

CITY COUNCIL BUSINESS MEETING AGENDA
1705 MAIN STREET, DAPHNE, AL
MAY 5, 2008
6:30 P.M.

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

3. APPROVE MINUTES: Council Meeting minutes meeting held April 21, 2008

PRESENTATION: Nathan Cox / Memorial at Battleship Park for Personnel that have Served in Iraq and Afghanistan

PROCLAMATIONS: National Correction Officer Week & National Police Week

4. REPORT STANDING COMMITTEES:

- A. FINANCE COMMITTEE - Scott**
- B. BUILDINGS & PROPERTY - Lake**
- C. PUBLIC SAFETY - Burnam**
 - a.) Replace Patrol Car
- D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Palumbo**
- E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Yelding**
Review Beautification Committee minutes meeting held April 4th

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

- A. Board of Zoning Adjustments - Eady**
- B. Downtown Redevelopment Authority – Barnette**
Review minutes meeting held April 9th
- C. Industrial Development Board – Yelding**
- D. Library Board - Lake**
Review minutes meeting held March 6th
- E. Planning Commission – Barnette**
LaCasa Subdivision, Phase Two
- F. Recreation Board - Palumbo**
Review minutes meeting held April 9th
- G. Utility Board - Scott**

6. REPORTS OF OFFICERS:

- A. Mayors Report**
 - a.) *ABC License / Old Mexico /020 – Restaurant Retail Liquor*
 - b.) *Prepaid Travel / John Lake / AL League of Municipalities Convention / May 17-20, 2008 / Birmingham, AL / \$140*
- B. City Attorney's Report**
- C. Department Head Comments**

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) Authorizing the Filing of FY 2008 Competitive Large Cities
CDBG Grant Application / Gravity/Resolution 2008-15
- b.) Prepaid Travel / John Lake/Resolution 2008-21
- c.) Acceptance of Donation of Real Property to the
City of Daphne by Sylvia Walding. /Resolution 2008-22
- d.) Authorizing the Filing of FY 2008 Competitive Large Cities
CDBG Grant Application / Low Pressure /Resolution 2008-23
- e.) Acceptance of Right-of-Way Located at County Road 64 /
County Road 13 South to Milton Jones Road. /Resolution 2008-24

ORDINANCES:

2ND READ

- a.) Annexation: Holy Trinity Lutheran Church / Property Located
On Whispering Pines Road. /Ordinance 2008-31
- b.) FY 2008 Appropriations. /Ordinance 2008-32
- c.) FY 2008 Fire Personnel / 3 Fire-medics. /Ordinance 2008-33
- d.) 2006 Construction Fund Appropriation. /Ordinance 2008-34

1ST READ

- e.) FY 2008 Fire Personnel / 6 Firefighters. /Ordinance 2008-36
- e.) Appropriation: Police Vehicle Replacement. /Ordinance 2008-37

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__ __

COUNCILMAN NAGER

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

**APRIL 21, 2008
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

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1. CALL TO ORDER

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

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Councilman Lake gave the invocation.

COUNCIL MEMBERS PRESENT: Bailey Yelding; Cathy Barnette; John Lake; Greg Burnam; Ron Scott; Eric Nager; August Palumbo arrived at 6:40 p.m.

Also present: Mayor Fred Small arrived at 6:42 p.m.; David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; Kim Briley, Finance Director; David McKelroy, Recreation Director; Tonja Young, Library Director; James White, Fire Chief; Richard Merchant, Building Official; Bill Eady, Planning Department Director; David Carpenter, Police Chief; Melvin McCarley, Interim Public Works Director; Sandra Morse, Civic Center Director; Jane Robbins, Mayor's Assistant; Joey Holasz, Fire Dept.; several Firefighters; Kristie Greene, Police Dept.; Scott Hutchinson, City Engineer; Mickey Boykin, Daphne Museum; Willie Robison, BZA; Al Guarisco, Village Point; Starke Irvine, DRA.

Absent: Sharon Cureton, Human Resource Director.

3. APPROVE MINUTES:

MOTION BY Councilwoman Barnette to adopt the Council meeting minutes meeting held April 7, 2008. *Seconded by Councilman Lake.*

AYE Yelding, Barnette, Lake, Scott, Nager, Burnam NAY NONE OPPOSED

MOTION CARRIED

MOTION BY Councilwoman Barnette to adopt the Council Work Session meeting minutes meeting held April 7, 2008. *Seconded by Councilman Lake.*

AYE Yelding, Barnette, Lake, Scott, Nager, Burnam NAY NONE OPPOSED

MOTION CARRIED

MOTION BY Councilwoman Barnette to adopt the Council Retreat minutes meeting held April 13, 2008. *Seconded by Councilman Lake.*

AYE Yelding, Barnette, Lake, Scott, Nager, Burnam NAY NONE OPPOSED

MOTION CARRIED

APRIL 21, 2008
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

2

NOTE: Councilman Palumbo arrived at 6:40.

RECOGNIZE: Charlie Sumner / Boy Scout / Troop #177 / Project at Gator Alley

Mr. Sumner was not present.

PRESENTATION: Dan Castrillo / Daphne Fire Department Firemedic

Mr. Castrillo reported to Council that the Fire Department had joined the International Association of Firefighters. He stated that the Fire Department was at the disposal of the city and wants to build a good relationship with the Mayor and Council.

NOTE: Mayor Small arrived at 6:42 p.m.

Mr. Danny Todd from the International Association of Firefighters spoke to Council saying that there are over 3,000 local unions, and 46 of them are in Alabama. He said that they have something positive to offer the firefighters, and they can help in getting SAFER grants, and other funding. The association has conferences to aide firefighters in their job, and invited Council members to attend as well.

PUBLIC HEARING: Annexation: Holy Trinity Lutheran Church / Whispering Pines Road /
Requested zoning: R-3, High Density Single Family Residential District

Mr. Eady gave the presentation stating that they met all regulations on the site plan, and that the Planning Commission gave the requested annexation a favorable recommendation.

Council President Burnam opened the Public Hearing at 6:42 p.m.

No one spoke for or against the proposed annexation.

Council President Burnam closed the Public Hearing at 6:42½ p.m.

PUBLIC HEARING: Community Development Block Grant / Highway 64 Sewer

Ms. Janey Galbraith gave a presentation regarding the process of applying for the grant. She did not have the estimates for the project with her.

Council discussed how to fund the project. One suggestion was to ask the Utility Board to participate in the project. Councilman Scott said that the Utility Board was having a work session Wednesday night and that he would bring it up at the meeting.

Mayor Small stated that Utilities might be willing to pay for the lift station. He would bring that up at the Utility Board work session.

Ms. Galbraith said that they could hold this decision over to the next meeting, and if they chose not to apply that there were other grants they could apply for. She said that they must do what is in the best interest of the city.

Council President Burnam opened the Public Hearing at 7:10 p.m.

Mr. Starke Irvine – Daphne - stated that about nine years ago they brought a sewer line, a main line, from Daphne Business Park through a ravine that runs from the business park over to Pollard Road. They brought that sewer line in that ravine, and he is pretty sure it was developed with the idea of future sewer development in this neighborhood, and he is pretty sure that it is gravity. He thinks that is the way the whole thing is worked out. He said that Ray Moore would know, because Ray and his partner did the engineering on it, and he is almost sure that is the way it goes. He said that he doesn't remember a lot of things, but he generally remembers when he pays for something.

Mr. Rod Drummond – Ridgewood Road – asked if the city would receive the grant if they do not meet the commitment. He also asked what is the criteria for determining whether if it would be gravity or grinder pumps.

Mr. Louis Nady – Captain O'Neal Drive – encouraged the Council to make the commitment to go with the gravity system since that is the main system used throughout the city, because now putting grinder pumps in this one part of the city does not make since.

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

Councilwoman Barnette requested that at the May 5th meeting that they have all the facts, what sewer funds are available so that they know what the bottom line commitment will be for the City of Daphne so that they can make an informed decision since they did not have the facts tonight. She said she would like the Ordinance Committee to work with the Utilities Department to see if there needs to be a minimum standard ordinance for grinder pumps, because she knows that they have had well pumps, grinder pumps, and different types of pumps, and it might be the time for the city to go ahead and take action on this.

Councilman Palumbo stated that the committee can do this, and he would like to ask if the Utilities Department would send them their requirements for installation, and they can use that as a guideline for the ordinance.

Councilman Yelding said that 85% to 90% of the city is sewerred already, so if they completed this track then there would only be small pockets left, so why put that in at this point in time.

Councilwoman Barnette stated that there are people that still have grinder pumps that are being taken advantage of because they are not having the right installation put in their home.

Council President Burnam requested that the Mayor head up getting the cost estimates for the project from HMR, and the amount of remaining funds for sewers, and report back to the Council.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE / Scott

The committee met last week and the minutes are in the packet.

a.) Treasurers Report / March 31, 2008

MOTION BY Councilman Yelding to accept the Treasurer Report ending March 31, 2008 with a balance of \$21,689,366.27. *Seconded by Councilwoman Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

b.) Sales & Use Tax /February 29, 2008

For the sixth consecutive month revenues are below budget, and again less was collected than in 2007. Collections were down less than three percent of the budget, and some \$21,000 short of the budget, which is a reversal of almost \$100,000 from the previous month. The fact that Mardi Gras was early and that this was a leap year, which gave an extra day, probably reflects some of the good news that was had in the month of February.

c.) Lodging Tax / February 29, 2008

There was an increase of some \$6,000 verses February a year ago. The explanation for the increase is the same as the increase of sales and use tax. Some of it was booking of rooms for Mardi Gras, and the extra day.

The next meeting will be the second Monday in May in the Council Chambers at 4:00 p.m.

d.) Motions

1.) Authorize City Hall Project Extension: 29 Days

MOTION BY Councilman Scott that the Council authorize the City Hall project extension of 29 days. *Seconded by Councilman Yelding.*

AYE Yelding, Barnette, Scott, Nager, Burnam NAY Lake, Palumbo

MOTION CARRIED

2.) Reject Bid / 2008-G-City Hall Landscaping: Shrubbery and Plants

MOTION BY Councilman Scott to reject the bid for the 2008 City Hall landscaping, shrubbery and plants. *Seconded by Councilwoman Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

B. BUILDINGS AND PROPERTY COMMITTEE – Lake

The committee met April 4th, and the minutes are in the packet. Bay Rivers Art Guild requested that they be placed under Buildings and Property. The committee referred one item to the Finance Committee which is to replace the roof on the old building of City Hall at a cost of \$257,398 in order to make the two roofs, basically, have a 30 year warranty so that they would have the same life span.

Councilman Yelding stated that at their meeting on April 12th the Finance Committee referred it to a Council work session.

Councilman Palumbo stated: The entire Council received correspondence from Mrs. Morse, Director of the Civic Center, and that this item was overlooked when they talked about appropriations, but there is a proposal being made from the Civic Center to change one of the personnel positions from a part-time position to a full-time position. The number of events that are being held in the Civic Center has almost doubled since the last personnel were added. They are booking over 400 events a year, and there is only 365 days in a year. The cost is relatively minimal. The Buildings and Property Committee did recommend that the position go full-time and to go before the Council some time ago, but it was overlooked when they got their list together at the last work session. I would like the Council to take a look at the correspondence from Mr. Morse. The cost is relatively minimal, because the person that is in that position now does not require benefits, he has his own benefits in place, and they have a tremendous work load at the Civic Center, and I think this will help relieve the staff of some of the work load. There is a possibility of a motion to amend when they vote at the second read to include that money.

C. PUBLIC SAFETY COMMITTEE – Burnam

The minutes for the April 9th meeting are in the packet. No action is required by Council. The next meeting will be May 7th at 4:30 in the Council Chambers.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Palumbo

The committee did not meet in April. The next meeting will be May 7th at 5:30 p.m.

E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY – Yelding

The committee met March 28th, and the minutes are in the packet along with the January 25th and February 22nd minutes. The next meeting will be Friday, April 25th at 8:00 a.m.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Eady

No meeting in May.

B. Downtown Redevelopment Authority – Barnette

The next meeting will be May 12th in the lobby of City Hall at 5:30 p.m. The Authority looks forward to discussing the lodging tax.

C. Industrial Development Board – Yelding

The next meeting is this Thursday at 6:00 p.m. at Eastern Shore Toyota.

D. Library Board – Lake

The Library applied for and was chosen to receive the 2008 “We the People” Bookshelf grant. One of only 3,000 libraries nationwide will receive this grant. The annual “Spring Into Reading” Children’s Festival will be this Saturday from 11:00 a.m. until 3:00 p.m.

E. Planning Commission – Barnette

The minutes for the March 27th meeting are in the packet. The Planning Commission meeting is Thursday at 6:00 p.m. in the Council Chambers.

F. Recreation Board – Palumbo

The minutes are in the packet for the April 9th meeting. The next meeting will be May 14th at the Recreation Center.

G. Utility Board – Scott

The board will have a work session Wednesday, April 23rd at 5:00 p.m. in the Council Chambers, and the regular meeting will be April 30th at 5:00 p.m.

6. REPORTS OF THE OFFICERS:

A. Mayor’s Report

a.) ABC License / Alex Naman / 140 - Special Events Retail / Zydeco Festival

MOTION BY Councilwoman Barnette to approve the ABC License for Alex Naman / 140 Special Events Retail for the Zydeco Festival. *Seconded by Councilman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

b.) ABC License / Mellow Mushroom / 020 – Retail Liquor

MOTION BY Councilwoman Barnette to approve the ABC License for the Mellow Mushroom / 020 – Retail Liquor. *Seconded by Councilman Palumbo.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

c.) Parade Permit / Jubilee Church, Inc. / 5K and Fun Run / May 17, 2008

MOTION BY Councilman Lake to approve the Parade Permit for the Jubilee Church, Inc. / 5K and Fun Run to be held May 17, 2008. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

d.) Parade Permit / S.E.E.D.S. / 5K and Fun Run / April 10, 2009

MOTION BY Councilwoman Barnette to approve the Parade Permit for the S.E.E.D.S. / 5K and Fun Run to be held April 10, 2009. Seconded by Councilman Lake.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

e.) Parade Permit / Flounder Day Parade / Zydeco Festival / May 17, 2008

MOTION BY Councilwoman Barnette to approve the Parade Permit for the Flounder Day Parade to be held May 17, 2008. Seconded by Councilman Scott.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

f.) AL League of Municipalities Convention Voting Delegate / May 17-20, 2008 / Birmingham

MOTION BY Councilwoman Barnette to appoint Councilman Lake as Voting Delegate to the AL League of Municipalities Convention being held May 17-20, 2008 in Birmingham, AL. Seconded by Councilman Yelding.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

B. City Attorney's Report

No report.

C. Department Head Comments

David McKelroy – Recreation Center Director – Thanked everyone who came to Music Under the Stars. He also thanked Mrs. Morse for her help Friday by bringing the concert indoors and setting up for it. He reminded everyone about Down by the Bay Brown Bag Lunch Music Concert every Thursday through May. He reported that Friday there will be three baseball games going throughout the city.

Sandra Morse – Civic Center Director - announced that the Spring Concert will be Thursday, April 24th with the doors opening at 6:00p.m., and the concert starting at 7:00 p.m.

David Cohen – City Clerk – reported that he had gone to the ADECA LWCF and Recreational Trails grant workshop, and the deadline to submit the application is September 2nd. LWCF grant has gone up to \$125,000 with 50% match, and he believes the Recreational Trails grant has gone up to \$100,000. They need to be approved by Council and ready to go with the resolution by the first of August. So now is the time to be thinking about it.

Continued

VOTE ON ADOPTING RESOLUTION 2008-18 / PREPAID TRAVEL

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2008-19. *Seconded by Councilwoman Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Lake to read Resolution 2008-20 into the record. *Seconded by Councilman Yelding.*

Councilman Lake withdrew his motion.

Councilman Yelding withdrew his second.

MOTION BY Councilman Scott to waive the reading of Resolution 2008-20. *Seconded by Councilwoman Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilwoman Barnette to adopt Resolution 2008-20. *Seconded by Councilman Nager.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

RESOLUTION 2008-15 / Authorizing the Filing of FY 2008 Competitive Large Cities CDBG Grant Application was tabled until the May 5, 2008 meeting.

ORDINANCES:

2ND READ

a.) Establishing Salary for Municipal Judge Position. /Ordinance 2008-29

b.) Establishing Salary for City Prosecutor. /Ordinance 2008-30

1ST READ

- c.) **Annexation: Holy Trinity Lutheran Church / Property Located
On Whispering Pines Road. /Ordinance 2008-31**
- d.) **FY 2008 Appropriations. /Ordinance 2008-32**
- e.) **FY 2008 Fire Personnel. /Ordinance 2008-33**
- f.) **2006 Construction Fund Appropriation. /Ordinance 2008-34**
- g.) **Appropriations: May Day Park Sand Study: Coastal
Engineering Analysis and Sand Management Plan. /Ordinance 2008-35**

**MOTION BY Councilwoman Barnette to waive the reading of Ordinances 2008-29 and 2008-30.
*Seconded by Councilman Scott.***

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

**MOTION BY Councilman Scott to adopt Ordinance 2008-29 and 2008-30. *Seconded by
Councilwoman Barnette.***

**MOTION BY Councilman Palumbo to amend Ordinance 2008-29, only, to read identical to the
increase stipulated in Ordinance 2008-30. *Seconded by Councilman Scott.***

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

***VOTE TO ADOPT ORDINANCE 2008-29 AS AMENDED TO READ IDENTICAL TO THE
INCREASE STIPULATED IN ORDINANCE 2008-30.***

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Councilwoman Barnette stated that they just voted to adopt Ordinance 2008-29 with the amendment
and did not include Ordinance 2008-30.

**MOTION BY Councilwoman Barnette to adopt Ordinance 2008-30. *Seconded by Councilman
Palumbo.***

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

**ORDINANCES 2008-31, 2008-32, 2008-33, 2008-34 AND 2008-35 WERE MADE
FIRST READ.**

Councilwoman Barnette stated that they still do not have the budget for the six firefighters which they discussed having included in the Council packet, so she would like to see the six firefighters with the personnel cost included for the next discussion. She said that at the last council meeting they discussed taking the fire personnel out of the capital discussion and voting on that separately, but they said that they would have the three Fire-medics and the six firefighters so that they could make an informed decision. The six firefighters have been left out. She asked that the six firefighters be included in the packet so that they have the training and personnel cost as part of the packet.

Mayor Small stated that the boat ramp at May Day Park cannot be used, and they cannot correct the problem until they have this study done, so he asked Council to approve Ordinance 2008-35 not to exceed \$30,000 tonight, and if they get it cheaper the extra will go back into the General Fund.

Councilwoman Barnette stated that she has heard that \$2,000 will come off the price so they could amend to read not to exceed \$27,900.

MOTION BY Councilwoman Barnette to suspend the rules to consider Ordinance 2008-35. Seconded by Councilman Yelding.

ROLL CALL VOTE

Yelding	Aye	Nager	Aye
Barnette	Aye	Palumbo	Aye
Lake	Aye	Burnam	Aye
Scott	Aye		

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilwoman Barnette to waive the reading of Ordinance 2008-35. Seconded by Councilman Scott.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilwoman Barnette to amend Ordinance 2008-35 to read not to exceed \$27,900. Seconded by Councilman Palumbo.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilwoman Barnette to adopt Ordinance 2008-35 as amended not to exceed \$27,900. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

9. COUNCIL COMMENTS

Councilman Yelding commented on completing the sewers.

Councilwoman Barnette stated: The first thing is that I was privileged to attend the Utilities Board reception for the Elizabeth Yelding Park on Monday, and I would like to congratulate Mr. Yelding and his family for that honor, and it speaks volumes for the community, and the support and love that everyone has for one another. This was something that I really enjoyed being a part of, and it was nice to see Bailey's family have that honor. The second thing was that at the retreat we discussed having another retreat, for lack of a better word, to talk about the Comprehensive Plan and vision for the city, and I don't want us to lose site of the fact that we need to go ahead and get a date on the books for that. I won't through that out tonight, but if Mrs. Hayes will make some suggestions and calendar dates and get that circulated that will be forthcoming.

Councilman Yelding stated: I would like to thank Cathy for being there with me on that event, and Mr. Lake, the Mayor and whoever else was there, thank you.

Councilman Lake stated: "I told ya'll so" in regard to the retreat. I think that the separate location, not being at City Hall, helped the process along a little bit. I hope the next retreat, and I agree whole heartedly with Mrs. Barnette, for the next retreat if we follow the same kind of concept I think it will help. We accomplished a lot at this retreat. It showed how much we have accomplished as a Council. We have a lot more to do, and we need to look toward the future. Work sessions are for working on what we have to worry about now, but the retreats give us an idea of what we need to look at in the future. They allow us to prepare for the long range view.

Councilman Scott stated: We took this time at the retreat to look at where we were when we started three and a half years ago, where the city was, where the Council was, where the Mayor's office was, and then we looked at what had been accomplished, and what had not been accomplished in some cases, but what happened over the three and a half years. So we looked at where we were, where we are, and then we looked at where we wanted to go as a city. I think this Council has a good vision, and I look forward to the next retreat when we start on the Comprehensive Plan and tie it in with the Capital Plan so we will know how we are going to fund the things that we need for the city. That Comprehensive Plan will have a tremendous amount of community input, so ya'll need to get ready to go to work also.

Councilman Nager stated: Congratulated the Yelding family on the park, I was not able to attend the ground breaking, but I look forward to attending the ribbon cutting when it is complete. I would like to add that Elizabeth Yelding was my third grade teacher, and a very special lady, so that means a lot to me as well. I would also like to commend Mr. McKelroy and his department for Music Under the Stars, particularly the Jazz music on Sunday night. It is becoming an annual event for my

family and a special event for us, and I thought it was really well done. He deserves credit for that fine event.

Councilman Palumbo stated: I believe in planning, comprehensive planning, but before we get enamored with another retreat, I want to remind the Council that just several days after that long retreat we did not have a quorum for a work session, and draw your own conclusions. I think that spending six hours in retreat had a whole lot to do with not having enough Council members here to even have a work session four days later. I want to second the kudos to the Recreation Department, David McKelroy, and in particular Megan Matrone, a young lady who inherited the program, more or less, several months ago when she came to work, and I think the department did a commendable job. I had many citizens come to me and comment very positively, especially Saturday night, on how smoothly things went. I would estimate easily that there we about 1,000 people there. It has become quite an event, and I think we should make every effort to continue it. The Daphne High School Indoor Percussion Ensemble, as it has for the last several years, traveled to Dayton, Ohio for the World Indoor Percussion Championships, and placed fourth in the nation. That competition includes university bands, and I would like to commend them. At Daphne Trojan Hall tomorrow night the Brigham Young University Choral Group is going to perform. I think the admission is free.

10. ADJOURN

MOTION BY Councilman Lake to adjourn. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:45 P.M.

Respectfully submitted by,

David L. Cohen,
City Clerk, MMC

Certification of Presiding Officer:

Greg Burnam, Council President
Date & Time Signed: _____

City of Daphne, Alabama
Office of Mayor

PROCLAMATION

**NATIONAL CORRECTION OFFICER WEEK
May 5, 2008 – May 11, 2008**

WHEREAS, on May 5, 2008 through May 11, 2008 will be celebrated across the United States as "*National Correction Officer Week*," and

WHEREAS, our Correction Officers are on the job 24 hours a day, 7 days a week, and whatever emergency might occur, they are there; and

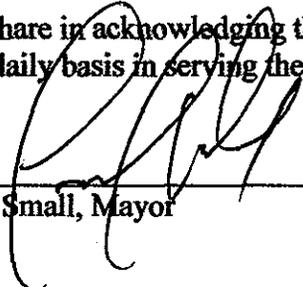
WHEREAS, the week will be dedicated to increasing the public awareness of the excellent job performed by the Correction Officers of the Daphne Police Department, and their efforts to protect public safety; and

WHEREAS, other criminal justice agencies and members of the public are encouraged to acknowledge the important role the Correction Officers of the Daphne Police Department perform in the protection and service to the City of Daphne and its citizens.

Now, Therefore, the Mayor and City Council of the City of Daphne do hereby proclaim the week of May 5 through May 11, 2008 as:

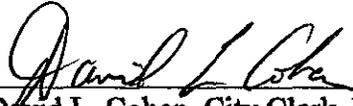
NATIONAL CORRECTION OFFICER WEEK

And encourage the citizens of Daphne to share in acknowledging the outstanding job the correction professionals perform on a daily basis in serving the entire community.



Fred Small, Mayor

ATTEST:



David L. Cohen, City Clerk, MMC

City of Daphne, Alabama
Office of the Mayor

PROCLAMATION
National Police Week

Whereas, The Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week; and

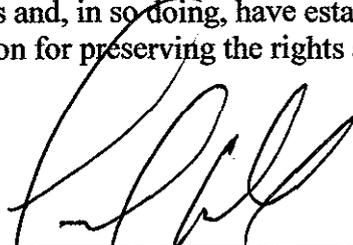
Whereas, the members of the law enforcement agency of the City of Daphne play an essential role in safeguarding the rights and freedoms of the City of Daphne; and

Whereas, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

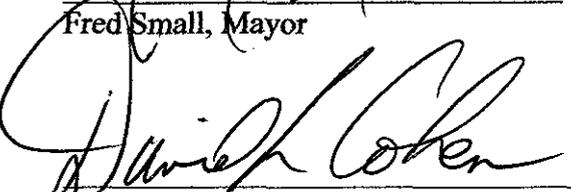
Whereas, the men and women of the law enforcement agency of the City of Daphne unceasingly provide a vital public service;

Now, therefore, I, Mayor of the City of Daphne, call upon all citizens of Daphne and upon all patriotic, civic and educational organizations to observe the week of May 11- 17, 2008, as Police Week and observe Thursday, May 15th, as Peace Officers' Memorial Day with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.




Fred Small, Mayor

ATTEST:


David L. Cohen, City Clerk, MMC

**CITY COUNCIL MEETING
STANDING COMMITTEE RECOMMENDATIONS:**

FINANCE COMMITTEE REPORT

BUILDINGS & PROPERTY COMMITTEE REPORT

PLANNING/ZONING/CODE ENFORCEMENT COMMITTEE REPORT

PUBLIC SAFETY/ORDINANCE COMMITTEE REPORT

PUBLIC WORKS/BEAUTIFICATION/MUSEUM COMMITTEE REPORT

MEMORANDUM

TO: MAYOR SMALL
FROM: CHIEF CARPENTER *D.C.*
DATE: MAY 1, 2008
RE: REPLACEMENT VEHICLE

Attached is a memo from Captain Bell in reference to vehicle #201. The insurance company considers the vehicle to be totalled.

I am requesting the city purchase a new patrol vehicle to replace the 2001. The cost difference to buy a new car and some equipment minus the amount the insurance company is going to pay is \$22,798.00

We have been in contact with Finance on this matter due to there being a cutoff date to order any 2008 patrol vehicles.

Cc: Finance

Daphne Police Department



Internal Letter

To: Chief David Carpenter

From: Captain Daniel Bell 

Date: May 1, 2008

Subject: Replacement Vehicle need
for totaled Police Car

On April 26, 2008 a Daphne Police Car was damaged after colliding with a deer on Longue-vue Boulevard. The damaged Police Car was a 2001 Ford Crown Victoria fleet number 201. The city insurance company notified me this date that the police car would be totaled. This was discussed with the insurance adjuster who explained that the age of the car was a significant factor in their decision. The cost to repair this vehicle was estimated at \$3,250.00 by Cockrell's Body Shop. The adjuster considered the age of the car, mileage, and the repair cost. The option of fixing this vehicle for \$3,250.00 was explored but ruled out by the insurance company and Cockrell's Body Shop. Once a vehicle is considered totaled it can not be fixed unless specific title changes take place. Police Car 201 is considered totaled and no longer useable by the city.

The police car equipment will be removed and can be used to equip the replacement car. An additional cost for the digital camera system is recommended. The camera system in the damaged police car is outdated and no longer purchased by this department. All the new cars have been outfitted with digital camera systems to replace the unreliable and old analog systems. This new car should also be outfitted with the same technology.

The last day to order new 2008 police cars is May 26, 2008. The ordering of 2009 police vehicles is not expected until December or January. I have discussed and coordinated this timeline with Kim Briley, Suzanne Henson, and David Cohen. This amended capital item should be presented to the Daphne City Council Monday May 5, 2008. If approved by the council there should be sufficient time to place an order for another police vehicle. The cost of this purchase is outlined below.

\$21,263.00	Cost of a new police car
\$585.00	Cost of painting and striping police car
\$4,825.00	Cost of a new digital camera system
<u>\$3,875.00</u>	Amount from the insurance company for the totaled police car
\$ 22,798.00	Remaining balance to purchase a new police car

Daphne Beautification Committee

Civic Center Recreation Building, Daphne, AL

Minutes

April 4, 2008 - 10:00 AM

Meeting: General Membership Meeting

Invitees:

City Liaison: David McKelroy, Marjorie Bellue

Members:

Chair: Anne Talton (7)

Vice Chair: Nancy Henderson (3)

Secretary: Judy Sholtis (2)

Treasurer: Frieda Romanchuck (7)

Marilyn O'Connor Moore (2)

Dorothy Morrison (2)

Selena Vaughn (4)

Patty Kearney (5)

Audrey Rouire (6)

Jessia Prater (1)

Carolyn Coleman (2)

Tomasina Werner (4)

Dorothy Rankins (5)

Kay Wineman (7)

I. Call to order – 10:00 a.m.

II. Roll call – Present were Anne Talton, Nancy Henderson, Dorothy Morrison, Carolyn Coleman, Judy Sholtis, Selena Vaughn, Tomasina Werner, Frieda Romanchuck, Patty Kearney, Marilyn O'Connor, Audrey Rouire, Kay Wineman, Bee Wilson, Bee Wilson, David Mcelroy, Marjorie Bellue

III. Approval of minutes – The minutes were sent out by email. There were not recommendations for changes or reports of errors. A motion was made, seconded and approved by majority to accept the minutes as posted.

IV. Treasurers Report Frieda Romanchuck gave the treasures report. A motion was made, seconded and approved by majority to accept the report.

V. Sub-Committee Reports -

- a. Beautification Awards – Dr. Bondorant and Dr. Manasco received the Beautification Award for their offices at Village Point. Each office will have an individual sign.
- b. Crape Myrtles – They are still being moved.
- c. Gator Alley – Dorothy Morrison was pleased to report that the fence is almost complete thanks to Freddie Johnson. Dorothy suggested that \$1,500.00 be spent for plants and pine trees. Dorothy stressed that this project has been a great team effort. Charlie has done an outstanding job on the picnic tables and benches.

VI. Open Business – The Top Ten List was read by Selena Vaughn. The list was revised and Selena will send a copy to each council member and DBC member. Majorie stated that her boss, Melvin MaCauley wants only a list of five things.

VII. New Business - .

- a.** Dorothy Morrison asked that \$500.00 be allocated to complete the fence at Gator Alley. A motion was made, seconded and was approved by majority.
- b.** Dorothy Morrison asked that \$1,500.00 be allocated for trees and plants for Gator Alley. A motion was made, seconded and was approved by majority.
- c.** A motion was made for \$100.00 to be allocated for correspondence. The motion was seconded and was approved by majority.
- d.** A motion was made for \$100.00 to be allocated for the creation of a flyer. The motion was seconded and was approved by majority.

VIII. Public Works – Majorie reported that shelving will be completed on a rainy day.

IX. Announcements – We recognized Aubrey for making all of the signs for Arbor Day. They were wonderful.

X. Adjournment - Formal meeting was adjourned at 11:15, members were then taken on a guided tour by Dorothy Morrison.

**CITY COUNCIL MEETING
REPORTS OF SPECIAL COMMITTEES**

NOTES:

BOARD OF ZONING ADJUSTMENTS REPORT:

DOWNTOWN REDEVELOPMENT AUTHORITY REPORT:

INDUSTRIAL DEVELOPMENT BOARD:

LIBRARY BOARD:

PLANNING COMMISSION REPORT:

RECREATION BOARD REPORT:

UTILITY BOARD REPORT:

**DOWNTOWN REDEVELOPMENT AUTHORITY
DAPHNE, AL
1705 MAIN STREET
APRIL 9, 2008
5:30 P.M.**

1. CALL TO ORDER/ROLLCALL

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

Members Present: Starke Irvine, Jackie Ward; Kit Smith; Glenn Glass;

ABSENT: Lad Drago; Ceann Wachter; Chris Donald.

Board Members Present: Cathy Barnette; Robert Lloyd; Mary Lloyd; Andy Citrin,.

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

Also present: Dorothy Morrison, Beautification Committee; Karen Nady, Olde Towne Daphne West.

2. Approve Minutes / February 11, 2008

MOTION BY Glenn Glass to approve the meeting minutes held February 11, 2008. Seconded by Kit Smith

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

3. OLD BUSINESS

The members discussed receiving funding from the lodging tax. They discussed the projects that they could do if they were funded. They discussed teaming up with the Village Point Foundation, and having some of their members on the Authority.

MOTION BY Glenn Glass to present to Council to that 95% of the lodging tax go to the Downtown Redevelopment Authority. Seconded by Kit Smith.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

4. NEW BUSISNESS

Mrs. Morrison gave a report on Beautification Committee projects. She reported that a Boy Scout put up a fence and made some benches for Gator Alley. They are making flower boxes to put around town, and they are doing a flyer advertising Gator Alley.

5. NEXT MEETING

The next meeting will be May 12, 2008

6. ADJOURN

The meeting adjourned at 6:55 p.m.

**Daphne Public Library Board
March 6, 2008
Meeting Minutes**

In Attendance:

Library Director Tonja Young; Board Members Cassandra Day, Gayle Robinson, and Jan Blankenhorn; Board Chairman Ron Allen; City Council Liaison John Lake; FODL President Karen Kyzar.

1) Call to Order:

After a quorum was established, Board Chairman Ron Allen called the meeting to order at 4:00 pm.

2) Reading and Approval of the Minutes:

The minutes of the February 7, 2008 meeting were reviewed and approved. Motion made by Gayle, second by Cassandra. Motion passed.

3) Chairman's Update on Library Foundation Status:

Ron stated that he had filed the 501 (c)3 application papers for the foundation. He stated that the application had been received and we should hear back within 60 days or around the first of April.

4) Discussion of Annual Review for Library Director:

Information was submitted to the Board including:

- Library Director's Job Description (Issued by City)
- List of Accomplishments
- Blank Review Forms
- Copy of Jubilee Breeze (TY is co-editor)

Tonja stated that it would be helpful to her to have an evaluation from each Board member. Ron stated that each Board member should fill out their evaluation form and that the evaluations would be discussed with Tonja at the April meeting in Executive Session.

5) Discussion of Memorial Gifts

Jan stated that the committee appointed by Ron to look at the issue of larger memorial gifts had learned that book plates are inserted into all donations of memorial gifts. The committee and Director decided that the catalogers should also begin adding the memorial information into the MARC record during cataloging. (Upon searching "notes" at the library search station, the memorial tag should come up; donors would be able to see which books were given in memory of their loved one.)

Jan made a motion to begin in the Large Print area of the library with a memorial plaque for donations of \$250 or more. The plaque should state that materials were donated to the Large Print area in memory of _____, and each memorialized person would have a metal strip added to the plaque. The motion was seconded by Cassandra. Motion passed.

The library will put up a notice stating that this will be the normal procedure from now on, and will have posted explanations of how to find the information during a search on the computer.

It was also discussed that at one time the family of Mayor Jordan wanted to give an undisclosed amount of money to rename the library after him. The offer was refused.

6) Director's Report

Tonja handed out new Successful Trustee manuals from the American Library Association (suggested by APLS) to the Board Members, as well as an updated list of Board Members and information. The Board requested a similar list of staff members. Tonja stated that she would issue a list at the next meeting containing the staff members and their library email addresses.

Tonja reported that Louise had applied for admission to the MLIS online program at the University of Alabama. If both are accepted, Louise and Cathy would complete the program together. Both have applied for the education grants from APLS and the forms needed the Chair's signature. Tonja also stated that she would like to see Louise go full time in the near future. Tonja added that Louise had shown a level of commitment by applying for the degree and that she had also been doing an excellent job with the YA program.

The statistical report for February, 2008 was presented by Tonja. Total circulation was 19,539 items compared to 16,166 items for February, 2007 or an

increase of 20.86%. The number of people using the library was 16,741 compared to 14,466 for February, 2007 or an increase of 15.73%. The library processed 1,488 interlibrary loans to Daphne and 1174 interlibrary loans from Daphne to other Baldwin County libraries. We added 140 new patrons to the system in February (39 junior, 101 adult). Volunteers worked 110.2 hours and 488 reference questions were answered. Proctored exams totaled 14. Total attendance for children's programs was 391; attendance for young adult programs was 30; attendance for adult programs was 352. Meeting room users totaled 605. Computer users totaled 1437. A total of 439 new items were cataloged in adult materials, while 246 new items were cataloged for children's collections.

Tonja announced that the new part time employees Catherine Anderson and Gwenda Peterson were doing well and that Catherine would be going full time on March 27 in place of Donna. She also stated that she was interviewing for another employee to take over Catherine's part time slot.

Upcoming events were discussed, including the "Spring into Reading" Children's Festival on April 26, and the City of Daphne's Gulf Coast Zydeco Festival Community Day on May 17.

Tonja stated that the first ads for the Public Awareness Campaign by ROC Group had run in the Sunday papers and that 15, 30, and 60 second radio ads had been discussed. (These radio ads have been emailed to Board Members since the March meeting.)

Tonja discussed the moving of the Paperbacks to enlarge the Large Print area.

7) Citizen Participation

Council Liaison John Lake announced his upcoming wedding.

9) Other Business

No other business.

10) Adjourned

The meeting was adjourned by Ron at 5:00 pm.

Respectfully submitted by T. Young, March 12, 2008

To: Office of the City Clerk
From: William H. Eady, Sr., Director of
Community Development
Subj: LaCasa Subdivision, Phase Two
Review of Public Works minutes
from Planning Commission to City
Council
Date: April 30, 2008

MEMORANDUM

At the regular meeting of the City of Daphne Planning Commission, April 24, 2008, eight members were present and a motion was made to forward the minutes and attachments to the City Council for review. The attached include a copy of Public Works minutes, La Casa Subdivision plat(s), and a possible solution/cost estimate provided by Hutchinson, Moore & Rauch.

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

Thank you,

WHE/jd

cc: file

attachment(s)

**CITY OF DAPHNE
PUBLIC WORKS COMMITTEE MEETING
Time: 8:00 AM on March 28, 2008
Location: City Hall Council Chambers**

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

I. CALL TO ORDER

The May meeting of the Public Works Committee was called to order at 8:10 a.m.

Present: Councilman John Lake, Councilman Yelding Bailey, Councilwoman Cathy Barnette, Melvin McCarley, Scott (HMR), Don Olds, Ashley Campbell and Kimberly Briley

II. PUBLIC PARTICIPATION & CORRESPONDENCE

- A. Work Request Report – January 2007
- B. Correspondence – None

III. OLD BUSINESS

- A. Minutes – February 22, 2008 meeting
Councilwoman Barnette made a motion to approve minutes. Motion seconded by Councilman Lake. All in favor. Minutes accepted.

IV. NEW BUSINESS

- A. La Casa Subdivision – Lot used to be common area. Plat was revised and lot was sold, wiping out common area. The lot owner had rights to do whatever they wanted with the lot. Mayor Small commented that one solution would be to put a cul de sac there. This needs to go to the planning commission. Motion made by Councilman Yelding to send to Planning Department. Seconded by Councilman Lake. All in favor.
- B. MS4 Program (Ashley Campbell) – The City of Daphne is in a permit with Mobile saying we are responsible for our storm water. Bottom of page 10 states what we need to do to be in compliance. Previously, has not been enforced by ADEM. Ashley asked that the committee review packet and determine where we will get funding from. Ashley stated that there is an immediate need for a monitoring plan. Daphne has requested numerous times to be removed from the permit with Mobile and asked to be placed on a Baldwin County permit with Spanish Fort and Fairhope. The City has been operating as such for several years. Mayor Small noted that we have a ground disturbance fee that generates money for the general fund. Ashley to work with Kim Briley to establish budget needs.
- C. Traffic Hwy 98 and Whispering Pines – Mayor Small stated that a traffic study has been requested for a turning lane at this intersection. Public Works can complete the traffic study. Mayor Small stated that he would like to see study. Traffic is increasingly backing up at this intersection due to schools, ballpark and YMCA. Mayor Small told Melvin to complete the study and then we will see what ALDOT says about the intersection.
- D. Johnson Road yield light – Not working properly. Need to meet with ALDOT engineering. Light stays red. We need a yield light.
- E. May Day Park Study – Ashley Campbell stated that before we can get any permits we have to get a study completed. She added that we need to enter into an agreement with Scott Douglas to complete the study on how to fix the problem at May Day Park. At this time, the boat ramp cannot be used due to the sand and we cannot move the sand without a permit. Hurricane Katrina caused additional sediment. Ashley asked him to give us a

proposal. Councilwoman Barnette stated that she does not believe we need a \$30,000 study to answer a few questions. The recommendation of the committee was for Scott (HMR) to go to Mr. Douglas that cost of study is too high. Scott (HMR) will report back his findings. Councilman Yelding commented that we need to get Hold Harmless agreements. Ashley reported that the Hold Harmless agreements are coming to upcoming council meeting. Mr. Olds stated that the previous owner was the one that put the sand that is there now.

- F. Councilman John Lake attended at State Hwy Department meeting for Hwy 181 from Malbis Substation about a mile south is going to be five-laned. Due to soybean fields being designated as historical farm lands, it cannot be developed. Mr. Eady was also at the meeting. Councilman Lake stated that we need to put in place an ordinance for no turning lanes due to the fact that we could not put a dividing strip. He is requesting that we support the Mayor on this.
- G. Mechanical Shop Inventory – Kim Briley reported that the Mechanical Shop inventory is \$100,000 out of balance. Currently, we have a 234,000 inventory. She stated that we have gone to a monthly inventory to try to determine where the out-of-balance is coming from or if our beginning inventory number was accurate.

V. **DIRECTOR'S REPORT**

- A. Nothing to report.

VI. **SOLID WASTE AUTHORITY**

- A. Nothing to report

VII. **MUSEUM COMMITTEE**

- A. Minutes – February 11, 2008

VIII. **BEAUTIFICATION COMMITTEE**

- A. Minutes – none submitted

IX. **ENGINEER REPORT**

- A. NRCS Update – Nothing to report

V. **FUTURE BUSINESS**

- A. Next Meeting – April 25, 2008, 8:00 a.m.

XI. **ADJOURNMENT**

Councilman Lake motioned to adjourn. Motion seconded by Councilwoman Barnette. The meeting adjourned at 9:10 AM.

December 1, 2007

To: Mayor Fred Small
City of Daphne

Councilman Baily Yielding
Mr. Bill Eady, Director of Community Development

The end of our street, Via del San Francesco, has an undesirable, possibly dangerous design. It is our understanding the "T" design was approved by the city of Daphne. Other than being "just not attractive", the following incidents have occurred:

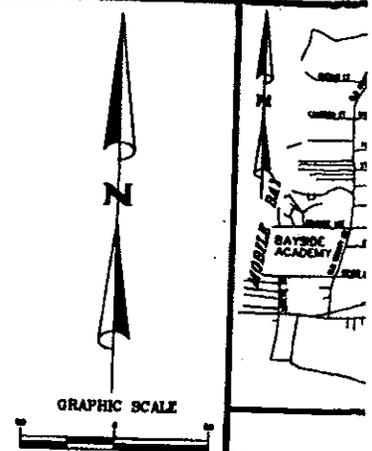
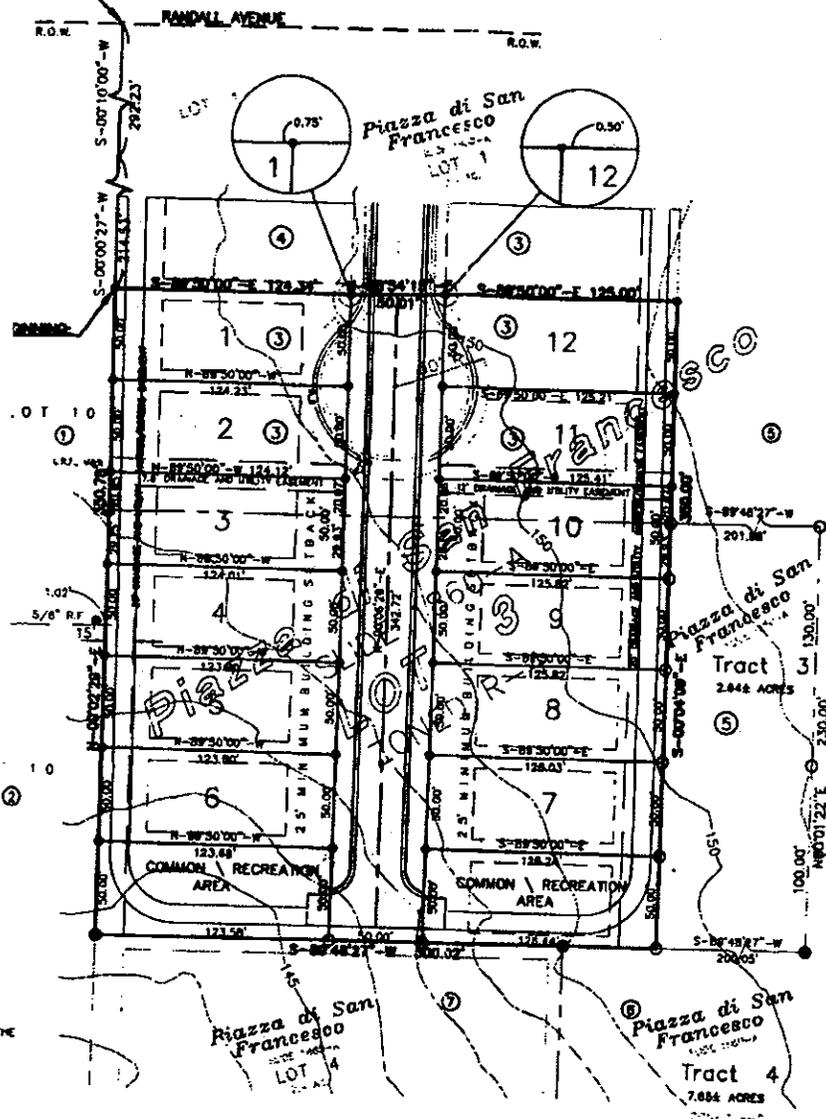
1. Several mailboxes have been knocked over due to persons turning around in the street.
2. A street light has been damaged twice by trucks, etc., turning around at the "T" or in the street.
3. Cars park at the end, which makes it difficult sometime for one to turn around.
4. City vehicles have to back down our street, which is also dangerous.

Pat Oberholtzer met with Mr. Eady, and was informed that a "Teardrop Turnaround" was possible, replacing the "T" design.

We, the residents of La Casa Subdivision, are requesting that the City of Daphne replace the "T" design at the end of our street with the "Teardrop Turnaround/Cul de sac" so that it would be safer and more aesthetically pleasing to our neighborhood.

Name	Address	Phone
JEFF CLINE	26217	644-4121
Scott McCrasy	26207	621-9702
ROY BELL	26208	621-9126
Mr and Mrs Robert Thompson	26235	621-7829
Bill & Madeline Smith	26225	621-8387
Mr. & Mrs Paul Davenport	26148	626-7618
Mr & Mrs GLEN ISAACS	26137	626-9793
Mr & Mrs. Ronald Ruxford	26124	625-3587
Kay Hairitz	26112	625-3905
Mr & Mrs Roger Sharpless	26156	626-5207
	26162	625-6951
Mya Swain Jackson	26157	625-1001

La Casa di San Francesco Phase II



SITE DATA
 NUMBER OF LOTS =
 AVERAGE LOT SIZE =
 TOTAL ACREAGE OF SITE =
OWNER
 OLDE DAPHNE DEVELOP
 P.O. BOX 2497
 DAPHNE, ALABAMA
DEVELOPER
 WAKM, LLC
 P.O. BOX 2497
 DAPHNE, ALABAMA
SURVEYOR
 RAY B. MOORE, P.L.S.
 ALA. REG. NO. 157
ENGINEER
 PERRY C. JENNINGS
 ALA. REG. NO. 2574

PUBLIC WORKS DIRECTOR'S APPROVAL
 STATE OF ALABAMA
 COUNTY OF BALDWIN
 CITY OF DAPHNE
 I, KEN ESLAVA, PUBLIC WORKS DIRECTOR FOR THE CITY OF DAPHNE, ALABAMA, DO HEREBY CERTIFY THAT THE STREETS, DRAINAGE AND OTHER IMPROVEMENTS HAVE BEEN INSTALLED IN ACCORDANCE WITH THE SUBDIVIDER'S PLANS AND SPECIFICATIONS AND COMPLY WITH THE REQUIREMENTS SET FORTH IN THE DAPHNE LAND USE AND DEVELOPMENT ORDINANCE.
 DATED THIS THE ____ DAY OF _____, 20__
 KEN ESLAVA, PUBLIC WORKS DIRECTOR FOR THE CITY OF DAPHNE

CERTIFICATE OF APPROVAL BY THE UTILITIES BOARD OF THE CITY OF DAPHNE
 I, A.E. MOAS, DIRECTOR OF UTILITIES FOR THE UTILITIES BOARD OF THE CITY OF DAPHNE, ALABAMA, DO HEREBY CERTIFY THAT THE FINAL PLAT HAS BEEN EXAMINED BY ME AND THE SUBDIVIDER'S PLANS AND SPECIFICATIONS COMPLY WITH THE REQUIREMENTS SET FORTH IN THE DAPHNE LAND USE AND DEVELOPMENT ORDINANCE.
 DATED THIS THE ____ DAY OF _____, 20__
 DIRECTOR OF UTILITIES

THE MAINTENANCE OF ALL COMMON AREAS, INCLUDING THE DETENTION AREAS, SHOWN ON THIS PLAT SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS WITHIN THE SUBDIVISION.

LEGEND

ROW	RIGHT-OF-WAY	PROPERTY LINE	CENTERLINE	OPEN TOP IRON FOUND	CRMP TOP IRON FOUND	CAPPCD REBAR FOUND	REBAR FOUND	CAPPCD REBAR DET	CONC MON. FOUND	(REC)	(ACT)	RECORD	ACTUAL
---	---	---	---	○	○	○	○	○	○	BT	BT	BURIED TELEPHONE	BURIED TELEPHONE
---	---	---	---	○	○	○	○	○	○	BT	BT	FORCE MAIN W/SIZE	FORCE MAIN W/SIZE
---	---	---	---	○	○	○	○	○	○	BT	BT	WATER LINE W/SIZE	WATER LINE W/SIZE
---	---	---	---	○	○	○	○	○	○	BT	BT	GAS LINE	GAS LINE
---	---	---	---	○	○	○	○	○	○	BT	BT	OVERHEAD POWER	OVERHEAD POWER
---	---	---	---	○	○	○	○	○	○	BT	BT	GAS VALVE	GAS VALVE
---	---	---	---	○	○	○	○	○	○	BT	BT	WATER VALVE	WATER VALVE

DESCRIPTION:
 THE WEST 300 FOOT OF TRACT 3, La Casa di San Francesco JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, AND LOTS 11 ON SLIDE 2058-D, IN THE OFFICE OF THE JUDGE OF PROBATE FOLLOWS,
 COMMENCING AT THE NORTHEAST CORNER OF LOT 1, La Casa S-00°10'00"-W, A DISTANCE OF 292.23 FEET TO A POINT, THENCE POINT OF BEGINNING THENCE RUN S-89°30'00"-E, A DISTANCE OF 50.01 FEET TO A POINT, THENCE RUN S-89°30'00"-E, A DISTANCE OF 356.00 FEET TO A POINT, THENCE RUN N-00°04'00"-E, A DISTANCE OF 356.00 FEET TO A POINT, THENCE RUN N-00°02'28"-E, A DISTANCE OF 356.78 FEET TO THE E.C.
 I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING INFORMATION, AND BELIEF.
 RAY B. MOORE, P.L.S.
 ALABAMA LICENSE NUMBER 15712
 DATE

HUTCHINSON, MOORE & RAUCH, LLC

N STREET, SUITE D
 1NE, ALABAMA
 36526

ENGINEERS & SURVEYORS
 LAND PLANNERS

TEL (251) 626-2626
 FAX (251) 626-6934
 daphne@hmrenqineers.com

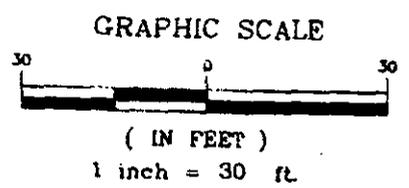
1-PRE-PLATDNG
 1619 10 03

PRELIM
 La Casa di Sa
 WA
 SCALE 1/8"=1'

HUTCHINSON, MOORE & RAUCH, LLC
ENGINEERS • SURVEYORS
LAND PLANNERS

La Casa di San Francisco

HAMMERHEAD TURNAROUND REPAIR



NOTES:

1. ASPHALT DRIVE TO BE EXTENDED 12.5' LF TO NORTH. ASPHALT SHALL BE 429-A, 1.5" THICK. ASPHALT PAVING TO BE UNDERLAIN WITH MINIMUM 8" THICK SAND/CLAY BASE LAYER.
2. ALL UNDERLYING ORGANIC MATERIAL SHALL BE REMOVED PRIOR TO PAVING. ADDITIONAL BACKFILL, IF REQUIRED SHOULD BE SAND/CLAY.
3. NEW PAVEMENT AREA SHALL BE GRADED TO DRAIN INTO EXISTING CONCRETE FLUME

EXISTING CURB AND GUTTER

REQ'D: SAWCUT AND REMOVE 65 LF CURB AND GUTTER

REQ'D: CONNECT CURB TO EXISTING CONCRETE FLUME (GRADE TO DRAIN)

REQ'D: 90 LF CURB AND GUTTER

REQ'D: EX. GAS VALVE TO BE CHOKED WITH CONCRETE COLLAR AND LOWERED TO MATCH GRADE. LINE TO BE EXTENDED 3' BEYOND CURB

AREA TO BE PAVED (12.5'X65')

65'

12.5'

HUTCHINSON, MOORE & RAUCH
ENGINEERS ♦ SURVEYORS ♦ LAND PLANNERS
ENGINEERING COST ESTIMATE

LA CASA di SAN FRANCESCO HAMMERHEAD TURN AROUND REPAIR

APRIL 2008

ITEM #	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
1	ASPHALT	SY	95	\$ 15.00	\$ 1,425.00
2	SAND CLAY BASE (8")	SY	95	\$ 4.00	\$ 380.00
3	CONCRETE CURB/GUTTER	LF	90	\$ 15.00	\$ 1,350.00
4	FILL MATERIAL	CY	30	\$ 12.00	\$ 360.00
5	CURB REMOVAL	LF	65	\$ 6.00	\$ 390.00
6	UTILITY WORK	LS	1		\$ 1,000.00
7	MOBILIZATION	LS	1		\$ 2,000.00
TOTAL AMOUNT:					\$ 6,905.00

CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

Old Mexico

CASE NO. 2008-7

ABC LICENSE ROUTING

DATE RECEIVED BY REVENUE DIV. 4.30.08 (initial) JCS

DATE FORWARDED TO POLICE DEPT. See Below

DATE RECEIVED BY POLICE DEPT. _____

DATE: APPROVED _____ DISAPPROVED _____

POLICE DEPT SIGNATURE _____

DATE RETURNED TO REVENUE DIV. 4.30.08 JCS

DATE FORWARDED TO CITY CLERK 4/30/08 RH

DATE RECEIVED BY CITY CLERK 4/30/08 RH

SCHEDULED DATE ON AGENDA 5/05/08 RH

Council Action: _____ APPROVED _____ DISAPPROVED _____ TABLED

COMMENTS: _____

Rescheduled for Council Agenda Date: _____

Council Action: _____ APPROVED _____ DISAPPROVED _____ TABLED

COMMENTS: _____

DATE RETURNED TO REVENUE DIV.: _____

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

* They do not need a new Background check because none of the officers changed on the application. They forgot to renew their ABC license and it expired.

Date Refused
By

TYPE APPLICATION

Date Approved
By

020 - Restaurant Retail Liquor

Name of Applicant (s) Old Mexico of Daphne, Inc.
 Circle One: Ind. Part. Assoc. Corp. LLC

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

Name	D.L. # Title	Date of Birth Place of Birth	Present Residence Address	Length at Residence
SANTIAGO SOLORIO	AL 6753519 President	08/23/1959 MEXICO	114 Eufaula Ave. Eufaula, AL	9 Yrs
Eliseo Avalos	AL Secretary	10/12/1972 MEXICO	9629 Poets Corner DAPHNE, AL 36526	7 Yrs

Corporate Information: Book # 98, Page # 1176 Date 05/06/1998 County Baldwin
 (Enter book and page or document info.) (Incorporation or Authority)

Trade Name Old Mexico
 Location 2101 A & B Hwy. 98 Daphne, AL County Baldwin

Mailing Address 2101 A & B Hwy. 98 Daphne, AL
 (Include Street or Post Office Box Address, City, State, and Zip Code)

Previous Licensee Information Transferee

Licensee Name Old Mexico of Daphne, Inc. Type 020 Year 2006-2007

Trade Name Old mExico License Number 1894

Location (location transfer only) N/A

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

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of ANY law violation? Y N

(If Yes, explain in Investigation Section) Signature of applicant [Signature]

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

STATE OF ALABAMA Signed [Signature]
 COUNTY OF Baldwin Title President Date 04/30/2008

The undersigned SANTIAGO SOLORIO, President of Old Mexico of Daphne, Inc.

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

Sworn to and subscribed before me this 30th day of April 2008

Signature of Notary Public [Signature] Signature of Affiant [Signature]
 Notary Public, State at Large My commission expires Business Phone (251) 621-1446 Home Phone (251) 621-7252

(For Central Office Use Only) License No. Date of Issue Amount of Fees Total

GENERAL APPLICATION INFORMATION

Contact Person: SANTIAGO SOLORIO

Phone Numbers: Home: (251) 621 - 7252 Business: (251) 621 - 1446

Fax: _____ Pager: _____ Other: _____

Internet/Web Address: _____ Email Address: _____

Does the premises have a fully equipped and operational kitchen? Y N NA

Does the establishment have restroom facilities? Y N

Is place of business habitually and principally used for providing food to the public? Y N Snacks Only NA

Are these premises equipped with services and facilities for on premise consumption of alcoholic beverages? Y N

Will this business be operated PRIMARILY as a package store? Y N NA

If a COMMON CARRIER, does each vehicle seat 10 or more persons? Y N NA

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

Will applicant engage in the sale of tobacco products? Y N If yes, type of business: _____

Number of tobacco vending machines present: n/a

Will applicant engage in the sale of products containing ephedrine or pseudo-ephedrine? Y N (Benadryl, Claritin, Motrin, Sudafed, etc.)

Neighborhood Investigation waived in accordance with Application Guidelines

Building seating capacity 88 License premises includes patio area Y N

Building Dimensions: Length 39 ft Width 37 ft Square Footage 2183 Sales and Display Square Footage _____

License covers: Entire structure Portion of: Top Floor Bottom Floor Other _____

License Structure: One Story Two Story Multi-Story Single Structure Shopping Center Motel/Hotel

Structure Material: Wood Brick/Block Metal/Pre-Fab Other _____

Is location within city limits? Y N Police Protection: County _____ City _____

Number of licenses issued in vicinity: 0 1-5 6-10 more than 10 Nearest: 1 mile

Nearest: School Church Private Residence

within 2 blocks within 2 blocks within 2 blocks

within 1/2 mile within 1/2 mile within 1/2 mile

Exceeds Above Exceeds Above Exceeds Above

EXPLANATION OF LAW VIOLATIONS

List below the court records for law violations, if any, of each person interested in this application, including manager whether as a sole applicant, partner, officer, or member. (Do not include traffic violations, except DUI and Reckless Driving)

Name	Date	Violation	Jurisdiction	Disposition
Eliseo Avalos	05-16-00	Failure to obey police officer	Daphne	Pled guilty, paid fine

FILING FEE/ACKNOWLEDGEMENT

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

Signature of Applicant: [Signature] E.A

TRANSFER AGREEMENT License Type: _____ License # _____

I, _____, as _____ holding current ABC License at _____

(Name) (Title)

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

Licensee	Date
Applicant	Date

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

LEASE/PROPERTY OWNERSHIP

If applicant OWNS property, is copy of recorded deed attached? Y N

If applicant has CONTRACT TO PURCHASE, is a copy of the recorded sales contract attached? Y N

If applicant is LEASING the property, is a copy of the lease agreement attached? Y N

A: Name of Property Owner/Lessor: COC, LLC Contact #: (251) 471 - 8000

B: What is the LESSOR'S primary business? Investment Developer

C: Is LESSOR involved in any way with the Alcoholic Beverage business? Y N (If yes, explain on an attached sheet)

D: Is there any further interest in, or connection with, the licensee's business by the LESSOR? Y N (If yes, explain on an attached sheet)

Applicant attests to the truthfulness of the above responses. (Applicant's Initials) [Signature] E.A

Agent/ID _____ Supervisor _____ (Review includes complete application packet)

AGENT: Application taken: 04/30/2008 Application/Investigation completed: / / Forwarded to D.O.: / /

LOCAL GOVERNMENT: Submitted: / / Received from: / /

SUPERVISOR: Received in District Office: / / Reviewed: / / Forwarded to C.O.: / /

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

NOTES:

RECOMMENDATIONS

COUNCIL COMMENTS:

RESOLUTION # 2008-15

**AUTHORIZING THE FILING OF
FY 2008 COMPETITIVE LARGE CITIES CDBG GRANT APPLICATION
CITY OF DAPHNE
GRAVITY SEWER SYSTEM**

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

WHEREAS, the City of Daphne desires to apply for a Community Development Block Grant for sewer improvements; and

WHEREAS, the public was informed about the community development project including the proposed filing of this application in a public hearing held on April 21, 2008 at the Daphne City Hall; and

WHEREAS, the total estimated project cost is \$1,782,805 desires to seek \$500,000 in CDBG grant funds, while guaranteeing \$1,282, 805 cash match.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Daphne that an application to the Alabama Department of Economic and Community Affairs hereby requesting \$500,000 in grant funds while the City commits to provide a cash amount of \$1,282,805 for a total project cost of \$1,782,805 is hereby approved, and the City Council hereby authorizes Fred Small, in his official capacity as Mayor, to sign all appropriate letters, forms and documents necessary for the submission of this grant application.

Motion to approve the foregoing resolution and authorize the Mayor to sign all appropriate grant application letters, forms, and documents was made by Council Person _____ and seconded by Council Person _____ and approved by the City Council on this the 21st day of April, 2008.

Greg Burnam,
Council President
Date & Time Signed: _____

Fred Small,
Mayor
Date & Time Signed: _____

ATTEST:

David Cohen,
City Clerk, MMC

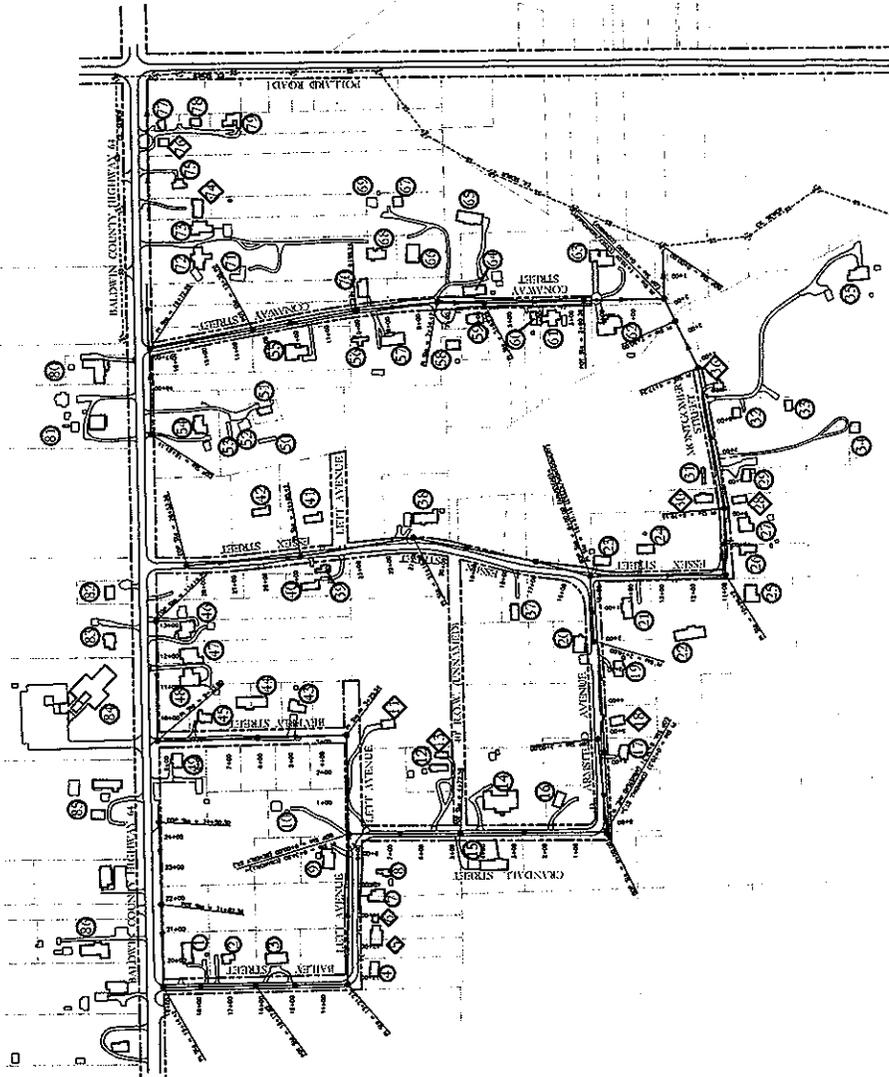
Project Cost Estimate

Gravity System: (Highway 64 Sewer CDBG Grant Program)

1. Construction Cost	\$1,600,000.00
2. Engineering Cost to Complete Fee	\$20,000.00
3. Engineering Construction Surveillance and BMP Monitoring Fee	\$57,805.00
4. Geotechnical Services	\$20,000.00
5. Purchase of Easements and Lift Station Sites	\$10,000.00
6. Grant Administrative Fee	<u>\$75,000.00</u>
Total	\$1,782,805.00

Low Pressure: (CDBG Grant Program)

1. Construction Cost	\$750,000.00
2. Engineering Cost to Complete Fee	\$34,320.00
3. Engineering Construction Surveillance Fee	\$20,420.00
4. Geotechnical Services	\$7,000.00
5. Grant Administrative Fee	<u>\$75,000.00</u>
Total	\$886,740.00



SOUTH COUNTY HIGHWAY 64 SEWER

OVERALL LAYOUT MAP KEY

THE CITY OF DAPHNE

DATE: APRIL 2008
 DRAWN BY: SM
 SCALE: 1" = 200'

PROJECT: 02201-1544-10.02
 SHEET: 1 OF 1

HUTCHINSON, MOORE & RAUCH, LLC

2039 MAIN STREET
 DAPHNE, ALABAMA 36526
 ENGINEERS & SURVEYORS
 LAND PLANNERS
 TEL: (251) 828-2828
 FAX: (251) 828-8834
 dphne@hmr-engineers.com



RESOLUTION 2008 – 21

PREPAID TRAVEL

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

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

***John Lake / Alabama League of Municipalities Convention / Birmingham, AL /
May 17-20, 2008 / \$140***

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

**APPROVED AND ADOPTED BY THE CITY COUNCIL, CITY OF DAPHNE, ALABAMA on
this ____ day of _____, 2008.**

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

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

ATTEST:

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

RESOLUTION NO.: 2008-22

**Acceptance of Donation of Real Property to the City of Daphne by
Sylvia Walding**

Whereas, Sylvia Walding currently owns one parcel of real property within the city limits of the City of Daphne and desires to convey and donate to the City such parcel of real property and;

WHEREAS, the City of Daphne having determined that the acceptance of said parcel of real property will be and is for the public good and the betterment of the City for future use and;

WHEREAS, the City of Daphne recognizes that the total assessed value of said parcel of real property, according to the tax assessors records of Baldwin County, Alabama is Seventeen Thousand, seven hundred (\$17,700) Dollars and;

WHEREAS, said property is located within the corporate limits of the City of Daphne, Baldwin County, Alabama and being more particularly described as follows;

Lot No. 12 in Block 10 of the Dryer Subdivision, as shown by map or plat thereof, recorded in Map Book 1, at Page 98 in the office of the Judge of Probate of Baldwin County, Alabama.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the City of Daphne accepts the conveyance of Lot No. 12 in Block 10 of the Dryer Subdivision as more particularly described above to the City of Daphne, recognizes and accepts the fair market value of the property at Seventeen thousand, seven hundred dollars (\$17,700) and further authorizes Fred Small, Mayor and David Cohen the City Clerk to accept the deed and such property and execute such documents as are necessary to effectuate the same.

ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE ____ DAY OF ____, 2008.

Greg Burnam, Council President
Date & Time Signed: _____

Fred Small, Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen, City Clerk MMC



**Baldwin County
Revenue Commissioner**

This site will be down for routine maintenance Sunday, April 20, 2008 starting at 3:00 A.M. CDT. We should resume normal operations around 10:00 A.M. CDT. We apologize for any inconvenience this may cause.

Copyright 2000

**Property Appraisal Link
BALDWIN COUNTY, AL**

Current Date 4/17/2008

2008

LAND APPRAISAL

PARCEL 43-04-41-0-005-053.002 PPIN 055880 TAX DIST 04
NAME WALDING, SYLVIA C

FRONT FOOT METHOD

CODE	FRONT FOOT	DEPTH	PRICE	DEPTH TABLE	ADJUSTED PRICE	APPRAISED VALUE
CP	27.80 X	217	400.00	10 1.14	638.40	17700

ADDITIONAL INFORMATION

LAND USE			9110			
NEIGHBORHOOD FACTOR			1.40			
POST TO ABSTRACT CODE	M		Market, Use, None			
TAX CLASS	3	HOMESTEAD	N	PENALTY		N
NEIGHBORHOOD/CLASS			--			
PRICE TABLE			430441NC		FF-400	

10/10/08

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MapIt

Baldwin County Revenue GIS

Color Selection

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Property Analysis Tools

Map Tools



Map Tools

Print Options

Title: _____

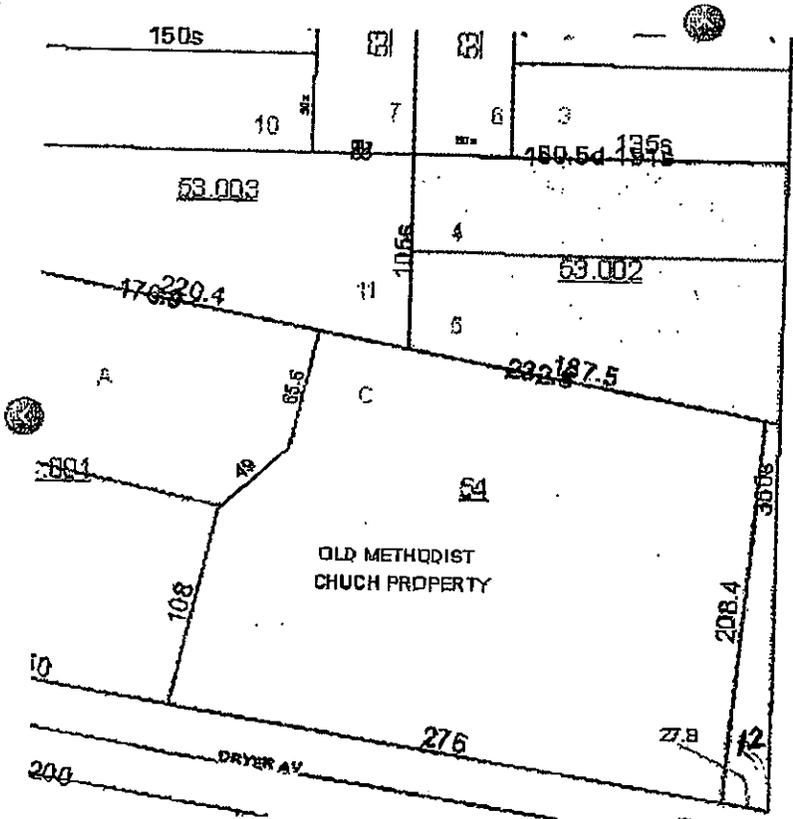
Orientation: Landscape
 Portrait

Paper Size: Letter (8.5 X 11)

Scale (optional): 1: _____

Format: HTML

Preview



Selected Property: [None]

Property Search Results

--

Information

Disclaimer:

The data referenced in this online mapping and GIS application has been assembled from a variety of public data sources. No warranty or representation is made as to the accuracy and availability of said information. Measurements are approximate. Information displayed is continuously updated, but its accuracy cannot be guaranteed. Independent verification is advised prior to making project commitments.

Donation of Property to MUSEUM

STATE OF ALABAMA)

COUNTY OF BALDWIN)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that SYLVIA C. WALDING, a single woman, the Grantor, for and in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable consideration hereby acknowledged to have been paid to the said Grantor by the CITY OF DAPHNE, ALABAMA, the Grantee, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Grantee, subject to the provisions hereinafter contained, all that real property in the County of Baldwin, State of Alabama, described as follows:

Lot No. 12 in Block 10 of the Dryer Subdivision, as shown by map or plat thereof, recorded in Map Book 1, at Page 98 in the office of the Judge of Probate of Baldwin County, Alabama.

This conveyance is subject to all easements, mortgages, rights-of-way, restrictions, and covenants which are applicable to the property as a matter of public record.

together with all and singular the rights, privileges, tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said Grantee, and to its successors and assigns, forever.

This conveyance is made subject to restrictive covenants and easements applicable to said property of record in the said Probate Court records.

And, except as to the above, and the taxes hereafter falling due, the said Grantor, for her and for her heirs and assigns, hereby covenant with the Grantee that she is seized of an indefeasible estate in fee simple in and to said property, that said property is free and clear of all encumbrances and that she

does hereby WARRANT AND WILL FOREVER DEFEND the title to said property, and the possession thereof, unto the said Grantee, its successors and assigns, against the lawful claims of all persons, whomsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand and seal this the 9th day of April, 2008.


SYLVIA C. WALDING (SEAL)

STATE OF ALABAMA)

COUNTY OF BALDWIN)

I, the undersigned Notary Public, in and for said State and County, hereby certify that SYLVIA C. WALDING, the Grantor herein, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she executed the same voluntarily on the day same bears date.

Given under my hand and seal this 9th day of April, 2008.


NOTARY PUBLIC, STATE AT LARGE

My Commission Expires:

6/13/09

Grantor's address: 404 Church Street, Daphne, AL 36526

Grantee's address: P.O. Drawer 400, Daphne, AL 36526

The within instrument prepared by:
Kopesky, Britt & Norton, LLC
Attorneys at Law
451 Magnolia Avenue
Fairhope, AL 36532
(251) 928-9900

STATE OF ALABAMA
COUNTY OF BALDWIN

LEASE

This LEASE AGREEMENT made and entered into this the ____ day of _____, 2008, at Daphne, Alabama, by and between the CITY OF DAPHNE hereinafter referred to as "LESSOR" and the FRIENDS OF THE OLD METHODIST CHURCH MUSEUM OF DAPHNE, INC., hereinafter referred to as the LESSEE.

WITNESSETH

1. The Lessor hereby grants, leases and demises unto the Lessee the Old Daphne United Methodist Church building and cemetery situated in Baldwin county, Alabama, which is described as follows, to-wit:

Lot No. 12 in Block 10 of the Dryer Subdivision, as shown by map or plat thereof, recorded in Map Book 1, at Page 98 in the office of the Judge of Probate of Baldwin County, Alabama.

This conveyance is subject to all easements, mortgages, rights-of-ways, restrictions, and covenants which are applicable to the property as a matter of public record.

for use as an historical site in the City of Daphne, Alabama, and not otherwise, for and during the term of NINETY-NINE (99) YEARS from the ____ day of April, 2008 to the ____ day of April, 2107. This period is herein referred to as the "term", or "period" of said lease.

2. Lessee agrees to pay to the Lessor for the primary term of this lease ONE DOLLAR (\$1.00) in lawful money of the United States of America.

3. In addition to the rental herein stated under the lease, the Lessee shall pay any and all increases in City, County or State ad valorem taxes above the taxes assessed for the year of 2008.

4. The premises during the term of this lease shall be used, and occupied soley for the purpose stated above, to-wit, the use of the grounds leased in conjunction with the Old Daphne Methodist Church located in Daphne, Alabama, and Lessee shall not use nor permit the same to be used for any other purpose or purposes without the prior consent of the Lessor. Lessee at all times shall fully comply with all laws, ordinances and regulations of any lawful authority having jurisdiction of said premises

but not limited to such as shall relate to health, safety, sanitation and cleanliness. Lessee will not commit any waste to property nor permit the same to be done and will take good care of said premises at all times, and will not, by any act or omission, render Lessor liable for any violation thereof.

5. It is distinctly understood that any improvements made upon said premises during the term of this lease shall remain with the premises and shall become the property of Lessor upon termination of this lease.

6. Lessor shall not be liable for any loss of property of Lessee from said premises or for any damage to any property of Lessee, whether occasioned by war, acts of God, act of man, riot, insurrection, or however occurring except as may result directly from the failure of Lessor to perform any act required of it under the terms of this agreement after reasonable notice. Lessor, without liability to Lessee shall have the right and may at any time close the said premises whenever the same may become necessary in compliance with any law, order, regulation or direction of any lawful authority or the agents, officers or representatives thereof, or in the event of any public disturbance of like circumstance, which in the judgment of Lessor may appear proper or advisable.

7. Lessee shall, if necessary, procure for its own account and shall pay the cost of all electrical power and fuel consumed in, on or at said premises.

8. In the event that the whole or any part of said premises shall be taken by any public authority under the power of eminent domain or like power, then the term hereof shall terminate as to the part of the premises so taken, affective as of the date of possession thereof shall be required to be delivered pursuant to the final order, judgment or decree entered in the proceedings and exercise of such power. All damages awarded to the taking of said premises or any part thereof shall be payable in the full amount thereof to, and the same shall be the property of, Lessor, including but not limited to any sum paid or payable as compensation for the loss of value of the leasehold or loss of the fee of any part of the premises, and Lessee shall be entitled only to that portion of any award expressly stated to have been made to Lessee for the loss of value and cost of removal of stock, furniture and fixture owned by the Lessee.

9. Lessee shall not assign or in any manner transfer this lease or any estate, interest or benefit therein or sublet said premises or any part or parts thereof, or permit

the use of the same or any part thereof by anyone other than Lessee without the written consent of the Lessor. Each and every transfer or assignment of this lease or any interest therein shall be null and void unless the written consent of the Lessor be first obtained thereto, which consent shall not be unreasonably withheld by Lessor. Consent by Lessor to any assignment or transfer of interest under the lease or subletting of said premises shall not constitute a release, waiver or consent to any other assignment of any part thereof.

10. This agreement is to be constituted according to the laws of the State of Alabama.

11. The execution of this lease or the performance of any act pursuant to the provisions thereof shall not be deemed or construed to have the effect of creating between Lessor and Lessee the relationship of principal or agent or partnership or principal or agent or partnership or joint venture, and the relationship between them shall be only that of landlord and tenant or Lessor and Lessee.

12. The Lessor hereby agrees to provide reasonable and adequate access to the leased premises.

13. The purpose of this lease is to allow the Lessee to use the leased grounds in connection with the Old Daphne Methodist Church building and the cemetery located adjacent thereto. It is understood that the grounds, may be used as a community meeting place, subject to conditions jointly imposed by Lessee and Lessor. Should these conditions fail to be complied with or should the Lessee corporation be dissolved, this lease shall be void and of no effect and the leased premises shall revert to the control and use of the Lessor.

14. Lessee shall bear complete responsibility for all upkeep, insurance and general care of the leased premises for the duration of the lease.

15. The covenants, conditions and agreements contained in this lease shall bind and inure to the benefit of the Lessee and its respective heirs, executors, administrators, successors and assigns, except as otherwise provided. This lease contains the entire agreement between the parties hereto and neither party is bound by any representation or agreement of any kind except as herein contained.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on
this the ____ day of April, 2008.

FOR THE LESSOR:

FOR THE LESSEE:

RESOLUTION # 2008-23

**AUTHORIZING THE FILING OF
FY 2008 COMPETITIVE LARGE CITIES CDBG GRANT APPLICATION
CITY OF DAPHNE
LOW PRESSURE SEWER SYSTEM**

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

WHEREAS, the City of Daphne desires to apply for a Community Development Block Grant for sewer improvements; and

WHEREAS, the public was informed about the community development project including the proposed filing of this application in a public hearing held on April 21, 2008 at the Daphne City Hall; and

WHEREAS, the total estimated project cost is \$886,740 desires to seek \$500,000 in CDBG grant funds, while guaranteeing \$386,740 cash match.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Daphne that an application to the Alabama Department of Economic and Community Affairs hereby requesting \$500,000 in grant funds while the City commits to provide a cash amount of \$386,740 for a total project cost of \$886,740 is hereby approved, and the City Council hereby authorizes Fred Small, in his official capacity as Mayor, to sign all appropriate letters, forms and documents necessary for the submission of this grant application.

Motion to approve the foregoing resolution and authorize the Mayor to sign all appropriate grant application letters, forms, and documents was made by Council Person _____ and seconded by Council Person _____ and approved by the City Council on this the 21st day of April, 2008.

Greg Burnam,
Council President
Date & Time Signed: _____

Fred Small,
Mayor
Date & Time Signed: _____

ATTEST:

David Cohen,
City Clerk, MMC

**CITY OF DAPHNE
RESOLUTION 2008-24**

**Acceptance of Right-of-Way located at County Road 64 –
County Road 13 South to Milton Jones Road**

Whereas, the Baldwin County Commission is by Quitclaim Deed granting unto the City of Daphne, Alabama that certain right-of-way located from the intersection of County Road 64 and County Road 13 Southward on County Road 13 to Milton Jones Road and;

Whereas, the City Council of the City of Daphne, Alabama has received notice that the Planning Commission of Daphne has granted favorable recommendation for the acceptance of the said right-of-way located at the intersection of County Road 64 and County Road 13 Southward on County Road 13 to Milton Jones Road, said right-of-way being more specifically described as follows:

Commence at the Northwest corner of Section 22, Township 5 South, Range 2 East, Baldwin County, Alabama; thence run South along the Section line a distance of 40 feet to a point on the South right-of-way line of Baldwin County Highway 64; and the centerline of Baldwin County Highway 13 for the Point of Beginning; thence run South 89 degrees 30 minutes East, 90 feet according to Deed Book 376, Page 794; thence run South 45 degrees 30 minutes West, 70.1 feet according to Deed Book 376, Page 794; thence run South along the East right of Way line of County Road 13 a distance of 2420.83, more or less, to a point on the North right-of-way line of Milton Jones Road; thence run South 89 degrees, 24 minutes 48 seconds East along the North right-of-way line of Milton Jones Road a distance of 100 feet; thence run South 60 feet to a point on the South right-of-way line of Milton Jones Road; thence run North 89 degrees, 24 minutes 48 seconds West 100 feet to a point on the East right-of-way line of County Road 13; thence run South along the East right-of-way line of County Road 13 a distance of 100 feet; thence run West 80 feet to a point on the West right-of-way line of County Road 13; thence run North along the West right-of-way line of County Road 13 a distance of 2658.36 feet, more or less, to a point 90 feet South of the North line of Section 21; thence run North 44 degrees 30 minutes according to Deed Book 376, Page 793 a distance of 70.1 feet; thence run East 90 feet to a point on the centerline of County Road 13 and the Point of Beginning. Said right-of-way being in Sections 21 and 22, Township 5 South, Range 2 East. Description taken from right-of-way deeds recorded in the office of the Judge of Probate, Baldwin County, Alabama and survey by Hutchinson, More and Rauch, LLC dated August 2001 for the Baldwin County Highway Department.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS, that the above described right-of-way located at the intersection of County Road 64 and County Road 13 Southward on County Road 13 to Milton Jones Road be and is hereby accepted by the City of Daphne as a City right-of-way for maintenance.

**RESOLUTION 2008-24
Acceptance of Right-of-Way
County Road 64 from County Road 13
to Milton Jones Road
Page 2**

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
DAPHNE, ALABAMA ON THIS THE ___ DAY OF _____, 2008**

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

**GREG BURNAM
COUNCIL PRESIDENT
Date & Time Signed: _____**

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

ATTEST:

DAVID L. COHEN, CITY CLERK, MMC

To: Office of the City Clerk
From: William H. Eady, Sr., Director of
Community Development
Subj: Acceptance of the right-of-way
located from County Road 64 to
Milton Jones Road
Date: April 30, 2008

MEMORANDUM

At the regular meeting of the City of Daphne Planning Commission, April 24, 2008, eight members were present and the vote carried unanimously for the affirmative recommendation of the above-captioned request.

The City Attorney(s) have been notified that they shall prepare the resolution for acceptance. Upon receipt of said documentation, please place on the appropriate agenda for action by the City Council.

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

Thank you,

WHE/jd

cc: file

attachment(s)

**To: Planning Commission Members and
Attorney**

MEMORANDUM

**Subject: County Road 13 Southern portion of right-
of-way to Milton Jones Road**

Date: April 8, 2008

The Community Development requests that the Planning Commission recommend to the City Council that a resolution be prepared to accept that portion of County Road 13 right-of-way from County Road 64 South to Milton Jones Road be annexed into the City of Daphne.

A quit claim deed description and conceptual drawing is attached.

WHE/jad

cc: file

**From the Office of
The City of Daphne
Community Development
William H. Eady, Sr.
Director of Community Development
P. O. Box 400
Daphne, Alabama 36526
Ph 251-621-3184
Fx 251-621-3185**

John E. Taylor

Public Land Officer
Baldwin County Land Management
321 Courthouse Square
Bay Minette, Alabama 36507
251-937-0248
251-580-1873



August 31, 2006

Mr. Bill Eady
Planning Director
City Of Daphne
Post Office Box 400
Daphne, Alabama 36526

Dear Mr. Eady:

Attached is a copy of the proposed Quit Claim Deed for County Road 13. We will need a letter from the city requesting this right of way before proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Taylor".

John E. Taylor
Baldwin County Public Land Officer

FORM ROW-4

THIS INSTRUMENT PREPARED BY:
Baldwin County Land Management
312 Courthouse Square, Suite 25
Bay Minette, Alabama 36507

**STATE OF ALABAMA)
COUNTY OF BALDWIN)**

County Road 13

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of \$1.00 Dollar cash in hand paid to the undersigned by The City of Daphne, (Grantee) the receipt of which is hereby acknowledged, by The Baldwin County Commission, a subdivision and body corporate of the State of Alabama hereby **RELEASES, QUIT CLAIMS, GRANTS, SELLS and CONVEYS** unto the City of Daphne, Alabama, a part of Baldwin County Highway 13 situated in Baldwin County, Alabama described as follows, to-wit:

Commence at the Northwest corner of Section 22, Township 5 South, Range 2 East, Baldwin County, Alabama; thence run South along the Section line a distance of 40 feet to a point on the South right-of-way line of Baldwin County Highway 64; and the centerline of Baldwin County Highway 13 for the Point of Beginning; thence run South 89 degrees 30 minutes East, 90 feet according to Deed Book 376, Page 794; thence run South 45 degrees 30 minutes West, 70.1 feet according to Deed Book 376, Page 794; thence run South along the East right of Way line of County Road 13 a distance of 2420.83, more or less, to a point on the North right-of-way line of Milton Jones Road; thence run South 89 degrees, 24 minutes 48 seconds East along the North right-of-way line of Milton Jones Road a distance of 100 feet; thence run South 60 feet to a point on the South right-of-way line of Milton Jones Road; thence run North 89 degrees, 24 minutes 48 seconds West 100 feet to a point on the East right-of-way line of County Road 13; thence run South along the East right-of-way line of County Road 13 a distance of 100 feet; thence run West 80 feet to a point on the West right-of-way line of County Road 13; thence run North along the West right-of-way line of County Road 13 a distance of 2658.36 feet, more or less, to a point 90 feet South of the North line of Section 21; thence run North 44 degrees 30 minutes according to Deed Book 376, Page 793 a distance of 70.1 feet; thence run East 90 feet to a point on the centerline of County Road 13 and the Point of Beginning. Said right-of-way being in Sections 21 and 22, Township 5 South, Range 2 East. Description taken from right-of-way deeds recorded in the office of the Judge of Probate, Baldwin County, Alabama and survey by Hatchinson, More and Rauch, LLC dated August 2001 for the Baldwin County Highway Department.

TO HAVE AND TO HOLD, unto the City of Daphne, its successors and assigns in fee simple forever.

AND FOR THE CONSIDERATION AFORESAID, we do for Ourselves, for our administrators, successors, and assigns covenant to and with the City of Daphne we are lawfully seized and possessed of said right-of-way herein above described, that we have a good and lawful right to sell and convey the same as aforesaid.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal this the _____ day of _____, 20____.

Chairman, Baldwin County Commission

Baldwin County Administrator

**Grantors Address:
Baldwin County Commission
312 Courthouse Square, Suite 25
Bay Minette, Alabama 36507**

**Grantees Address
The City of Daphne
Post Office Box 400
Daphne, Alabama 36526**

ACKNOWLEDGMENT

STATE OF ALABAMA)

COUNTY OF BALDWIN)

I, _____, a Notary Public, in and for said County in said State, Hereby certify that _____, Chairman, Baldwin County Commission whose name is signed to the forgoing conveyance, and who _____ known to me, acknowledged before me on this day that, that he being informed of the contents of the document as Chairman of the Baldwin County Commission an with full authority executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this _____ day of _____, 20__.

NOTARY PUBLIC

My Commission expires _____

ACKNOWLEDGMENT

STATE OF ALABAMA)

COUNTY OF BALDWIN)

I, _____, A Notary Public, in and for said County in said State, hereby certify that _____, whose name as Baldwin County Administrator whose name is signed to the foregoing Quit Claim Deed, and who is known to me did acknowledged before me on this day that, being informed of the contents of this document, he, as County Administrator and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this _____ day of _____, 20__.

NOTARY PUBLIC

My Commission expires _____

ORDINANCE NO. 2008-31

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

**Holy Trinity Lutheran Church Annexation
(Property located on Whispering Pine Road)**

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

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

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

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

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne on February 28, 2008 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned R-3, High Density Single Family Residential District**; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on April 21, 2008 concerning the petition for annexation; and,

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

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

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

SECTION 2: THE PROPERTY. That property requested to be annexed into the City of Daphne is described in Exhibit "A", attached hereto and made a part of this Ordinance as if fully set out herein.

SECTION 3: MAP OF PROPERTY. The property hereby annexed to the City of Daphne, Alabama, is set forth and described in Exhibit "B" and attached hereto a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this Ordinance.

SECTION 4: PUBLICATION. This Ordinance shall be published as required by Section 11-42-21, Code of Alabama, 1975, as amended, and the property described herein shall be annexed to the corporate limits of the City of Daphne, Alabama, upon such publication.

SECTION 5: PROBATE COURT. A description of the property described in this Ordinance shall be filed in the Office of the Judge of Probate of Baldwin County, Alabama, as required by Section 11-42-21, Code of Alabama, 1975, as amended.

“Exhibit A”

LEGAL DESCRIPTION:

Commencing at the Southwest corner or the East Half of the Southwest Quarter of Section 9, Township 5 South, Range 2 East, Baldwin County, Alabama; thence run North 00 degrees 00 minutes 46 seconds East, 30 feet to a point on the North right-of-way line of Whispering Pines Road and the Point of Beginning of the property herein described; thence continue North 00 degrees 00 minutes 46 seconds East, along the East line of Creekside Subdivision Unit One, as recorded in Slide 1656B in the Office of the Judge of Probate, Baldwin County, Alabama, a distance of 550 feet to a point; thence run South 89 degrees 52 minutes 20 seconds East, 400 feet to a point; thence run South 00 degrees 00 minutes 46 seconds West, 550 feet to a point on the North line of said Whispering Pines Road; thence run North 89 degrees 52 minutes 20 seconds West, along said North line 400 feet to the point of beginning. Being also known as Lot 1, Julian Guarisco Subdivision, as per plat thereof recorded in Slide No. 2012-F of the records in the Office of the Judge of Probate, Baldwin County, Alabama. Said parcel contains 5.05 acres, more or less.

Lot 1, Julian Guarisco Subdivision

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this _____ day of _____, 2008.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

**HOLY TRINITY LUTHERAN CHURCH
LEGAL DESCRIPTION**

EXHIBIT "A"

Commencing at the Southwest corner or the East Half of the Southwest Quarter of Section 9, Township 5 South, Range 2 East, Baldwin County, Alabama; thence run North 00 degrees 00 minutes 46 seconds East, 30 feet to a point on the North right-of-way line of Whispering Pines Road and the Point of Beginning of the property herein described; thence continue North 00 degrees 00 minutes 46 seconds East, along the East line of Creekside Subdivision Unit One, as recorded in Slide 1656B in the Office of the Judge of Probate, Baldwin County, Alabama, a distance of 550 feet to a point; thence run South 89 degrees 52 minutes 20 seconds East, 400 feet to a point; thence run South 00 degrees 00 minutes 46 seconds West, 550 feet to a point on the North line of said Whispering Pines Road; thence run North 89 degrees 52 minutes 20 seconds West, along said North line 400 feet to the point of beginning. Being also known as Lot 1, Julian Guarisco Subdivision, as per plat thereof recorded in Slide No. 2012-F of the records in the Office of the Judge of Probate, Baldwin County, Alabama. Said parcel contains 5.05 acres, more or less.

Lot 1, Julian Guarisco Subdivision

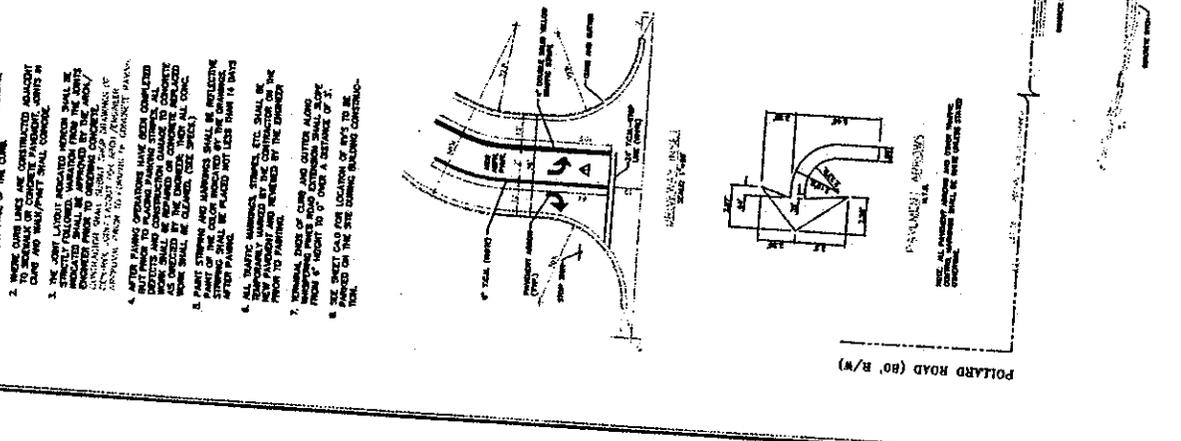
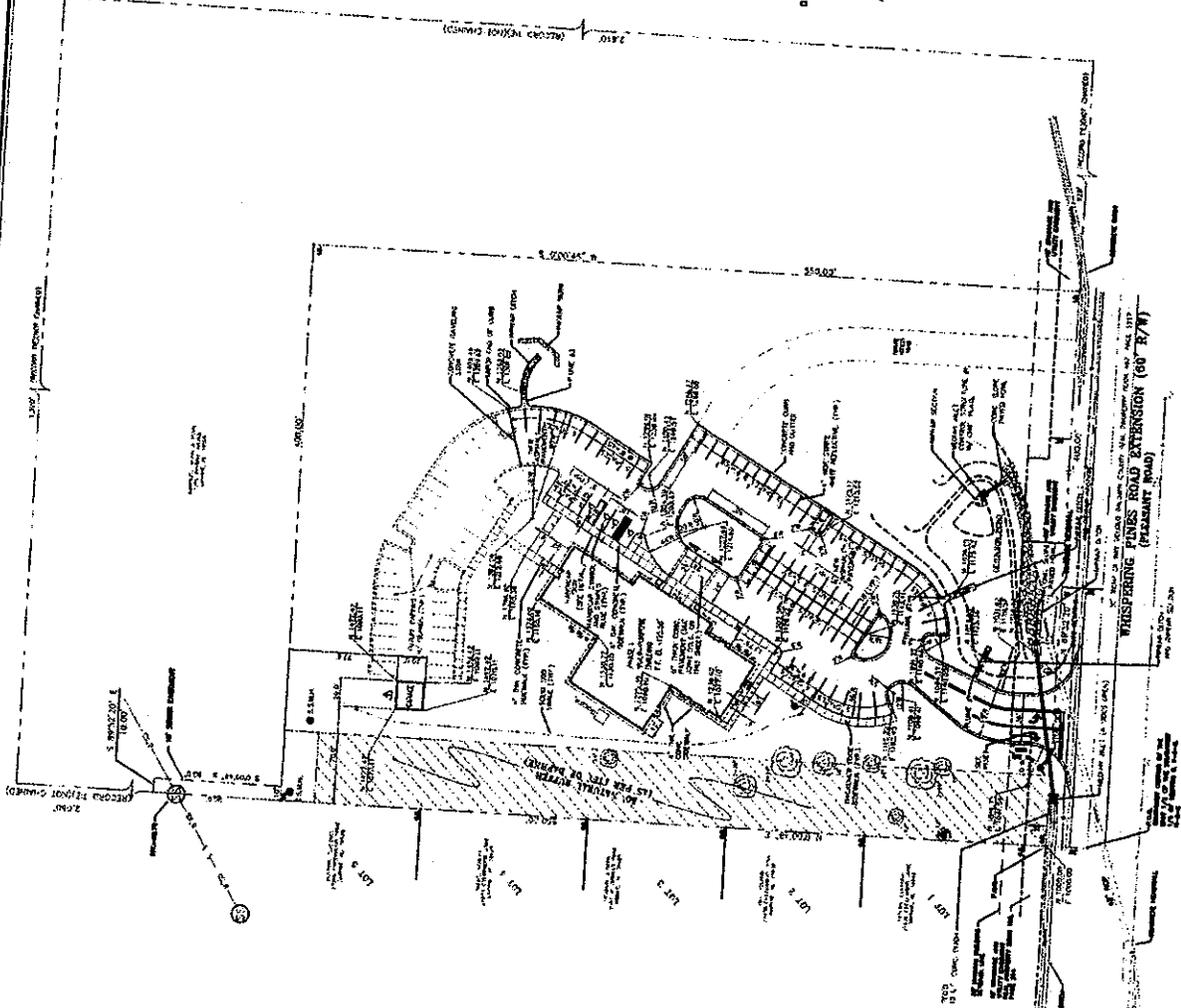
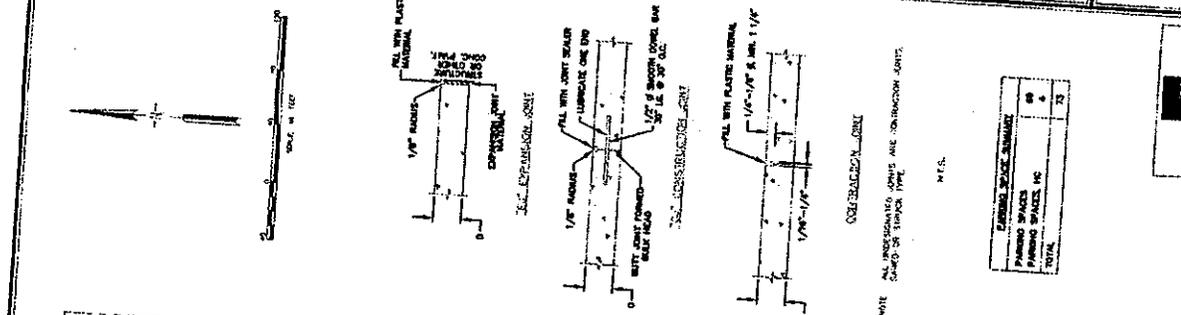
annexation
exhibit "B"

ED&S
Engineering & Design Associates, Inc.
1477 Williams Road, Suite 100
Daphne, Alabama 36620
(251) 434-4400
www.edands.com

DATE	12/15/11
SCALE	AS SHOWN
PROJECT	Holy Trinity Lutheran Church
CLIENT	Trinity Lutheran Church
DESIGNER	ED&S
CHECKED	J. W. ...
APPROVED	J. W. ...
DATE	12/15/11

C-2.0
SEE SHEET C-1.0

5
ED&S & ASSOCIATES
CONSULTING ENGINEERS, INC.
1477 WILLIAMS ROAD, SUITE 100
DAPHNE, ALABAMA 36620
TEL: (251) 434-4400
WWW.EDANDS.COM



1. DIMENSIONS SHOWN TO CURB LINES REFERENCE THE FRONT FACE OF THE CURB.
2. EXISTING CURB TO BE CONSTRUCTED ALONGSIDE TO REMAIN ON EXISTING CURB. EXISTING CURB AND WALL/PARTIAL SHALL REMAIN.
3. THE DRIVE LAYOUT INDICATED HEREON SHALL BE CONSIDERED AS A MINIMUM. THE DRIVE LAYOUT INDICATED SHALL BE VARIATIONS FROM THE DRIVE LAYOUT INDICATED HEREON. THE DRIVE LAYOUT INDICATED SHALL BE VARIATIONS FROM THE DRIVE LAYOUT INDICATED HEREON. THE DRIVE LAYOUT INDICATED SHALL BE VARIATIONS FROM THE DRIVE LAYOUT INDICATED HEREON.
4. AFTER PARKING OPERATIONS HAVE BEEN COMPLETED, ALL EXISTING CURB AND WALL/PARTIAL SHALL BE REPAIRED AND REFINISHED TO MATCH THE EXISTING CURB AND WALL/PARTIAL. ALL EXISTING CURB AND WALL/PARTIAL SHALL BE REPAIRED AND REFINISHED TO MATCH THE EXISTING CURB AND WALL/PARTIAL.
5. PAINT STRIPING AND MARKINGS SHALL BE APPLIED TO ALL PARKING SPACES AND DRIVEWAYS. ALL PAINT STRIPING AND MARKINGS SHALL BE APPLIED TO ALL PARKING SPACES AND DRIVEWAYS.
6. ALL TRAFFIC MARKINGS, STRIPING, ETC. SHALL BE APPLIED TO ALL PARKING SPACES AND DRIVEWAYS. ALL TRAFFIC MARKINGS, STRIPING, ETC. SHALL BE APPLIED TO ALL PARKING SPACES AND DRIVEWAYS.
7. MINIMUM CLEARANCE SHALL BE MAINTAINED AT ALL TIMES. MINIMUM CLEARANCE SHALL BE MAINTAINED AT ALL TIMES.
8. THE DRIVEWAY SHALL BE LOCATED AS SHOWN TO BE PARALLEL TO THE SIDE WALKING CONTINGENT.

1ST READ

ORDINANCE 2008 - 32

FY 2008 Appropriations

WHEREAS, Ordinance 2007-47 approved and adopted the Fiscal Year 2008 Budget on October 15 , 2007; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2008 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2008 budget; and

WHEREAS, such appropriations totaling \$ 753,264 are listed as attached.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2008 Budget is hereby amended to include General Fund appropriations in the amount of \$ 753,264 as listed in the attached schedule.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____ , 2008.

Greg Burnam, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk MMC

**General Fund
FY 2008**

Estimated Revenues>Appropriations	1,131,394
Ordinance 2007-50: Wilson Ave Extension	(2,500)
Ordinance 2008-02:3 Patrol Veh/Hydromower/garbage carts	(246,809)
Ordinance 2008-12: Daphne Museum	(3,475)
Ordinance 2008-20: COLA	(82,600)
Ordinance 2008- : Mobile Bay NEP	(5,000)
	791,010
Transfers In (To close these Construction Funds)	
Transfers from 1997 Construction Fund	5,200
Transfers from 2000 Construction Fund	61,200
	66,400

Available for Appropriation	857,410
------------------------------------	----------------

Appropriations

Personnel	
	-
	-
Operating	
Maintenance Items: Civic/Rec/Library & Justice Center	(50,000)
Gates @ Scenic Overlook	(1,000)
Drug Dog	(6,500)
Animal Shelter (replace Maddie's Grant funds)	(14,859)
	(72,359)
Contributions	
Boys & Girls Club	(8,000)
Baldwin County Trailblazers	(2,000)
	(10,000)
Capital	
Front Counter Space- Revenue	(5,800)
Building Inspections Furniture	(22,379)
Laser Imaging System	(10,000)
Advanced Life Support Eqpt (St #4)	(20,000)
Replace Fire Dept 1990 Pickup	(21,000)
Replace Air Conditioning Units- Police	(60,800)
Fingerprint ID System	(37,000)

(painting/parking lot resurfa

Resurfacing	(98,926)
Joe Patrick Park Restroom	(47,500)
Park City Park Restroom	(47,500)
Future Building Maintenance- roofs, etc	(300,000)
	<hr/>
	(670,905)

Appropriations (753,264)

Estimated Revenues > Appropriations 104,146

ORDINANCE 2008 - 33

FY 2008 Fire Personnel

WHEREAS, Ordinance 2007-47 approved and adopted the Fiscal Year 2008 Budget on October 15, 2007; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2008 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2008 budget; and

WHEREAS, such appropriations totaling \$ 82,598 are needed for certain new fire department personnel and the related operating requirements.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2008 Budget is hereby amended to include appropriations in the amount of \$ 82,598 as follows for certain new fire department personnel and the related operating requirements:

59,998	3 Firefighters (Annual cost 143,994)
7,000	Training
750	Immunizations
350	Wellness Program
3,500	Uniforms
11,000	Turnout Gear, Radios

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2008.

Greg Burnam, Council President
Date & Time Signed: _____

Fred Small, Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen, City Clerk MMC

ORDINANCE 2008 - 34

2006 Construction Fund Appropriation

WHEREAS, Ordinance 2007-47 approved and adopted the Fiscal Year 2008 Budget on October 15 , 2007; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2008 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2008 budget; and

WHEREAS, the City Hall Construction and Renovation project is budgeted in the 2006 Construction Fund; and

WHEREAS, such project budget includes a contingency in the amount of \$ 50,000; and

WHEREAS, certain change orders have been necessary during construction and change order #5 will bring the total from the contingency to \$ 63,190; and

WHEREAS, the project is not complete and an additional contingency appropriation is necessary in order to prevent construction delays.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2008 Budget is hereby amended to include an additional 2006 Construction Fund contingency appropriation in the amount of \$ 50,000 for the City Hall Construction and Renovation project.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____ , 2008.

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk MMC

ORDINANCE 2008 - 36

FY 2008 Fire Personnel

WHEREAS, Ordinance 2007-47 approved and adopted the Fiscal Year 2008 Budget on October 15, 2007; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2008 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2008 budget; and

WHEREAS, such appropriations totaling \$ 165,195 are needed for certain new fire department personnel and the related operating requirements.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2008 Budget is hereby amended to include appropriations in the amount of \$ 165,195 as follows for certain new fire department personnel and the related operating requirements:

119,995	6 Firefighters (Annual cost 287,988)
14,000	Training
1,500	Immunizations
700	Wellness Program
7,000	Uniforms
22,000	Turnout Gear, Radios

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2008.

Greg Burnam, Council President
Date & Time Signed: _____

Fred Small, Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen, City Clerk MMC

ORDINANCE 2008 - 37

Police Vehicle Replacement

WHEREAS, Ordinance 2007-47 approved and adopted the Fiscal Year 2008 Budget on October 15 , 2007; and

WHEREAS, on April 26, 2008, police vehicle #201 collided with a deer; and

WHEREAS, the City's insurance carrier has deemed the 2001 Ford Crown Victoria vehicle to be "totaled" as a result of such collision; and

WHEREAS, the deadline for ordering a new 2008 police car is May 26, 2008; and

WHEREAS such vehicle is required in order to meet public safety requirements.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2008 Budget is hereby amended to include a General Fund appropriation in the amount of \$ 22,800 for the replacement of the 2001 Ford Crown Victoria.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____ , 2008.

Greg Burnam, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC