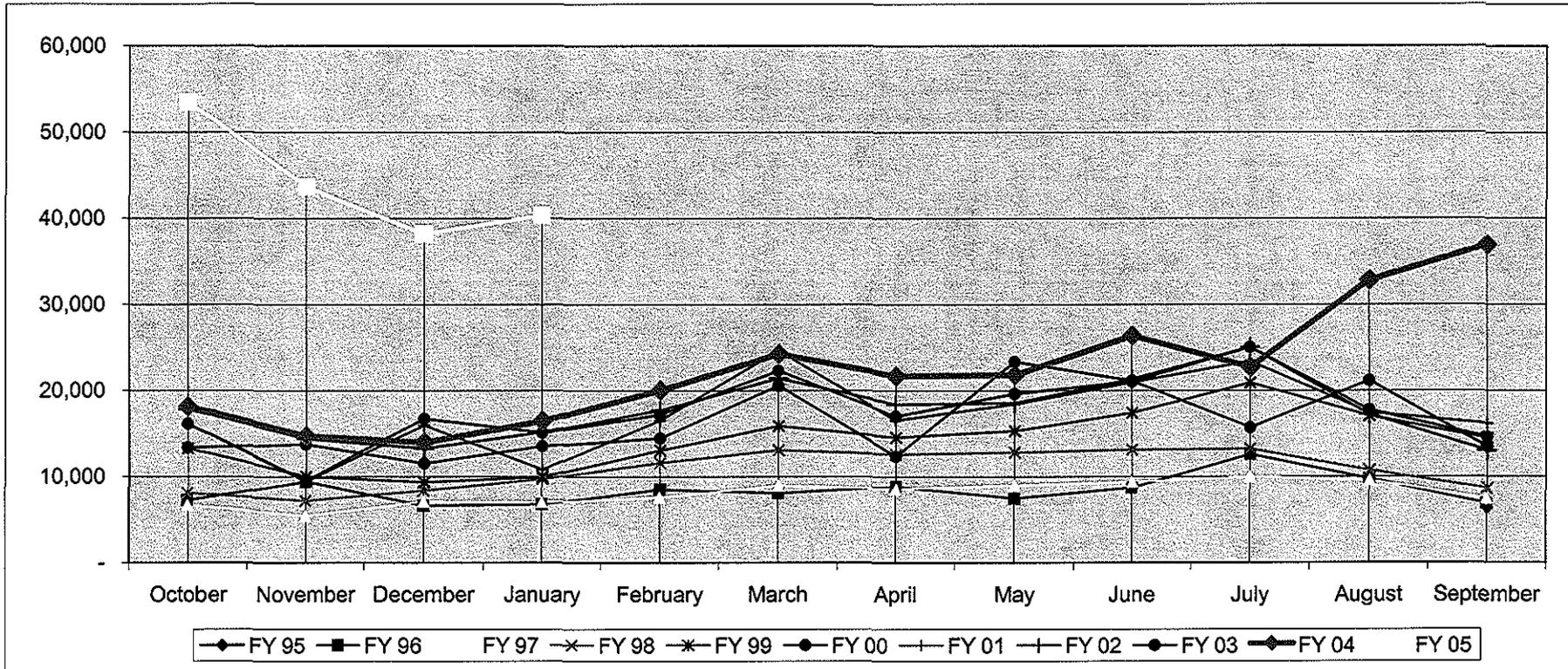
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005*</u>	<u>2005- Budget</u>	<u>2005: Budget/ Actual Variance</u>
Property Taxes	1,996,746	2,130,635	2,254,739	2,508,168	2,367,438	2,775,000	(407,562)
Shares Taxes	29,688	29,881	30,090	30,316	-	31,000	(31,000)
Auto Taxes	369,493	385,623	384,801	396,865	123,269	330,000	(206,731)
	<u>2,395,927</u>	<u>2,546,138</u>	<u>2,669,631</u>	<u>2,935,349</u>	<u>2,490,707</u>	<u>3,136,000</u>	<u>(645,293)</u>

* As of 2-28-2005

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>
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
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
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
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
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	
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	
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	
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	
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	
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	
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	
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>	
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	175,675.89

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



58

Buildings and Property Committee Meeting

February 4, 2005

8:00 a.m.

Council Chambers

Committee

Councilman John Lake, Chairman

Mayor Fred Small

Councilman August A. Palumbo

Sandra Morse, Director Daphne Civic Center

The meeting began at 8:09 a.m. with Mayor Small discussing his conversation with Mr. Jeff Hudson concerning the elevation and preliminary drawings for renovations at City Hall. The concept of the facility is to have a central entrance for similar city services. Mayor Small stated that there is the possibility of extending City Hall from the west side of the building.

Mayor Small discussed the proposed new storage facility for city department's records to include enough square footage for future growth.

Mr. Phil Brown representing Coldwell Banker Properties presented a plan to sell the City property located at Hwy. 98 and Johnson Road. The committee discussed the need to relocate city services located on the property to a centrally located area so as to better service all departments.

Mr. Brown stated that there is 5.9 acres of cleared land and 1.3 acres with established buildings. Mr. Brown stated that the zoning of the property was unclear.

Councilman Palumbo stated that the proceeds from the sale of the property could possibly go to securing property for recreational facilities.

Chairman Lake discussed the amount of monies being spent by the city in travel and gas time to fill cars and trucks due to the fact that public works is on one side of the city and the gas tanks are on the other side.

Mayor Small stated that the City needs to research how to properly sell the property. Mayor Small also stated that there is property west of Public Works that the City should look at purchasing.

Chairman Lake stated he would check to see what rules are in place for the city to secure a real estate agent to represent the City in the proposed selling of the property. Mayor Small stated that he would get information from Jay Ross, City Attorney and present a draft as to how the monies could be spent.

Councilman Palumbo stated that about 1/3 of the sell price of the property would have to be spent relocating the facility.

Request was made that the City Clerk put the proposed selling of the property on the next work session.

Ms. Morse and the Committee discussed two additional events that could possibly be added to the Civic Center list of city events. The first is the “City of Daphne Citizens appreciation Gala” which will in a small way thank all city volunteers who work to make the City of Daphne a great place to live. The committee positively discussed the event and stated that the city does have wonderful volunteers who ask for nothing in return and it would be great for the City of thank them in this manner. The committee discussed the recent need for community volunteers and an event like this would foster volunteerism in the city. Ms. Morse stated that she would work on the details and present them back to the Committee at a later date.

Ms. Morse and the Committee discussed the proposed City of Daphne Business Affair as a way to closer work with the local business community to have a platform to be so as to be intoned to their concerns and provide a platform for other businesses who might want to locate a business in the City of Daphne. Ms. Morse stated that she would work on the details and present them back to the Committee at a later date.

Public Safety Committee

Tuesday, March 8, 2005

Councilman Greg Burnam, Chairman

*Councilman Gus Palumbo
Councilwoman Regina Landry
City Attorney Jay Ross
City Attorney Tim Fleming
Michele Hanson - Secretary*

*Police Chief David
Carpenter*

*Captain David Wilson
Captain Randy Bishop
Captain Scott Taylor
Fire Chief Mund Hanson
PW Sup. Melvin McCarley*

Committee Members Attending:

Chairman Greg Burnam, Councilwoman Regina Landry, Councilman Gus Palumbo, Police Chief David Carpenter, Capt. David Wilson, Capt. Randy Bishop, Fire Chief Mund Hanson, City Attorney Tim Fleming, Public Works Director Ken Eslava, PW Superintendent Melvin McCarley and Michele Hanson, secretary.

I. CALL TO ORDER

Mr. Palumbo **convened** the meeting at 4:55 p.m. (*Mr. Burnam arrived at 5:03 p.m.*)

I. PUBLIC PARTICIPATION

A. New Business

B. Old Business

I. APPROVAL OF MINUTES FROM PREVIOUS MEETING

Minutes from February 22, 2005 Meeting

<p><i>Motion by Regina Landry</i> to adopt the minutes as presented. <i>Seconded by Gus Palumbo.</i> The minutes were adopted without revision. <i>Motion carried.</i></p>
--

I. FIRE DEPARTMENT

A. New Business

1. Statistics for February 2005

Chief Hanson reviewed the stats for February. He stated runs were down from last month. Mr. Palumbo asked if the department had determined the cause of the Judge Roy Bean fire. Chief Hanson stated the State Fire Marshall have ruled the fire accidental. He updated the committee on the fatality fire on Jones Street. He stated the Fire Department was paged out at 6:06 p.m. (At the time, Daphne was assisting Belforest with a fatality accident on Hwy 181.) He further stated that it was a combined effort between the police and fire departments, Officer Stanton was in the area, saw the flames, and called it in. Chief Hanson stated through investigation it was determined that the fire was started by a child playing with matches and had set some artificial flowers on fire in the living room. One adult and 3 children were able to escape the fire, however the disabled great-grandmother did not. Firefighters tried to gain access through the rear door of the house but it was blocked by a deep freezer. He stated after the fire, a CISD (Critical Incident Stress Debriefing) team was called in and conducted the debriefing for the on-duty shift and released that shift back to duty at midnight.

2. Fourth of July Fireworks Display Permit

Chief Hanson stated that Kim Briley already has the contract from the contractor who will be doing the fire works display. He needs Council approval to move forward with applying for the permit from the State Fire Marshall.

Motion by Gus Palumbo to favorably recommend to the City Council to authorize the Fire Chief Hanson to apply for the permit from the State Fire Marshall for the Fourth of July Celebration. **Seconded by Regina Landry.** Motion carried.

A. Old Business

I. POLICE DEPARTMENT

A. New Business

1. Statistics for February 2005

Chief Carpenter reviewed the stats for February. Mr. Palumbo asked about Code Enforcement warnings and what consist of. Chief Carpenter stated if someone is found in violation of an ordinance, Mr. Kirby gives them a written warning with the date in which they have to comply; if it is not in compliance by that date, an mot is written. He also asked about detective highest case load. Chief Carpenter stated that the amount shown on the report is the highest number of open cases the detective division had for the month; for the month of February the division had 113 open cases. Mr. Palumbo asked out vehicles searches, if they were by warrant or voluntary. Chief stated those listed were voluntary searches. Capt. Wilson stated next month the drug interdiction/Interstate vehicle searches will be on the report. Chief Carpenter reviewed some high profile cases the department is working on. There was a high speed chase involving a motorcycle, which resulted in a drug arrest; there was a bomb threat at Winn Dixie; and 2 rape cases involving minors.

2. Detective Funded Position

Chief Carpenter stated there used to be 7 detective positions, one was assigned to DEA task force. When that term was finished, that detective came back and resigned from the department. That position was never filled because patrol was not fully staffed. Somehow through mis-communication, the finance department placed the detective position under patrol and we would like to have it moved back under detectives. With the new classification plan, detectives now are at a grade 14.

Motion by Gus Palumbo to recommend to the Finance Committee to move the funded position out from underneath patrol back to detectives with a pay grade of 14. **Seconded by Regina Landry.** Motion carried.

B. Old Business

1. Contract with Spanish Fort

Mr. Burnam asked what the status of the contract with Spanish Fort. City Attorney Jay Ross advised via telephone that the contract is with Spanish Fort's attorney.

2. North Precinct

No change since the last meeting. Capt. Wilson stated we will be located on the northeast corner of the building.

I. CITY ATTORNEYS

A. New Business

1. FEMA Pay Ordinance

Tim Fleming reviewed the changes made to the ordinance by Finance Director, Kim Briley. Mr. Fleming advised that Mrs. Briley would like for Sharon Curenton, Human Resource Director, to review the ordinance also.

Motion by Gus Palumbo to favorably recommend this ordinance to the Finance Committee for their review and then forward to the City Council. **Seconded by Regina Landry.** Motion carried.

A.

Old Business

1. Temporary Vendor's License

Mr. Burnam asked about the status of this ordinance. Mr. Fleming stated he is still researching the criteria for the changes, should be ready by the next meeting.

VII. OTHER BUSINESS

1. Intersection of Academy Drive and Yacht Club Drive

Mr. Burnam stated he had a resident call about the "near misses" at this intersection. Mr. McCarley stated he could put the traffic counters out and do a study. Public Works has kept the medians cut and clear so vision is not obstructed. Chief Carpenter stated this is a state highway and the state has control over what is done.

I.

LEGISLATIVE ORDINANCE COMMITTEE

IX. ADJOURN

There being no further business to discuss, Chairman Burnam **adjourned** the meeting at 6:00 p.m.

The next regular scheduled meeting will be **Tuesday, April 5, 2005 at 4:30 p.m. at the Joseph H. Hall Justice Center.**

Respectfully submitted,

Daphne Public Safety Committee

CITY OF DAPHNE
PUBLIC WORKS COMMITTEE
FEBRUARY 25, 2005

Councilman Bailey Yelding, District 1
Councilwoman Cathy Barnette, District 2
Councilman John Lake, District 3

I. CALL TO ORDER

Present : Councilman Yelding, Councilwoman Barnette, Councilman Lake, Mayor Fred Small, Ken Eslava, Melvin McCarley, Tony Cross, Scott Hutchinson

II. PUBLIC PARTICIPATION & CORRESPONDENCE

A. Correspondence

The committee reviewed correspondences received in February.

B. Work Request Report

The committee reviewed and discussed the work request report for January 2005.

C. Public Participaion

Councilman Yelding recognized Mr. Larry Chason. Mr. Chason presented plans for a drainage system in the Malbis area and discussed the proposed plans with Mr. Eslava and Mr. Hutchinson. Mayor Small and the committee discussed the option of hiring someone to monitor drainage and erosion problems within city limits. The committee will look into requirements, classifications, and job title for this new position. Councilman Yelding motioned for this position to go before the Finance Committee for approval, and all where in favor.

III. OLD BUSINESS

A. Minutes - January 28

The committee reviewed the minutes from January 28, 2005. Councilwoman Barnette motioned and requested that the minutes from the last meeting regarding that household hazardous waste program be revised. She stated that the minutes should reflect that she made the motion to look into the feasibility and obtaining cost information of the household hazardous waste program. Councilman Yelding second the motion.

B. I-10 Exit Ramp Green Arrow Light - State of Alabama

Mr. Eslava informed the committee that Wayne Curry, with ALDOT, would replace the green arrow light at I-10 and 98.

C. Sidewalk Markers

Mr. Eslava informed the committee that he was looking at a few options which will eliminate tripping hazards, and also for a low profile maker that would be suitable for the project.

D. Belrose Beach Access

Mr. Eslava informed the committee that the sod was being laid and would be completed February 28, 2005.

IV. NEW BUSINESS

A. Old County Road Sidewalks

Councilwoman Barnette informed the committee that on Old County Road, the sidewalks need some kind of bumper, that would wake up a driver if they where to run off the road

onto the sidewalk. Mr. Eslava informed Councilwoman Barnette that he was looking into getting white reflective strips that would give a driver the jolt they needed to wake up.

V. DIRECTOR'S REPORT

- A. New Road-Work Proposed - FY05 - (see handout)
Mr. Eslava advised the committee that he would be needing three (3) contractors to give quotes on resurfacing North Main Street.
- B. Public Works - Master Layout Plan
Mr. Eslava informed the committee that he would lay out a plan to move mechanical barn and possibly Utilities to the Public Works complex. Mayor Small also mentioned purchasing land west of the Public Works complex in the future.
- C. Update - Village Point Boardwalk
Mr. Eslava advised the committee that work started on the boardwalk repairs February 23, 2005.
- D. County Road 64 Update
Councilman Yelding informed the committee that in rainy conditions the visibility is very poor on County Road 64. Mr Eslava informed the committee that he would submit a formal request to the city asking that the city take the road from the County once all markings, traffic lights, and guard rails are in place.
- E. Deer Park
Mr. Eslava informed the committee that work would be starting the week of the 28th, cutting in the walkways path and tree trimming.
- F. Recycling Update - Grant and Proposed Partnership with Waste Management
Mr. Eslava informed the committee that the Solid Waste/Recycle department was ready to start the purchase of trailers and recycle bins. Councilwoman Barnette wanted to know how the participation from the apartment complexes was coming. Solid Waste/Recycling Coordinator, Tony Cross, informed Councilwoman Barnette that some were hesitant about allowing trailers on their property, but was working on other means of starting a recycle program with them. Councilman Lake informed Mr. Cross that each complex would need to have extra flyers available for new residents.
Mr. Eslava informed the committee that the Solid Waste/Recycle Department has formed a partnership with Waste Management to start giving the City of Daphne their recycled cardboard and paper. Mr. Eslava informed the committee that the Recycle department will need to move up in capacity.
- G. Storm Drain Marking Project -
Mr. Eslava informed the committee that the Boy Scouts of America had completed the first phase in Lake Forest.
- H. Girl Scout Cookies - February 25, Recycle Facility
Mr. Eslava informed the committee that about 60,000 Girl Scout cookies will arrive at the Recycle facility for distribution and that there would be several employees there to assist with the operation.

- I. Hurricane Ivan Update
Mr Eslava informed the committee that all paper work and Public Works operations were complete, and that all figures were given to the Finance Committee.

VI.
SOLID WASTE AUTHORITY

- A. Household Hazardous Waste Program
Mr. Eslava informed the committee that we are currently looking into permit requirements the city would have to store and transport this waste. Once residents drop off this waste, at the city disposal site, the household hazardous waste will then become just hazardous waste and the landfill cannot accept the waste from the city.

VII. BEAUTIFICATION COMMITTEE

- A. Minutes - January 7, 2004
Councilwoman Barnette informed the committee that the Beautification Committee said no to the turning around the courtyard, because they believed the city wanted to sell the property.

VIII. MUSEUM COMMITTEE

- A. Window Replacement Quotes
Mr. Eslava informed the committee that he had received several quotes on replacing the windows in the museum and that the quotes averaged \$5000.

IX. ENGINEER REPORT

- A. NRCS Update -.
Mr. Hutchinson did not have any new news to report.

X. FUTURE BUSINESS

- A. Next Meeting - March 25, 2005

XI.

ADJOURNMENT

The meeting adjourned at 9:50 a.m.

**CITY COUNCIL MEETING
REPORTS OF SPECIAL COMMITTEES**

NOTES:

BOARD OF ZONING ADJUSTMENTS REPORT:

DOWNTOWN REDEVELOPMENT AUTHORITY REPORT:

INDUSTRIAL DEVELOPMENT BOARD:

LIBRARY BOARD:

PLANNING COMMISSION REPORT:

RECREATION BOARD REPORT:

UTILITY BOARD REPORT:

**DOWNTOWN REDEVELOPMENT AUTHORITY
DAPHNE, ALABAMA
JANUARY 25, 2005
5:15 PM**

There was not a quorum for this meeting.

The Downtown Redevelopment and Beautification Committee.

Starke Irvine gave a presentation explaining what the Downtown Redevelopment is all about and what their goals are. He presented a slides of drawings by Mr. Louis Wynne showing what the scape of the city should look like, this concept was adopted by the City Council. Mr. Irvine discussed the goal of underground utilities and the Jubilee Courtyard. The Beautification Committee was concerned about losing green space, and the park. The two committee discussed this issue at length trying to come up with ways to keep the park at its present location. This was a very positive meeting between the two committees. The representative of the Beautification Committee said they would discuss this at their next meeting and get back with the Downtown Redevelopment Authority on the results of their meeting.

The meeting adjourned at 6:35 p.m.

**DOWNTOWN REDEVELOPMENT AUTHORITY
DAPHNE, ALABAMA
FEBRUARY 15, 2005
5:15 PM**

A. CALL TO ORDER

Starke called the meeting to order at 5:25 pm.

MEMBERS PRESENT: Starke Irvine Jackie Ward, Ceann Wachter, Glenn Glass, Kit Smith

ABSENT: Chris Donald, Todd Chambliss, and Tracey Woodham.

BOARD MEMBERS PRESENT: Jeff Hudson, Mayor Small

ABSENT: Andy Citrin, and Cathy Barnette.

Also Present: Rebecca Hayes, Secretary.

2. APPROVE MINUTES OF MEETING HELD: *Approve December 13, 2004*

MOTION BY Ceann to approve the minutes meeting held December 13, 2004 Seconded by Jackie.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

3. OLD BUSINESS

Update on:

a.) Jubilee Courtyard

Discussion was held regarding the joint meeting with the Beautification Committee and the Study group. After that meeting it seemed that there was a compromise on both parts that was to be presented to the Beautification Committee at it's next meeting. The Beautification Committee did not approve of the suggestions that were made at the joint meeting.

b.) Louis Wynne's Street Scape

Starke asked that the motion adopting Mr. Wynne's street scape be included in the Council packet.

c.) Fountain Project

Starke asked Rebecca to talk with Kim Briley regarding setting up an account to deposit the fountain money in so that Ken can access it to build the pool.

d.) Sidewalks

The city received a grant for sidewalks for around \$814,000. This is just for one side of the streets. Starke said he is going to talk with the property owners on the north side of Daphne Avenue about going together to install a sidewalk on that side.

e.) Underground Utilities

The members discussed ways to fund getting the utilities for the Olde Towne District underground. Starke discussed a grant from FEMA (the same as for generators). They decided to talk to Tom Byrne at Riviera Utilities regarding this. Starke will also talk with Lance LaCour about some ways to get some funding.

f.) Schools in Daphne

The members discussed the School Board not having plans for next year. Starke asked that Tracy Roberts be asked to a future meeting to keep them up to date with what is going on with the schools.

4. NEW BUSINESS

No new business

**DOWNTOWN REDEVELOPMENT AUTHORITY
DAPHNE, ALABAMA
FEBRUARY 15, 2005
5:15 PM**

5. ADJOURN

The meeting adjourned at 6:08 pm.

Respectfully submitted by:

Rebecca A. Hayes, Recording Secretary

APPROVED:

Starke Irvine, Chairman

**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

SEEDS

Supporting Educational Enrichment in Daphne's Schools

Post Office Box 460

Daphne, AL 36526

March 17, 2005

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

Dear Mayor Small and City Council Members:

SEEDS is a coalition of education advocates working to enrich the learning experiences of every child in Daphne and, in turn, the quality of life in our community. At this time, we very much need your support as we actively pursue one of our most important Year-1 goals – advocating for the establishment of an International Baccalaureate Program (IB) in Baldwin County. In particular, we believe Daphne High and Daphne Middle Schools would provide the ideal sites for the piloting of this program countywide.

IB is a rigorous, pre-university curriculum with the potential to attract outstanding students, raise overall academic standards within a school, and create additional college scholarship opportunities. While our neighbors to the east and west of us in Pensacola and Mobile offer IB diplomas, there is presently no IB school in Baldwin County. Many of the nation's most progressive school districts already offer IB or are currently seeking certification.

The Baldwin County Public School System through its Division of Instructional Support has been researching the feasibility of implementing an IB program. We anticipate that a recommendation will be made later this spring or by early summer to the Baldwin County Board of Education regarding the establishment of an IB program at one of its high schools and possibility in a local middle school, as well.

As the first organization within the county to announce our interest in and support of the International Baccalaureate Program (beginning with the publication of our inaugural membership brochure in August 2004), SEEDS

strongly believes the placement of IB in Daphne would be a prudent investment for our entire county. We have been in close contact with the Division of Instructional Support throughout this information-gathering period, providing them with contacts and resources as needed and accompanying them to an IB campus site visit to learn more about the role of local education foundations in supporting the implementation of the program. Throughout this entire process, we have pledged our collective and tireless efforts toward ensuring the success of such an initiative.

Our reasons for suggesting that the Daphne schools should be given top consideration in this decision are numerous. In addition to our central location for students from throughout the county who would be drawn here to enroll, Daphne High School already boasts a healthy pool of gifted students. Currently some 120 students are enrolled in Advanced Placement courses at DHS. These students earned an average ACT score of 25 this year. Over 73 percent of all DHS students go on to attend college, and DHS has produced five National Merit Scholars over the Past four years.

However, in spite of this outstanding community of students, we continue to lose superior scholars to other programs every year. For the coming term, twelve current DHS students have applied for admission to the Alabama School of Math and Science in Mobile because of their desire to have access to stronger academics. When surveyed earlier this year, only 40 percent of our highest achieving senior high students indicated they were satisfied with the rigor of the advanced curriculum offered there.

In a recent letter to Dr. Faron Hollinger, the principals at both Daphne High and Daphne Middle Schools expressed their enthusiasm for the creation of an IB program as well as their commitment to work together effectively for its successful implementation on their campuses. Many teachers and parents have also stated their interest in working in the program. The students want it, the faculty and staff wants it, and the parents want it. We believe our city leaders will see the value of our campaign to bring IB to Daphne, as well.

Alabama's schools are being challenged to raise their academic standards to world-class levels and to give students the knowledge, skills and attitudes they need to pursue lifelong learning. Today's citizens must be prepared to deal with a constantly evolving job market, to use technology to solve problems, and to think creatively in new environments. IB has a 40-year track record of providing such comprehensive preparation for the changing global marketplace.

One local Daphne teacher who worked in an IB school in Cobb County, Georgia, recently told us about the dramatic changes he observed in the quality of teaching and learning in that rapidly growing community as a result of their IB

program. We believe IB can do the same for Daphne. But it will take a commitment from the community-at-large to make it happen.

SEEDS has committed to raising the necessary funds to provide the required IB training for participating classroom teachers. We anticipate that other commitments may be needed to order to bring IB to Daphne, and we ask that the City of Daphne pledge its willingness to consider these needs as they arise. For the moment, this simply means voicing your interest in placing IB in the Daphne schools. Toward that end, we ask that the City of Daphne considering placing the enclosed resolution of support on the April 4th agenda. Enclosed is additional information on IB for your consideration. We would greatly appreciate your unanimous endorsement of our efforts and your active interest in the future of IB in Baldwin County.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ruth Cardinal Seawell', written in a cursive style.

Ruth Cardinal Seawell
SEEDS President

Enclosures

STATE OF ALABAMA)

CITY OF DAPHNE)

**RESOLUTION IN SUPPORT OF PLACEMENT
OF THE INTERNATIONAL BACCALAUREATE PROGRAM
IN THE DAPHNE SCHOOLS**

WHEREAS, the members of the City Council of Daphne and the Mayor understand that the Board of Education plans to consider the establishment of an International Baccalaureate Program in the Baldwin County Public Schools; and

WHEREAS, the City of Daphne recognizes the International Baccalaureate Program as a rigorous, pre-university curriculum with the potential to open extensive, new college scholarship opportunities for participating high school graduates; and

WHEREAS, the City of Daphne believes that making this kind of world-class academic challenge available to interested students within the school system is essential if Baldwin County is to keep pace with other forward-thinking districts throughout the nation; and

WHEREAS, the addition of an IB program to any local school's course of study will serve to attract top students from throughout the area and will significantly impact the overall quality of teaching and learning on that campus; and

WHEREAS, while our neighbors to the east and west of us in Pensacola and Mobile offer IB diplomas, there is presently no IB school in Baldwin County; and

WHEREAS, a strong pool of potential IB participants already exists in Daphne with a significant percentage of the 120 students who are currently enrolled in Advanced Placement classes at Daphne High indicating they want access to more challenging coursework; and

WHEREAS, Daphne is the most appropriate physical site for placing the IB program due to its relative central location to schools in the north part of the county as well as being easily accessible via major thoroughfares from the south; and

WHEREAS, the administrations of both Daphne High and Daphne Middle Schools, in a recent letter to the Superintendent, have voiced their enthusiasm for the creation of an IB program as well as their commitment to work together

effectively for its successful implementation on their campuses if selected to serve as the pilot sites; and

WHEREAS, SEEDS – Daphne’s new educational enrichment foundation – has identified the creation of an IB program in Baldwin County as one of its most significant first-year objectives and has been advocating vigorously over the past 8 months for the placement of the pilot program in the Daphne schools; and

WHEREAS, SEEDS has – from the outset – indicated their firm commitment to raising the funds needed to provide the required IB training for participating classroom teachers and has pledged their collective and tireless efforts toward ensuring the success of the initiative; and

WHEREAS, the City of Daphne recognizes that continued interest in and support from the community-at-large will be needed to facilitate the implementation of the program within the chosen school site;

NOW, THEREFORE, BE IT RESOLVED:

THAT THE CITY OF DAPHNE enthusiastically endorses current efforts to establish an International Baccalaureate Program in Baldwin County and strongly encourages the Baldwin County Board of Education to consider placing the pilot site for this initiative at Daphne High School and, if possible, extending the preparatory program to benefit eligible younger students at Daphne Middle School.

BE IT FURTHER RESOLVED that the City of Daphne applauds the ongoing efforts of SEEDS to underscore the pressing need for a world-class curriculum of this caliber in Baldwin County as well as the compelling reasons for selecting the Daphne schools as the ideal site for its initial implementation.

UNANIMOUSLY RESOLVED THIS _____ DAY OF MARCH 2005.

A BASIS FOR PRACTICE

THE DIPLOMA PROGRAMME



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IMPORTANT NOTE: The printed version of *A basis for practice: the Diploma Programme* is a companion document to the online version at www.ibo.org, which is kept current.

The online version is the official one. Please refer to it for changes.

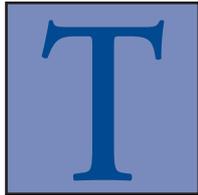


International Baccalaureate Organization

Headquarters • Route des Morillons 15 • Grand-Saconnex • Geneva CH-1218

www.ibo.org

THE ORIGINS AND DEVELOPMENT OF THE DIPLOMA PROGRAMME



THE ORIGINS OF THE Diploma Programme are recounted in the book *Schools Across Frontiers* by Alec Peterson (1987), the first director general of the International Baccalaureate Organization (IBO), who was appointed in 1969. The vision and determination of many before him, including Desmond Cole-Baker, headmaster of the English language section of the International School of Geneva in the 1960s, John Goormaghtigh, chair of the board of the International School of Geneva 1960–1966 and founding president of the IBO Council of Foundation 1968–1981, groups of teachers from Geneva and from Atlantic College in Wales, inspired by Kurt Hahn and Alec Peterson, and from the International Schools Association (ISA), led to the first international curriculum and examinations for the final two years of secondary schooling, known as the Diploma Programme (Hill, 2002).

Established in the late 1960s, with its first full year of operation in 1970, the Diploma Programme was originally designed to cater for the educational needs of globally mobile students in international schools. It was developed as a deliberate compromise between the specialization required in some national systems and the breadth preferred in others, without bias towards any particular national system. The general objectives of the IBO were to provide students with a balanced education, to facilitate geographic and cultural mobility, and to promote international understanding through a shared academic experience.

From its inception, the development of the Diploma Programme was based on three fundamental principles:

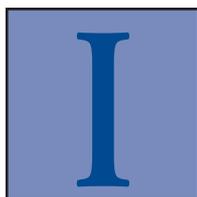
- the need for a broad general education, establishing the basic knowledge and critical thinking skills necessary for further study
- the importance of developing international understanding and citizenship for a more peaceful, productive future
- the need for flexibility of choice among the subjects to be studied, within a balanced framework, so that the students' options could correspond as far as possible to their particular interests and capacities.

Attempting to encapsulate the aims of the programme in a single sentence, Peterson suggested that they were “to develop to their fullest potential the powers of each individual to understand, to modify and to enjoy his or her environment, both inner and outer, in its physical, social,

moral, aesthetic, and spiritual aspects” (1987). He emphasized the importance of the concept of general education as *process* rather than *content*. Peterson further stated that “the aim of general education was not the acquisition of general knowledge, but the development of the general powers of the mind to operate in a variety of ways of thinking”. This principle continues to have a profound effect on the planning of curriculum and methods of assessment for the Diploma Programme.

Since its introduction, one of the great advantages of the Diploma Programme has been the willingness of IB teachers to experiment with their ideas and practices. Innovative and committed teachers and examiners from many different cultures and systems of education have played a significant role in the development of the programme, and today their participation is as pivotal as ever. Continuing to find new ways to support teachers in classrooms around the world, and examiners from many different countries, is of the highest priority. ■

A WORLD-RECOGNIZED QUALIFICATION



IN THE YEARS SINCE ITS FOUNDING, the Diploma Programme has become a leading, internationally recognized pre-university qualification. Now it is a symbol of academic excellence worldwide. The student who satisfies its demands demonstrates a strong commitment to learning, both in terms of the mastery of subject content and in the development of wide-ranging skills. He or she is also encouraged to appreciate the universal value of human diversity and its legitimate boundaries, while at the same time understanding the common humanity that we all share.

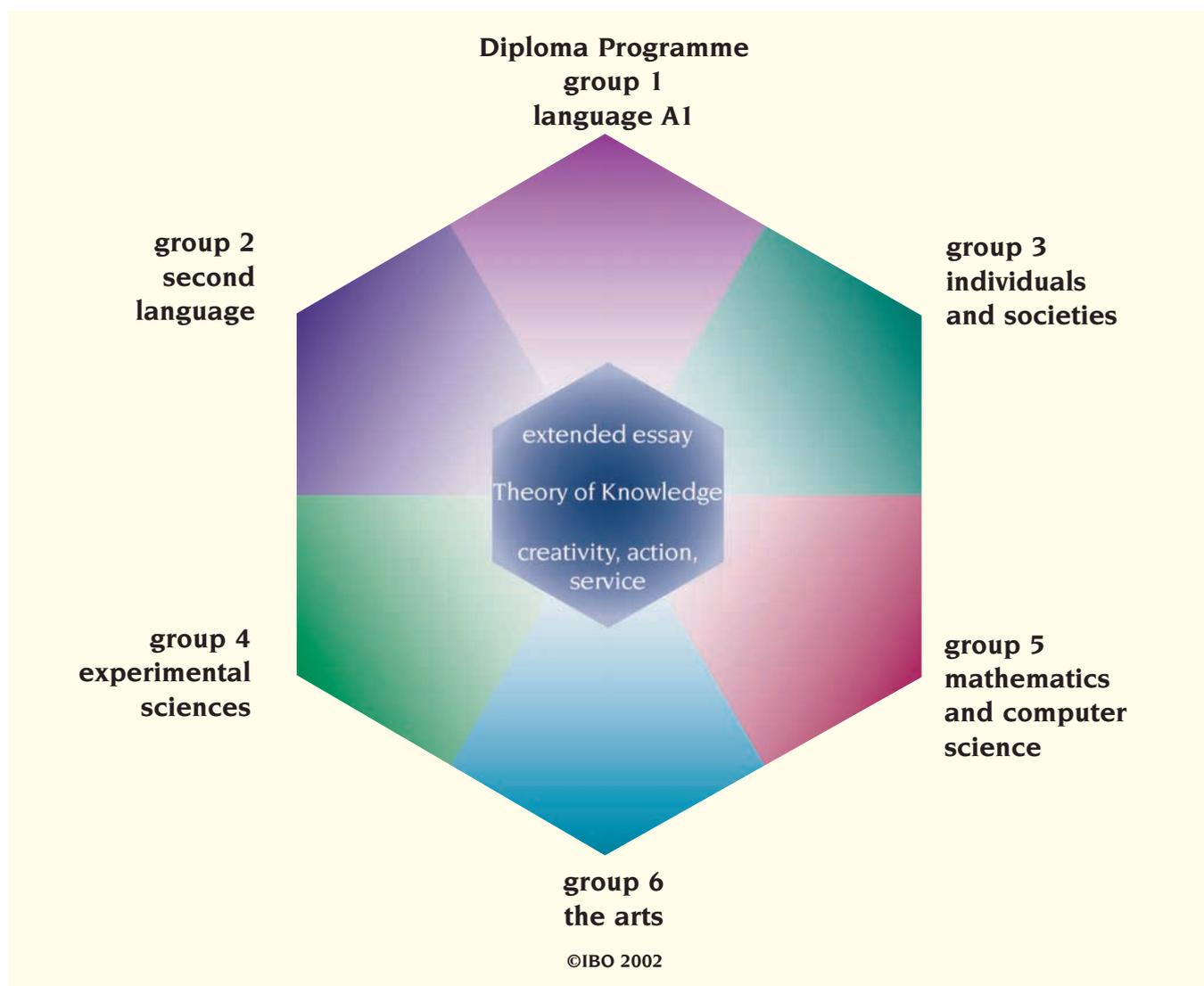
While each component of the Diploma Programme has specific aims and assessment objectives, the distinctive aims of the programme as a whole are to:

- provide an internationally accepted qualification for entry into higher education
- promote international understanding
- educate the whole person, emphasizing intellectual, personal, emotional and social growth
- develop inquiry and thinking skills, and the capacity to reflect upon and to evaluate actions critically. ■

THE DIPLOMA PROGRAMME CURRICULUM MODEL TODAY



ETERSON'S VISION of the breadth, depth and flexibility of the curriculum is known today as the Diploma Programme hexagon model, with six academic areas surrounding a core. Students study six subjects selected from six subject groups, concurrently over two years, as well as the core elements of the programme (Theory of Knowledge, the extended essay, and creativity, action, service). The six subject groups represent the major domains of learning across all subject disciplines of a curriculum.



At least three, and not more than four of the six subjects selected are taken at higher level (HL), the others at standard level (SL). HL courses represent 240 teaching hours, and require a greater depth of study across a broader range of content in the subject. SL courses require 150 hours and provide breadth of study across the whole Diploma Programme. Within this model, students are able to explore some subjects in depth and some more broadly over the two-year period. Most subjects are available at both HL and SL and can be taught and examined in English, French or Spanish.

The core of the model consists of the Theory of Knowledge (TOK) course, the extended essay, and creativity, action, service (CAS). The interdisciplinary TOK course is designed to provide coherence by exploring the nature of knowledge across all disciplines, encouraging an appreciation of other cultural perspectives. The extended essay, with a prescribed limit of 4,000 words, offers the opportunity to investigate a topic of individual interest, and acquaints students with the independent research and writing skills expected at tertiary level. Participation in the school's CAS programme encourages students to be involved in artistic pursuits, sports and community service work, thus fostering their awareness and appreciation of life outside the academic arena.

Subject choices

- **Group 1 Language A1:** first language, including the study of selections of world literature. Forty-five languages are regularly available; others are available on request.
- **Group 2 Language A2, B, *ab initio*:** second modern language courses for various levels of proficiency; classical languages.
- **Group 3 Individuals and societies:** history, geography, economics, philosophy, psychology, social and cultural anthropology, business and management, information technology in a global society (SL only), Islamic history.
- **Group 4 Experimental sciences:** biology, chemistry, physics, environmental systems (SL only), design technology.
- **Group 5 Mathematics and computer science:** mathematics (HL only), mathematical methods (SL only), mathematical studies (SL only), further mathematics (SL only), computer science (elective).
- **Group 6 The arts:** visual arts, music, theatre arts. ■

Note: most subjects are available at both HL and SL, unless otherwise stated.

THE PIVOTAL ROLE OF THE HEXAGON CORE

Theory of Knowledge

The Theory of Knowledge (TOK) requirement is central to the educational philosophy of the Diploma Programme. It offers students and their teachers the opportunity to reflect critically on diverse ways of knowing and on areas of knowledge, and to consider the role and nature of knowledge in their own culture, in the cultures of others and in the wider world. It prompts students' awareness of themselves as thinkers, encouraging them to become more acquainted with the complexity of knowledge and to recognize the need to act responsibly in an increasingly interconnected but uncertain world.

As a thoughtful and purposeful inquiry into different ways of knowing, and into different kinds of knowledge, TOK is composed almost entirely of questions. The most central of these questions is "How do we know?" The critical reflection encouraged in students is a foundation for developing international awareness. All subjects around the hexagon aim to encourage in all students an appreciation and understanding of cultures and attitudes other than their own, but in this particular respect, TOK has a special role to play.

It is a stated aim of TOK that students should become aware of the interpretative nature of knowledge, including personal and ideological biases, regardless of whether, ultimately, these biases are retained, revised or rejected.

Students are required to demonstrate an awareness of the values and the limitations of their individual outlooks, and of the views common to the communities and cultures to which they belong.

In coming to understand the strengths and limitations of their own and others' cultural perspectives, students are better able to evaluate their own views and their own level of intercultural understanding.

TOK also has an important role to play in providing coherence for a student's Diploma Programme. Exploration of the nature of knowledge in TOK transcends and links academic subject areas, demonstrating for students the ways in which they can apply their own knowledge with greater awareness and credibility.

The extended essay

A required component, the extended essay is an independent, self-directed piece of research, culminating in a 4,000-word paper. It is given much importance by students, teachers and universities, because it provides practical preparation for the kinds of undergraduate research required at tertiary level. From the choice of a suitable research question, to the final completion of the extended essay, students must produce their piece within the constraints of time, essay length and available resources. This component provides an opportunity to engage in an in-depth study of a topic of interest within a chosen subject.

Emphasis is placed on the research process, on the appropriate formulation of a research question, on personal engagement in the exploration of the topic, and on communication of ideas and development of argument. It develops the capacity to analyse, synthesize and evaluate knowledge, with a personal choice of topic from within any subject area. Students are supported and encouraged throughout the research and writing with advice and guidance from a supervisor.

Creativity, action, service

Creativity, action, service (CAS) is a framework for experiential learning and reflection about that learning. This process of application and reflection provides an opportunity to extend what is learned in the classroom and, in turn, for the CAS experience to have an impact on classroom learning.

CAS is intended to provide experiences for students to develop self-confidence and empathy, and a willingness to help others. They may directly confront or indirectly engage in work on global problems, or work directly with other people at a local level, developing their capacity to function collaboratively and effectively with others.

The IBO's aim of educating the whole person comes alive in a practical, demonstrable way through CAS, when students are involved in the community, whether at a local, national, or international level.

The three elements of CAS are mutually reinforcing. Together, they enable students to recognize that there are many opportunities to learn about life, self and others, and to inspire confidence, determination and commitment. Creative and physical activities are particularly important for adolescents and they offer many favourable situations for involvement and enjoyment at a time that is for many young people stressful and uncertain. The service element of CAS is perhaps the most significant of the three, in terms of the development of respect for others, and of responsibility and empathy. ■

BREADTH AND DEPTH OF STUDY IN SUBJECT GROUPS 1–6

Group 1: language A1

Developing an understanding of the nature and value of one's own culture is a fundamental starting point for any educational programme claiming to be international. In this regard, the study of languages has a special role to play. To enable students to deepen their understanding of the literature of their mother tongue culture, 45 different languages in group 1 are regularly available for selection. However, provided that there is sufficient written literature in a language and that the request is received well in advance of the examination, language A1 examinations are provided in any language, no matter how rarely or widely spoken it may be. Therefore, beyond the 45 languages regularly available, the IBO can offer a wide range, from Albanian, Asante and Bemba, to Xhosa, Yoruba and Zulu.

The distinguishing aims of all languages in group 1 are those that:

- encourage a personal appreciation of literature and develop an understanding of the techniques involved in literary criticism
- develop the students' powers of expression, both in oral and written communication, and provide the opportunity for practising and developing the skills involved in writing and speaking in a variety of styles and situations
- broaden the students' perspective through the study of works from other cultures and languages.

Group 2: second language

The underlying principle of requiring the study of a second language is to promote cultural understanding through language and, in this case, an understanding of other cultures through the study of other languages. This group consists of a broad spectrum of modern languages and two classical languages (Latin and classical Greek). The main emphasis of the modern language courses is on language acquisition and usage, from the comparatively elementary, practical usage at *ab initio* level, to the sophisticated usage of the near-native (or bilingual) speaker studying a language A2. In between are the language B courses, a broad spectrum designed to provide access to all students, regardless of linguistic ability.

Language *ab initio*

The language *ab initio* courses are language learning courses for beginners, designed to be followed over two years by students who have no previous experience of learning that language. The main focus of the courses is on the acquisition of language required for purposes and situations usual in everyday social interaction. Language *ab initio* courses are available only at standard level.

Language B

Mostly available at both higher level and standard level, the language B courses occupy the middle ground of the group 2 modern languages continuum. They are intended for students who have had some previous experience of learning the language. The main focus of these courses is on language acquisition and the development of skills considerably beyond those expected of an *ab initio* candidate, to a fairly sophisticated degree at higher level.

Language A2

The language A2 courses are designed for students with an already high level of competence in the target language. Language A2 courses are based firmly on the study of both language and literature. The main focus of these courses is on the reinforcement and refinement of language skills, as distinct from basic language acquisition. The language A2 courses are available at both higher level and standard level.

Classical languages

The classical languages courses introduce students to the languages, literatures and cultures of ancient Greece and Rome. These ancient civilizations have played a crucial part in shaping many modern societies and cultures. The languages themselves are versatile and finely structured, and their influence on the development of most modern European languages has been highly significant. They provide important insights into the cultures that produced them, and offer a bridge between the contemporary world and the often alien, but always fascinating, civilizations of antiquity.

The distinguishing aims of all subjects in group 2 are those that:

- encourage, through the study of texts and through social interaction, an awareness and appreciation of the different perspectives of people from other cultures
- develop students' awareness of the relationship between the languages and cultures with which they are familiar.

Group 3: individuals and societies

The nine subjects offered in this group (history, geography, economics, philosophy, psychology, social and cultural anthropology, business and management, information technology in a global society, and Islamic history), all provide for the development of a critical appreciation of human experience and behaviour, the varieties of physical, economic and social environments that people inhabit, and the history of social and cultural institutions. The subjects are designed to foster in students the capacity to identify, to analyse critically and to evaluate theories, concepts and arguments relating to the nature and activities of individuals and societies. Students come to an appreciation of the way in which learning is relevant to both the culture in which a student lives and the culture of other societies. The students are encouraged to recognize that human attitudes and opinions are widely diverse and to understand that a study of society requires appreciation of such diversity.

The distinguishing aims of all subjects in group 3 are those that:

- encourage the systematic and critical study of human experience and behaviour, physical, economic and social environments, and the history and development of social and cultural institutions
- promote the appreciation of the way in which learning is relevant to both the culture in which the student lives, and the culture of other societies
- develop an awareness in the student that human attitudes and opinions are widely diverse and that a study of society requires an appreciation of such diversity.

Group 4: experimental sciences

The five experimental sciences offered in this group (biology, chemistry, physics, environmental systems, and design technology), provide opportunities for scientific exploration and creativity within global contexts.

Each subject contains a body of knowledge, methods and techniques which students are required to learn and apply. In their application of scientific method, students develop an ability to analyse, evaluate and synthesize scientific information. A compulsory group 4 project encourages students to appreciate the environmental, social and ethical implications of science. The exercise is a collaborative experience where the emphasis is on the *processes* involved in scientific investigation rather than the products of such investigation. Furthermore, the collaboration is interdisciplinary: within the sciences' groups students analyse a topic or problem which can be investigated in each of the science disciplines offered by the school, and they practise their experimental and investigative skills. By this means, an understanding of the relationships between scientific disciplines and the overarching nature of the scientific method is encouraged, and an opportunity to explore scientific solutions to global questions is provided.

The distinguishing aims of all subjects in group 4 are those that:

- provide opportunities for scientific study and creativity within global contexts that will stimulate and challenge students
- enable students to apply and use a body of knowledge including methods and techniques that characterize science and technology
- engender an awareness of the need for, and the value of, effective collaboration and communication during scientific activities
- raise awareness of the moral, ethical, social, economic and environmental implications of using science and technology
- develop an appreciation of possibilities and limitations associated with science and scientists.

Group 5: mathematics and computer science

Because mathematics enters people's daily lives in so many ways, it is a compulsory area of study for every Diploma Programme student. But because each student has different needs, interests and abilities, and will use mathematics to serve different purposes, a variety of courses is offered.

The mathematics subjects aim to enable students to develop mathematical knowledge, concepts and principles, to develop logical, critical and creative thinking, and to employ and refine their powers of abstraction and generalization. Students are encouraged to appreciate the international dimensions of mathematics and the multiplicity of its cultural and historical perspectives; they are also encouraged to engage in mathematical pursuits, and to develop an appreciation of the beauty, power and practicality of the discipline.

Four of the five subjects in this group (mathematics HL, mathematical methods SL, mathematical studies SL and further mathematics SL), are designed to cater for a range of mathematical ability, and to provide the mathematical support for the students' other subjects (such as economics, business and management, and the experimental sciences) and their university and career aspirations.

The fifth subject offered in the group is computer science, but this must be studied in addition to a mathematics subject if selected. This subject aims to develop an understanding of the range and organization of computer systems, including software, data and hardware, and of the use of computers in a variety of disciplines, applications and contexts.

The distinguishing aims of all subjects in group 5 are those that enable students to:

- appreciate the international dimensions of mathematics and the multiplicity of its cultural and historical perspectives
- employ and refine the powers of abstraction and generalization
- gain an enhanced awareness of, and utilize the potential of, technological developments in a variety of mathematical contexts.

Group 6: the arts

The subjects in group 6 (visual arts, music and theatre arts), are interpretative in approach and allow for significant choice of content. This feature, which is appreciated by teachers, allows a high degree of adaptability to different cultural contexts, and to the strengths and interests of teachers and their students. The emphasis in all the subjects is on creativity: the making of art, the making of music and the making of theatre in the context of disciplined, practical research into the relevant genres.

Historically, arts assessments in the Diploma Programme emphasized imaginative and creative thinking and expression, in both subject matter and technique. More recently, it was recognized that this was a western-orientated bias. In many non-western cultures, 16- to 19-year-olds are taught to imitate the ideas and to practise the skills of the masters. The western-orientated assessment criteria rewarded the students who took risks, experimented, and were adventurous; students from many non-western cultures were discouraged from risk-taking and experimenting until they had perfected their skills. Importantly, the syllabuses and assessments of the current arts subjects have removed much of this bias, and now reflect an eclectic attempt to combine contrasting aesthetics and forms of assessment from around the world.

A new pilot course in film has now also been introduced to group 6, made possible because the technology required for the making of film images has become less complex and expensive, and more readily accessible to schools. Developments in digital image recording and transmission promise to make film images even more available through everyday computer technology in the very near future.

Another new pilot subject, dance, is intended to reflect the belief that dance is a vital and integral part of human life: it exists in many forms and styles, and is practised in all cultures, taking place in a range of contexts and for various purposes. Dance is a universal medium of individual, social and cultural expression, whether manifested as ritual, artistic endeavour, or as social discourse.

The aims of the subjects in group 6 are specific to the subjects offered in the group. Two examples follow, to demonstrate the distinctiveness of the group.

The distinguishing aims of visual arts are to:

- promote visual and contextual knowledge of art from various cultures
- encourage the pursuit of quality through experimentation and purposeful creative work in various expressive media.

The distinguishing aims of music are to:

- give students the opportunity to explore and enjoy the diversity of music throughout the world
- assist students to develop their potential as musicians both personally and collaboratively, in whatever capacity, to the full.

School-based syllabuses

A school-based syllabus (SBS) is an optional sixth subject, offered at SL only, designed by the school according to its own needs and teaching resources. These syllabuses, devised by schools in consultation with IBO staff, provide an important contribution to curriculum development within the IBO, and are a means of encouraging active school participation in that process.

School-based syllabuses offer schools an opportunity to formulate a part of their Diploma Programme to suit their local needs, subject to the approval of the IBO. In return, SBSs offer the IBO an opportunity for developing new curriculum ideas. Some valuable innovations have arisen as a result, notably theatre arts and information technology in a global society.

There are currently 20 school-based syllabuses being taught in schools around the world, including:

- human rights
- peace and conflict studies
- Turkish social studies
- world politics and international relations
- world religions
- Chile and the Pacific Basin.

Transdisciplinary SL subjects

To provide a new opportunity to foster transdisciplinary learning, and to provide greater access to all six subject groups of the hexagon, three new subjects were introduced as pilots in 2001.

These subjects, which enable students to satisfy the requirements of two groups at the same time in one subject, are:

- text and performance (group 1 and group 6)
- ecosystems and societies (group 3 and group 4)
- world cultures (group 3 and group 6).

Students in approved pilot schools can study one of these new SL subjects as one of their chosen six subjects. ■

THE NATURE OF INTERNATIONAL EDUCATION



THE EARLY FOCUS OF DEVELOPMENT of the Diploma Programme was on academic recognition of the qualification by universities worldwide. For some, however, the issue of how the international characteristics of the curriculum were to be developed was just as pressing. Ensuring coverage of issues of global concern, irrespective of a student's choice of subjects, and developing a profile of the world citizen, were questions given new emphasis in the 1990s.

The step taken by the IBO to introduce the Middle Years Programme (in 1994) and the Primary Years Programme (in 1997) meant that the IBO now offered three international programmes of education: the concept of a consistent, broad-based international curriculum had come into being. This important development prompted a renewed exploration and review of the concept of an international curriculum. An educational framework that offers, across each programme, a common specification of aims and values, within an overarching concept of international-mindedness, was needed (International Baccalaureate Organization, 2001; 2002b; 2002c). The impact of offering three programmes has given renewed impetus to the further development of the international dimensions and characteristics of the Diploma Programme and its students.

The new sequence of programmes offered fresh insights into the nature of international education and the criteria on which a template for a continuum from ages 3 to 19 might be built. The list below represents the set of provisional criteria that have been identified to date (Drennen, 2002). Taken together, they form a proposed template for the purposes of planning, and for evaluating the effectiveness of, strands of continuity across the three age ranges. Beyond this template, a language of international education is emerging (Walker, 2002). Flexibility in responding to local requirements and interests is at the heart of curriculum design, so that the resultant outcomes, in curriculum terms, can provide appropriate access for all students to what is common and what is different in human experience.

The criteria for an international template include the need to:

- develop citizens of the world – culture, language and learning to live together
- build and reinforce students' sense of identity and cultural awareness
- foster students' recognition and development of universal human values
- stimulate curiosity and inquiry in order to foster a spirit of discovery and enjoyment of learning
- equip students with the skills to learn and to acquire knowledge, individually or collaboratively, and to apply these skills and knowledge accordingly across a broad range of areas
- provide international content while responding to local requirements and interests
- encourage diversity and flexibility in pedagogical approaches
- provide appropriate forms of assessment and international benchmarking.

This template has an impact on curriculum planning for all programmes. For the Diploma Programme, the cycle of curriculum and assessment review is focused on identifying and providing new ideas to strengthen the diploma as an international qualification. The development of “world citizenship” requires a recognition and an appreciation of the worth of human life wherever it is lived, and of the shared bond with all other human beings. Such a pluralist view is based on the tenet that human diversity is intrinsically valuable and that because there is a plurality of human identities, interaction among them brings the possibility of greater mutual understanding. Developing in students an ability to appreciate and to evaluate human diversity and its legitimate boundaries can strengthen their motivation to modify their behaviour accordingly (Orellana, 1995).

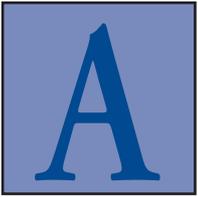
Learning and the environment for learning

While much is yet to be understood about the full range of learning in which the Diploma Programme engages students, it is clear that developing flexibility and adaptability in students as learners is a crucial feature. The encouragement and empowerment given to the student for his or her learning is also fundamental, as is the recognition that both individuals and groups are learners. Learning through individual subjects and through transdisciplinary study, integrating different approaches to learning, using information technology in learning, and recognizing intercultural and intergenerational learning, are common to all three IB programmes. While relatively little is understood about the effect of the total environment on student learning in the specific context of international education, the environment for learning is also recognized as particularly important and is an area of much research activity within the IBO (Thompson, 1999).

Teaching and the environment for teaching

The IBO has always acknowledged the central role of teachers in developing the full range of qualities associated with academic excellence and personal, social and physical growth. However, in the context of international education, not a great deal is known about the effectiveness of different teaching styles and methods and, again, this will be a central focus for the IBO's research agenda. Areas of particular interest include teachers as learners, teachers as managers of learning, teachers as innovators, the teacher–student relationship in learning, and the training and recruitment of teachers for international education (Thompson, 1999). A school's ethos has far-reaching effects in the context of international education, and is nowhere more clearly evident than in the classroom practices of its teachers. In some schools resources are extremely generous, while in others they are limited. Research in this area is especially necessary, and as urgent as that into the influence of resources on learning. New technologies for learning, the role of family, the role of community in international education, and the school as a learning organization for international education are all crucial concerns for the future. ■

ASSESSMENT AND THE AWARD OF THE QUALIFICATION



ASSESSMENT OF STUDENT PERFORMANCE within the Diploma Programme takes a wide variety of forms: the overall assessment structure for each subject ensures that student performance is measured in relation to all the objectives for that subject. Typical subject objectives include some that refer to knowledge and understanding of subject content, and also many that refer to particular types of skill relevant to the subject.

For example, an ability to engage in independent literary criticism in language A1, to analyse, evaluate and integrate source material, to construct scientific hypotheses and evaluate scientific methods, to make inductive generalizations in mathematics and to produce works of art with imagination and creativity, all relate to the objectives for particular subjects. It is clear that a wide variety of approaches to assessment is needed to provide students with suitable contexts in which to demonstrate their capabilities. An important feature is that all assessment is conducted in English, French or Spanish.

In nearly all Diploma Programme subjects, at least some of the assessment is carried out within the school by teachers, who mark individual pieces of work produced as part of the course of study. Such assessments by teachers are checked through the sampling of work from every school. If necessary, the teachers' marking is adjusted by moderators, who ensure that a common standard is applied to all schools.

The kind of work that is internally assessed includes oral exercises in the language subjects, projects, student portfolios, class presentations and practical laboratory work in the sciences, mathematical investigations and artistic performances. The principal aim of conducting internal assessment is to evaluate student achievement against those objectives that do not lend themselves to external written examinations or tests. Internal assessment also gives teachers, who know their students' work very well, a significant input into the overall assessment process.

Some assessment tasks are conducted and overseen by teachers, but are then marked by examiners outside the school. These tasks are carried out by students at a time mutually convenient to them and to the school's schedule, and without the restrictions of external examination conditions. They generally involve the production of a substantial piece of writing that has been researched and developed over a period of time. Such assessment tasks include world literature assignments for language A1, written assignments for language A2, essays for Theory of Knowledge, and extended essays. The role of the teacher in assessing these pieces of work is less significant than it is for internally assessed tasks: all such pieces of work are sent to external examiners to maximize objectivity in marking.

In visual arts, visiting examiners are invited to view the studio exhibition of each student's artwork in the school and to interview the students individually.

However, external examinations still form the greatest component of the overall assessment structure for each subject, because of the greater degree of objectivity and reliability provided by the standard examination environment and external marking. The use of identical examination papers across the world for each subject ensures a strong element of parity of assessment for the Diploma Programme, reinforcing its coherence.

Examinations are taken by diploma candidates at the end of the two-year course of study, although it is possible to register for one or two SL subjects as "anticipated" examinations at the end of the first year of study. All examination papers are taken by candidates under the normal strict conditions prescribed by the IBO, with a fixed time limit, in the absence of any external resource or communication with other candidates, and with no prior knowledge of the questions. The nature of the examination questions varies considerably from paper to paper and from subject to subject. Objective tests comprising a set of multiple choice questions are used in some subjects, but short answer questions, structured questions, extended response questions, essay questions, data analysis questions, text analysis questions and case study questions are all used where appropriate. This variety of question types allows for a greater number of subject objectives to be assessed, and also reduces bias towards those students from a particular culture who might have greater experience in responding to one particular type of test (for example, tests composed entirely of essay questions, or of multiple choice questions).

Examination sessions are held in May and November each year, with results published in early July and early January respectively. Between the sitting of examinations and the release of results, all the external marking is completed, culminating in grade award meetings for each subject, to determine the final subject grades.

During the marking, each examiner submits a sample of work to a senior examiner who checks it for accuracy and consistency. Where examiners are found to be overgenerous or harsh in their marking, adjustments are made to their marks. Where examiners are found to be inconsistent or unacceptably inaccurate, their total allocation is re-marked by senior examiners.

At grade award meetings, the senior examining team for each subject reviews the effectiveness of each examination paper and the overall student performance on each paper. Assessment in the Diploma Programme is criterion related, which means that each student's final subject result is determined by the level of their performance as measured against a published set of criteria. These criteria describe the level of achievement expected for the award of each grade. Final subject results are not determined by norm-referencing, nor by awarding fixed percentages of each grade to the overall distribution of candidates.

Each subject is graded on a scale from one point (the lowest) to seven points (the highest). Each diploma student takes six subjects, most taking three at higher level and three at standard level across at least groups 1 to 5 of the diploma hexagon. In addition, there is a maximum of three points available for combined performance in the extended essay and Theory of Knowledge. Thus, the maximum possible score is 45 points. The minimum score needed to gain the diploma is 24 points, provided that certain conditions are met. These conditions, which relate to the distribution of points across the different subjects, are published in the Diploma Programme regulations (International Baccalaureate Organization, 2002a). ■

FUTURE DEVELOPMENTS



THE DIPLOMA PROGRAMME will undoubtedly continue to build on the achievements that have marked the organization's rapid progress since the late 1960s. The potential of technology to enable distance and online teaching and assessment will have an enormous impact, and already the development of IBO web-based services for teachers through the online curriculum centre, and for examiners through Examnet, is having far-reaching effects. The strengthening of the international nature and conceptual development of the subjects offered will also continue to advance the Diploma Programme as the leading learner-oriented pre-university international qualification.

The many new initiatives underway, which include new subjects in group 6 (film and dance) and standard level (SL) transdisciplinary subjects, text and performance SL (group 1 and group 6), ecosystems and societies SL (group 3 and group 4), and world cultures SL (group 3 and group 6), will be the precursors to others. Further initiatives, including the European Platform partnership, where group 2 English A2 and English B HL courses are provided to European Platform schools, a German pilot project, where a nationally funded project is enabling the Diploma Programme to be provided to students in German schools abroad, in a language other than English, French or Spanish, and the first pilot project of distance teaching of the Diploma Programme in Finland, are also demonstrations of future wider developments. ■

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THE DIPLOMA PROGRAMME

The printed document, *A basis for practice: the Diploma Programme*, is a companion to the online version that appears on www.ibo.org, the IBO's public Web site. The online version is revised more frequently than the printed one and should be considered the valid document. Changes since the last printed version appeared will be posted on www.ibo.org as an easy reference for schools.

The IBO does not recommend that readers download and print the online pages because of the Internet time and large amount of ink required.

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

NOTES:

RECOMMENDATIONS

COUNCIL COMMENTS:

RESOLUTION NO. 2005-23
2005-K-JUBILEE BREEZE PUBLICATION

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

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

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

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

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

	# OF	COPIES	
	14,000	15,000	16,000
44 PAGES	\$8,925	\$9,453	\$9,980
48 PAGES	\$9,630	\$10,210	\$10,790

as specified in BID SPECIFICATION NO: 2005-K-JUBILEE BREEZE PUBLICATION.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA,
THIS 21st day of March, 2005

Greg Burnam, Council President

Date & Time Signed:_____

Fred Small, Mayor

Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION 2005-24

**A Resolution Authorizing the Mayor to Execute an Agreement
With The Municipal Workers Compensation Fund, Inc.**

WHEREAS, the City of Daphne, Alabama, is a participant in the Municipal Workers Compensation Fund; and

WHEREAS, the City of Daphne, Alabama, wishes to continue to participate in the Municipal Workers Compensation Fund for the purpose of being insured for workers compensation risk.

NOW, THEREFORE, be it resolved by the City Council of the City of Daphne, Alabama, that the City of Daphne hereby:

- 1) joins the Municipal Workers Compensation Fund, Inc. for the purpose of obtaining workers compensation insurance coverage; and
- 2) authorizes the Mayor to execute any and all documents as may be required to secure such coverage.

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

Greg Burnam, Council President

Date & Time Signed:_____

Fred Small, Mayor

Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk, MMC

RESOLUTION NO. 2005-25

**AGREEMENT-DAPHNE VOLUNTEER FIREFIGHTERS ASSOCIATION, INC.
AND CITY OF DAPHNE**

WHEREAS, the Mayor and the City Council of the City of Daphne acknowledge their responsibility to provide fire protection services to the citizens of Daphne; and

WHEREAS, the City of Daphne depends upon the support provided by the Daphne Volunteer Firefighters Assn., Inc. to control and prevent the spread of fires; and

WHEREAS, the Daphne Volunteer Firefighters Assn., Inc. has determined that the purchase of a 2005 Ford F-550 Brush Truck is necessary in order to meet the fire protection needs of the City; and

WHEREAS, the City of Daphne has agreed to cooperate with the Daphne Volunteer Firefighters Assn., Inc. in the purchase of this Brush Truck; and

WHEREAS, the State Bid List includes pricing for such truck.

NOW, THEREFORE, be it resolved by the City Council of the City of Daphne that the attached agreement between the Daphne Volunteer Firefighters Assn., Inc. and the City is hereby approved and the Mayor is hereby authorized to execute said agreement on behalf of the City.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS
_____ **DAY OF** _____ **2005.**

Greg Burnam, Council President

Date & Time Signed: _____

Fred Small, Mayor

Date & Time Signed: _____

ATTEST:

David L. Cohen, City Clerk. MMC

**AGREEMENT-DAPHNE VOLUNTEER FIREFIGHTERS ASSN., INC.
AND
CITY OF DAPHNE**

THIS AGREEMENT made this _____ day of _____, 2005, by and between the DAPHNE VOLUNTEER FIREFIGHTERS ASSN., INC., hereinafter referred to as the "Volunteers", and THE CITY OF DAPHNE, hereinafter referred to as the "City".

WHEREAS, the State Bid List includes a 2005 Ford F-550 Brush Truck; and

WHEREAS, the Volunteers have determined that said Brush Truck meets the requirements for fire protection within the City of Daphne; and

WHEREAS, the City recognizes the need for the purchase of such Brush Truck is necessary in order to meet the fire protection needs of the citizens of the City of Daphne.

NOW, THEREFORE, the Agreement between the Volunteers and the City is set forth as follows:

1. The City shall purchase a Ford F-550 Brush Truck from the state bid list in the amount of \$ 33,066, plus delivery charges, from the General Fund.

2. The City will remit payment to the Vendor upon delivery of the Brush Truck.

3. Thereafter, upon delivery and possession of the truck, the Volunteers will reimburse the City for the total cost of the Brush Truck and these funds will be deposited into the General Fund and applied to the purchase of the Brush Truck.

4. It is understood and agreed upon by the City and the Volunteers that the title of the Brush Truck will be in the name of the City and that the Brush Truck will be the property of the City.

5. The City will provide, and include in its annual insurance policy, insurance coverage for the Brush Truck.

6. It is further understood and agreed upon by the City and the Volunteers that this is a binding legal agreement.

DAPHNE VOLUNTEER FIREFIGHTERS ASSN., INC.

BY:

Melvin McCarley, Chief

Charlie Owens, Assistant Chief

Tom Walker, Treasurer

Ken Eslava, Member-at-Large

ATTEST:

Chris Gray, Secretary

CITY OF DAPHNE, ALABAMA

BY: _____
Fred Small, Mayor

ATTEST:

David L. Cohen, City Clerk

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

**AN ORDINANCE AUTHORIZING OVERTIME COMPENSATION FOR SALARIED EMPLOYEES and
SETTING FORTH ADMINISTRATIVE PAY POLICY
DURING DECLARED EMERGENCIES**

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

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

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

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

SECTION I: DEFINITIONS: FOR THE PURPOSES OF THIS ORDINANCE THE FOLLOWING DEFINITIONS WILL APPLY.

(a) **Salaried-exempt Employee:** An employee whose job duties are of such a nature that they are covered by exemptions of the overtime provisions of the Fair Labor Standards Act.

(b) **Administrative Pay:** Administrative Leave With Pay as approved by the Mayor and provided to employees during declared states of emergencies as described in this ordinance.

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

(a) In the event of an emergency affecting the City of Daphne as declared by the Governor of the State of Alabama and ratified by the Mayor of the City of Daphne and/or such other competent authority, the Mayor may utilize salaried employees to aid the City during normal and extended work hours. In this event, salaried employees will be considered non-exempt (hourly) employees beginning when such state of emergency is declared and ending when such state of emergency is lifted. Exempt employees shall receive compensation at the rate of one and one-half (1 ½) times their "calculated hourly wage" for **each hour worked** in excess of 40 hours per week. "Calculated hourly wage" shall be determined by dividing the salaried employee's annual salary by 2080. Exempt employees will not receive overtime pay for work during any portion of the pay period that is not during a declared state of emergency (ie: a maximum of 8 hours will be recognized for work days not falling within the time of the declared emergency).

SECTION III: ADMINISTRATIVE PAY DURING STATES OF EMERGENCY AFFECTING THE CITY OF DAPHNE, ALABAMA

Administrative time granted by the Mayor to City employees during declared emergencies will not be counted as *hours worked* in the calculation of hours eligible for overtime compensation. Employees who work on days declared as administrative time will receive administrative time pay as authorized by the Mayor as an addition to pay for the hours actually worked. Such administrative pay will be paid at the

regular rate of pay.

SECTION IV: CONFLICT WITH OTHER ORDINANCES

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

SECTION V: SEVERABILITY

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

SECTION VI: EFFECTIVE DATE

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

APPROVED AND ADOPTED this _____ day of _____, **2005**.

THE CITY OF DAPHNE

GREG BURNAM, COUNCIL PRESIDENT

Date & Time Signed: _____

FRED SMALL, MAYOR

Date & Time Signed _____

ATTEST:

DAVID COHEN, CITY CLERK, MMC

ORDINANCE NO. 2005-07

FIRE PREVENTION CODE FOR THE CITY OF DAPHNE

AN ORDINANCE TO REPEAL ORDINANCE NO. 2002-10 AND TO ADOPT THE 1999 EDITION OF THE STANDARD FIRE PREVENTION CODE WITH AMENDMENTS THERETO FOR THE CITY OF DAPHNE, ALABAMA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA THAT:

The 1999 edition of the Standard Fire Prevention Code, copyright 1999 by the Southern Building Code Congress International Incorporated, with amendments thereto, has heretofore been on file in the Office of the City Clerk of the City of Daphne, Alabama, pursuant to Resolution No. 2005- , adopted by the City Council of the City of Daphne, Alabama, on the ____ day of _____, 2005, is hereby adopted as the "Fire Prevention Code of the City of Daphne".

SECTION 1: AMENDMENTS

A. Section 101.4 of the 1999 Edition of the Standard Fire Prevention Code shall be repealed in its entirety and a new Section 101.4 shall be added to read as follows:

101.4 Bureau of Fire Prevention. There is hereby established a department to be called the Bureau of Fire Prevention and the person in charge shall be known in this Code as the Fire Official, who shall be the Fire Marshal of the City of Daphne, and who is charged with the administration and enforcement of the Standard Fire Prevention Code."

B. Section 402 of the 1999 Edition of the Standard Fire Prevention Code shall have the following included as part of the code:

402.35 Automatic Fire Sprinkler Systems

402.35.1 No person shall install or maintain an automatic fire sprinkler system without obtaining a permit from the Bureau of Fire Prevention.

402.35.1.1

Fire sprinkler systems (hereinafter called in Section 402.35 "installer") must be certified by the Alabama State Fire Marshal's Office, and have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

402.35.1.2 Installer must possess a current City of Daphne business license.

402.35.1.3 Installer must have sprinkler plans approved by the Fire Official before commencing installation.

402.35.1.4 No person shall perform maintenance or testing on fire sprinkler systems unless that person is certified by the Alabama State Fire Marshal's Office.

402.35.1.5 Upon final inspection, the National Fire Protection Association (NFPA) Contractor's Material and Test Certificate for Aboveground and Underground Piping must be properly completed and submitted to the Bureau of Fire Prevention.

402.35.1.6 The Fire Official shall be present during the final inspection of the sprinkler system.

402.35.1.7 Relocating more than three (3) sprinkler heads in an existing fire sprinkler system shall require a permit from the Bureau of Fire Prevention.

402.35.1.8 The permit fee for each installation shall be \$50.00.

402.36 Fire Alarm Systems

402.36.1 No person shall install or maintain a fire alarm system without obtaining a permit from the Fire Official. There are exceptions from the requirements of Section 402.36 installations of the following types:

- (1) One and two family dwellings
- (2) Any buildings with single station detectors only.
- (3) Owners of buildings may maintain their own systems as long as their maintenance person is certified by the manufacturer of the installed equipment or has National Institute for Certification in Engineering Technologies (NICET) level II in fire alarms.

402.36.2 Any person who installs or maintains fire alarm systems (hereinafter called in Section 402.36 "installer") must possess a current City of Daphne business license, and have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne, Bureau of Fire Prevention P.O. Box 400, Daphne AL 36526 listed as a Certificate Holder.

402.36.3 Installer must possess written evidence from the manufacturer of the equipment to be installed, certifying that the installer is qualified to install such equipment or the installer must be certified by the National Institute for Certification in Engineering Technologies (NICET), in the field of Fire Alarm Systems level II.

402.36.4 Licensed electricians may pull wire, install ancillary equipment, and connect the main power to the control panel; but no one other than a qualified fire alarm installer shall be allowed to make any other connections inside the fire alarm control panel.

402.36.5 A person certified by the Alabama State Fire Marshal's Office to install and maintain fire sprinkler systems may install devices integral to the operation of the fire sprinkler system, but shall not make any connection inside the fire alarm control panel.

402.36.6 Only fire alarm installers holding a valid permit from the City of Daphne shall be authorized to certify the system upon completion of the installation.

- 402.36.7 Upon final inspection, the NFPA Fire alarm system record of completion form must be properly filled out and submitted to the Fire Official and a fire alarm system check must be performed in the presence of the Fire Official.
- 402.36.8 The replacement and/or relocation of a control panel or relocation of more than three (3) detection devices in an existing fire alarm system shall constitute an installation which requires a permit from the Fire Official under Section 402.36.
- 402.36.9 Service – Any service or work done to the fire alarm system other than testing or replacing detection devices, such as smoke detector head, (less than 3).
- 402.36.10 A service tag or sticker shall be required to be installed by the permitted alarm servicing individual or company at the control panel of each fire alarm system, stating the company's name, address, phone number, name of the technician performing the service, date and the type of service performed.
- 402.36.11 Any person or entity who designs fire alarm systems must possess written evidence from the manufacture of the equipment to be installed, certifying that system or be NICET certified in fire alarms level III.
- 402.36.12 The permit fee for each installation shall be \$50.00
- 402.37 Portable Fire Extinguisher Service
- 402.37.1 No person shall engage in the business of servicing portable fire extinguishers without obtaining a permit from the Bureau of Fire Prevention
- 402.37.2 No person shall service portable fire extinguishers without obtaining a current City of Daphne business license.
- 402.37.3 No person shall be issued a permit to service portable fire extinguishers who does not possess a manufacturer's certification for servicing the type of extinguisher being serviced, and have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400 Daphne, AL 36526 listed as a Certificate Holder.
- 402.37.4 The technician who actually performs the work of servicing the portable fire extinguishers shall legibly sign and date the service tag verifying that all work was done in compliance with current NFPA standards.
- 402.37.5 The annual permit fee for portable fire extinguisher service shall be \$50.00

402.38 Fixed Fire Extinguishing Systems

402.38.1 No person shall engage in the business of installing or servicing fixed fire extinguishing systems without obtaining a permit from the Bureau of Fire Prevention.

402.38.2 No person shall install or service a fixed fire extinguishing system without obtaining a current City of Daphne business license.

402.38.3 No person shall be issued a permit to install or service fixed fire extinguishing equipment who does not possess a manufacturers certification for installation and servicing for the type system being installed or serviced, and have Certificate of Insurance, General Liability for \$ 1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

402.38.4 The technician who actually performs the work of servicing the fixed fire extinguishing systems shall legibly sign and date the service tag verifying that all work was done in compliance with current NFPA standards.

402.38.5 A permit is not required for follow up inspection or service, if a permit was received for that system in the same year. However a report shall be furnished to the Bureau of Fire Prevention upon completion of work being done.

402.38.6 The permit fee for each installation shall be \$50.00

402.39 Additional Permits

402.39.1 The permits that are listed in section 402.35 through 402.38.7 are in addition to any required permits or fees that the Building Department or Community Development Department may have.

402.39.2 Where work for which a permit is required by this code commences prior to obtaining said permit, the permit fee herein specified shall be doubled.

402.39.3 It shall be required that a copy of all annual or semi-annual inspection reports be submitted to the Bureau of Fire Prevention with any and all deficiencies clearly noted.

402.39.4 All checks and money orders shall be made out to the City of Daphne.

402.39.5 All certifications whether they are manufacture or NICET must be current and not have expired.

C. Section 501.1.1, of the 1999 Edition of the Standard Fire Prevention Code shall be repealed in its entirety and a new Section 501.1.1 shall be added to read as follows:

501.1.1 No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained without a permit or other proper authorization. No waste materials, rubbish, trees, bushes or brush cleared for construction or demolition of buildings or structures shall be disposed of by burning on the premises or in the immediate vicinity by the owner, the contractor, or any other person, unless a permit or other proper authorization has been obtained to burn said waste materials in an approved waste burner/incinerator.

501.1.1.1 The permit for each approved waste burner/incinerator shall cost \$50.00.

D. Section 602.2 of the 1999 Edition of the Standard Fire Prevention Code shall be repealed in its entirety and a new Section 602.2 shall be added to read as follows:

602.2 Addresses. Approved numbers or addresses shall be a minimum of 5 inches in height and shall be provided for all new and existing buildings so that the numbers or address is plainly visible and legible from the street or roadway."

E. Section 602.4 of the 1999 Edition of the Standard Fire Prevention Code shall be repealed in its entirety and a new Section 602.2 shall be added to read as follows:

602.4 Key boxes. Key boxes shall be installed in all buildings having an automatic sprinkler system. The fire official shall have the authority to require a key box to be installed in an accessible location where access to or within a structure or area is difficult because of security."

SECTION 2: PROCEDURES FOR VIOLATION OF MUNICIPAL ORDINANCES

Any person violating this Ordinance shall be subject to a fine as adopted by City of Daphne Procedures for Violation of Municipal Ordinances Ordinance No. 2001-01 and/or its amendments or updated ordinance in effect at the time of the offense.

SECTION 3: ORDINANCES REPEALED

Ordinance No.2002-10 shall be repealed in its entirety and replaced with the provisions of this Ordinance. All other ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4: SEVERABILITY

If any provision of this Ordinance is held to be invalid or unenforceable for any reason, such holding shall not in any way effect the remaining portions hereof, which shall remain in full force and effect.

SECTION 5: PUBLICATION

A copy of this Ordinance shall be published pursuant to and according to law, after its adoption, but it shall not be necessary for the said 1999 Edition of the Standard Fire Prevention Code to be published in a newspaper, nor shall the same be spread at length upon the minutes of this Council, but this Ordinance shall be recorded in the minutes.

SECTION 6: EFFECTIVE DATE

The said 1999 Edition of the Standard Fire Prevention Code and amendments thereto shall be in full force and effect upon adoption this _____ day of _____, 2005.

APPROVED AND ADOPTED this _____ day of _____, 2005.

GREG BURNAM, PRESIDENT
DAPHNE CITY COUNCIL

FRED SMALL, MAYOR
FOR THE CITY OF DAPHNE

ATTEST:

DAVID COHEN, CITY CLERK, CMC

ORDINANCE 2005-09

AN ORDINANCE TO ESTABLISH SURETY BOND LIMITS FOR CERTAIN MUNICIPAL OFFICERS AND EMPLOYEES

WHEREAS, a review of Surety Bonds and the Blanket Employee Dishonesty Insurance Policy has been conducted; and

WHEREAS, coverage revisions have been recommended.

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

Section 1: Ordinance 1996-27 is hereby repealed.

Section 2: The following officers and employees of the City of Daphne, Alabama, are hereby required to maintain Surety Bonds in the amount of \$ 500,000 each:

Mayor
Finance Director/Treasurer
City Council President
City Council President Pro Tempore
Revenue Officer
Municipal Court Magistrate

Section 3: The Fiscal Year 2005 budget is hereby amended to include the appropriation of \$ 15,722 for the Surety Bonds herein required and to increase the Blanket Employee Dishonesty Insurance Policy coverage to \$ 500,000 and to include losses due to forgery, alterations, computer fraud, and robbery.

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

THE CITY OF DAPHNE

Greg Burnam, Council President

Date & Time Signed: _____

Fred Small, Mayor

Date & Time Signed: _____

ATTEST:

David Cohen, City Clerk, MMC

ORDINANCE NO.: 2005-10



**AN ORDINANCE TO AMEND THE LAND USE AND
DEVELOPMENT ORDINANCE FOR
INFORMATION AND DIRECTIONAL SIGN PROVISION**



BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE AS FOLLOWS:

SECTION 1: AMENDMENTS

THAT the provisions of **ORDINANCE 2002-22, ARTICLE XXXIII, SECTION 33.9** be and are hereby deleted and replaced as follows:

MUNICIPAL IDENTIFICATION OR DIRECTIONAL SIGNAGE

(a) That in any business park, office park, commercial park, and/or municipal facility(ies) (as distinguished from retail shopping centers for which such shall be specifically prohibited), information/directional signs may be permitted subject to the following:

That information/directional signs shall be permitted at locations as more specifically referenced herein, subject to prior licensing approval by the Code Enforcement Officer;

(ii) That information/directional signs may be placed at a primary entrance to such business park, office park, commercial park, and/or municipal facility(ies);

That information/directional signs may be placed on public right-of-ways, on public places, and/or private property which private property may be common area servicing the business park, office park, or commercial park located within the park;

(iv) That each information/directional sign may be single or double faced, and shall not exceed fifteen (15) feet in total height from ground level, which height shall include the City's identification logo with color to match to the existing logo at the top of the sign. Such information/directional sign shall not have a total area in excess of fifty (50) square feet, excluding the City logo and shall not contain more than twelve (12) 8 inch panels, with each panel to be six (6) feet long. Each individual directional sign panel shall not include the City's identification logo. Each information/directional sign shall be appropriately landscaped with circumference of not less than three (3)

CITY OF DAPHNE ORDINANCE NO.: 2005-_____

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_____ feet around the base of the sign with bedding and appropriate seasonal planting.

That each individual information/directional sign panel shall list only those users located within such business park, office park, commercial park, and/or municipal facility and shall be designed to provide directional assistance to travelers or otherwise only to identify users located within such business park, office park,

and/or commercial park.

That the City shall have final approval for the location, material, content, color, and design of the signs and individual panels, whether the information/directional sign is located on public or private property.

That when the informational/direction sign is to be located on public property, the City shall be responsible for the erection, operation, content, and maintenance of each sign. The City may impose fees and enter into such written agreements for one (1) year intervals with interested businesses for the construction, installation and maintenance of such information/directional sign.

That when the informational/direction sign is to be located on private property, all costs for construction, installation, design, and maintenance shall be incurred by the applicant.

That information/directional signs shall not be considered a sign of any user, including users who own the land upon which the information/directional sign is located for purposes of determining the maximum number of signs, as otherwise permitted under Section 33-11 et. seq. of this Ordinance.

That such information/directional signs shall not be located in such a manner as to materially impede the view of any street or highway intersection, nor shall such sign be located so as to prevent free ingress or egress from any door or window for fire escape route.

SECTION 2: ISSUANCE OF PERMITS AND APPROVAL

(a) That the City Clerk's Office and/or Code Enforcement Officer shall establish suitable forms and documentation to authenticate the issuance of such permit as approved by the City from time-to-time. Such permit for the placement of such sign shall be for a one (1) year interval subject to renewal annually from the initial issuance with the permitting to be re-approved by the City Council. The City may deny

CITY OF DAPHNE ORDINANCE NO.: 2005-_____

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the re-issuance of the information/directional sign permit should the sign and surrounding landscaping not be maintained in a satisfactory fashion during the preceding year.

(b) That should a private owner of such sign allow the sign or landscaping to become in disrepair or to otherwise be unkept, the Code Enforcement Officer shall provide the permitted owner thirty (30) calendar days written notice to correct the deficiency to the satisfaction of the Code Enforcement Officer. Should the permitted owner not complete the remedial work within thirty (30) calendar days, the City may upon thirty (30) day notice thereafter revoke the permit of the owner and order the removal of the sign. Should the owner fail and/or refuse to remove the sign after the thirty (30) day time period, the City may enter upon the real property where the sign is situated for the limited

purposes to effectuate the removal of the sign, and the cost incurred by the City for removal shall be taxed against applicant.

SECTION 3: SIGN CONSTRUCTION

All signage utilized in accord with the provisions of this Ordinance, shall be constructed in accordance with the following:

(a) That all upright posts shall be 8" x 8" treated wood, embedded in the ground a minimum of four (4') feet, surrounded by a minimum circumference of six (6") inches of 3,000 psi concrete.

(b) That all 2" x 12" treated wooded cross supports shall be pinned together and routed into the 8" x 8" wooden posts, then lag bolted into each post from the outside.

(c) That the City logo panel shall be constructed of sand blasted sign foam and painted pursuant to the standard color scheme of the logo.

(d) That all wooden posts and cross supports shall be painted black in color.

(e) That each individual sign panel shall be white plastic with appropriate colored lettering selected by the user.

SECTION 4: REPEALER

That any Ordinance(s) or parts thereof in conflict with the provisions of this Ordinance, in

CITY OF DAPHNE ORDINANCE NO.: 2005-_____

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so far as they conflict, are hereby repealed. All other portions of Ordinance 2002-22 not expressly referred to herein shall remain the same.

SECTION 5: SEVERABILITY

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

SECTION 6: EFFECTIVE DATE

That this Ordinance shall become effective after the date of its approval and adoption by the City Council of the City of Daphne and publication as required by law.

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

THE CITY OF DAPHNE

AN ALABAMA MUNICIPAL CORPORATION

GREG BURNAM
Council President

DATE/TIME SIGNED: _____

**FRED SMALL
MAYOR**

DATE/TIME SIGNED: _____

ATTEST:

DAVID COHEN, CITY CLERK, MMC

CITY OF DAPHNE
ORDINANCE NO. 2005-11

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

WHEREAS, the Planning Commission of the City of Daphne, at their regular meeting held on January 27, 2005, favorably recommended certain amendments to the Zoning District Map approved and adopted by Ordinance 2001-33 referenced in Appendix H "Exhibit A" of the Daphne Land Use & Development Ordinance No. 2002-22 and amended by Ordinance No. 2003-06; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests, which have been approved since the adoption of Ordinance No. 2002-22 and amended by Ordinance No. 2003-06; and

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

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council March 21, 2005; and

WHEREAS, the Mayor and City Council of the City of Daphne after due consideration believe the amendments to said Zoning District Map as requested by the Planning Commission are proper and in the best interest of the City.

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

SECTION I. ZONING DISTRICT MAP

The Zoning District Map referenced hereto as "Exhibit A" shall be the official zoning map of the City of Daphne, Alabama.

SECTION II. AMENDMENT

Ordinance 2002-22 and 2003-06 are hereby amended to the extent that the adopted Zoning District Map

referenced in Appendix H of "Exhibit A" and the revision to said map adopted on December 3, 2001 by Ordinance Number 2001-33, conflicts with the Revised Zoning District Map referenced as Exhibit A.

SECTION III. REPEALER

Any Ordinance(s) or parts of Ordinance(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION IV. EFFECTIVE DATE

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF DAPHNE, ALABAMA, ON THE _____ DAY OF _____, 2005.

CITY OF DAPHNE

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David Cohen
City Clerk, MMC

CITY OF DAPHNE
ORDINANCE NO. 2005-12

Olde Towne District Map
Revision to Appendix I of the City of Daphne
Land Use and Development Ordinance

WHEREAS, the Planning Commission of the City of Daphne, at their regular meeting held on January 27, 2005, favorably recommended certain amendments to the Olde Towne District Map approved and adopted by Ordinance No 2003-05 referenced in Appendix I "Exhibit B" of the Daphne Land Use & Development; and

WHEREAS, said amendments are necessary due to various rezoning requests, which have been approved since the adoption of Ordinance No. 2002-22 and Ordinance No. 2003-05; and

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

WHEREAS, a public hearing regarding the proposed Olde Towne District Map amendments was held by the City Council March 21, 2005; and

WHEREAS, the Mayor and City Council of the City of Daphne after due consideration believe the amendments to said Olde Towne District Map as requested by the Planning Commission are proper and in the best interest of the City.

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

SECTION I. ZONING DISTRICT MAP

The Olde Towne District Map referenced hereto as "Exhibit B" shall be the official zoning map for the Olde Towne District of the City of Daphne, Alabama.

SECTION II. AMENDMENT

Ordinance 2002-22 and 2003-05 are hereby amended to the extent that the adopted Olde Towne District

Map referenced in Appendix I of "Exhibit B" and the revision to said map adopted on February 17, 2003 by Ordinance Number 2003-05, conflicts with the Revised Olde Towne District Map referenced as Exhibit B.

SECTION III. REPEALER

Any Ordinance(s) or parts of Ordinance(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION IV. EFFECTIVE DATE

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF DAPHNE, ALABAMA, ON THE
_____ **DAY** _____, **2005.**

CITY OF DAPHNE

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David Cohen
City Clerk, MMC

CITY OF DAPHNE
ORDINANCE NO. 2005-13

Village Overlay District Map
Addition of Appendix J of the City of Daphne
Land Use and Development Ordinance

WHEREAS, the Planning Commission of the City of Daphne, at their regular meeting held on January 27, 2005, favorably recommended adding the Village Overlay District Map approved and adopted by Ordinance No 2004-50 referenced in Appendix J “Exhibit C” of the Daphne Land Use & Development; and

WHEREAS, said additional map is necessary due to various rezoning requests, which have been approved since the adoption of Ordinance No. 2002-22 and Ordinance No. 2004-50; and

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

WHEREAS, a public hearing regarding the proposed Village Overlay District Map was held by the City Council March 21, 2005; and

WHEREAS, the Mayor and City Council of the City of Daphne after due consideration believe the addition to said Olde Towne District Map as requested by the Planning Commission is proper and in the best interest of the City.

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

SECTION I. VILLAGE OVERLAY DISTRICT MAP

The Village Overlay District Map referenced hereto as “Exhibit C” shall be the official zoning map for the Village Overlay District of the City of Daphne, Alabama.

SECTION II. AMENDMENT

Ordinance 2002-22 is hereby amended to the extent that the adopted Village District Map referenced in Appendix J of “Exhibit C” and the addition to said map adopted on January 3, 2005 by Ordinance Number

2004-50.

SECTION III. REPEALER

Any Ordinance(s) or parts of Ordinance(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION IV. EFFECTIVE DATE

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF DAPHNE, ALABAMA, ON THE _____ DAY OF _____, 2005.

CITY OF DAPHNE

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David Cohen
City Clerk, MMC