

CITY COUNCIL BUSINESS MEETING AGENDA
1705 MAIN STREET, DAPHNE, AL
AUGUST 17, 2009
BUSINESS MEETING
6:30 P.M.

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

APPROVE MINUTES: Council meeting minutes / August 3, 2009
Council Work Session minutes / August 10, 2009
Special Called Council meeting minutes / August 12, 2009

PRESENTATION: Eric Byrne / Project for Eagle Scouts

PRESENTATION: S.E.E.D.S / Grant Awards

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE / Boulware

Review minutes / August 10th

1. Resolutions:

- a.) Dual Side Loading Recycle Truck / Empire Truck Sales / [Resolution 2009-76](#)
- b.) 16 CY Automated Side Loading Truck & Body / Kenworth of Birmingham / [Resolution 2009-77](#)
- c.) 22 CY High Compaction Refuse Truck / Ingram Equipment / [Resolution 2009-78](#)
- d.) Hydraulic Knuckleboom Brush & Limb Loader / Empire Truck Sales / [Resolution 2009-79](#)
- e.) Street Sweeper / Ingram Equipment / [Resolution 2009-80](#)
- f.) Traffic Control Signs / Rocal, Inc. / [Resolution 2009-81](#)

Authorizing Mayor to apply for Grants:

- g.) FEMA Storm Water Management / [Resolution 2009-82](#)
- h.) FEMA Repetitive Loss: 140 Lakeview Loop / [Resolution 2009-83](#)
- i.) FEMA Nicole Circle / [Resolution 2009-84](#)
- j.) US EPA Stag Grant / [Resolution 2009-85](#)

Declaring City Equipment Surplus:

- k.) 2000 Ford Crown Victoria / [Resolution 2009-86](#)

Community Contributions:

- l.) Ecumenical Ministries / [Resolution 2009-87](#)
- m.) American Heart Association / [Resolution 2009-88](#)

2. Ordinances:

- a.) Appropriating Funds: Utilities Board Fire Hydrants / [Ordinance 2009-43](#)
- b.) Appropriating Funds: Police Vehicle Replacement / [Ordinance 2009-44](#)
- c.) Appropriating Funds: Engineering Nicole Circle / [Ordinance 2009-45](#)

3. Financial Reports:

- a.) Treasurers Report / July 31, 2009
- b.) Summary of Revenues over Expenditures / June 30, 2009
- c.) Sales & Use Tax Collections / June 30, 2009
- d.) Lodging Tax Collections / June 30, 2009

- B. BUILDINGS & PROPERTY - Lake**
- C. PUBLIC SAFETY - Burnam**
- D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Palumbo**
- E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Yelding**

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

- A. Board of Zoning Adjustments – Jones**
- B. Downtown Redevelopment Authority - Barnette**
- C. Industrial Development Board – Yelding**
- D. Library Board - Lake**
Review minutes / July 9th
- E. Planning Commission – Barnette**
- F. Recreation Board - Burnam**
- G. Utility Board - Scott**
Review minutes / June 24th

6. REPORTS OF OFFICERS:

- A. Mayors Report**
a.) *Parade Permit / Bounds Family YMCA / Annual 5K & 2 Mile Run / November 14, 2009*
- B. City Attorney’s Report**
- C. Department Head Comments**

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) Donation of Property to City of Daphne /**
Valai Marino / Property located on US Hwy 98 North of Johnson Rd. /Resolution 2009-74
- b.) Appointing Directors of the YMCA Public Park**
and Recreation Board of the City of Daphne. /Resolution 2009-75
- c.) Bid Award: Dual Side Loading Recycle Truck /**
Empire Truck Sales. /Resolution 2009-76
- d.) Bid Award: Automated Side Loading Truck with**
Refuse Collection / Kenworth of Birmingham /Resolution 2009-77
- e.) Bid Award: High Compaction Automated/Refuse**
Collection Body / Ingram Equipment Company. /Resolution 2009-78
- f.) Bid Award: Hydraulic Knuckleboom Brush & Limb Loader**
Dump Body & Chassis / Empire Truck Sales. /Resolution 2009-79

- g.) Bid Award: Street Sweeper – Lease / Ingram Equipment Company...../Resolution 2009-80
- h.) Bid Award: Traffic Control Signs / Rocal, Inc...../Resolution 2009-81
- i.) FEMA: Storm Water Management Project -
Common Detention/Resolution 2009-82
- j.) FEMA: Repetitive Loss / 140 Lakeview Loop Buy Out...../Resolution 2009-83
- k.) FEMA: Nicole Circle Project...../Resolution 2009-84
- l.) U.S. Environmental Protection Agency (EPA) Stag Grant:
Storm Water Structure Inventory/Database...../Resolution 2009-85
- m.) Declaring Certain Property Surplus / Ford Crown Vic...../Resolution 2009-86
- n.) Fiscal 2009 Ecumenical Ministries, Inc. Contribution...../Resolution 2009-87
- o.) Fiscal 2009 American Heart Association Contribution...../Resolution 2009-88

ORDINANCES:

2ND READ

- a.) Amending Garbage Ordinance 2002-34/Ordinance 2009-35
- b.) Annexation: Swift Supply, Inc. Property Located on the North
Side of Milton Jones Road...../Ordinance 2009-42

1ST READ

- c.) Appropriation of Funds: FY 2009 Fire Hydrant Maintenance...../Ordinance 2009-43
- d.) Appropriation of Funds: Police Vehicle Replacement...../Ordinance 2009-44
- e.) Appropriation of Fund: FEMA: Nicole Circle Project Engineering...../Ordinance 2009-45

9. COUNCIL COMMENTS

MOTION: To receive applications for HR Director position &
Any other motion needed by Council

10. ADJOURN

SEPTEMBER 14TH WORK SESSION ITEMS

- 1. PRESENTATION BY CENSUS BUREAU**
- 2. LODGING TAX**

TENTATIVE WORK SESSION ITEMS

- 1. VISIONING PLAN**
- 2. PROTOCOL FOR CHANGING SIGN ORDINANCE**
- 3. TRAVEL BUDGET**
- 4. DOWNTOWN REDEVELOPMENT AUTHORITY**

**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 BOULWARE

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

**AUGUST 3, 2009
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

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1. CALL TO ORDER

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

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Mr. Bill Eady.

COUNCIL MEMBERS PRESENT: Bailey Yelding; John Lake; Greg Burnam; Ron Scott; Derek Boulware; August Palumbo.

ABSENT: Cathy Barnette.

Also present: Mayor Fred Small; David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; Bill Eady, Public Works Director; Kim Briley, Finance Director; Richard Merchant, Building Official; James White, Fire Chief; David McKelroy, Recreation Director; Tonja Young, Library Director; Deni Biggs, Interim Civic Center Director; Adrienne Jones, Planning Director; Ashley Campbell, Environmental Program Manager; Jane Robbins, Mayors Assistant; John Williams, Civic Center; Scott Hutchinson, City Engineer; Ray Moore, Hutchinson, Moore & Rauch; Al Guarisco, Village Point Foundation; Ed Nelson, Recreation Board; Rob McKelroy, Daphne Utilities General Manager; Tomasina Werner, Beautification Committee.

Absent: David Carpenter, Police Chief; Vickie Hinman, Interim Human Resource Director.

3. APPROVE MINUTES:

MOTION BY Councilman Yelding to adopt the Council meeting minutes meeting held July 20, 2009. Seconded by Councilman Burnam.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

PROCLAMATION: Rob McElroy, Director of Government Affairs Committee for the Chamber of Commerce for the Town Hall meeting, gave a presentation for the meeting to be held August 20, 2009. The meeting is not limited to just the three cities, but all eastern shore cities are invited to come. The cities are coming together to join forces to come up with regional solutions to regional problems. Different government officials will be speaking at the meeting. A spirit of cooperation is needed to go after these funds.

Mayor Small read the proclamation. (The proclamation is spread out upon these minutes)

MOTION BY Councilman Boulware to support the Spirit of Cooperation resolution. Seconded by Councilman Yelding.

AYE Yelding, Burnam, Boulware, Palumbo, Lake NAY Scott MOTION CARRIED

AUGUST 3, 2009
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

PUBLIC HEARING: Swift Supply, Inc. / Property located on the north side of Milton Jones Road / Requested zoning B-2, General Business / Ordinance 2009-42

Mrs. Adrienne Jones, Planning Director, gave a presentation.

Council President Lake opened the Public Hearing at 6:46 p.m.

No one spoke for or against the proposed annexation.

Council President Lake closed the Public Hearing at 6:47 p.m.

MOTION: Change September 7, 2009 Council meeting date due to that day being Labor Day

MOTION BY Councilman Burnam to change the September 7, 2009 Council meeting to September 8, 2009. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION: Transfer \$2,500 out of Councilman Burnam's training account and transfer it to community contributions to go to Honor Flight.

MOTION BY Councilman Scott to transfer \$2,500 out of Councilman Burnam's training account and transfer it to community contributions to go to Honor Flight. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

A. FINANCE COMMITTEE – Boulware

No report. The next meeting will be August 10th at 4:00 p.m.

B. BUILDINGS AND PROPERTY COMMITTEE – Lake

No report. The next meeting will be Friday.

C. PUBLIC SAFETY COMMITTEE – Burnam

The minutes for the July 10th meeting are in the packet. No action by council is required. The next meeting will be August 12th at 4:30 p.m.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Palumbo

No report.

E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY – Yelding

MOTION BY Councilman Yelding to authorize the Mayor to execute the addendum to the contract with Volkert & Associates for “Task Agreement No. 4, Captain O’Neal Drive Ditch Stabilization. Seconded by Councilman Scott.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Ms. Jones

The minutes for the July 2nd meeting are in the packet. The next meeting will be Thursday at 6 p.m. The meeting for September will be the 3rd.

B. Downtown Redevelopment Authority – Barnette

The Downtown Redevelopment will be on a future work session where council will discuss revamping the board. Council President Lake mentioned that they will discuss incorporating the Business and Entertainment area suggested by the local hotels with the downtown area.

C. Industrial Development Board – Yelding

No report.

D. Library Board – Lake

The next meeting will be Thursday at 4:00 p.m. at the Recreation Centers meeting room A.

E. Planning Commission – Barnette

MOTION BY Councilman Scott to set a Public Hearing on September 21, 2009 to consider:

1. Rezone: Trione Heir Property / Property located southwest of the intersection of Main Street & Belrose Avenue / Requested zoning from R-2, Medium Density Single Family Residential District to B-2, General Business District

2. Revision to Zoning Map

3. Revision to Olde Towne District Map

Seconded by Councilman Yelding.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

F. Recreation Board – Burnam

No report.

G. Utility Board – Scott

Mr. McElroy, General Manager of Daphne Utilities, introduced Mr. Larry Jackson, a 23 year veteran with the utility department. He said on June 26th there was the perfect storm where they had line breaks, and lost two wells. They recovered in a remarkable fashion thanks to Mr. Jackson. He brought together crews from water distribution, waste water collection, natural gas department and line locates to respond to these inline main breaks in the Lake Forest area, and got them restored quickly. They owe him a debt of gratitude.

Council thanked and commended Mr. Jackson for his work in restoring the lines and wells to working order.

6. REPORTS OF THE OFFICERS:

A. *Mayor's Report*

- a.) *ABC License / CEFCO 406 / 050 – Retail Beer (Off Premises Only) / 070 – Retail Table Wine (Off Premises only) (On State Highway 181 & Hwy 90 on the corner of Lowe's)*

MOTION BY Councilman Yelding to approve the ABC License for CEFCO 406 / 050 – Retail Beer (Off Premises Only) / 070 – Retail Table Wine (Off Premises Only) *Seconded by Councilman Boulware.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

- b.) *ABC License / Club 434 / 010 Lounge Retail Liquor – Class I (In the complex with Papa's Pizza & Bay House Pub)*

MOTION BY Councilman Palumbo to approve the ABC License for Club 44 / 010 Lounge Retail Liquor – Class I. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Mayor Small stated that the county commission and several cities have looked hard at trying to do different things with garbage, and especially recycling. They discussed some type of digester to be able to make alternative fuels out of it, and new technology for sorting recyclables. Last week the county entered into a contract with a private contractor, and in talking to the commission at the first part of the week they hope to have it up to running within a year and a half. What that will mean to the City of Daphne is that the city can get out of the recycling business, and it will all be handled at the land fill through their devices that separate all the garbage. As you know, the city has been struggling for a couple of years with recycling. It is very expensive. The city will continue to recycle, of course, up to that point at the council's pleasure. This is great news, not only to do that, but the recycling structure

that they have at public works can be turned into a transfer station. Mr. Jim Ransom told him that he would bring and leave a trailer so the city will no longer have to make trips to the land fill. He will bring the trailer, and when it is full we will call him and they will come get it, take it to the land fill and drop another one off. So all those trips the city is making on a daily basis to the land fill with all those trucks will eventually stop which will make the city much more efficient with that operation. He said if he understands correctly the council has tabled the one day a week garbage ordinance, and he would like to move forward with the one day a week garbage and one day a week recycling ordinance until they get the plan up and running, and then they can discontinue the recycling, and if need be at that time they can go back to twice a week garbage pickup. He said that he did not see that on the work session for next Monday. He asked Council President Lake to place it on the work session agenda for next Monday.

Councilman Palumbo asked that they be provided with the comparison information that they requested when they tabled the ordinance.

Council President Lake asked the City Clerk to add garbage collection to the work session agenda for Monday.

B. City Attorney Report

Mr. Ross stated that there are two matters for council to consider. He asked council for a brief executive session to talk about pending litigation. He estimates it will take about ten minutes. The second matter is the personnel hearing that was scheduled for August 5th, because the attorney for the employee has asked that it be cancelled due to a family medical emergency, and subject to council approval to schedule it for August 12th.

MOTION BY Councilman Scott to set a date of August 12, 2009 at 6:30 p.m. for a Special Called Council meeting for a Personnel Hearing to hear an employee grievance. *Seconded by Councilman Boulware.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Council President Lake stated that they will do that at the end of the meeting.

Mr. Ross stated that they can adjourn without having to come back into session.

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C. Department Head Comments

James White – Fire Chief – mentioned that Daphne has been a hot spot for lighting strikes, and asked citizens to take the necessary precautions.

Captain Scott Taylor – Police Department – reported that a patrol car was involved in an accident, and the insurance company has totaled it, and they will have to replace it. The accident was not the officers fault. He also reported that they did not receive a COPS grant this go around, but Daphne is still on the list for the next go around. Captain Taylor stated that Captain Danny Bell has a slot to attend the FBI Academy in January, this is very prestigious.

Richard Merchant – Building Official – reported that permits has picked up. They have had 50 new applications. He stated that Publix will start construction and it will be in six phases.

David McKelroy – Recreation Director – stated that they are on the downhill slide for fall sports registration, and it is about the same as last year.

Deni Biggs – Interim Civic Center Director – Reminded everyone that the “Taste of the Eastern Shore” will be Friday, August 14th.

Tonja Young – Library Director – stated that stage one has begun on the Library Expansion. She thanked David McKelroy for letting them use a room for their Board meetings. The library is about to receive a grant for \$100,000 through Congressman Joe Bonner for technology for the computer lab.

Adrienne Jones – Planning Director – reported that

7. PUBLIC PARTICIPATION

Mr. Jimmy Hamrick – Truck & Equipment Sales – Mobile – spoke regarding the bid process for garbage trucks. He said there was a flaw in the process.

Council President Lake asked Mr. Hamrick to bring this to the Finance Committee.

8. RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

RESOLUTIONS:

- a.) Revisions to the Daphne Street Map/Resolution 2009-72
- b.) Designate Hutchinson, Moore & Rauch as Engineers for the City of Daphne Projects/Resolution 2009-73

MOTION BY Councilman Burnam to waive the reading of Resolutions 2009-72. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Burnam to adopt Resolutions 2009-72. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Yelding to waive the reading of Resolution 2009-73. *Seconded by Councilman Boulware.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Palumbo to adopt Resolutions 2009-73. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

ORDINANCES:

2ND READ

- b.) Increase Budget for Adult League Umpires. /Ordinance 2009-38
- c.) General Fund Appropriation: Trion Soccer and Football Complex Engineering /Ordinance 2009-39
- d.) Appropriation: Daphne Statue /Ordinance 2009-40
- e.) Lodging Tax Appropriation: May Day Boat Launch Sand Management Study /Ordinance 2009-41

1ST READ

- f.) Annexation: Swift Supply, Inc. / Property Located on the North Side of Milton Jones Road. /Ordinance 2009-42

MOTION BY Councilman Palumbo to waive the reading of Ordinance 2009-38, 2009-39, 2009-40 and 2009-41. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Burnam to adopt Ordinance 2009-38. *Seconded by Councilman Boulware.*

AYE AL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Palumbo to adopt Ordinance 2009-39. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Palumbo to adopt Ordinance 2009-40. *Seconded by Councilman Yelding.*

MOTION BY Councilman Burnam to pay the full amount of \$13,102.48. *Seconded by Councilman Palumbo.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

VOTE ON ORIGINAL MOTION WITH AMENDMENT

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Palumbo to adopt Ordinance 2009-41. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

ORDINANCES 2009-42, WAS MADE A 1ST READ.

**AUGUST 3, 2009
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

9. COUNCIL COMMENTS

Councilman Burnam thanked Mrs. Neumann for the statue.

Councilman Boulware also thanked Mrs. Neumann, and reminded everyone about the Town Hall meeting scheduled for August 20th at the Daphne Civic Center at 6:00 p.m.

MOTION BY Councilman Palumbo to enter into Executive Session to discuss with the City Attorney pending legal matters. *Seconded by Councilman Boulware.*

The City Attorney, Jay Ross, certified that the reason stated is acceptable according to the Open Meetings Act, and that the session will last for 10 minutes wherein the meeting will adjourn after the Executive Session concludes.

ROLL CALL VOTE

Yelding	Aye	Boulware	Aye
Burnam	Aye	Palumbo	Aye
Scott	Aye	Lake	Aye

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

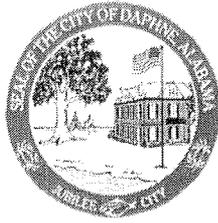
THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:00 P.M.

Respectfully submitted by,

David L. Cohen,
City Clerk, MMC

Certification by Presiding Officer:

John Lake,
Council President
Date & Time Signed: _____



State of Alabama
 Cities of Daphne, Fairhope & Spanish Fort

WHEREAS, in recognition that the cities of Daphne, Fairhope and Spanish Fort share many common issues as well as a unifying interest in the continued health and prosperity of the region that makes up the Eastern Shore of Mobile Bay, Alabama; and

WHEREAS the three cities realize that with a Spirit of Cooperation, the many voices we have can reach a wider audience if spoken as one; and

WHEREAS, in recognition of the Spirit of Cooperation, the three cities of Daphne, Fairhope and Spanish Fort unite together with the Baldwin County Commission and the Eastern Shore Chamber of Commerce; and

WHEREAS, in the Spirit of Cooperation the three cities of Daphne, Fairhope and Spanish Fort unite in their efforts to secure state, federal, and other funding sources, especially in regards to environmental and transportation/infrastructure concerns along the Eastern Shore; now therefore

BE IT HEREBY RESOLVED on this 20th day of August, 2009, that we, the elected officials of the three cities of Daphne, Fairhope and Spanish Fort pledge to work together to solve common issues.

 Mayor Fred Small
 City of Daphne

 Mayor Tim Kant
 City of Fairhope

 Mayor Joseph Bonner
 City of Spanish Fort

 Cathy Barnette
 Daphne City Council

 Mike Ford
 Fairhope City Council

 Mary Brabner
 Spanish Fort City Council

 Derek Boulware
 Daphne City Council

 Rick Kingreas
 Fairhope City Council

 Dennis Dismuke
 Spanish Fort City Council

 Greg Burnam
 Daphne City Council

 Lonnie Mixon
 Fairhope City Council

 Mike McMillan
 Spanish Fort City Council

 John Lake
 Daphne City Council

 Dan Stankoski
 Fairhope City Council

 Tom Sawyer
 Spanish Fort City Council

 August Palumbo
 Daphne City Council

 Debbie Quinn
 Fairhope City Council

 Joe Thomas
 Spanish Fort City Council

 Ron Scott
 Daphne City Council

 Bailey Yelding
 Daphne City Council

AUGUST 10, 2009
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

1

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

Also present: David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; Bill Eady, Public Works Director; David McKelroy, Recreation Director; Buck Conaway, Public Works Supervisor; Ed Nelson, Recreation Board; Joe Lemoine, Planning Commission.

Absent: Mayor Small.

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

1. PRESENTATION BY RECREATION BOARD

Mr. Ed Nelson, chairman of the Recreation Board, presented to council initiatives they would like to accomplish, and also requests from council.

- Implement a questionnaire to evaluate the successes, shortcomings or blemishes in their endeavors
- Gathering participation numbers in programs provided by city
- Collect information from hotels as the potential impact of activities in the lodging industry. Increase in business at the hotels will bring a bout an increase in lodging tax revenue
- Develop a priority progression list for total completion of the comprehensive plan for recreation
- Develop a strategic plan which will address potential needs relating to programs, operations, personnel, and the financial impact, etc. to cover the next five years period and extend over the next ten years.
- Requested two alternate positions that are provided for in the ordinance to represent minorities and seniors
- Requested council to approve the initiation of a Youth Representative position
- Requested 50% of the lodging tax to complete the project at Trione Park providing lighting, restroom facilities and a concession area

Council President Lake asked Mr. Nelson to submit the boards recommendations for the alternates including resumes to the City Clerk office to be put on Monday's agenda. He said that since the board does not meet until Wednesday night he can submit it on Friday to give him enough time to get the information.

2. COACH VICERY / SUMMER CAMP UPDATE

Coach Vickery presented the stats for the Youth Summer Camp. There were 435 participants in this years' camp with 25 coaches. They gave instructions for girls and boys basketball, boys baseball, girls softball, cheer leading, girls and boys soccer and girls volleyball. He thanked the council for their support of the camp.

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6:30 P.M.

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4. GARBAGE ORDINANCE

Council discussed going to a once a week garbage pickup, and asked questions of Mr. Eady and Buck Conaway from Public Works. Mr. Eady stated that no one would be laid off work, but would fill vacancies in other departments. Council President Lake asked Mr. Eady if going to once a week pickup was the most cost effective way to go. Mr. Eady stated that it would save \$246,932.00. Council wants the public to be well educated while they are working toward this so they will be prepared. Mr. Eady said that if council accepts the bid on Monday, and they order the trucks it will take four to five months to receive the trucks, and they should be ready to implement the once a week garbage plan by that time, because they have already started preparing for the switch in case the council decided to go to once a week service. Councilman Palumbo asked that they include suggestions on how to avoid smelly garbage cans.

Council asked that the once a week garbage ordinance be on the agenda for Monday night.

Council discussed moving forward with the hiring process for the HR and Civic Center Directors positions. Council asked the City Clerk to prepare a memo to Mayor Small requesting the 11 HR applications with confidential information like social security numbers blacked out to be sent to the City Clerks' office for council to review, and to request that HR advertise for the Civic Center Director position.

Council discussed the Legislative budget. Council recommended cutting the amount of the community contributions to half the amount, and deleting the election budget to achieve a 50% cut in the budget.

5. ADJOURN

There being no further business to discuss the meeting adjourned at 8:15 p.m.

Respectfully submitted by,

David L. Cohen,
City Clerk, MMC

Certification of Presiding Officer:

John Lake
Council President

Date & Time Signed: _____

AUGUST 10, 2009
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

3

**MAY 20, 2009
 SPECIAL CITY COUNCIL MEETING
 1705 MAIN STREET
 DAPHNE, AL
 6:00 P.M.**

1. CALL TO ORDER

Council President Lake called the meeting to order at 6:40 p.m.

2. ROLL CALL

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

Also present: Mayor Small; Rebecca A. Hayes, Assistant City Clerk; Jay Ross, Attorney; Vickie Hinman, Interim Human Resource Director; Jason Crane, Attorney; David Carpenter, Police Chief; Lt. Kenny Hempfleng, Police Department; Lt. Alric Yelding, Police Department; Captain Scott Taylor, Police Department; Bari Chrestman, Police Department; Teresa Seaman; Henry Brewer, Attorney; Karen McDonald, Court Reporter.

Personnel Hearing

MOTION BY Councilman Scott to enter into Executive Session for a Personnel Hearing for Teresa Seaman. The session will last until 9:30 p.m. *Seconded by Councilman Boulware.*

The City Attorney certified that the stated reason is acceptable according to the Alabama Open Meetings Act.

ROLL CALL VOTE

Yelding	Aye	Boulware	Aye
Barnette	Aye	Palumbo	Aye
Burnam	Aye	Lake	Ayer
Scott	Aye		

MOTION CARRIED

Council entered into Executive Session at 6:42 p.m.

Council returned from Executive Session at 9:24 p.m.

MOTION BY Councilman Palumbo to continue debate regarding the Personnel Hearing for Teresa Seaman at the Monday, August 17, 2009, council meeting. *Seconded by Councilman Boulware.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Respectfully submitted by,

Certification of Presiding Officer:

 David L. Cohen, City Clerk, MMC

 John Lake, Council President
 Date & Time Signed: _____

**CITY COUNCIL MEETING
STANDING COMMITTEE RECOMMENDATIONS:**

FINANCE COMMITTEE REPORT

BUILDINGS & PROPERTY COMMITTEE REPORT

PLANNING/ZONING/CODE ENFORCEMENT COMMITTEE REPORT

PUBLIC SAFETY/ORDINANCE COMMITTEE REPORT

PUBLIC WORKS/BEAUTIFICATION/MUSEUM COMMITTEE REPORT

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
August 10, 2009
4:00 P.M.

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:00 pm. Present were Chairman Derek Boulware, Councilman Bailey Yelding, Finance Director Kim Briley, Senior Accountant Suzâne Henson and Accountant Donna Page.

Councilman Ron Scott arrived at 4:05 p.m.

Also in attendance were Mayor Fred Small, Public Works Director Bill Eady, Interim Human Resources Director Vickie Hinman, Fire Chief James White, Revenue Officer Cornell Smith, Police Captain Danny Bell, Building Official Richard Merchant, Environmental Programs Manager Ashley Campbell, Public Works Superintendent Melvin McCarley, Solid Waste Supervisor Clement Conaway, Equipment Maintenance Supervisor Billy Crutchfield, and Building Maintenance Supervisor Frank Barnett. Councilman John Lake arrived at 5:00 p.m.

Mayor Fred Small left at 5:12 p.m.

II. PUBLIC PARTICIPATION

Mr. Jimmy Hamrick with Truck Equipment Sales discussed that he felt the bid specifications for the garbage/recycling trucks and knuckleboom truck were too restrictive. Ms. Briley noted that in the packet was an excerpt from the specifications that states "*Where a specific brand is noted, all bidders should be aware that the brand name is used to indicate the desired quality and performance of the product that is desired... and... Bids which do not meet, prove equal to, or exceed on an individual specification must provide documentation to support that settlement. Failure to submit required documentation may result in rejection of the bid.*" Mr. Eady, PW Director, noted that he had reviewed the specs with Mr. Melvin McCarley, PW Superintendent, and Mr. Buck Conaway, Solid Waste Supervisor, and that they selected specifications that would meet the needs of the City. Mr. McCarley noted that these specifications were prepared after careful research from other municipalities. Mr. McCarley noted that research had shown that there had been some operational and durability issues with some of the equipment that Mr. Hamrick was representing and the City wanted to obtain equipment that had a history of durability. Mr. McCarley also noted equipment problems the City currently has with a piece of equipment purchased from Mr. Hamrick's company. Mr. McCarley also noted that Mr. Hamrick marked on his bid submittal that his company complied with the specifications then noted that they complied with the attached specs (an independent set of specifications attached by Mr. Hamrick) which did not meet or exceed the City's bid specifications. Mr. Hamrick spoke against using BidBridge.

Mr. Joe King, President, Ingram Equipment Company, stated they did not have a problem with BidBridge, the company who handled the bidding process. Mr. King stated that BidBridge has a lot of attributes including they send the bid requests out nationwide and noted there were multiple bidders.

III. HUMAN RESOURCES BUSINESS

Ms. Vickie Hinman presented a Human Resources department activity update in the Committee packet. Ms. Hinman reviewed the training sessions completed and new one upcoming. Ms. Hinman also reviewed the one open position: Communications Officer.

IV. ISSUES REQUIRING ACTION BY CITY COUNCIL

A. Appropriation Requests

1. Daphne Public Utilities – Fire Hydrant Maintenance Cost

Mr. Rob McElroy, with Daphne Public Utilities, discussed the “fire flow testing” the Utility Board performs annually on the 1300 fire hydrants in the City. He explained that this process is heavily regulated and affects the City’s ISO rating. The City of Daphne has previously been paying the Utility Board for this service. Fire Chief James White stated that when he first started he questioned this being in the fire department’s budget because they were not getting any data or reports. At that time the reports were about three months behind and the Fire Department was unaware if there were problems with any of the hydrants. Chief White stated that the Fire Department is now getting the information on a timely basis and has a good working relationship with Daphne Utilities. Mr. McElroy stated that Daphne Utilities has already performed this service for 2009 at a cost of \$60,750, and has been billing the City \$5,062.50 each month, but has not been paid. Mayor Small noted that the Utility Board had been told that the monies may not be appropriated for 2009. Mr. McElroy stated that the first he knew of monies not being appropriated was in June when Mr. John Lake sent him a letter stating the City was not paying this charge, but by then the service had already been performed.

Mr. Scott stated that he thought the City should pay for the work Daphne Utilities has already done and requested that Council discuss in a work session whether to continue having them perform this service in future years or decide if the City should do the testing.

Motion by Mr. Scott to recommend Council adopt an ordinance appropriating \$60,750 to Daphne Utilities Board for fire flow testing of the City’s 1300 fire hydrants in 2009. Seconded by Mr. Yelding. All in favor.

2. Patrol Vehicle - \$17,379

Police Captain Danny Bell discussed the patrol vehicle that was hit on July 12, 2009. All-State Insurance, who insures the vehicle at fault in the accident, is requiring that the patrol car be totaled. The insurance payment will be \$7,162. Some equipment from the wrecked vehicle can be used, but the remaining cost for a new vehicle is still \$17,378.56. Mr. Boulware asked about the 3% preference to use a local dealership over using the State bid contract. Captain Bell said he has talked to the local dealership in the past and they have stated they can’t meet the state bid pricing. Captain Bell noted that with this being August already (availability of current year model vehicles is limited this time of year), and this being a time sensitive need that bidding this vehicle purchase would push back the delivery of the vehicle several months. Mr. Scott stated that was understandable.

Motion by Mr. Scott to recommend Council adopt an ordinance appropriating \$17,378.56 to purchase a replacement police vehicle from the State bid contract. Seconded by Mr. Yelding. All in favor.

B. Grants: Authorize Mayor to Sign Grant Applications

1. FEMA Stormwater Management Project - \$31,250
2. FEMA Repetitive Loss: 140 Lakeview Loop - \$63,750
3. FEMA Nicole Circle Project - \$102,500
4. U.S. EPA Stag Grant - \$165,546

The above grant applications were discussed. Ms. Briley recommended that funds not be appropriated until a grant is awarded. Ms. Ashley Campbell, Environmental Programs Manager, noted that engineering assistance is needed in order to complete the application package for the Nicole Circle Project, so this needs to be appropriated now.

Ms Campbell submitted a proposal from Hatch Mott MacDonald Alabama, LLC (HMM) in the amount of \$15,200 to perform the surveying and engineering work required. Ms. Campbell noted that HMM has been assisting the City with the Storm Water Management Project at no cost to the City.

Motion by Mr. Scott to recommend Council authorize the Mayor to sign the following grant applications:

- 1. FEMA Storm Water Management Project - \$31,250- City match**
- 2. FEMA Repetitive Loss: 140 Lakeview Loop - \$63,750- City match**
- 3. FEMA Nicole Circle Project - \$102,500- City match**
- 4. U.S. EPA Stag Grant - \$165,546- City match**

Seconded by Mr. Yelding. All in favor.

Motion by Mr. Scott to recommend Council adopt an ordinance appropriating \$15,200 for engineering costs associated with completing the grant application for the FEMA Nicole Circle Project and that Hatch Mott McDonald be authorized to do the work. Seconded by Mr. Yelding. All in favor.

C. Community Contributions

1. Ecumenical Ministries, Inc - \$10,000

A request from Ecumenical Ministries for \$10,000 was presented. Ms. Briley noted that this is a budgeted item.

Motion by Mr. Yelding to recommend Council enter into a service agreement in the amount of \$10,000 with Ecumenical Ministries. Seconded by Mr. Scott. All in favor.

2. American Heart Association - \$500

Ms. Amanda Jordan, representing the American Heart Association requested a \$500 donation from the City to assist in the Association's efforts. She noted that the annual Heart Walk will be held September 20, 2009, at 1:00 p.m. at the 5 Rivers Resource Center. Ms. Briley noted that funds are available from undesignated Community contribution funds.

Motion by Mr. Scott to recommend Council enter into a service agreement in the amount of \$500 with The American Heart Association. Seconded by Mr. Yelding. All in favor.

D. Bids

1. 2009-T-DUAL SIDE LOADING RECYCLE TRUCK

Six bid packages were received, two being no-bids, one did not qualify, and three bids qualified. Staff recommended the low bid from Empire Truck Sales be accepted.

2. 2009-U-16 CY AUTOMATED SIDE LOADING TRUCK W/REFUSE

Five bids packages were received, one being a no-bid, one did not qualify, and three bids qualified. Staff recommended the low bid from Kenworth of Birmingham be accepted.

3. 2009-V-22 CY HIGH COMPACTION AUTOMATED REFUSE COLLECTION TRUCK

Four bid packages were received, one being a no-bid, one did not qualify, and two qualified. Staff recommended the low bid from Ingram Equipment Sales be accepted.

4. 2009-W-HYDRAULIC KNUCKLEBOOM BRUSH & LIMB LOADER

Six bid packages were received, two being no-bids, two not qualified, and two qualified. Staff recommended the low bid from Empire Truck Sales be accepted.

5. 2009-X-STREET SWEEPER

Three bid packages were received, one being a no-bid, two were qualified. Staff recommended the low bid from Ingram Equipment Company be accepted.

It was noted that as previously discussed, the above vehicles will be lease purchased. Ms. Briley stated the lease terms would be 3 years for the recycle truck and 4 years for all others. Mr. Scott stated that staff should be authorized to evaluate the various lease options.

Motion by Mr. Yelding to recommend Council adopt resolutions authorizing the lease negotiation and awarding the following bids per staff recommendations:

- 1. 2009-T-DUAL SIDE LOADING RECYCLE TRUCK (2) to Empire Truck Sales for a purchase cost \$149,481.00.***
- 2. 2009-U-16 CY AUTOMATED SIDE LOADING TRUCK W/REFUSE COLLECTION BODY (1) to Kenworth of Birmingham for a purchase cost \$160,000.***
- 3. 2009-V-22 CY HIGH COMPACTION AUTOMATED REFUSE COLLECTION TRUCK (2) to Ingram Equipment Sales for a purchase cost \$213,548.45.***
- 4. 2009-W-HYDRAULIC KNUCKLEBOOM BRUSH & LIMB LOADER (3) to Empire Truck Sales for a purchase cost \$117,900.***
- 5. 2009-X-STREET SWEEPER (1) to Ingram Equipment Company for a purchase cost \$146,677.58.***

Seconded by Mr. Scott. All in favor.

6. 2009-DD-TRAFFIC CONTROL SIGNS

14 bid invitations were mailed/picked-up with 8 sealed bids received. Ms. Henson stated that in the letter from Mr. Eady, PW Director that the signs will be purchased to meet new FHA regulations which will require replacement of signs throughout the City. The overall low bidder was Rocal Inc.

Motion by Mr. Scott to recommend Council adopt a resolution awarding bid 2009-DD-TRAFFIC CONTROL SIGNS as bid to Rocal Inc. Seconded by Mr. Yelding. All in favor.

E. Declare City Equipment Surplus

Police vehicle #700, a 2000 Ford Crown Victoria, was submitted as surplus. Ms. Henson noted that the Mechanical supervisor recommends this vehicle be surplus and not assigned to another department due to the engine's increasing oil usage.

Motion by Mr. Yelding to recommend Council adopt a resolution declaring Police vehicle #700, a 2000 Ford Crown Victoria, surplus and authorizing the Mayor to dispose of such property. Seconded by Mr. Scott. All in favor.

V. Current Business

Review Pending Grants

Ms. Briley submitted a list of pending grants:

- ADEM - Jubilee Square Storm Water Retrofit
- NRCS – March 25-April 3, 2009 Rain Event
- FEMA Fire Station Construction
- CDBG – Hwy 64 South Sewer
- ALDOT – Sidewalk & Bike Path

Ms. Campbell stated that the City did not receive the \$11 million NOAA grant.

VI. FINANCIAL REPORTS

A. Treasurer's Report: July 31, 2009

The Treasurer's Report totaling \$19,212,192.41 was presented. It was noted that total cash is down \$ 1,200,000: \$ 600,000 General Fund and \$ 600,000 Debt Service.

Motion by Mr. Yelding to accept the Treasurer's Report as of July 31, 2009, in the amount of \$19,212,192.41. Seconded by Mr. Scott. All in favor.

B. Sales and Use Taxes: June 30, 2009

Sales and Use Tax Collected for June 2009	- \$ 868,309
Sales and Use Tax Budgeted for June 2009	- \$ <u>997,274</u>
Under Budget (for June)	- \$ (128,965)

YTD Budget Collections Variance - Under Budget - \$ (933,291)

C. Lodging Tax Collections, June 30, 2009

The Lodging Tax Collections report shows \$56,494.11 collected for June 2009.

D. Summary Report: Revenues, Expenditures & Changes in Fund Balance – June 30, 2009

A Summary General Fund Statement of Revenues, Expenditures & Changes in Fund Balance as of June 30, 2009, was presented. The statement shows that expenditures are currently over revenues by (\$549,647). Ms. Briley noted that this is a \$1 million swing downward from this time last year.

E. Report: New Business Licenses – July 2009

A report showing new businesses licensed in the City for the month of July was presented.

F. Bills Paid Reports – July 2009

The July Bills Paid Report was included in Packet #2.

VII. ADJOURN

The meeting was adjourned at 5:34 p.m.

Vickie C. Hinman
Interim
Human Resources Director



Sherree Hilburn
Payroll and Benefits
Coordinator

The Jubilee City

August 6, 2009

HUMAN RESOURCES DEPARTMENT ACTIVITY UPDATE

Jobs Announced	Apps Received	Status
Communications Officer	66	Applications are being reviewed. Written test – August 17 and Oral Board Interview – August 31

Training

Leadership Academy

First Wednesday of every month 8-10 a.m. Jan.-Dec. 2009

August 4 – Presentation: Tom Turley from the State of Alabama Archives and History Department: Reported on Policies of the Retention of City and Public Records

Leadership Academy Makeup Sessions (from missed 2008 sessions)

First Thursday of every month 8-10 a.m. March –August, 2009

August 6 - Last Make-up session! Safety and Workers' Comp.

Safety Meetings

8:15 a.m. Jan.-Dec. 2009

Last Wednesday of every month

July 22, 2009 Safety Committee meeting – Gave out Cooling Bandanas for Public Work' dept. employees; Heat Stress training for Public Works department. Additional discussion next meeting: City Employee Exposure Plan for contact with hazardous material and guideline for safety violation incidents.

Note: Next Safety meeting on August 26, 2009

Projects Completed:

Employee Benefits and Wellness Fair on July 29, 2009. Gifts were provided from vendors and sponsors for drawings - all employees received at least one gift. We had 57 vendors registered for the fair. The recipient of the free vendor booth for next year is Springhill Memorial. For the first time, the food was not catered and our employees prepared the meal! This year Wal-Mart donated a gas grill for the grand prize.

Human Resources Department
P.O. Box 400 Daphne, Alabama 36526
Phone: (251) 621-3078 Fax: (251) 621-4506

* From: burnam4@bellsouth.net
Sent: Friday, August 07, 2009 7:30 AM
To: Captain Daniel Bell; August A. Palumbo; Derek Boulware
Cc: Chief David Carpenter; Suzanne Henson
Subject: Re:

* Sounds good to me as well.

Suzanne

From: boulware6@bellsouth.net
Sent: Thursday, August 06, 2009 9:16 PM
To: palumbo7@bellsouth.net; dbell@daphnepolice.org; burnam4@bellsouth.net; boulware6@bellsouth.net; dcarpenter@daphnepolice.org; hensonsm@bellsouth.net
Subject: Re: your mail

* I agree.

Derek

Original Message:

From: palumbo7@bellsouth.net
Date: Fri, 07 Aug 2009 02:07:26 +0000
To: dbell@daphnepolice.org, burnam4@bellsouth.net, boulware6@bellsouth.net, dcarpenter@daphnepolice.org, hensonsm@bellsouth.net
Subject: Re: your mail

I would recommend the appropriation at the Public Safety committee and have no problem sending this directly to the Finance Committee with a favorable recommendation.

* August A. Palumbo
President pro tempore
Daphne City Council

----- Original message from "Captain Daniel Bell"
<dbell@daphnepolice.org>: -----

* Public Safety Committee

On July 12, 2009 a patrol car was involved in an accident and totaled. I have attached a letter detailing the circumstances of the accident, the amount provided by the insurance company, and the remaining balance to purchase a replacement patrol car. The insurance companies involved, have dragged this matter out for some time. I am asking for your approval to take this matter to the finance committee on 8-10-2009. It is my intention to have this for the next council meeting on 8-17-2009. Unfortunately, the next public safety meeting will be after the finance meeting and should I delay getting this to the finance committee I could be looking at another delay. The state contract for police cars is open and we can order another car should this be approved. The window for ordering police cars is limited, forcing me to expedite this request for funding to replace a totaled police car.

Please call or respond to this email with your decision. I have included my cell number should you have any questions. I will be attending the public safety meeting on 8-12-2009 to discuss this further if needed. Thank you.

Cell # 680-5519

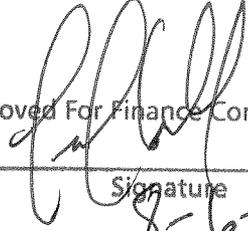
* Daniel Bell
Captain
Field Operations
Daphne Police Department
1502 U.S. Highway 98 Daphne AL.36526

**Daphne Police
Department**



Internal Letter

Approved For Finance Comm. Agenda



Signature
8-6-09

Date

To: Chief David Carpenter
Public Safety Committee
Finance Committee

From: Captain Daniel Bell 

Date: August 5, 2009

Subject: Replacement Vehicle
needed for totaled Police
Car #103

On July 12, 2009 a Daphne Police Car (vehicle 103) was damaged when it was involved in a traffic accident. The accident was caused by the other driver who ran through a stop sign. The traffic accident investigation concluded that the officer did not contribute to this accident nor was there anything the officer could have done to prevent this accident. The involved police car had the new digital video camera system installed two days prior to this accident. This video system is equipped with an impact sensor that automatically activates the system upon impact. This video system is also equipped with pre-event recording that enables this video system to record 30 seconds prior to activation. In short, this video was reviewed and the video shows everything leading up to the accident, the collision, and everything that occurred after the accident until the system was deactivated. This recording included information such as speed, direction, application of brakes, and impact. This video was the primary piece of evidence that indisputably showed the officer did nothing wrong nor could the officer have prevented this accident.

The damaged police car was a 2003 Ford Crown Victoria fleet number 103. The city insurance company (EMC) originally considered the police car repairable. The cost to repair vehicle 103 was estimated at \$3,972.00 by Cockrell's Body Shop and \$3,843.40 by Jubilee Paint and Body. The police car was taken to Jubilee to be repaired and the city received payment for those repairs from the city insurance provider. All State Insurance company represented the other driver and All State Insurance stopped the repairs saying the police car was totaled. The city insurance company agreed and police car 103 was considered totaled. Once a vehicle is considered totaled it can not be fixed unless specific title changes take place. Police car 103 is considered totaled and no longer useable by the city.

The police car equipment from 103 that was not damaged will be removed and can be used to equip the replacement car. The replacement cost has been reduced by using this older existing equipment from vehicle 103. An additional cost for the push bumper, center console, window barriers, computer stand, and prisoner transport seat is recommended as all the newer police cars are similarly equipped.

**Daphne Police
Department**



Internal Letter

The city insurance company provided a dollar amount of \$6,892.00 for totaling police car 103. Additional costs were incurred by the city and those costs were listed and justification provided. The city insurance company increased their final dollar amount to \$7,162 for totaling police car 103. The city insurance company denied several justified costs that would be incurred by the city as a result of this accident. The reason for denying the additional costs was that the city did not have that coverage on the city policy. I disagreed with their reasons and explained that I considered the city insurance coverage irrelevant as this claim should be made against All State and it should be All State insurance company's decision to pay the additional costs related to this accident. The city insurance company overruled me and I was informed by finance that the city insurance company would not ask for anything above what the city insurance policy covered.

The city insurance company (EMC) denied the following additional costs:

Mileage: (DENIED)

The specific mileage is listed and comes to 705 miles as of 8-3-09. This number is expected to increase until this claim is resolved. The request for mileage is due to the additional mileage, wear, and tear placed on another patrol car that had to be utilized while vehicle 103 was not available. This increase in mileage on another patrol car relates to an increased operating expense for the city. I would think under different circumstances the insurance company would provide a rental while a vehicle is being replaced or while a claim is being decided. Due to this involving a police vehicle we are not able to use a rental but the increased operating costs is incurred by the city with the additional mileage placed on another police car.

A reasonable number should be used to calculate the cost as a police car has a lot of forced idling time. The mileage placed on a police car is minor when compared to the idle time of the car just running. The idle time is due to limiting electronic systems powering up and down, officers sitting stationary observing traffic, officers at a location with emergency lights on, and in-car video systems recording while officers are resolving disputes and/or complaints.

Total Requested \$????

- 7/20: Car #200: 90 miles, 12 hours
- 7/21: Car #200: 105 miles, 12 hours
- 7/24: Car #200: 105 miles, 12 hours
- 7/25: Car #200: 110 miles, 12 hours
- 7/26: Car #200: 90 miles, 9.5 hours
- 7/29: Car #300: 115 miles, 12 hours
- 7/30: Car #300: 90 miles, 12 hours
- Total: 705 miles, 81.5 hours



Transfer Kit: (DENIED)

A transfer kit must be purchased to place a cage from a 2003 model vehicle into a newer model vehicle. Each year the police cars may change and the prisoner cages must be secured to specific locations within that police car. Those locations change over time and require a transfer kit unless a new cage is purchased for a new car. As this is not a budgeted item I am unable to justify the cost of a new cage and will require the transfer kit.

Total Requested: \$200.00

Fleet Management: (DENIED)

One of my duties for the Daphne Police Department is managing the department fleet. I believe the city should be reimbursed for my time related to this accident. As detailed in previous correspondences there are a lot of paid hours involved in totaling a police department vehicle.

Obtaining a replacement police vehicle is also time consuming and would not be required had this accident not occurred. A considerable amount of time is spent justifying the approval of funds needed to purchase a replacement vehicle. I believe all of my time spent working on the accident, related documents, totaling vehicle 103, and obtaining a replacement vehicle should be considered when settling this case. Had this accident not occurred my time would have been spent doing other police duties.

COSTS ASSOCIATED WITH REPLACEMENT VEHICLE

\$22,100.00	<i>New Police Car</i>
\$0.00	Existing Police Car Equipment from Vehicle 103
\$584.00	Painting and Striping New Police Car
\$194.25	Push Bumper
\$427.40	Prisoner Transport Rear Seat – Biohazard
\$203.60	Center Console
\$43.88	Headlight Flashers
\$149.40	Window Barriers
\$338.03	Computer Stand
\$500.00	Shop Supplies, Cables, Connectors, etc.
\$24,540.56	Total Costs for Replacement (using existing equipment)
<u>\$7,162.00</u>	Amount from the insurance company for the totaled police car.
\$17,378.56	Remaining balance needed from the city to purchase replacement.

City of Daphne Potential Grant Projects

Actions needed by Finance Committee: recommendation to the Council in resolution form to allow the Mayor to sign grant applications and to appropriate funds for the grants.

FEMA Stormwater Management Project

FEMA Common Detention Project Cost	\$125,000.00
City Match 25% _____	\$ 31,250.00
FEMA Portion	\$ 93,750.00

FEMA Repetitive Loss

FEMA Repetitive Loss (140 Lakeview Loop Buy Out Total) Cost	\$255,000.00
City Match 25% _____	\$ 63, 750.00
City Match 12.5% In-kind Tear down	\$ 31, 875.00
City Match 12.5% Cash-	\$ 31, 875.00
FEMA Portion	\$191,250.00

FEMA Nicole Project

FEMA Nicole Circle Project Cost (including engineering)	\$410,000.00
City Cash Match 25% _____	\$102,500.00
FEMA Portion	\$307,500.00

US EPA Stag Grant Stormwater Structure Inventory/Database

Stag Grant Project Cost (Hardware & Software)	\$367,880.00
City In-kind Match 45%	\$165,546.00
USEPA Portion	\$202,334.00



Hatch Mott MacDonald

Incorporating
Gatlin Hudson Architects

Hatch Mott MacDonald
805 Daphne Avenue PO Box 1290
Daphne, AL 36526
T 251.626.5514 www.hatchmott.com

August 5, 2009

Mr. William H. Eady, Director
City of Daphne Public Works
P.O. Box 400
Daphne, Alabama 36526

Re: Nicole Place Design Proposal

Dear Mr. Eady:

As you are aware, HMM has assisted the City of Daphne with review of flooding that occurred on Nicole Place during rain events on March 28 of this year. The city documented six (6) homes in this area that were impacted by flooding damage during these rain events. We have also met with FEMA representatives at the site to assist in determining the proper funding mechanism for improvements needed to mitigate flooding of these homes in future rain events. Through these efforts, a funding source has been identified along with specific engineering documents that will be required to be submitted with the application. The enclosed proposal provides for this information as well as design plans that will allow the bidding and construction of the needed improvements.

Our proposal encompasses all tasks that will be required to insure that accurate and verifiable information is presented to FEMA during the application process. These items include the survey and each of the three tasks for the Preliminary Engineering and FEMA Grant Assistance portion of this proposal.

Our proposal also includes the full construction plans and specifications for the project once it has been funded. These items will only be necessary when funding is approved and the project moves to a final design stage. We have included construction administration services that will be needed to insure compliance with the design plans and contract documents. All as-built plans will be prepared under this item and provided to the city upon project completion. We can provide resident inspection on an hourly basis if necessary.



Hatch Mott
MacDonald

Please review this proposal and forward it to the appropriate council committee for consideration. If you have any questions about this proposal, please contact me at the numbers listed below. We look forward to working with you and the City of Daphne on this project and you can be assured that Hatch Mott MacDonald will provide premium professional services to your city with an emphasis on quality.

Very Truly Yours,


John W. Peterson, PE
Senior Project Engineer


Kendall L. Kilpatrick, PE
Subdivision Manager



Nicole Place Drainage:
FEMA Hazard Mitigation Grant Project

SURVEYING TASKS

TASK 1 – Site Topographical Survey

The survey will include establishing a USGS elevation at the site using GPS, obtain elevations at the corners of existing residences and spot elevations to determine direction of water flow, obtain elevations along Nicole Place at 50'+/- intervals, and detail all existing drainage structures that drain to the outlet in to Tom's Cove of the Lake Forest Lake up to and including the Highway 90 crossings. We will locate a sufficient number of property corners to show boundary lines using the recorded plat.

We will furnish you with 4 certified copies of the survey plat. The survey and plat will be completed within three weeks of authorization to proceed.

Total for Task 1 - \$5,700.00

Total Estimated Fee for Surveying Tasks 1 = \$5,700.00

**PRELIMINARY ENGINEERING TASKS AND FEMA GRANT
APPLICATION ASSISTANCE**

TASK 1 – Basin Determinations and Drainage Infrastructure

We will prepare a master plan of the existing Nicole Place Drainage system utilizing the survey provided in this proposal. We will determine from county and city data, the existing drainage basins and watersheds entering the drainage system. This system will be mapped and prepared for modeling in hydrologic and hydraulic software. The drainage will be overlaid on the county aerial photography for presentation to FEMA.

Total for Task 1 - \$1,500.00



TASK 2 – Calculations

This task will include preparation of detailed stormwater calculations for the existing and proposed drainage systems. The systems will be modeled for the 2, 5, 10, 25, 50 and 100-year rainfall events. A stormwater report will be prepared that analyzes the existing storm system and notes all deficient segments and flooding issues. The report will also provide detailed analysis of proposed drainage systems to insure that flooding is alleviated in the affected area.

All reports will be peer reviewed under Hatch Mott MacDonald's QA/QC program to produce reports of highest quality and professional competence. These reports will be included in the FEMA application as required.

Total for Task 2- \$5,000.00

TASK 3 – FEMA Grant Application assistance

This task will include the assimilation of calculations, maps, and project scope write ups into the specific sections of the FEMA Hazard Mitigation Grant Application to insure that the City of Daphne provides information required for such grant programs applications. Specifically, HMM will provide information in sufficient engineering detail for the following sections of the Hazard Mitigation Grant Project Application:

- Section III- Project Description
- Section IV- Project Location
- Section V- Scope of Work/Budget

Additional sections of the application will be prepared by the city staff and HMM will assist with compiling required engineering information for those additional sections. These sections include:

- Planning Requirement
- History of Hazards
- Cost-Benefit Analysis
- Alternative Actions
- Environmental Documents



Hatch Mott
MacDonald

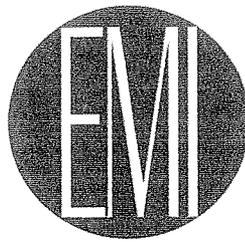
Hatch Mott MacDonald intends to provide assistance only in these areas by supplying and compiling data from the engineering and surveying services performed under this proposal.

Total for Task 3 - \$3,000.00

Total Estimated Fee for Preliminary Engineering Tasks 1-3 = \$9,500.00

5,700.00

15,200.00



10,000 Budgeted

Ecumenical
Ministries, Inc.

*A comprehensive social service agency
partnering with South Baldwin United Way*

June 8, 2009

The Honorable Fred Small
City of Daphne
1705 Main Street
Daphne, AL 36536

Dear Mayor Small,

Once again we sincerely thank you for Daphne's continued support of the efforts of Ecumenical Ministries. We are truly grateful for the assistance you've given in the past. Because we serve many of the citizens of Daphne, we come to you each year for financial backing to continue the work of Emergency Aid, Meals on Wheels, Home Repair, Christmas Sharing, Prescription Assistance and other EMI programs. This year as in 2007, we respectfully request an appropriation of \$10,000.

As you know, our agency is dedicated to helping those in our community that are low income wage earners, the elderly and disabled living on a fixed income as well as neighbors that experience an unexpected hardship and have no place to turn for help. We interview each client and make every effort to assist those with real honest needs. The economic downturn has made it even more difficult from some of these families on the edge.

Our operating budget is \$562,000. Most contributions come from individual donors, United Way (\$70,000), local churches with the remaining funds coming from business, civic organizations, local and county governments, grants/foundations, EMMY's Thrift Shop and Chili for Charity, our annual fundraiser.

P.O. Box 1103 • Fairhope, AL
36533

102 Spruce Avenue • Foley, AL
36535

BOARD OF DIRECTORS

Dr. C. Richard
Stewart
President
Montrose

Carol Stickney
Secretary/Treasurer
Montrose

Jaline Bradley
Board Member
Fairhope

Nancy Fontenot
Board Member
Fairhope

Sarah Henderson
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Point Clear

Dr. Jeanne Maes
Board Member
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Tim Simmonds
Vice President
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Dr. Steve Lyrene
Board Member
Silver Hill

Dr. Phillip Norri³⁸
Board Member
Fairhope

Melissa Thomas
Board Member
Fairhope

Phillip Webb
Board Member
Fairhope

Rev. William Brown
Board Member
Stockton

(2)

As always, I have attached a year end report showing the funds spent in helping our Daphne neighbors and have also included our latest annual report. If you have any questions or need additional information, please call me at 928-3430. Thank you again for your consideration.

Sincerely,



Sally Deane
Interim Executive Director



Darlene Smith
Community Liaison

cc:

Kim Briley, Finance Director
The Honorable Cathy Barnette
The Honorable Greg Burnam
The Honorable John Lake
The Honorable Derek Boulware
The Honorable August Palumbo
The Honorable Ron Scott
The Honorable Bailey Yelding, Jr.

(3)

Daphne Community Totals
Ecumenical Ministries, Inc.
June 2008 – May 2009

EMI Christmas Sharing

16 gift requests for elderly clients	\$ 800 (16 x \$50)
149 children's gifts	<u>\$14,900 (149 x \$100)</u>
-	
-	
TOTAL	\$15,700

EMI Emergency Aid

Services to 219 families/individuals
(Assistance with rent/mortgage payments, temporary housing, utilities, food, furniture,
clothing, child care expenses, gasoline, medical and dental expenses.)

Aid for 219 clients	\$23,487
Food pantry donations	<u>\$ 7,780</u>
TOTAL	\$ 31,267

Meals on Wheels

17 Daphne clients
233 meals delivered each week (delivered by volunteers 5 days a week)
2,796 meals delivered each year
\$3.50 – cost of each meal (some are paid for by clients others subsidized)

TOTAL \$ 8,155

(4)

EMI Home Repair Projects

1) Madelyn Mitchell	\$8,124
2) Inez Bertagnalli	<u>\$ 600</u>
TOTAL	\$ 8,724

GRAND TOTAL \$63,846

August 5, 2009

Mayor Fred Small
Post Office Box 400
Daphne, Alabama 36526

VIA EMAIL

RE: Request for the City to Donate to the American Heart Association

Dear Mayor Small,

First, I want to thank you for allowing me to meet with you last Thursday morning. Your attention to the everyday needs of your citizens never goes unnoticed, and I am extremely appreciative of your time.

As you know, the American Heart Association organizes an annual Heart Walk and this year's walk is right around the corner! The event takes place on September 20, 2009 at 1:00 p.m. at 5 Rivers Resource Center. Between now and then, residents of both Mobile and Baldwin Counties are scurrying to raise as much money as possible to assist the American Heart Association in its fight against heart disease and stroke – our nation's #1 and #3 killers. Participants are forming teams, holding fundraisers, and engaging in letter-writing campaigns in attempt to gather donations. I would like to ask your help in raising these funds.

I am aware of the many steps that the City has taken to reduce needless spending in an effort to conserve our city's economic resources. I, along with many other citizens, applaud your efforts. However, I assure that this cause does not come anywhere close to being categorized as "frivolous spending." Of course there are obvious reasons for donating to the American Heart Association, namely those reasons discussed on my first attachment, "If there was no American Heart Association." However, I would like to turn your attention to how the American Heat Association gives back directly to the citizens of Daphne.

When the Mobile chapter of the American Heart Association receives funds it begins disbursing those funds in our area. In particular, a large portion of the funds are given to the University of South Alabama for medical research and education. In turn, the University of South Alabama disburses funds to local hospitals, including but not limited to, Mobile Infirmary and Thomas Hospital. These are the facilities providing healthcare to our citizens; this is where we go when we or our children are sick! By donating funds to the American Heart Association, we are aiding local universities and hospitals in their attempts to keep us all healthy.

Additionally, the American Heart Association is responsible for the development of automated external defibrillators (AEDs). The Heart Association raises funds to ensure that AEDs are in public places. Specific to our area, in South Baldwin County the Heart Association has just completed our special appeal commitment. Every first responder and police vehicle from Robertsdale south has an AED. In Mobile, they are working to get AEDs in all of the vehicles used by the Mobile County Sheriff's Office. The staff at the Mobile chapter will not stop until they have done this in the entire Alabama Gulf Coast.

I also encourage you to consider the large number of Daphne citizens who have already committed to participating in this year's Heart Walk. Please see my second attachment, "Gulf Coast Heart Walk – Daphne Residents," as it lists almost 90 participants for this year's Heart Walk that live right here in Daphne, and who I know would support the City's decision to donate to the American Heart Association. This list was generated on July 29, 2009 so I am confident that more citizens have been added to this list by the time you read my letter.

As you can see, a donation to the American Heart Association would not be "frivolous spending," but rather an *investment* in our community's health and well-being. I am asking that the City of Daphne give five hundred dollars (\$500.00) to the American Heart Association. I am not an employee of the American Heart Association, but simply a Daphne resident asking for support. This cause is very important to me, and I know that so many of my fellow citizens share my enthusiasm. 

I would appreciate the chance to further discuss this with you, as well as any other city officials that you deem appropriate. I understand that this matter may need to be addressed by the Finance Committee, and therefore hope that you will place this request on the agenda for their meeting on August 10, 2009. If I can be of any further assistance please let me know.

Respectfully,

Amanda L. Jordan
alj.jordan@gmail.com
770-827-9781



If there was no American Heart Association

- No Lives saved by CPR because AHA science is responsible for the guidelines that **all** CPR courses are based on.
- No assistance for individuals in the grocery stores as they shop for heart healthy foods because it was AHA who lobbied the FDA to add nutrition info on foods and the AHA that now identifies and labels foods low in fat, sodium and calories.
- No AEDs in public places because AHA science was responsible for the development of AEDs and the AHA lead the efforts to educate the public about sudden cardiac arrest and the need for rapid response using AEDs.
- No bypass surgery because it was AHA science that lead to the development of the heart lung machine that makes bypass surgery possible
- Little or no use of TPa for stroke patients because it was the AHA who worked with the Centers for Medicare/Medicaid to increase the reimbursement to hospitals from \$ 700 to \$7000/\$9000 making it feasible for hospitals to use the treatment.
- No guidelines for the treatment of CVD and stroke patients because it is through AHA science, review and professional writing groups that the guidelines are developed.
- No state and local ordinances for smoke free workplaces, restaurants or public places as the AHA works with other non profits and local and state officials to ensure that our children do not have to breathe second hand smoke.
- No requirement for healthy snack choices in our schools
- No meaningful requirement for PE in our schools
- No unified educational effort to educate women and health care professionals about the leading cause of death in women – heart disease.

Every time a person in Mobile

- Goes to their medicine cabinet, the AHA is there in the medicines they take
- Calls 911, the AHA is there inside the ambulance in the response time, the procedures followed, the equipment in the ambulance that is used and the treatment they receive.
- Goes to the hospital, the AHA is there in the guidelines by which they are treated, the procedures followed, the equipment that is used and the education with which they are discharged.
- Goes to the grocery store, the AHA is there to help them make smart choices about the foods they choose for their family.
- Goes to school, the AHA is there in the snacks offered to them and the PE options provided to them to prevent obesity.
- Goes to a smoke free restaurant or office, the AHA is there providing a safer environment for families.
- Takes a trip on a plane, the AHA is there in the AED that is on board and the CPR courses taught to the flight attendants and pilots.
- Turns on their computer looking for answers to questions about CVD and stroke, the AHA is there with the latest and most comprehensive information.
- The AHA is an anywhere, anytime, anyone organization that invests the dollars entrusted to us by our donors into the science, translation, program development and educational efforts that will make the biggest difference for all people.

**CITY OF DAPHNE, ALABAMA
BID SPECIFICATIONS**

**2009-W-HYDRAULIC KNUCKLEBOOM BRUSH AND LIMB LOADER
WITH DUMP BODY, AND CHASSIS**

**BIDDER SHALL COMPLETE BY CHECKING THE FOLLOWING.
IF NOT COMPLIANT, STATE SPECIFICALLY ITEM BEING OFFERED.**

.....
VIII. **QUALITY OF MATERIAL**

 The City of Daphne reserves the right to determine if equivalent products offered meet the standards and specifications desired. *Where a specific brand is noted, all bidders should be aware that the brand name is used to indicate the desired quality and performance of the product that is desired.*

IX. **SPECIFICATIONS**

 The following is a minimum specification Current literature, manuals and specifications must be included in the bid submittal to determine exact bid. Bids which do not meet, prove equal to, or exceed all of these minimum required specifications are subject to rejection. Bidders stating "equal to" or "exceeds" on an individual specification must provide documentation to support that statement. Failure to submit required documentation may result in rejection of the bid.

This form must be correctly completed and returned in order to constitute a valid bid, including the signature of an authorized company representative. Failure to do this will subject your bid to rejection. All answers marked "NO" is an exception and must be fully explained.

2009-T-DUAL SIDE LOADING RECYCLE TRUCK

Empire Truck Sales LLC

	Amount \$	Total Term Lease Pymnts \$	Interest Rate %	Purchase Qty	Total Annual Cost \$	Total Cost (if purch before 12/31/09)
Purchase Cost:	\$ 149,481.00			2		\$ 298,962.00
Lease (Annual Pymnt) - 36 Months:		\$ 51,497.84	3.34%	2	\$ 102,995.68	\$ 308,987.04
Lease (Annual Pymnt) - 48 Months:		\$ 39,260.16	3.34%	2	\$ 78,520.32	\$ 314,081.28
Lease (Annual Pymnt) - 60 Months:		\$ 31,922.99	3.39%	2	\$ 63,845.98	\$ 319,229.90

2009-U-16 CY AUTOMATED SIDE LOADING TRUCK WITH REFUSE COLLECTION BODY

Kenworth of Birmingham

	Amount \$	Total Term Lease Pymnts \$	Interest Rate %	Purchase Qty	Total Annual Cost \$	Total Cost (if purch before 12/31/09)
Purchase Cost:	\$ 160,000.00			1		\$ 160,000.00
Lease (Annual Pymnt) - 36 Months:		\$ 55,121.75	3.34%	1	\$ 55,121.75	\$ 165,365.25
Lease (Annual Pymnt) - 48 Months:		\$ 42,022.90	3.34%	1	\$ 42,022.90	\$ 168,091.60
Lease (Annual Pymnt) - 60 Months:		\$ 34,169.41	3.39%	1	\$ 34,169.41	\$ 170,847.05

2009-V-22CUBIC YARD HIGH COMPACTION AUTOMATED REFUSE COLLECTION TRUCK

Ingram Equipment

	Amount \$	Total Term Lease Pymnts \$	Interest Rate %	Purchase Qty	Total Annual Cost \$	Total Cost (if purch before 12/31/09)
Purchase Cost:	\$ 213,548.45			2		\$ 427,096.90
Lease (Annual Pymnt) - 36 Months:		\$ 73,569.77	3.34%	2	\$ 147,139.54	\$ 441,418.62
Lease (Annual Pymnt) - 48 Months:		\$ 56,087.03	3.34%	2	\$ 112,174.06	\$ 448,696.24
Lease (Annual Pymnt) - 60 Months:		\$ 45,605.16	3.39%	2	\$ 91,210.32	\$ 456,051.60

2009-W-HYDRAULIC KNUCKLEBOOM BRUSH & LIMB LOADER WITH DUMP BODY & CHASSIS

Empire Truck Sales LLC

	Amount Ea \$	Total Term Lease Pymnts Ea \$	Interest Rate %	Purchase Qty	Total Annual Cost \$	Total Cost (if purch before 12/31/09)
Purchase Cost:	\$ 117,900.00			3		\$ 353,700.00
Lease (Annual Pymnt) - 36 Months:		\$ 40,617.84	3.34%	3	\$ 121,853.52	\$ 365,560.56
Lease (Annual Pymnt) - 48 Months:		\$ 30,965.62	3.34%	3	\$ 92,896.86	\$ 371,587.44
Lease (Annual Pymnt) - 60 Months:		\$ 25,178.59	3.39%	3	\$ 75,535.77	\$ 377,678.85

2009-X-STREET SWEEPER

Ingram Equipment

	Amount \$	Total Term Lease Pymnts \$	Interest Rate %	Purchase Qty	Total Annual Cost \$	Total Cost (if purch before 12/31/09)
Purchase Cost:	\$ 146,677.58			1		\$ 146,677.58
Lease (Annual Pymnt) - 36 Months:		\$ 50,211.33	2.75%	1	\$ 50,211.33	\$ 150,633.99
Lease (Annual Pymnt) - 48 Months:		\$ 38,253.87	2.90%	1	\$ 38,253.87	\$ 153,015.48
Lease (Annual Pymnt) - 60 Months:		\$ 31,151.34	3.10%	1	\$ 31,151.34	\$ 155,756.70

					TOTAL PURCHASE	\$ 1,386,436.48
TOTAL TRUCKS @ 60 MOS LEASE				9	\$ 295,912.82	\$ 1,479,564.10
TOTAL TRUCKS @ 48 MOS LEASE					\$ 363,868.01	\$ 1,455,472.04
TOTAL TRUCKS @ 36 MOS LEASE					\$ 477,321.82	\$ 1,431,965.46
TOTAL TRCKS @ 48 MOS&Recy @ 36Mos					\$ 388,343.37	\$ 1,450,377.80

Fred Small
Mayor

David Cohen
City Clerk

Kimberly Briley
Finance Director/Treasurer

William H. Eady, Sr.
Director of Public Works



Bailey Yelding, Jr.
District 1

Cathy Barnette
District 2

John L. Lake
District 3

Greg W. Burnam
District 4

Ronald Scott
District 5

Derrick Boulware
District 6

August Palumbo
District 7

To: Suzanne Henson
Senior Accountant

From: William H. Eady, Sr.
Director of Public Works

Date: August 5, 2009

Re: 2009-T-Dual Side Loading Recycle Truck

After careful review, we are in favor of awarding the bid for the 2009-T-Dual Side Loading Recycle Truck to Empire Truck Sales. They were the low bidder at \$149,481.00.

Please contact me should you have any questions.

WHE:swc

**2009-T-DUAL SIDE LOADING RECYCLE TRUCK
AUGUST 4, 2009
2:00 P.M. @ CITY HALL**

Those present were as follows:

Suzanne Henson
Bill Eady
Melvin McCarley
Buck Conoway
Duke Crutchfield
Denise Penry
Corrie Keich
Fred Small

Senior Accountant-Finance
Public Works Director
Public Works Superintendent
Garbage/Recycling Supervisor
Mechanical Supervisor
PW Accountant
BidBridge Consultant
Mayor

- 2 no bids

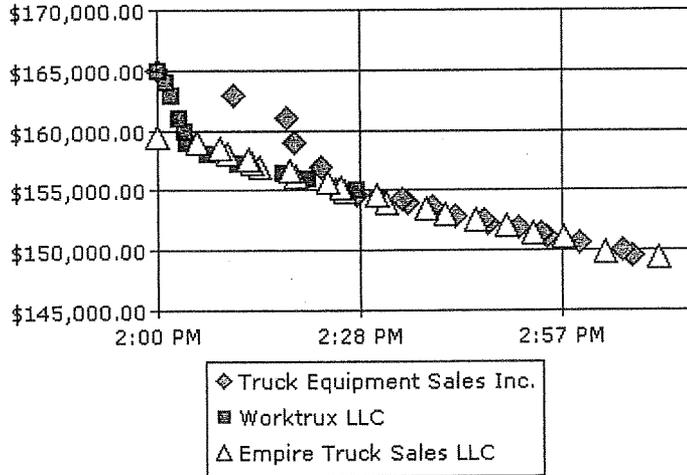
39 bid invitations were mailed/picked up, 6 sealed bid spec packages were received. 3 bids were qualified. 3 bids were bid online.

Dual Side Loading Recycling Truck

One 2009 Dual Side Loading Recycling Truck - Purchase Cost per Unit

Rank	Bidder	Initial Bid	Final Bid	# of Bids
1	Empire Truck Sales LLC	\$159,481.00	\$149,481.00	22
2	Truck Equipment Sales Inc.	\$165,000.02	\$149,625.02	20
3	Worktrux LLC	\$164,998.00	\$154,300.00	12

Number of Bids	54
1st Place TurnOvers	31
Est. Bid Ceiling	n/a
Est. Bid Decrement	\$350.00
Avg. Bid Decrement	\$752.65
Avg. Time Between Bids	1mins 28secs
High-Low Spread % 1st-2nd:	0.10 %
High-Low Spread % Total:	3.12 %
Extension Count:	32



One 2009 Dual Side Loading Recycling Truck - Purchase Cost per Unit

Rank	Company	Value	Date/Time
1	Empire Truck Sales LLC	\$149,481.00	8/4/2009 3:11:28 PM
2	Truck Equipment Sales Inc.	\$149,625.02	8/4/2009 3:07:30 PM
3	Worktrux LLC	\$154,300.00	8/4/2009 2:31:19 PM

36 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	Truck Equipment Sales Inc.	3.34 %	8/4/2009 3:07:30 PM
1	Empire Truck Sales LLC	3.34 %	8/4/2009 3:11:28 PM
2	Worktrux LLC	6.89 %	8/4/2009 2:31:19 PM

48 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	Truck Equipment Sales Inc.	3.34 %	8/4/2009 3:07:30 PM
1	Empire Truck Sales LLC	3.34 %	8/4/2009 3:11:28 PM
2	Worktrux LLC	6.45 %	8/4/2009 2:31:19 PM

60 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	Truck Equipment Sales Inc.	3.39 %	8/4/2009 3:07:30 PM
1	Empire Truck Sales LLC	3.39 %	8/4/2009 3:11:28 PM
2	Worktrux LLC	6.29 %	8/4/2009 2:31:19 PM

Fred Small
Mayor

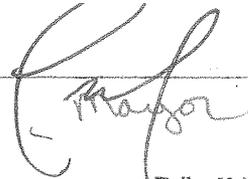
David Cohen
City Clerk

Kimberly Briley
Finance Director/Treasurer

William H. Eady, Sr.
Director of Public Works


Daphne
ALABAMA

The Jubilee City


Daily Yelding, Jr.
District 1

Cathy Barnette
District 2

John L. Lake
District 3

Greg W. Burnam
District 4

Ronald Scott
District 5

Derrick Boulware
District 6

Armond Palmbe
District 7

To: Suzanne Henson
Senior Accountant

From: William H. Eady, Sr.
Director of Public Works

Date: July 24, 2009

Re: 2009-T-Dual Side Loading Recycle Truck

After careful review by myself, Melvin McCarley (Public Works Superintendent), Buck Conaway (Solid Waste Supervisor) and Duke Crutchfield (Mechanical Maintenance Supervisor), we are in favor of accepting bids for 2009-T-Dual Side Loading Recycle Truck from Empire Trucks and Truck Equipment Sales (both options), Empire Truck Sales and WorkTrux.

Volvo of Mobile did not meet specifications (including, but not limited to the following):

- Suspension, R&R spring singles (front suspension) did not meet specifications
- Suspension, R&R spring singles (rear suspension) did not meet specifications
- Truck is not heavy enough to carry the required load

Please contact me should you have any questions.

WHE:swc

Fred Small
Mayor

David Cohen
City Clerk

Kimberly Briley
Finance Director/Treasurer

William H. Eady, Sr.
Director of Public Works



Bailey Yelding, Jr.
District 1

Cathy Barnette
District 2

John L. Lake
District 3

Greg W. Burnam
District 4

Ronald Scott
District 5

Derrick Boulware
District 6

August Palumbo
District 7

To: Suzanne Henson
Senior Accountant

From: William H. Eady, Sr.
Director of Public Works

Date: August 5, 2009

Re: 2009-U-16 Cubic Yard Automated Side Loading Truck With Refuse Collection Body

After careful review, we are in favor of awarding the bid for 2009-U-16 Cubic Yard Automated Side Loading Truck with Refuse Collection Body to Kenworth of Birmingham. They were the low bidder at \$160,000.00.

Please contact me should you have any questions.

WHE:swc

CITY OF DAPHNE

2009-U-16 CUBIC AUTOMATED SIDE LOADING TRUCK WITH REFUSE COLLECTION BODY

AUGUST 4, 2009
2:00 P.M. @ CITY HALL

Those present were as follows:

Suzanne Henson
Bill Eady
Melvin McCarley
Buck Conoway
Duke Crutchfield
Denise Penry
Corrie Keich
Fred Small

Senior Accountant-Finance
Public Works Director
Public Works Superintendent
Garbage/Recycling Supervisor
Mechanical Supervisor
PW Accountant
BidBridge Consultant
Mayor

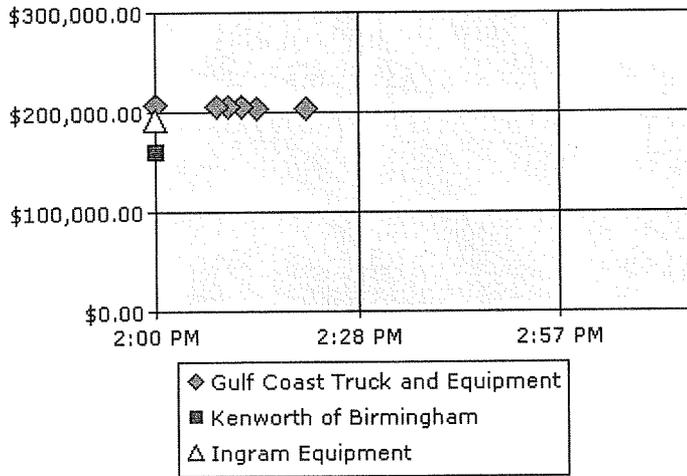
39 bid invitations were mailed/picked up , 5 sealed bid spec packages were received. 3 bids were qualified. 3 bids were bid online.

Started: 8/4/2009 2:00 PM
Ended: 8/4/2009 3:16 PM

16 Cubic Yard Automated Side Loading Refuse Truck

One 2009 16 Cubic Yard Automated Side Loading Refuse Truck - Purchase Cost per Unit

Rank	Bidder	Initial Bid	Final Bid	# of Bids
1	Kenworth of Birmingham	\$160,000.00	\$160,000.00	1
2	Ingram Equipment	\$192,065.57	\$192,065.57	1
3	Gulf Coast Truck and Equipment	\$206,865.20	\$203,890.20	6



Number of Bids	8
1st Place TurnOvers	0
Est. Bid Ceiling	n/a
Est. Bid Decrement	\$400.00
Avg. Bid Decrement	\$198.33
Avg. Time Between Bids	12mins 44secs
High-Low Spread % 1st-2nd:	16.70 %
High-Low Spread % Total:	21.53 %
Extension Count:	32

16 Cubic Yard Automated Side Loading Refuse Truck

One 2009 16 Cubic Yard Automated Side Loading Refuse Truck - Purchase Cost per Unit

Rank	Company	Value	Date/Time
1	Kenworth of Birmingham	\$160,000.00	8/4/2009 8:16:31 AM
2	Ingram Equipment	\$192,065.57	8/4/2009 2:21:22 PM
3	Gulf Coast Truck and Equipment	\$203,890.20	8/4/2009 2:22:03 PM

36 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	Kenworth of Birmingham	3.34 %	8/4/2009 8:16:31 AM
1	Ingram Equipment	3.34 %	8/4/2009 2:21:22 PM
1	Gulf Coast Truck and Equipment	3.34 %	8/4/2009 2:22:03 PM

48 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	Kenworth of Birmingham	3.34 %	8/4/2009 8:16:31 AM
1	Ingram Equipment	3.34 %	8/4/2009 2:21:22 PM
1	Gulf Coast Truck and Equipment	3.34 %	8/4/2009 2:22:03 PM

60 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	Kenworth of Birmingham	3.39 %	8/4/2009 8:16:31 AM
1	Ingram Equipment	3.39 %	8/4/2009 2:21:22 PM
1	Gulf Coast Truck and Equipment	3.39 %	8/4/2009 2:22:03 PM

Paul Meyer

Fred Small
Mayor

David Cohen
City Clerk

Kimberly Briley
Finance Director/Treasurer

William H. Eady, Sr.
Director of Public Works



The Jubilee City

Bailey Yelding, Jr.
District 1

Cathy Barnette
District 2

John L. Lake
District 3

Greg W. Burnam
District 4

Ronald Scott
District 5

Derrick Boulware
District 6

August Palumbo
District 7

To: Suzanne Hanson
Senior Accountant

From: *William H. Eady Sr.*
Director of Public Works

Date: July 24, 2009

Re: 2009-U-16 Cubic Yard Automated Side Loading Truck With Refuse Collection Body

After careful review by myself, Melvin McCarley (Public Works Superintendent), Buck Conaway (Solid Waste Department Supervisor) and Duke Crutchfield (Mechanical Maintenance Supervisor), we are in favor of accepting bids for 2009-U-16 Cubic Yard Automated Side Loading Truck With Refuse Collection Body from Gulf Coast Truck & Equipment Sales and Kenworth of Birmingham and Ingram Equipment.

Truck Equipment Sales did not meet specifications (including, but not limited to the following):

- Body construction did not meet specifications four separate areas
- Hopper construction did not meet specifications in three areas
- Packing mechanism did not meet specifications
- Lift arm did not meet specifications

Please contact me should you have any questions.

WHE:swc

Fred Small
Mayor

David Cohen
City Clerk

Kimberly Briley
Finance Director/Treasurer

William H. Eady, Sr.
Director of Public Works



Bailey Yelding, Jr.
District 1

Cathy Barnette
District 2

John L. Lake
District 3

Greg W. Burnam
District 4

Ronald Scott
District 5

Derrick Boulware
District 6

August Palumbo
District 7

To: Suzanne Henson
Senior Accountant

From: William H. Eady, Sr.
Director of Public Works

Date: August 5, 2009

Re: 2009-V-22 Cubic Yard High Impaction Automated Refuse Collection Truck

After careful review, we are in favor of awarding the bid for the 2009-V-22 Cubic Yard High Impaction Automated Refuse Collection Truck to Ingram Equipment Sales. They were the low bidder at \$213,548.45.

Please contact me should you have any questions.

WHE:swc

CITY OF DAPHNE
2009-V-22CUBIC YARD HIGH COMPACTION AUTOMATED
REFUSE COLLECTION TRUCK
AUGUST 4, 2009
2:00 P.M. @ CITY HALL

Those present were as follows:

Suzanne Henson
Bill Eady
Melvin McCarley
Buck Conoway
Duke Crutchfield
Denise Penry
Corrie Keich
Fred Small

Senior Accountant-Finance
Public Works Director
Public Works Superintendent
Garbage/Recycling Supervisor
Mechanical Supervisor
PW Accountant
BidBridge Consultant
Mayor

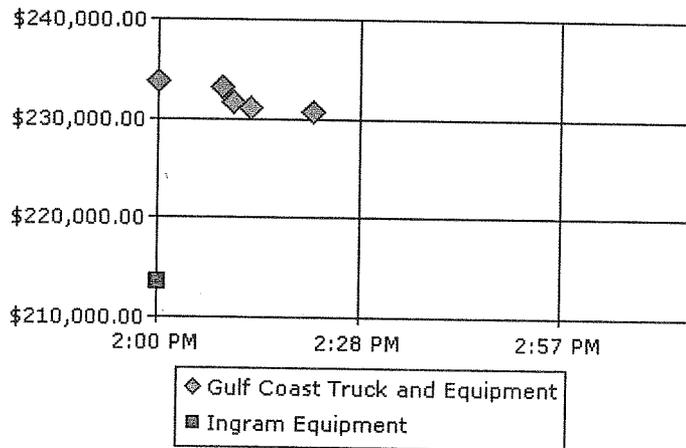
*- 1 No Bid
 1 - Not Qual*

39 bid invitations were mailed/picked up , 4 sealed bid spec packages were received. 2 bids were qualified. 2 bids were bid online.

22 Cubic Yard High Compaction Automated Refuse Truck

One 2009 22 Cubic Yard High Compaction Automated Refuse Truck - Purchase Cost per Unit

Rank	Bidder	Initial Bid	Final Bid	# of Bids
1	Ingram Equipment	\$213,548.45	\$213,548.45	1
2	Gulf Coast Truck and Equipment	\$233,734.81	\$230,659.81	5



Number of Bids	6
1st Place TurnOvers	0
Est. Bid Ceiling	n/a
Est. Bid Decrement	\$500.00
Avg. Bid Decrement	\$384.38
Avg. Time Between Bids	15mins 17secs
High-Low Spread % 1st-2nd:	7.42 %
High-Low Spread % Total:	7.42 %
Extension Count:	32

22 Cubic Yard High Compaction Automated Refuse Truck

One 2009 22 Cubic Yard High Compaction Automated Refuse Truck - Purchase Cost per Unit

Rank	Company	Value	Date/Time
1	Ingram Equipment	\$213,548.45	8/4/2009 2:21:22 PM
2	Gulf Coast Truck and Equipment	\$230,659.81	8/4/2009 2:22:03 PM

36 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	Ingram Equipment	3.34 %	8/4/2009 2:21:22 PM
1	Gulf Coast Truck and Equipment	3.34 %	8/4/2009 2:22:03 PM

48 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	Ingram Equipment	3.34 %	8/4/2009 2:21:22 PM
1	Gulf Coast Truck and Equipment	3.34 %	8/4/2009 2:22:03 PM

60 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	Ingram Equipment	3.39 %	8/4/2009 2:21:22 PM
1	Gulf Coast Truck and Equipment	3.39 %	8/4/2009 2:22:03 PM

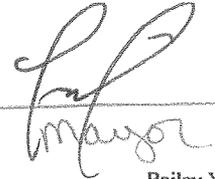
Fred Small
Mayor

David Cohen
City Clerk

Kimberly Briley
Finance Director/Treasurer

William H. Eady, Sr.
Director of Public Works


Daphne
ALABAMA
The Jubilee City



Bailey Yelding, Jr.
District 1

Cathy Barnette
District 2

John L. Lake
District 3

Greg W. Burnam
District 4

Ronald Scott
District 5

Derrick Boulware
District 6

August Palumbo
District 7

To: Suzanne Henson
Senior Accountant

From: William H. Eady, Sr.
Director of Public Works

Date: July 24, 2009

Re: 2009-V-22 Cubic Yard High Impaction Automated Refuse Collection Truck

After careful review by myself, Melvin McCarley (Public Works Superintendent), Buck Conaway (Solid Waste Supervisor) and Duke Crutchfield (Mechanical Maintenance Supervisor), we are in favor of accepting bids for 2009-V-22 Cubic Yard High Impaction Automated Refuse Collection Truck from Gulf Coast Truck & Equipment Sales and Ingram Equipment Sales.

Truck Equipment Sales did not meet specifications (including, but not limited to the following):

- Body construction did not meet specifications seven separate areas
- Hopper construction did not meet specifications in three areas
- Packing mechanism did not meet specifications in nine areas
- Lift arm did not meet specifications

Please contact me should you have any questions.

WHE:swc

Fred Small
Mayor

David Cohen
City Clerk

Kimberly Briley
Finance Director/Treasurer

William H. Eady, Sr.
Director of Public Works



Bailey Yelding, Jr.
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Ronald Scott
District 5

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District 6

August Palumbo
District 7

To: Suzanne Henson
Senior Accountant

From: William H. Eady, Sr.
Director of Public Works

Date: August 5, 2009

Re: 2009-W-Hydraulic Knuckleboom Brush & Limb Loader with Dump Body & Chassis

After careful review, we are in favor of awarding the bid for the 2009-W-Hydraulic Knuckleboom Brush & Limb Loader with Dump Body & Chassis to Empire Truck Sales. They were the low bidder at \$117,900.00.

Please contact me should you have any questions.

WHE:swc

CITY OF DAPHNE

2009-W-HYDRAULIC KNUCKLEBOOM BRUSH & LIMB LOADER WITH DUMP BODY & CHASSIS

2:00 P.M. @ CITY HALL

Those present were as follows:

Suzanne Henson
 Bill Eady
 Melvin McCarley
 Buck Conoway
 Duke Crutchfield
 Denise Penry
 Corrie Keich
 Fred Small

Senior Accountant-Finance
 Public Works Director
 Public Works Superintendent
 Garbage/Recycling Supervisor
 Mechanical Supervisor
 PW Accountant
 BidBridge Consultant
 Mayor

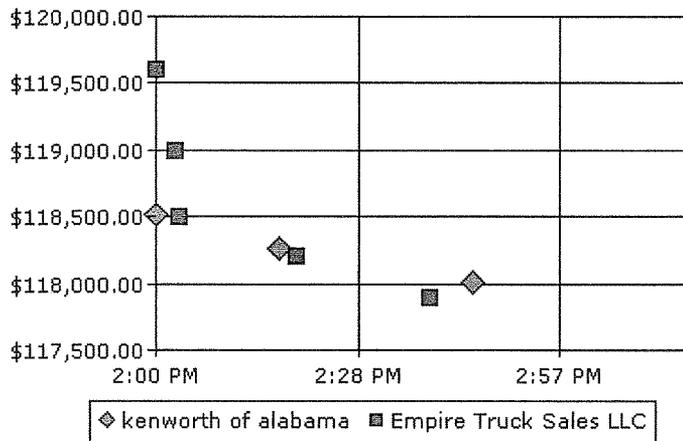
- 2 No Bids
 - 2 Not Qual

19 bid invitations were mailed/picked up , 6 sealed bid spec packages were received. 2 bids were qualified. 2 bids were bid online.

Hydraulic Knuckleboom

One 2009 Hydraulic Knuckleboom Brush and Limb Loader with Dump Body and Chassis - Purchase Cost per Unit

Rank	Bidder	Initial Bid	Final Bid	# of Bids
1	Empire Truck Sales LLC	\$119,599.00	\$117,900.00	5
2	kenworth of alabama	\$118,514.00	\$118,012.00	3



Number of Bids	8
1st Place TurnOvers	3
Est. Bid Ceiling	n/a
Est. Bid Decrement	\$250.00
Avg. Bid Decrement	\$337.88
Avg. Time Between Bids	10mins 55secs
High-Low Spread % 1st-2nd:	0.09 %
High-Low Spread % Total:	0.09 %
Extension Count:	32

Hydraulic Knuckleboom

One 2009 Hydraulic Knuckleboom Brush and Limb Loader with Dump Body and Chassis - Purchase Cost per Unit

Rank	Company	Value	Date/Time
1	Empire Truck Sales LLC	\$117,900.00	8/4/2009 3:11:28 PM
2	kenworth of alabama	\$118,012.00	8/4/2009 2:45:08 PM

36 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	kenworth of alabama	3.34 %	8/4/2009 2:45:08 PM
1	Empire Truck Sales LLC	3.34 %	8/4/2009 3:11:28 PM

48 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	kenworth of alabama	3.34 %	8/4/2009 2:45:08 PM
1	Empire Truck Sales LLC	3.34 %	8/4/2009 3:11:28 PM

60 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	kenworth of alabama	3.39 %	8/4/2009 2:45:08 PM
1	Empire Truck Sales LLC	3.39 %	8/4/2009 3:11:28 PM

Fred Small
Mayor

David Cohen
City Clerk

Kimberly Briley
Finance Director/Treasurer

William H. Eady, Sr.
Director of Public Works


Daphne
ALABAMA

The Jubilee City

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John L. Lake
District 3

Greg W. Burnam
District 4

Ronald Scott
District 5

Derrick Boulware
District 6

August Palumbo
District 7

To: Suzanne Henson
Senior Accountant

From: William H. Eady, Sr.
Director of Public Works

Date: July 24, 2009

Re: 2009-W-Hydraulic Knuckleboom Brush & Limb Loader with Dump Body & Chassis

After careful review by myself, Melvin McCarley (Public Works Superintendent), Buck Conaway (Solid Waste Department Supervisor) and Duke Crutchfield (Mechanical Maintenance Supervisor), we are in favor of accepting bids for 2009-W-Hydraulic Knuckleboom Brush & Limb Loader with Dump Body & Chassis from Empire Trucks and Volvo of Mobile → *Kenworth of Alabama*

Truck Equipment Sales did not meet specifications (including, but not limited to the following):

- Did not meet trash grapple specifications in two areas
- Hydraulics did not meet specifications in three areas
- Power source did not meet specifications
- Outriggers did not meet specifications

Ramer did not meet specifications (including, but not limited to the following):

- Boom did not meet specifications in three areas
- Operator station did not meet specifications

Please contact me should you have any questions.

WHE:swc

Fred Small
Mayor

David Cohen
City Clerk

Kimberly Briley
Finance Director/Treasurer

William H. Eady, Sr.
Director of Public Works



Bailey Yelding, Jr.
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District 3

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District 4

Ronald Scott
District 5

Derrick Boulware
District 6

August Palumbo
District 7

To: Suzanne Henson
Senior Accountant

From: William H. Eady, Sr.
Director of Public Works

Date: August 5, 2009

Re: 2009-X-Street Sweeper

After careful review, we are in favor of awarding the bid for 2009-X-Street Sweeper to Ingram Equipment Company. They are the low bidder at \$146,677.58.

Please contact me should you have any questions.

WHE:swc

**CITY OF DAPHNE
2009-X-STREET SWEEPER**

**AUGUST 4, 2009
2:00 P.M. @ CITY HALL**

Those present were as follows:

Suzanne Henson	Senior Accountant-Finance
Bill Eady	Public Works Director
Melvin McCarley	Public Works Superintendent
Buck Conoway	Garbage/Recycling Supervisor
Duke Crutchfield	Mechanical Supervisor
Denise Penry	PW Accountant
Corrie Keich	BidBridge Consultant
Fred Small	Mayor

1 no bid

20 bid invitations were mailed/picked up , 3 sealed bid spec packages were received. 2 bids were qualified. 2 bids were bid online.

Street Sweeper

One New Diesel Powered 7.3 Cubic Yard Volumetric Capacity Street Sweeper with Twin Gutter Brooms and Dual Steering - Purchase Cost per Unit

Rank	Bidder	Initial Bid	Final Bid	# of Bids
1	Ingram Equipment	\$147,877.58	\$146,677.58	2
2	Equipment and Parts Specialty Co., Inc.	\$170,000.00	\$147,000.00	6

Number of Bids	8
1st Place TurnOvers	2
Est. Bid Ceiling	n/a
Est. Bid Decrement	\$400.00
Avg. Bid Decrement	\$2,900.00

BidBridge, LLC : Buyer Event Manager :Final Bid Submission Report

Street Sweeper

One New Diesel Powered 7.3 Cubic Yard Volumetric Capacity Street Sweeper with Twin Gutter Brooms and Dual Steering - Purchase Cost per Unit

Rank	Company	Value	Date/Time
1	Ingram Equipment	\$146,677.58	8/4/2009 2:21:22 PM
2	Equipment and Parts Specialty Co., Inc.	\$147,000.00	8/4/2009 2:37:57 PM

36 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	Ingram Equipment	2.75 %	8/4/2009 2:21:22 PM
2	Equipment and Parts Specialty Co., Inc.	5.30 %	8/4/2009 2:37:57 PM

48 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	Ingram Equipment	2.90 %	8/4/2009 2:21:22 PM
2	Equipment and Parts Specialty Co., Inc.	5.64 %	8/4/2009 2:37:57 PM

60 Month Lease Interest Rate

Rank	Company	Value	Date/Time
1	Ingram Equipment	3.10 %	8/4/2009 2:21:22 PM
2	Equipment and Parts Specialty Co., Inc.	5.82 %	8/4/2009 2:37:57 PM



The Jubilee City

MEMORANDUM

To: Mr. Eady Public Works Director, Mr. Johnson Supervisor Street

From: Billy D. Crutchfield Mechanical Maintenance Supervisor *BDC*

Re: #705 Street Sweeper - *1999 Sterling SC8000 - \$125,180.00*

The City purchased the Elgin sweeper in 1999 it is 9 years old and used daily in a harsh environment. I was asked to do a cost analysis for the past three years and give my recommendation on it. What follows are my findings.

Invoice totals from 1/2006 to 1/2007 were \$13,416.48 of which \$717.82 was for routine maintenance and \$12,698.66 was for non routine maintenance.

Invoice totals from 2/2007 to 12/12/2008 were \$30,906.17 of which \$1,054.02 was for routine maintenance and \$29,852.15 was for non routine maintenance.

Also I've noticed and increase in oil consumption from the main engine as such it could have internal issues.

The Hopper was damaged in Aug. of 2006 and the estimate at that time for a new Hopper assembly was \$26,695.41 just for parts no labor. There was also an estimate on refurbishing the unit at around \$50,000.00 from Sansom Equipment.

After reviewing the invoices from the past three years and the increase in oil consumption on the main engine it is my recommendation that this piece of equipment be retired from service and a new sweeper be looked at for purchase or lease.

Memo

To: Kim Briley, Finance Director
Suzanne Henson, Senior Accountant
From: William Eady Sr, Public Works Director
Date: 8/7/2009
Re: 2009-DD-Traffic Control Signs Bid

Bids were sent out for the purchase of Traffic Control Signs. These purchases will be made sporadically though the year for damaged and lost street signs and also for the major purchase for section replacement to comply with the FHA on retro-reflectivity. These purchases are funded in the current budget.

A total of 8 bids were received and we would like to recommend Rocal Inc. They were the lowest bidder for the street signs. They did not bid on the sign posts but met the 80% requirement in the bid. The number of sign posts required will be small enough to quote out once needed.

Please call me if you have any questions.

CITY OF DAPHNE
BID OPENING MINUTES BID DOCUMENT NO: 2009-DD-TRAFFIC CONTROL SIGNS
 August 5, 2009
 11:30 A.M.

Those present were as follows:

- Ms. Suzanne Henson
 PW Superintendent
- Mr. Melvin McCarley
 PW Accountant
- Ms. Denise Penry

14 bid invitations were mailed/picked up/e-mailed, & sealed bids were received.
 Mr. McCarley opened the bids presented and the bids were read aloud as follows:

Sign Name	Size	Ratio	Newman Signs		Hanson Traffic		Custom Products		Rocal Inc		John M Warren		Communications	
			Price Each	TOTAL	Price Each	TOTAL	Price Each	TOTAL	Price Each	TOTAL	Price Each	TOTAL	Price Each	TOTAL
3 Way	12 x 06	1.1	\$4.99	\$5.49	\$2.59	\$2.85	\$3.54	\$3.89	\$1.83	\$2.01	\$3.30	\$3.63	\$10.70	\$11.77
4 Way	12 x 06	2.6	\$4.99	\$12.97	\$2.59	\$6.73	\$3.54	\$9.20	\$1.83	\$4.76	\$3.30	\$8.58	\$10.70	\$27.82
Arrow, Curve Left	30 x 30	1	\$27.06	\$27.06	\$32.35	\$32.35	\$28.27	\$28.27	\$22.81	\$22.81	\$27.70	\$27.70	\$57.80	\$57.80
Arrow, Curve Right	30 x 30	0.9	\$27.06	\$24.35	\$32.35	\$29.12	\$28.27	\$25.44	\$22.81	\$20.53	\$27.70	\$24.93	\$57.80	\$52.02
Arrow, One Way Left	36 x 12	0.7	\$14.00	\$9.80	\$15.53	\$10.87	\$14.06	\$9.84	\$10.95	\$7.67	\$13.65	\$9.56	\$29.90	\$20.93
Arrow, One Way Right	36 x 12	2	\$14.00	\$28.00	\$15.53	\$31.06	\$14.06	\$28.12	\$10.95	\$21.90	\$13.65	\$27.30	\$29.90	\$59.80
Arrow, Reverse Curve Left	30 x 30	0.2	\$27.06	\$5.41	\$32.35	\$6.47	\$28.27	\$5.65	\$22.81	\$4.56	\$27.70	\$5.54	\$57.80	\$11.56
Arrow, Reverse Curve Right	30 x 30	0.3	\$27.06	\$8.12	\$32.35	\$9.71	\$28.27	\$8.48	\$22.81	\$6.84	\$27.70	\$8.31	\$57.80	\$17.34
Arrow, Sharp Left	30 x 30	0.4	\$27.06	\$10.82	\$32.35	\$12.94	\$28.27	\$11.31	\$22.81	\$9.12	\$27.70	\$11.08	\$57.80	\$23.12
Arrow, Sharp Right	30 x 30	1	\$27.06	\$27.06	\$32.35	\$32.35	\$28.27	\$28.27	\$22.86	\$22.86	\$27.70	\$27.70	\$57.80	\$57.80
Arrow, Straight Green	24 x 06	0.6	\$6.79	\$4.07	\$5.18	\$3.11	\$7.04	\$4.22	\$3.65	\$2.19	\$5.95	\$3.57	\$14.50	\$8.70
Cart Crossing	30 x 30	2.2	\$27.06	\$59.53	\$32.35	\$71.17	\$28.27	\$62.19	\$35.31	\$77.68	\$27.70	\$60.94	\$57.80	\$127.16
Caution Driveway Over Hill	30 x 30	0.1	\$40.49	\$4.05	\$32.35	\$3.24	\$88.94	\$8.89	\$22.81	\$2.28	\$87.10	\$8.71	\$86.40	\$8.64
Caution Trucks Entering Rd	30 x 30	0.4	\$40.49	\$16.20	\$32.35	\$12.94	\$111.77	\$44.71	\$22.81	\$9.12	\$47.10	\$18.84	\$86.40	\$34.56
Chevron	18 x 24	6.1	\$14.65	\$89.37	\$15.22	\$92.84	\$14.06	\$85.77	\$10.95	\$66.80	\$13.65	\$83.27	\$31.30	\$190.93
City Limits	36 x 24	0.2	\$37.96	\$7.59	\$31.06	\$6.21	\$41.73	\$8.35	\$33.90	\$6.78	\$44.10	\$8.82	\$81.10	\$16.22
Co Rd 13	18 x 18	0.1	\$18.08	\$1.81	\$11.65	\$1.17	\$21.68	\$2.17	\$10.21	\$1.02	\$19.15	\$1.92	\$38.60	\$3.86
Co Rd 64	18 x 18	0.1	\$18.08	\$1.81	\$11.65	\$1.17	\$21.68	\$2.17	\$10.21	\$1.02	\$19.15	\$1.92	\$38.60	\$3.86
Crosswalk	30 x 30	2.8	\$27.06	\$75.77	\$32.35	\$90.58	\$28.27	\$79.16	\$22.81	\$63.87	\$27.70	\$77.56	\$57.80	\$161.84
Dangerous Curve	30 x 30	0.2	\$40.49	\$8.10	\$32.35	\$6.47	\$28.27	\$5.65	\$22.81	\$4.56	\$27.70	\$5.54	\$86.40	\$17.28
Deaf Child	30 x 30	1.2	\$40.49	\$48.59	\$32.35	\$38.82	\$28.27	\$33.92	\$22.81	\$27.37	\$27.70	\$33.24	\$57.80	\$69.36
Divided Highway- Four Ln	24 x 18	0.5	\$14.04	\$7.02	\$15.53	\$7.77	\$14.06	\$7.03	\$5.48	\$5.48	\$13.65	\$6.83	\$30.00	\$15.00
Divided Highway- Two Ln	30 x 30	0.1	\$27.06	\$2.71	\$32.35	\$3.24	\$28.27	\$2.83	\$22.81	\$2.28	\$27.70	\$2.77	\$57.80	\$5.78
Do Not Enter	24 x 24	0.5	\$17.66	\$8.83	\$20.71	\$10.36	\$20.03	\$10.02	\$14.60	\$7.30	\$18.15	\$9.08	\$55.10	\$27.55
Do Not Pass	18 x 24	0.5	\$14.04	\$7.02	\$15.53	\$7.77	\$14.06	\$7.03	\$5.48	\$5.48	\$13.65	\$6.83	\$30.00	\$15.00
Emergency Signals Ahead	30 x 30	0.2	\$40.49	\$8.10	\$15.53	\$3.11	\$88.94	\$17.79	\$6.50	\$7.30	\$66.25	\$13.25	\$86.40	\$17.28
Emergency Signals Ahead (Overhead)	48 x 24	0.2	\$49.31	\$9.86	\$23.29	\$4.66	\$113.84	\$22.77	\$6.50	\$7.30	\$125.50	\$25.10	\$101.80	\$20.36
End of School Zone	24 x 30	1	\$21.26	\$21.26	\$25.88	\$25.88	\$23.37	\$23.37	\$18.65	\$18.65	\$22.65	\$22.65	\$45.40	\$45.40
Horse Crossing	30 x 30	0.1	\$27.06	\$2.71	\$32.35	\$3.24	\$28.27	\$2.83	\$22.81	\$2.28	\$27.70	\$2.77	\$57.80	\$5.78
Intersection, Side Road	30 x 30	1	\$27.06	\$27.06	\$32.35	\$32.35	\$28.27	\$28.27	\$22.81	\$22.81	\$27.70	\$27.70	\$57.80	\$57.80
Intersection, Crossroad	30 x 30	0.1	\$27.06	\$2.71	\$32.35	\$3.24	\$28.27	\$2.83	\$22.81	\$2.28	\$27.70	\$2.77	\$57.80	\$5.78
JCT	21 x 15	0.1	\$11.80	\$1.18	\$11.28	\$1.13	\$14.33	\$1.43	\$7.99	\$0.80	\$11.40	\$1.14	\$25.20	\$2.52
Keep Right	24 x 30	1.8	\$33.09	\$59.56	\$25.88	\$46.58	\$23.37	\$42.07	\$18.25	\$32.85	\$22.65	\$40.77	\$45.40	\$81.72
Lane Ends- Merge	30 x 30	0.1	\$27.06	\$2.71	\$32.35	\$3.24	\$28.27	\$2.83	\$22.81	\$2.28	\$27.70	\$2.77	\$57.80	\$5.78
Left Turn Yield on Green	24 x 30	0.1	\$25.04	\$2.50	\$25.88	\$2.59	\$25.88	\$2.59	\$18.25	\$1.83	\$23.90	\$2.39	\$53.50	\$5.35
No Left Turn	24 x 18	0.2	\$14.04	\$2.81	\$15.53	\$3.11	\$14.06	\$2.81	\$10.95	\$2.19	\$13.65	\$2.73	\$30.00	\$6.00

Sign Name	Newman Signs			Hanson Traffic			Custom Products			Rocal Inc			John M Warren			Communications		
	Price Each	Ratio	Size	Price Each	TOTAL	Price Each	TOTAL	Price Each	TOTAL	Price Each	TOTAL	Price Each	TOTAL	Price Each	TOTAL	Price Each	TOTAL	
No Loading or Unloading	\$23.31	0.4	24 x 18	\$9.32	\$6.21	\$42.70	\$17.08	\$4.38	\$10.95	\$49.85	\$19.94	\$49.80	\$19.92					
No Outlet	\$27.06	6.3	30 x 30	\$170.48	\$199.71	\$28.27	\$178.10	\$22.81	\$143.70	\$27.70	\$174.51	\$57.80	\$364.14					
No Parking	\$8.61	16.4	12 x 18	\$141.20	\$120.87	\$7.96	\$130.54	\$5.48	\$89.87	\$7.30	\$119.72	\$18.40	\$301.76					
No Parking Beyond This Point	\$15.98	0.1	12 x 18	\$1.60	\$0.78	\$28.62	\$2.86	\$0.55	\$5.48	\$27.30	\$2.73	\$34.10	\$3.41					
No Parking Here to Corner	\$8.61	0.3	12 x 18	\$2.58	\$2.33	\$7.96	\$2.39	\$1.64	\$5.48	\$7.30	\$2.19	\$18.40	\$5.52					
No Thru Traffic	\$14.04	0.8	18 x 24	\$11.23	\$12.42	\$14.06	\$11.25	\$8.76	\$10.95	\$13.65	\$10.92	\$30.00	\$24.00					
No Trucks	\$23.31	0.7	18 x 24	\$16.32	\$10.87	\$14.06	\$9.84	\$7.67	\$10.95	\$13.65	\$9.56	\$49.80	\$34.86					
Reduce Speed Ahead	\$40.49	0.1	30 x 30	\$4.05	\$3.24	\$88.94	\$8.89	\$2.28	\$22.81	\$27.70	\$2.77	\$86.40	\$8.64					
School Bus Stop Ahead	\$40.49	0.4	30 x 30	\$16.20	\$12.94	\$28.27	\$11.31	\$9.12	\$22.81	\$27.70	\$11.08	\$57.80	\$23.12					
School Zone MPH When Flashing	\$32.75	0.8	24 x 48	\$26.20	\$44.11	\$59.60	\$47.68	\$23.36	\$29.20	\$57.30	\$45.84	\$86.50	\$69.20					
School Zone MPH w/ Times	\$49.53	0.2	24 x 48	\$9.91	\$11.03	\$63.22	\$12.64	\$5.84	\$29.20	\$60.85	\$12.17	\$78.10	\$15.62					
Slow	\$27.06	3.5	30 x 30	\$94.71	\$113.23	\$28.27	\$96.95	\$22.81	\$79.84	\$27.70	\$96.95	\$57.80	\$202.30					
Speed Bump mph	\$40.49	1.6	30 x 30	\$64.78	\$51.76	\$88.94	\$142.30	\$22.81	\$36.50	\$87.15	\$139.44	\$86.40	\$138.24					
Speed Limit	\$21.26	35.7	24 x 30	\$758.98	\$877.86	\$23.37	\$834.31	\$18.25	\$651.53	\$22.65	\$808.61	\$45.40	\$1,620.78					
Speed Limit (Yellow)	\$11.80	1.1	18 x 18	\$12.98	\$12.82	\$11.56	\$12.72	\$6.21	\$9.03	\$10.90	\$11.99	\$25.20	\$27.72					
Stop	\$25.79	5.4	30 x 30	\$139.27	\$167.35	\$28.27	\$152.66	\$22.81	\$123.17	\$26.85	\$144.99	\$55.10	\$297.54					
Stop Ahead	\$37.21	7.5	36 x 36	\$2,790.75	\$3,243.75	\$41.21	\$3,090.75	\$32.85	\$2,463.75	\$38.15	\$2,861.25	\$79.50	\$5,962.50					
Street Name, 2-Sided	\$27.19	2.7	30 x 30	\$73.41	\$92.31	\$35.07	\$94.69	\$25.31	\$68.34	\$34.50	\$93.15	\$58.00	\$156.60					
Traffic Light Ahead	\$34.13	109.6	w/ 6" letters	\$3,740.65	\$2,814.53	\$33.57	\$3,679.27	\$27.50	\$3,014.00	\$30.75	\$3,370.20	\$60.60	\$6,641.76					
US 181	\$17.66	0.3	24 x 24	\$5.30	\$6.21	\$26.72	\$8.02	\$4.98	\$16.60	\$24.20	\$7.26	\$37.70	\$11.31					
US 90	\$17.66	0.3	24 x 24	\$5.30	\$6.21	\$26.72	\$8.02	\$4.98	\$16.60	\$24.20	\$7.26	\$37.70	\$11.31					
US 98	\$17.66	0.1	24 x 24	\$1.77	\$2.07	\$26.72	\$2.67	\$1.66	\$16.60	\$24.20	\$2.42	\$37.70	\$3.77					
Watch Children	\$40.49	15.6	30 x 30	\$631.64	\$489.53	\$28.27	\$441.01	\$22.81	\$355.84	\$27.70	\$432.12	\$86.40	\$1,347.84					
Watch Pedestrians	\$27.06	0.3	30 x 30	\$8.12	\$9.71	\$23.27	\$8.48	\$6.84	\$22.81	\$27.70	\$8.31	\$57.80	\$17.34					
Wrong Way	\$16.74	0.5	30 x 24	\$8.37	\$12.94	\$23.27	\$11.64	\$9.13	\$18.25	\$22.65	\$11.33	\$35.80	\$17.90					
Yield	\$14.48	2.2	30 x 30	\$31.86	\$44.42	\$14.38	\$31.64	\$11.89	\$26.16	\$14.30	\$31.46	\$41.50	\$91.30					
SUBTOTAL				\$9,451.37	\$13,255.77		\$9,756.94	\$7,685.08	\$9,100.83		\$9,100.83		\$18,787.07					
U-Channel Sign Posts		78	10'	\$0.00	\$1,241.76	\$12.78	\$996.84	\$0.00	\$0.00	\$12.95	\$1,010.10	\$26.40	\$2,059.20					
		156	12'	\$0.00	\$2,948.40	\$15.33	\$2,391.48	\$0.00	\$0.00	\$15.55	\$2,425.80	\$31.68	\$4,942.08					
				\$9,451.37	\$13,255.77		\$13,145.26	\$7,685.08	\$7,685.08		\$12,536.73		\$25,788.35					

Sign Name	Size	Ratio	Sign A Rama		Hall Signs	
			Price Each	TOTAL	Price Each	TOTAL
3 Way	12 x 06	1.1	\$10.88	\$11.97	\$2.73	\$3.00
4 Way	12 x 06	2.6	\$10.88	\$28.29	\$2.73	\$7.10
Arrow, Curve Left	30 x 30	1	\$86.00	\$86.00	\$27.92	\$27.92
Arrow, Curve Right	30 x 30	0.9	\$86.00	\$77.40	\$27.92	\$25.13
Arrow, One Way Left	36 x 12	0.7	\$33.88	\$23.72	\$13.65	\$9.56
Arrow, One Way Right	36 x 12	2	\$33.88	\$67.76	\$13.65	\$27.30
Arrow, Reverse Curve Left	30 x 30	0.2	\$86.88	\$17.38	\$27.92	\$5.58
Arrow, Reverse Curve Right	30 x 30	0.3	\$86.88	\$26.06	\$27.92	\$8.38
Arrow, Sharp Left	30 x 30	0.4	\$86.88	\$34.75	\$27.92	\$11.17
Arrow, Sharp Right	30 x 30	1	\$86.88	\$86.88	\$27.92	\$27.92
Arrow, Straight Green	24 x 06	0.6	\$12.50	\$7.50	\$4.92	\$2.95
Cart Crossing	30 x 30	2.2	\$86.88	\$191.14	\$27.92	\$61.42
Caution Driveway Over Hill	30 x 30	0.1	\$86.88	\$8.69	\$27.92	\$2.79
Caution Trucks Entering Rd	30 x 30	0.4	\$86.88	\$34.75	\$27.92	\$11.17
Chevron	18 x 24	6.1	\$39.00	\$237.90	\$13.74	\$83.81
City Limits	36 x 24	0.2	\$70.00	\$14.00	\$41.58	\$8.32
Co Rd 13	18 x 18	0.1	\$86.00	\$8.60	\$14.73	\$1.47
Co Rd 64	18 x 18	0.1	\$86.00	\$8.60	\$14.73	\$1.47
Crosswalk	30 x 30	2.8	\$86.88	\$243.26	\$27.92	\$78.18
Dangerous Curve	30 x 30	0.2	\$86.88	\$17.38	\$27.92	\$5.58
Deaf Child	30 x 30	1.2	\$86.88	\$104.26	\$27.92	\$33.50
Divided Highway- Four Ln	24 x 18	0.5	\$33.00	\$16.50	\$13.74	\$6.87
Divided Highway- Two Ln	30 x 30	0.1	\$86.88	\$8.69	\$27.92	\$2.79
Do Not Enter	24 x 24	0.5	\$55.00	\$27.50	\$18.08	\$9.04
Do Not Pass	18 x 24	0.5	\$39.00	\$19.50	\$13.74	\$6.87
Emergency Signals Ahead	30 x 30	0.2	\$39.00	\$7.80	\$13.74	\$2.75
Emergency Signals Ahead (Overhead)	48 x 24	0.2	\$48.00	\$9.60	\$26.76	\$5.35
End of School Zone	24 x 30	1	\$54.00	\$54.00	\$22.41	\$22.41
Horse Crossing	30 x 30	0.1	\$86.88	\$8.69	\$27.92	\$2.79
Intersection, Side Road	30 x 30	1	\$86.88	\$86.88	\$27.92	\$27.92
Intersection, Crossroad	30 x 30	0.1	\$86.88	\$8.69	\$27.92	\$2.79
JCT	21 x 15	0.1	\$23.90	\$2.39	\$12.34	\$1.23
Keep Right	24 x 30	1.8	\$54.00	\$97.20	\$22.41	\$40.34
Lane Ends- Merge	30 x 30	0.1	\$86.88	\$8.69	\$27.92	\$2.79
Left Turn Yield on Green	24 x 30	0.1	\$54.00	\$5.40	\$24.90	\$2.49
No Left Turn	24 x 18	0.2	\$39.00	\$7.80	\$13.74	\$2.75

Sign Name	Size	Ratio	Sign A Rama		Hall Signs	
			Price Each	TOTAL	Price Each	TOTAL
No Loading or Unloading	24 x 18	0.4	\$39.00	\$15.60	\$21.02	\$8.41
No Outlet	30 x 30	6.3	\$86.88	\$547.34	\$27.92	\$175.90
No Parking	12 x 18	16.4	\$18.00	\$295.20	\$7.14	\$117.10
No Parking Beyond This Point	12 x 18	0.1	\$18.00	\$1.80	\$7.14	\$0.71
No Parking Here to Corner	12 x 18	0.3	\$18.00	\$5.40	\$7.14	\$2.14
No Thru Traffic	18 x 24	0.8	\$18.00	\$14.40	\$13.74	\$10.99
No Trucks	18 x 24	0.7	\$39.00	\$27.30	\$21.02	\$14.71
Reduce Speed Ahead	30 x 30	0.1	\$86.88	\$8.69	\$27.92	\$2.79
School Bus Stop Ahead	30 x 30	0.4	\$86.88	\$34.75	\$27.92	\$11.17
School Zone MPH When Flashing	24 x 48	0.8	\$87.00	\$69.60	\$39.79	\$31.83
School Zone MPH w/ Times	24 x 48	0.2	\$87.00	\$17.40	\$39.79	\$7.96
Slow	30 x 30	3.5	\$86.88	\$304.08	\$27.92	\$97.72
Speed Bump mph	30 x 30	1.6	\$86.88	\$139.01	\$39.41	\$63.06
Speed Limit	24 x 30	35.7	\$54.00	\$1,927.80	\$22.41	\$800.04
Speed Limit (Yellow)	18 x 18	1.1	\$30.00	\$33.00	\$10.53	\$11.58
Stop	30 x 30	5.4	\$86.88	\$469.15	\$26.93	\$145.42
Stop Ahead	36 x 36	75	\$138.00	\$10,350.00	\$38.45	\$2,883.75
Stop Ahead Street Name, 2-Sided	30 x 30	2.7	\$86.00	\$232.20	\$32.85	\$88.70
Traffic Light Ahead	30 x 30	1	\$86.00	\$86.00	\$24.66	\$2,702.74
US 181	24 x 24	0.3	\$55.00	\$16.50	\$18.08	\$5.42
US 90	24 x 24	0.3	\$55.00	\$16.50	\$18.08	\$5.42
US 98	24 x 24	0.1	\$55.00	\$5.50	\$18.08	\$1.81
Watch Children	30 x 30	15.6	\$86.88	\$1,355.33	\$34.90	\$544.44
Watch Pedestrians	30 x 30	0.3	\$86.88	\$26.06	\$27.92	\$8.38
Wrong Way	30 x 24	0.5	\$70.00	\$35.00	\$22.41	\$11.21
Yield	30 x 30	2.2	\$86.00	\$189.20	\$15.02	\$33.04
SUBTOTAL				\$25,490.81		\$8,402.20
U-Channel Sign Posts	10'	78	\$35.00	\$2,730.00	\$13.53	\$1,055.34
	12'	156	\$42.00	\$6,552.00	\$16.24	\$2,533.44
				\$34,772.81		\$11,990.98

Required minimum order of 250 lbs
 * Required longer delivery date of 30-45 days
 * listed st name sign by if adj for avg of 3 ft

Pending Grants

<u>Agency</u>	<u>Project</u>	<u>Total Grant</u>	<u>City Match</u>	<u>Number</u>	<u>Date</u>
ADEM	Jubilee Square Storm Water Retrofit	462,000	184,800	Res 09-70	7/20/2009
NRCS	March 25-April 3, 2009 Rain Event	417,500	138,125	Ord 09-34	7/6/2009
FEMA	Fire Station Construction			Res 09-63	7/6/2009
CDBG	Hwy 64 South Sewer*	1,508,000	1,008,000	Res 09-40	5/4/2009
ADLDOT	Sidewalk & Bike Path	<u>2,109,767</u>	<u>421,953</u>	Res 09-15	3/2/2009
		<u>4,497,267</u>	<u>1,752,878</u>		

* Total Appropriation Available 1,020,660

TREASURER'S REPORT

As of July 31, 2009

TO: FINANCE COMMITTEE

FROM: KIMBERLY BRILEY, FINANCE DIRECTOR/TREASURER

<u>ACCT TITLE</u>	<u>BANK</u>	<u>BALANCE</u>
GENERAL FUND & ENTERPRISE FUNDS		
MMA ACCT	COMPASS	\$12,061,756.45
OPERATING ACCT	COMPASS	(\$586,057.46)
PAYROLL ACCT	COMPASS	(\$1,113.83)
		<u>\$11,474,585.16</u>
AGENCY FUNDS		
MUNICIPAL COURT	COMPASS	\$319,651.53
SPECIAL REVENUE FUNDS		
SAIL SITE	RBC BANK	\$2,662.33
4 CENT GAS TAX	RBC BANK	\$243,710.59
7 CENT GAS TAX	RBC BANK	\$328,745.74
		<u>\$575,118.66</u>
CAPITAL PROJECT FUNDS		
CAPITAL RESERVE	WACHOVIA	\$3,474,295.90
99 WARRANT CONS	REGIONS	\$12,682.88
2006 CONSTRUCTION	WACHOVIA	\$1,648,417.45
		<u>\$5,135,396.23</u>
DEBT SERVICE FUNDS		
DEBT SERVICE	WACHOVIA	\$1,451,693.98
2006 DEBT SERVICE	RBC BANK	\$255,746.85
		<u>\$1,707,440.83</u>
		<u>\$19,212,192.41</u>

SALES & USE TAXES

ACTUAL COLLECTIONS

	2003	2004	2005	2006	2007	2008	2009	Actual-2009	Budget	Monthly Variance	YTD Variance	% of Budget
October	636,482.64	697,830.58	833,700.71	932,634.66	944,542.36	867,190.18	806,503.85	806,503.85	867,190	(60,686.33)	(60,686.33)	-7.00%
November	646,534.10	710,788.74	814,666.03	901,512.38	918,837.95	915,890.97	801,075.91	801,075.91	915,891	(114,815.06)	(114,815.06)	-12.54%
December	892,208.68	941,151.87	1,091,073.78	1,168,443.68	1,182,584.39	1,120,005.09	1,078,330.45	1,078,330.45	1,120,005	(41,674.64)	(41,674.64)	-3.72%
January	590,727.65	697,083.68	771,837.83	887,468.11	914,876.33	822,020.87	755,541.41	755,541.41	822,021	(66,479.46)	(66,479.46)	-8.09%
February	632,654.31	688,421.54	788,825.08	878,123.66	877,975.60	865,625.83	748,620.87	748,620.87	865,626	(117,004.96)	(117,004.96)	-13.52%
March	705,390.20	848,156.86	917,832.17	1,081,774.83	1,071,598.38	998,616.04	863,535.78	863,535.78	998,616	(135,080.26)	(135,080.26)	-13.53%
April	692,148.44	752,039.55	863,144.81	968,760.72	960,140.54	963,691.85	823,173.33	823,173.33	963,692	(140,518.52)	(140,518.52)	-14.58%
May	702,692.15	757,610.49	867,446.44	1,000,424.48	1,021,498.14	957,167.20	829,099.81	829,099.81	957,167	(128,067.39)	(128,067.39)	-13.38%
June	752,668.04	818,209.20	982,863.46	1,024,091.07	1,066,433.92	997,274.15	868,309.52	868,309.52	997,274	(128,964.63)	(128,964.63)	-12.83%
July	721,790.90	803,051.14	908,576.13	941,407.68	993,216.66	888,690.34	-	-	908,576	-	-	0.00%
August	739,993.63	745,320.33	869,818.11	950,539.01	954,421.57	964,626.26	-	-	869,818	-	-	0.00%
September	715,641.36	830,260.80	998,476.08	967,616.16	965,107.35	918,551.15	-	-	998,476	-	-	0.00%
Totals	8,428,932.10	9,289,924.78	10,708,260.63	11,702,796.44	11,871,233.19	11,279,349.93	7,574,190.93	7,574,190.93	11,284,353	(933,291.25)	(933,291.25)	

FY 2009 BUDGET/ACTUAL COMPARISONS

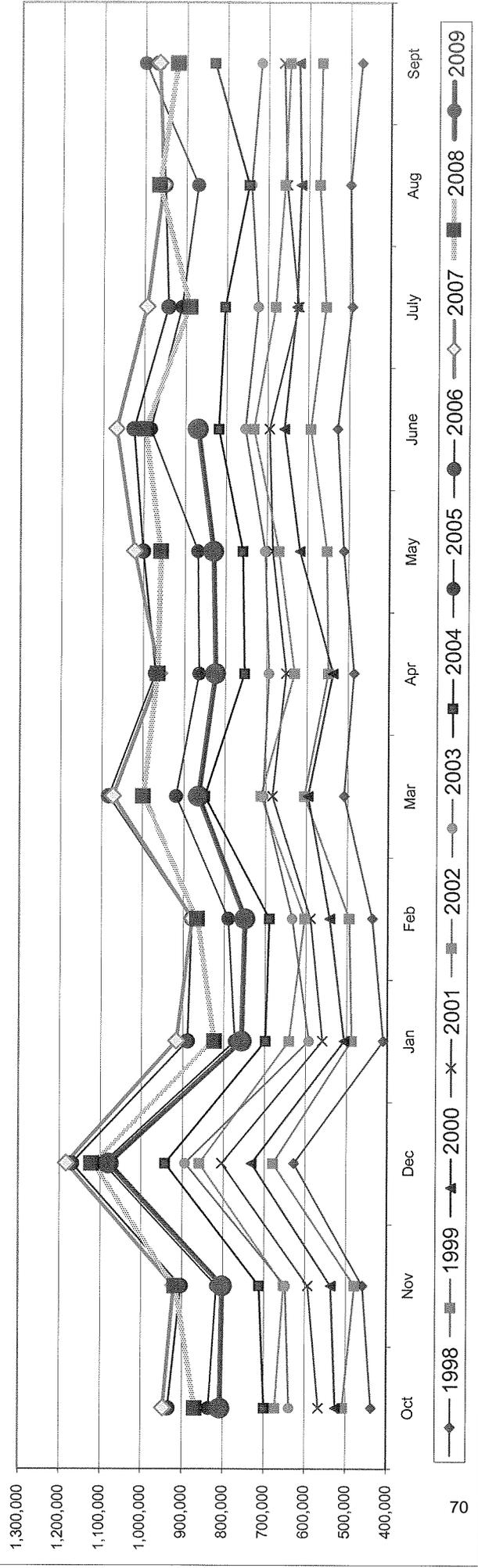
FISCAL YEAR COMPARISONS

	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
October	61,347.94	135,870.13	98,933.95	11,907.70	(77,352.18)	(60,686.33)	(60,686.33)	19.47%	11.87%	1.28%	-8.19%	-7.00%
November	64,254.64	103,877.29	86,846.35	17,325.57	(2,946.98)	(114,815.06)	(114,815.06)	14.61%	10.66%	1.92%	-0.32%	-12.54%
December	48,943.19	149,921.91	77,369.90	14,140.71	(62,579.30)	(41,674.64)	(41,674.64)	15.93%	7.09%	1.21%	-5.29%	-3.72%
January	106,356.03	74,754.15	115,630.28	27,408.22	(92,855.46)	(66,479.46)	(66,479.46)	10.72%	14.98%	3.09%	-10.15%	-8.09%
February	55,767.23	100,403.54	89,298.58	(148.06)	(12,349.77)	(117,004.96)	(117,004.96)	14.58%	11.32%	-0.02%	-1.41%	-13.52%
March	142,766.66	69,675.31	163,942.66	(10,176.45)	(72,982.34)	(135,080.26)	(135,080.26)	8.21%	17.86%	-0.94%	-6.81%	-13.53%
April	59,891.11	111,105.26	105,615.91	(8,620.18)	3,551.31	(140,518.52)	(140,518.52)	14.77%	12.24%	0.37%	0.37%	-14.58%
May	54,918.34	109,835.95	132,978.04	21,073.66	(69,159.77)	(128,067.39)	(128,067.39)	14.50%	15.33%	2.11%	-6.30%	-13.38%
June	65,541.16	164,654.26	41,227.61	42,342.85	(69,159.77)	(128,964.63)	(128,964.63)	13.14%	4.19%	4.13%	-6.49%	-13.38%
July	81,260.24	105,524.99	32,831.55	51,808.98	(104,526.32)	104,526.32	104,526.32	16.70%	3.61%	5.50%	-10.52%	-12.83%
August	5,326.70	124,497.78	80,720.90	3,882.56	10,204.69	-	-	20.26%	9.28%	0.41%	1.07%	-
September	114,619.44	168,215.28	(30,859.92)	(2,508.81)	(46,556.20)	-	-	15.27%	-3.09%	-0.26%	-4.82%	-
Annual \$ Change	860,992.68	1,418,335.85	994,535.81	168,436.75	(591,883.26)	(933,291.25)	(933,291.25)	15.27%	9.29%	1.44%	-4.99%	-

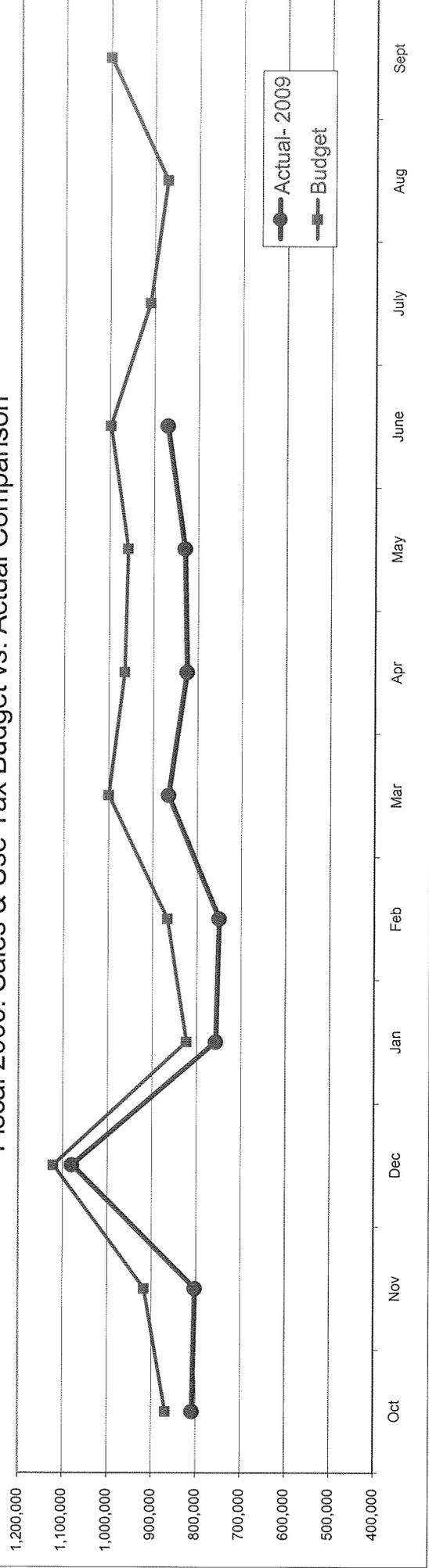
TOTAL collections: FY 08	11,279,350
TOTAL est. budgt coll: FY 09	11,284,353
Budgeted Dollar Variance 08/09	5,003
Budgeted Percent Variance 08/09	0.04%

TOTAL collections: 6-30-09	7,574,191
Budgeted: 10-1-08 to 6-30-09	8,507,482
Actual Coll: (<)Budget, 6-30-09	(933,291)
% Over/(Under) Budget, 6-30-09	-10.97%

Sales & Use Tax Comparisons



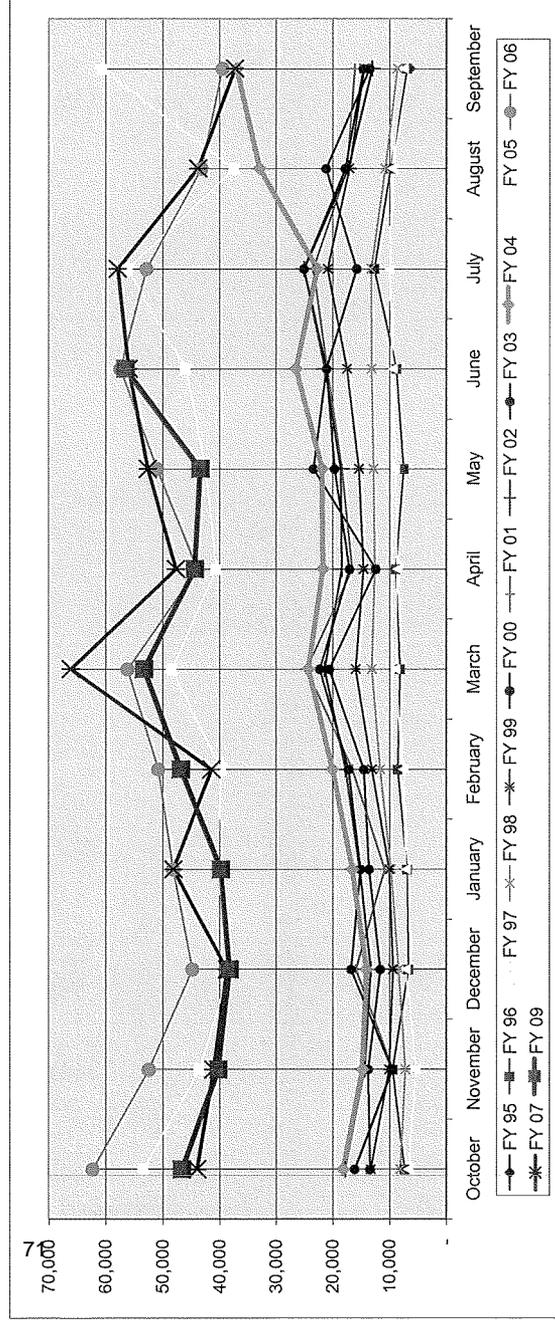
Fiscal 2009: Sales & Use Tax Budget vs. Actual Comparison



Monthly Lodging Tax Collections

	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09
October	7,228.60	6,701.69	6,701.69	8,042.55	13,241.96	13,344.97	16,021.98	17,757.16	16,103.81	18,110.90	53,490.95	62,191.49	43,874.01	46,380.47	46,543.20
November	9,371.57	5,419.99	5,419.99	7,156.30	9,963.87	13,712.88	9,378.73	14,346.00	9,488.82	14,652.46	43,652.17	52,326.23	41,028.15	42,599.84	40,178.69
December	6,580.10	7,076.44	7,076.44	8,327.51	9,303.23	11,505.34	15,885.37	13,257.40	16,693.64	13,940.92	38,197.96	44,694.55	38,605.47	31,081.14	38,144.69
January	6,765.39	6,990.72	6,990.72	9,704.80	9,934.03	13,517.89	10,802.39	15,150.55	15,089.26	16,416.20	40,334.81	48,014.80	48,012.19	45,607.80	39,706.04
February	8,466.36	7,536.69	7,536.69	11,579.98	13,024.87	14,425.61	16,482.91	17,680.30	17,174.37	19,952.91	39,797.68	50,684.11	41,381.78	47,340.33	46,699.01
March	8,017.74	8,902.63	8,902.63	13,048.18	15,837.90	20,536.51	24,601.77	21,371.61	22,248.25	24,206.01	48,474.92	56,076.62	66,060.49	53,123.15	53,230.85
April	8,802.85	8,533.40	8,533.40	12,559.65	14,513.45	12,327.50	16,532.24	18,354.06	16,974.57	21,626.29	40,666.33	43,813.91	47,594.84	46,736.02	44,277.75
May	7,427.26	8,958.97	8,958.97	12,786.85	15,280.40	23,309.92	18,386.51	18,526.24	19,610.83	21,785.09	42,479.97	50,871.74	52,564.61	46,145.12	43,293.74
June	8,672.68	9,359.82	9,359.82	13,101.68	17,379.01	21,073.57	20,948.57	21,322.07	21,031.35	26,336.81	46,037.59	57,338.25	55,924.22	64,626.19	56,494.11
July	12,568.56	9,975.46	9,975.46	13,200.77	20,840.98	15,680.49	23,389.72	25,013.71	25,026.81	22,654.15	56,266.23	52,752.31	57,842.80	62,035.23	62,035.23
August	9,721.13	9,549.66	9,549.66	10,730.24	17,009.26	21,117.00	17,432.39	17,223.03	17,749.12	32,788.35	37,501.21	43,139.77	43,701.41	55,792.89	55,792.89
September	6,371.27	6,806.02	7,400.70	8,586.97	14,397.17	13,393.86	16,116.04	12,997.60	14,563.86	36,847.13	60,635.33	39,398.90	37,180.99	49,698.91	49,698.91
Total	6,371.27	100,428.26	96,406.17	128,825.48	170,726.13	193,945.54	205,978.62	212,999.73	211,754.69	269,317.22	547,535.15	601,302.68	573,770.96	591,147.09	408,568.08

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



FY 2009 Budget	924,600
% Budget Collected 6/30/2009	44%

GENERAL FUND
 Summary Statement of Revenues, Expenditures, and
 Changes in Fund Balance- Budgetary Basis
 For the Month Ended June 30, 2009
 with comparatives: 6-30-03; 6-30-04; 6-30-05; 6-30-06; 6-30-07; 6-30-08

	6/30/2003	6/30/2004	6/30/2005	6/30/2006	6/30/2007	6/30/2008	6/30/2009	Amended Budget	Budgetary Variance Over/(Under)	% Budget
Revenues										
Sales, Use, & Luxury Taxes	5,814,251	6,427,771	7,314,627	8,204,591	8,284,395	7,923,282	7,132,086	11,896,363	(4,764,267)	-40%
Payment in Lieu of Taxes	128,711	187,510	146,566	211,687	281,695	277,438	276,033	2,035,000	(1,758,967)	-86%
Ad Valorem Taxes	2,511,925	2,761,569	2,807,699	3,100,723	3,611,550	3,771,419	4,579,929	3,981,000	598,929	15%
Licenses & Permits	1,475,487	1,597,896	1,643,944	1,868,206	2,199,902	2,193,567	1,660,929	2,078,575	(417,646)	-20%
Other Revenues	881,971	934,879	848,080	1,451,793	1,181,758	945,649	1,043,479	1,545,297	(501,818)	-32%
Total Revenues	10,812,344	11,909,625	12,760,916	14,837,000	15,559,300	15,111,355	14,692,455	21,536,225	(6,843,770)	-32%
Expenditures										
General Government										
Personnel	890,903	1,008,466	1,071,419	1,134,279	1,249,754	1,331,867	1,394,187	2,052,627	(658,440)	-32%
Operating	581,039	597,993	633,166	665,819	781,916	725,740	982,570	1,503,542	(520,972)	-35%
Capital	45,070	36,477	6,920	127,160	32,266	10,295	7,311	13,712	(6,401)	-47%
Public Safety	1,517,013	1,642,936	1,711,505	1,927,259	2,063,937	2,067,902	2,384,068	3,569,881	(1,185,813)	-33%
Personnel	2,608,769	2,868,823	3,052,133	3,378,041	3,982,793	4,841,617	5,090,626	7,383,808	(2,293,182)	-31%
Operating	563,361	588,201	611,740	809,347	941,130	936,821	870,525	1,371,137	(500,612)	-37%
Capital	261,608	188,061	83,051	234,070	202,981	157,037	95,290	91,728	3,562	4%
Public Works	3,433,739	3,645,085	3,746,924	4,421,458	5,126,903	5,935,476	6,056,442	8,846,673	(2,790,231)	-32%
Personnel	1,222,266	1,333,948	1,422,043	1,458,663	1,663,679	1,504,180	1,624,134	2,459,890	(835,756)	-34%
Operating	657,025	730,720	801,861	955,015	918,817	938,605	863,446	1,538,779	(675,333)	-44%
Capital	84,369	170,094	112,715	516,079	148,025	11,062	12,250	80,350	(68,100)	-85%
Parks & Recreation	1,963,660	2,234,761	2,336,619	2,929,756	2,730,522	2,453,847	2,499,830	4,079,019	(1,579,189)	-39%
Personnel	549,880	628,880	684,142	697,300	741,769	875,963	884,757	1,340,009	(455,252)	-34%
Operating	359,293	411,560	475,239	451,020	430,599	461,044	404,300	585,422	(181,122)	-31%
Capital	25,091	25,191	46,767	10,500	256,357	200,000	192,000	192,000	-	0%
Total Departmental	7,848,676	8,588,411	9,001,196	10,437,293	11,350,087	11,994,232	12,421,397	18,613,004	(6,191,607)	-33%
Personnel	5,271,819	5,840,116	6,229,737	6,668,284	7,637,995	8,553,628	8,993,704	13,236,334	(4,242,630)	-32%
Operating	2,160,719	2,328,473	2,522,007	2,881,201	3,072,463	3,062,211	3,120,842	4,998,880	(1,878,038)	-38%
Capital	416,138	419,822	249,453	887,808	639,629	378,394	306,851	377,990	(70,939)	-19%
Other Financing Sources & Uses	7,848,676	8,588,411	9,001,196	10,437,293	11,350,087	11,994,232	12,421,397	18,613,004	(6,191,607)	-33%
Debt Proceeds	278,591	-	-	-	-	-	-	-	-	-
Transfers to Debt Service	(1,967,938)	(1,484,438)	(1,669,509)	(2,054,151)	(2,246,496)	(2,260,128)	(2,273,235)	(2,610,186)	(336,951)	13%
Other Transfers & Uses	(361,006)	(490,857)	(376,466)	(690,743)	(761,642)	(349,661)	(547,470)	(798,433)	(250,963)	31%
Total Other Financing Sources/Uses	(2,050,353)	(1,975,295)	(2,045,975)	(2,744,894)	(3,008,138)	(2,609,789)	(2,820,706)	(3,408,619)	(587,914)	17%
Total Revenues Over Expenditures	913,315	1,345,918	1,713,745	1,654,813	1,201,075	507,333	(549,647)	(485,398)	(64,249)	
Unreserved Fund Balance, 10-01	2,386,488	3,825,172	4,106,801	5,968,130	8,298,621	10,050,583	10,510,392			
(Inc) Dec Designations & Encumb	-	-	-	-	-	-	130,361			
Unreserved Fund Balance, 6-30	3,299,803	5,171,090	5,820,546	7,622,943	9,499,696	10,557,917	10,091,106			

NEW BUSINESSES

July-09

CITY LIMITS		OUTSIDE CITY LIMITS	
RETAILERS		WARRANTY LOGISTICS, INC	1
HANCOCK FABRICS #1796	1	WHOLESALE SPA AND POOL OUTLET	1
LILY PADS	1	BLUE MEDICAL SUPPLY, INC	1
ALL OTHER		TOTAL OUTSIDE CITY LIMITS 24	
KEN L. FERGUSON, DMD., PC	1	CONTRACTORS	
THE LUNCH BOX	1	DR. FIX-RIGHT	1
NATUTALL WELLNESS CENTER	1	DOGAN STEEL, INC	1
AMERICAN WILDLIFE CONTROL	1	LISA'S PAINTING & PERSONAL TOUCHES	1
BELFOREST LANDSCAPING, LLC	1	STANSELL PROPERTIES & DEVELOPMENT	1
MURPHY UPHOLSTERY	1	ELLEFSON PLUMBING CO., INC	1
PUPPY LOVE GROOMING	1	DONNELLY DESIGN PAINTING	1
HALLFORD FINANCIAL ADVISORS	1	BAM INC	1
GOLFATIONS, LLC	1	ALL INCLUSIVE MAINTENANCE	1
MICHELE S. MANASCO, PHD, LLC	1	J & B CUSTOM EXTERIORS, INC	1
LEWIS CAPITAL MANAGEMENT	1	RICHARD BENNETT	1
DHI MORTGAGE COMPANY	1	SHANE KELLEY DRYWALL	1
YARD SARGE LLC	1	INTERSTATE HEATING & COOLING	1
BAREFOOT TURF MGMT, LLC	1	MASTER TEC FLOORS	1
BAYSIDE PET SITTING	1	FLAMETECH FIRESTOP SYSTEMS	1
ANDREWS AGENCY	1	MITCHELL FENCE CONTRACTING	1
L & L LANDSCAPING	1	KENT'S LANDSCAPING, LLC	1
M & M CONSULTING	1	FIRST CLASS INSTALLATIONS, LLC	1
TOTAL INSIDE CITY LIMITS 20		CHARLES S WILLIAMSON	1
OUTSIDE CITY LIMITS		PEREZ ROOFING	1
HICKORY SPRINGS MANUFACTURING	1	HORTON PLUMBING, INC	1
HOWMEDICA OSTEONICS	1	NORRIS GUTTER	1
REDBIRD ALARM SYSTEMS LLC	1	SUPERIOR WASTE & LANDCLEARING	1
SHRIMP ON WHEELS	1	TOTAL CONTRACTORS 22	
BUSINESS INFORMATION SOLUTIONS	1	TOTAL NEW BUSINESSES 66	
ACE INDUSTRIES, INC	1		
GLOBAL EQUIPMENT SALES & SERVICE	1		
INNOVATIVE OFFICE SOLUTIONS	1		
RICHARSON ENTERPRISES, INC	1		
BAYSHORE CLEANING SERVICES	1		
BARKWOOD LANDSCAPING	1		
CAROLINA MILLWORK & TRUSS LLC	1		
ACKERMAN HOME CARE	1		
PAN AMERICAN TOOL CORP	1		
GE HEALTHCARE IITS USA CO	1		
VINCENT ELIJAH SCARDAMALIA	1		
PUMPING SYSTEMS INC	1		
TIGER DRYLAC	1		
NFA EQUIPMENT FUND II, LLP	1		
REGIS CORPORATION	1		
ISS FACILITY SERVICES INC	1		

**CITY COUNCIL MEETING
REPORTS OF SPECIAL COMMITTEES**

NOTES:

BOARD OF ZONING ADJUSTMENTS REPORT:

DOWNTOWN REDEVELOPMENT AUTHORITY REPORT:

INDUSTRIAL DEVELOPMENT BOARD:

LIBRARY BOARD:

PLANNING COMMISSION REPORT:

RECREATION BOARD REPORT:

UTILITY BOARD REPORT:

**Daphne Public Library Board
July 9, 2009
Meeting Minutes**

In Attendance:

Library Director Tonja Young; Library Board member Andre LaPalme; Library Board Chair Ron Allen, Library Board Vice Chair Jan Blankenhorn; Friends of the Library President Carol Simmons.

1) Call to Order:

After a quorum was established, Library Board Chair Ron Allen called the meeting to order at 4:00 p.m.

2) Reading and Approval of the Minutes:

The minutes of the June, 2009 meeting were reviewed and approved. Motion made by Jan, second by Andre. Motion passed. Followed by a short discussion and explanation of Sunshine Laws, or Open Meeting Act, for benefit of new member.

3) Update on Library Foundation Status:

Ron asked Jan to report since she is Chairman of the Foundation. Jan reported that the last scheduled meeting did not have a quorum. Meeting schedule was announced through May of 2010. Also the short bios requested from the Foundation members are being collected.

4) Library Director's Report

Tonja announced that APLS had donated 19 mail bins of books that she is currently working on cataloging between other duties. The Teen Advisory Board's Fall into Reading Celebration was announced for September.

The monthly report for June, 2009 was reviewed. June showed an overall increase of 11.58% in circulation, and an increase of 11.98 % in patronage. Other statistics include:

Interlibrary Holds Loaned to Daphne = 1976
Interlibrary Holds Loaned from Daphne = 1688
New Patrons = 322 (over double the normal amount)

Volunteer Hours = 60
Book Shop Volunteer Hours = 154
Total Volunteer Hours = 302
Exams Proctored = 8
Reference Questions: 944 (higher than usual)
Children's Programs Attendance = 1507 (includes summer reading program data)
Teen Programs Attendance = 110
Adult Programs Attendance = 32
Meeting Room Use = 576
New Items Cataloged = 705 (has greatly increased)
Computer Users = 1456

5) Public Participation

Carol announced that the Friends would help the library purchase computers for the new computer lab if necessary. Also discussed were items for the Fall into Reading Silent Auction/Raffle (sponsored by the Friends) and the Foundation Kick-Off Silent Auction/Raffle (sponsored by the Foundation). She stated that the Friends were donating some books that could not be sold in the Book Shop to Habitat for Humanity.

6) Other Business

None.

7) Adjourned

The meeting was adjourned by Ron at 4:55 p.m.

Respectfully submitted by T. Young, August 4, 2009



Daphne Utilities

APPROVED MINUTES

(corrected)

Utilities Board Meeting

City of Daphne Executive Chambers ♦ June 24, 2009 ♦ 5:00 p.m.

I. CALL TO ORDER

The June 24, 2009, regular Board meeting for the Utilities Board of the City of Daphne was called to order by Chairman Robert Segalla, at 5:00 p.m.

II. ROLL CALL

Members Present: Robert Segalla, Chairman
Ron Scott, Vice Chairman – left the meeting at 6:24 pm
Lon Johnston, Secretary Treasurer
Fenton E. Jenkins

Others Absent: Fred Small, Mayor

Others Present: Jerry Speegle – Board Attorney
Danny Lyndall – Operations Manager
Teresa Logiotatos – Finance Manager
Deloris Brown – Human Resources Manager
Tammy Canupp – Administrative Services Supervisor
Lori Scharles – Executive Assistant
Melinda Immel – Volkert & Associates
Ray Moore – HMR

Others Absent: Rob McElroy – General Manager
Drew Klumpp – Adm. Services Manager

III. PLEDGE OF ALLEGIANCE

The Chairman led the Board and meeting attendees in the Pledge of Allegiance.

IV. APPROVAL OF MINUTES

a. *Utilities Board Minutes from April 29, 2009:*

The Chairman stated there were no additions, deletions, or corrections for the Minutes from the April 29, 2009, Utilities Board meeting. Mr. Johnston commented that his request in the minutes for information regarding the Utilities' bank dealings had been accomplished.

MOTION BY Mr. Johnston to approve the April 29, 2009; Seconded by Mr. Scott.

AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA ABSENT: SMALL ABSTAIN: MOTION CARRIED

There were no minutes for May, 2009, due to the Board meeting being cancelled.

The Chairman then re-arranged the agenda in order to accommodate the early departure of Vice-Chairman Scott.

V. BOARD ACTION

a. Resolution 2009-05 - AMENDMENT TO RESOLUTION 1991-21; Deposit Rates for New Service

Mr. Lyndall explained that this amendment was a change to the deposit rates for new services and affects the minimal commercial user non-food establishment with a 1" meter or smaller.

MOTION BY Ron Scott to adopt Resolution 2009-05 – Amendment to Resolution 1991-21; Deposit Rates for New Service; Seconded by Mr. Johnston.

AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA ABSENT: SMALL ABSTAIN: MOTION CARRIED

b. Resolution 2009-06 – Red Flag Rule – Identity Theft Prevention Policy

Mr. Lyndall explained that this is a federal regulation for protection of identity theft.

MOTION BY Ron Scott to adopt Resolution 2009-06 – Red Flag Rule – Identity Theft Prevention Policy; Seconded by Mr. Johnston.

AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA ABSENT: SMALL ABSTAIN: MOTION CARRIED

c. Resolution 2009-07 – AMENDMENT TO RESOLUTION 2007-01 – Service Rates for Sewer Only Customers

Mr. Lyndall emphasized that a corrected copy was distributed prior to the start of the meeting. He explained that the resolution is to adopt a flat rate for sewer for customers that do not have a metered water connection with Daphne Utilities.

MOTION BY Lon Johnston to adopt Resolution 2009-07 – Amendment to Resolution 2007-01-Service Rates for Sewer Only Customers; Seconded by Mr. Jenkins.

AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA ABSENT: SMALL ABSTAIN: MOTION CARRIED

d. Resolution 2009-08 – AMENDMENT TO RESOLUTION 2009-01; Capacity Fee Calculations

Mr. Lyndall clarified that this Resolution is to amend the January Resolution adopting the policy for calculating household equivalents based on meter size to now be calculated based on connection size to our main or the service line size.

MOTION BY Ron Scott to adopt Resolution 2009-08 – AMENDMENT TO RESOLUTION 2009-01–Capacity Fee Calculation; Seconded by Mr. Johnston.

AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA ABSENT: SMALL ABSTAIN: MOTION CARRIED

e. Motion to Accept Bid & Award Contract for Headworks Renovations at Waste Water Treatment Plant

Melinda Immel explained to the Board the tabulation of bids for the award of the contract for the Headworks Renovations project at the Waste Water Treatment Plant.

MOTION BY Lon Johnston to accept the bid of \$2,643,250.00 and award the contract for the Headworks Renovations project at the Daphne Utilities Waste Water Treatment Plant to Ballcon, Inc.; Seconded by Mr. Jenkins.

AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA ABSENT: SMALL ABSTAIN: MOTION CARRIED

VI. EXECUTIVE SESSION –

MOTION BY Ron Scott to go into Executive Session at 5:14 pm for discussion of pending litigation; Seconded by Mr. Johnston.

AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA ABSENT: SMALL ABSTAIN: MOTION CARRIED

Executive Session adjourned at 5:32 p.m.

VII. Old Business

a. **Capacity Fee Study / Rate Study – Presentation by Blair Troutman with BlueWater Consulting**

Blair Troutman from BlueWater Consulting presented the Board with the findings and items of consideration of the Capacity Fee Study / Rate Study. His formal recommendations will be forthcoming at an upcoming board meeting.

b. **Sewer Only Cutoff Policy**

Mr. Lyndall reviewed with the Board a sample letter that will be mailed to our customers who are severely behind in payment on their account. A discussion followed regarding the amount to be charged for the disconnect fee.

MOTION BY Ron Scott to authorize Daphne Utilities’ staff to charge a disconnect fee equal to the amount our outside contractors fee plus 8%; Seconded by Mr. Johnston.

AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA ABSENT: SMALL ABSTAIN: MOTION CARRIED

Mr. Lyndall also highlighted for the Board two press releases developed by Strategy Public Relations relative to the Flat Sewer Fee.

c. **Items in Abeyance:**

1. **Gas Franchise Agreement** – Mr. Lyndall presented recent information regarding new connections to Daphne Utilities’ gas system and suggested a stronger worded gas franchise agreement with the City of Daphne.
2. **19 Acres – Daphne Utilities property** – no new information was presented; Mr. Lyndall requested that it be dropped from the Agenda.
3. **Wastewater Legislation** – no new information was presented; Mr. Lyndall requested that it be dropped from the Agenda.

VIII. New Business

a. **Presentation by Baldwin County Home Builders Association**

Don Druse, representing the regulatory services of the Baldwin County Home Builders Association, addressed the Board to request the transfer of costs of the fees for utilities to the end of the job in lieu of the beginning of the job’s construction as it is currently. Chairman Segalla replied that the request will be taken under advisement and a response will be forthcoming from Rob McElroy.

b. **Red Flag Rule – Identity Theft Prevention Program** – Previously discussed under Board Action.

c. **Service Rates for Sewer Only Customers** – Previously discussed under Board Action.

d. **Deposit Rates for New Service** – Previously discussed under Board Action.

e. **Amendment to Resolution 2009-01 Capacity Fee Calculations** – Previously discussed under Board Action.

IX. BOARD ATTORNEY’S REPORT

Mr. Speegle had nothing further to add to the submitted report.

X. FINANCIAL REPORT

Teresa Logiotatos reviewed the financial report with the Board. She noted that normal operations are occurring and highlighted the budget versus actual are converging getting closer to the budget figures.

Ron Scott left the meeting at 6:24 pm

XI. GENERAL MANAGER’S REPORT

a. **GM Report**

Danny Lyndall, on behalf of Rob McElroy, noted the award letter received from AWPCA and recognized Daphne Utilities’ Wastewater Treatment Plant Manager, Jim Caudle, and Daphne Utilities’ Maintenance Manager, Andrew Bolar, of their contribution to winning the Best-Operated Plant Award for Mechanical Plant 4.1 - 4.5 MGD (Daphne Water Reclamation) and Ground Water 25,001 – 50,000 Population (Central Plant).

b. Operations Report

Danny Lyndall answered inquiries of concern of the lack of water to meet the demand. He explained that crews recently encountered numerous obstacles and emergencies but pulled together, along with Melinda Immel, to handle the crisis in a prompt and professional manner.

Melinda Immel of Volkert & Associates had nothing additional to include in her report.

Ray Moore of HMR had nothing additional to include in his report but introduced Doug Bailey with HMR who will be lending support of Mr. Moore.

XII. PUBLIC PARTICIPATION – none

XIII. BOARD COMMENTS – none

XIV. ADJOURNMENT–

MOTION BY Mr. Johnston to adjourn the meeting. Seconded by Mr. Jenkins.

AYE: SCOTT, SEGALLA, JENKINS, JOHNSTON

ABSENT: SMALL

MOTION CARRIED

The meeting adjourned at 6:31 p.m.

**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

CITY OF DAPHNE PARADE PERMIT

ORGANIZATION:	<i>Bounds Family YMCA</i>
CONTACT PERSON:	<i>Judson Crawley</i>
ADDRESS:	<i>8051 Whispering Pines Road</i>
PHONE NUMBER (HOME): PHONE NUMBER (BUSINESS): CELL NUMBER:	<i>626-0888</i>
TYPE OF PARADE:	<i>5K & 2 mile run</i>
DATE OF PARADE:	<i>November 14, 2009</i>
ROUTE TO BE TRAVELED:	<i>From YMCA North on Pollard Rd. turn east on Whispering Pines Rd. to Creekside Subdv. Left into subdv. To Pollard Rd. turn south on Pollard back to YMCA</i>
APPROXIMATE # OF PEOPLE & CARS:	<i>100 - 200</i>
START TIME:	<i>9:00 A.M.</i>
STOP TIME:	<i>10:30 A.M.</i>
ASSEMBLY AREA/STREET:	<i>Bounds YMCA</i>
ASSEMBLY TIME:	<i>8:30 A.M.</i>
SPECIAL INSTRUCTIONS:	<i>Block streets off at YMCA from Pollard to Whispering Pines, Whispering Pine to Creekside Subdv. Creekside Supdivision to Pollard, Pollard from Creesdie Subv. To YMCA</i>
DATE APPLIED:	<i>August 6, 2009</i>
APPROVAL	
POLICE: Chief David Carpenter:	<i>David Carpenter</i>
FIRE: Chief James White	<i>James White</i>
PUBLIC WORKS: William H. Eady	<i>William H. Eady Jr.</i>
CITY COUNCIL APPROVAL:	
SPECIAL INSTRUCTIONS:	
DATE ROUTED:	<i>August 7, 2009</i>
NOTIFICATION:	

CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

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

NOTES:

RECOMMENDATIONS

COUNCIL COMMENTS:

CITY OF DAPHNE

RESOLUTION NO.: 2009-74

Donation of Property by Vilai Marino Property Located on U.S. Highway 98 North of Johnson Road

WHEREAS, Vilai Marino (who is also known as Vilia Marino) hereby desires to grant, bargain, convey, and donate to the City of Daphne a certain parcel of real property and;

WHEREAS, the City of Daphne hereby accepts the herein described real property and;

WHEREAS, the City of Daphne recognizes that the total assessed value of said property according to the Tax Assessor's records of Baldwin County, Alabama is \$500.00 and;

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

From the Southeast Corner of the Southwest Quarter of Section 20, Township 5 South, Range 2 East, run West 714 feet, North 1 degrees 30 minutes East 481.5 feet, West 663.6 feet to the Northwest corner of the Douglas Jones land which is the point of Beginning, as shown by a plat thereof dated April 29, 1977, prepared by the Fairhope Title and Survey Company, Inc., run South 70 feet, more or less, along the West edge of the Douglas Jones land to the point where said line intersects U. S. Highway #98 4-land, thence Northerly along the West edge of U.S. Highway #98 4-land, 70 feet, more or less, to the North edge of the Douglas Jones Land, thence West 4 feet plus or minus to the Point of Beginning. Intending to covey a triangular tract of land approximately 70 feet by 4 feet by 70 feet lying West of U.S. Highway #98 and being a part of the property formerly of Douglas Jones.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the above described property is hereby accepted.

ADOPTED AND APPROVED THIS _____ day of _____, 2009

CITY OF DAPHNE, ALABAMA

**JOHN LAKE,
COUNCIL PRESIDENT**

Date & Time Signed: _____

**FRED SMALL,
MAYOR**

Date & Time Signed: _____

ATTEST:

**DAVID L. COHEN,
CITY CLERK, MMC**

STATE OF ALABAMA
COUNTY OF BALDWIN

**GENERAL ACCESS EASEMENT
FOR INGRESS AND EGRESS**

KNOW ALL MEN BY THESE PRESENTS, that the **CITY OF DAPHNE, ALABAMA**, An Alabama Municipal Corporation, (hereinafter "Grantor") in consideration of the sum of Ten and No/100 (\$10.00) Dollars to be paid to the Grantor, and other good and valuable consideration, the receipt of which is hereby acknowledged by the Grantor, does hereby **REMISE, RELEASE, QUITCLAIM AND CONVEY** unto **THE MARINO FAMILY TRUST**, An Alabama Family Trust (hereinafter "Grantee"), a perpetual, non-exclusive, general easement for ingress and egress across a parcel of land in the County of Baldwin, State of Alabama, which strip is more particularly described as follows:

THE NORTHERLY MOST 50 FEET OF TAX PARCEL NUMBER 05-43-03-71-0-007-019.001, LYING BETWEEN THE WESTERN MOST LINES OF TAX PARCEL NUMBER 05-43-03-71-0-007-021.000 AND TAX PARCEL NUMBER 05-43-03-71-0-007-019.000, AND THE EAST LINE OF TAX PARCEL NUMBER 05-43-03-71-0-007-022.000

(hereinafter "Easement Area") for the purpose of ingress and egress in, over, through and across the described Easement Area.

This Easement shall be subject to the following terms and/or conditions:

1. Grantor and its successors and/or assigns shall not cause any unnecessary and/or unreasonable obstruction or interruption of travel or access by the Grantee to the Easement Area.
2. The Grantor shall keep the Easement Area in good repair and condition and shall not plant trees and/or vegetation within the Easement Area which might reasonably obstruct or impair the purpose of the easement; however, nothing contained herein shall be read or interpreted to require the Grantor to clean and/or maintain the Easement Area.

STATE OF ALABAMA)
COUNTY OF BALDWIN)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that **VILIA MARINO** also known as **VILAI MARINO**, a widowed woman, individually and as the surviving spouse of Percy Wainwright Marino, the Grantor, for and in consideration of the sum of **TEN & 00/100 (\$10.00) DOLLARS** and other good and valuable consideration hereby acknowledged to have been paid to the Grantor by **THE CITY OF DAPHNE, An Alabama Municipal Corporation**, 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:

From the Southeast Corner of the Southwest Quarter of Section 20, Township 5 South, Range 2 East, run West 714 feet, North 1 degrees 30 minutes East 481.5 feet, West 663.6 feet to the Northwest corner of the Douglas Jones land which is the point of Beginning, as shown by a plat thereof dated April 29, 1977, prepared by the Fairhope Title and Survey Company, Inc., run South 70 feet, more or less, along the West edge of the Douglas Jones land to the point where said line intersects U. S. Highway #98 4-land, thence Northerly along the West edge of U.S. Highway #98 4-land, 70 feet, more or less, to the North edge of the Douglas Jones Land, thence West 4 feet plus or minus to the Point of Beginning. Intending to covey a triangular tract of land approximately 70 feet by 4 feet by 70 feet lying West of U.S. Highway #98 and being a part of the property formerly of Douglas Jones.

PAGE 1

EXCEPTING THEREFROM such oil, gas and other minerals in, on and under said real property, together with all rights in connection therewith, as have previously been reserved by or conveyed by others.

GRANTOR DOES HEREBY REPRESENT AND COVENANT THAT THE HEREIN DESCRIBED REAL PROPERTY DOES NOT CONSTITUTE HOMESTEAD PROPERTY WITHIN THE MEANING OF TITLE 6-10-3, CODE OF ALABAMA, (1975).

Together with all and singular the rights, privileges, tenements, hereditaments and appurtenances hereunto belonging, or in anywise appertaining; **TO HAVE AND TO HOLD** the same unto the said Grantee forever.

The property is conveyed subject to all matters of record and to such matters as would be shown by an accurate survey or apparent from a reasonable inspection.

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand and seal this the _____ day of _____, 2009.

**VILAI MARINO A/K/A VILIA MARINO,
Grantor**

**STATE OF ALABAMA
COUNTY OF BALDWIN**

I, the undersigned Notary Public, in and for said State and County, hereby certify that **VILAI MARINO A/K/A VILIA MARINO**, 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 content of said conveyance, executed the same voluntarily on the day same bears date.

PAGE 2

Given under my hand and seal this the _____ day of _____, 2009.

NOTARY PUBLIC

My Commission Expires:

GRANTEE'S ADDRESS:

**THE CITY OF DAPHNE,
An Alabama Municipal Corporation**
P.O. Drawer 400
Daphne, Alabama 36526

**This instrument prepared by:
MISSTY C. GRAY
ROSS, JORDAN & GRAY, P.C.
Post Office Box 210
Mobile, Alabama 36601
(251) 432-5400 telephone
(251) 432-5445 facsimile
missty@rossandjordan.com**

PAGE 3

Proposed 50 Foot Easement

MERRITT BL

US HWY 98

Proposed 50 Foot Easement

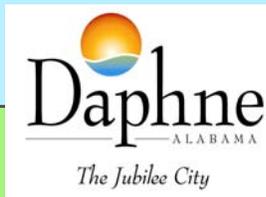
JORDAN RD

Marino Property

Thomas Medical

City Property

BAYFRONT PARK DR



The information contained in the data distributed by the City of Daphne is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed. The City of Daphne makes no warranty, expressed or implied as to the accuracy, completeness, currency, reliability, suitability for any particular purpose of the information or data collected or generated from the City Geographic Information System. Acceptance of the City of Daphne or any agent, servant, or employee thereof assumes all liability associated with the use of the data, and assume no responsibility to maintain it in any manner or form. Any questions regarding zoning should be directed to the City of Daphne Planning Department-678-1182.

Map compiled by Nancy Anderson, GIS Manager, City of Daphne Community Development, July 2, 2009

HARBOR CV

MAIN ST

Marino Property

LFN Rental

City Property

City Barn

Marino Property

US HWY 98

City Property

Animal Shelter



The information contained in the data distributed by the City of Daphne is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed. The City of Daphne makes no warranties, expressed, or implied as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of the information or data contained in or generated from the City Geographic Information System. Additionally, the City of Daphne or any agent, servant, or employee thereof assume no liability associated with the use of the data, and assume no responsibility to maintain it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Planning Department. Tel. # 254621-3184

Johnson Rd

RESOLUTION NO. 2009-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAPHNE APPOINTING DIRECTORS TO SERVE AS THE GOVERNING BODY OF THE YMCA PUBLIC PARK AND RECREATION BOARD OF THE CITY OF DAPHNE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA as follows:

That upon evidence duly presented to and considered by the Council, the Council does hereby find and determine that each of the following named persons is a duly qualified elector and owner of real property in the City of Daphne and none of such persons is an officer of the State of Alabama or any county or municipality, and the Council does hereby elect and appoint the same as directors of the YMCA Public Park and Recreation Board of the City of Daphne for terms of office ending on the date set opposite each name or on such date as the respective successors thereof are elected and qualified in their stead:

<u>Name</u>	<u>Date of End of Term</u>
Kenneth Wells	April 15, 2010
Lynne T. DeVault	April 15, 2012
Allison Ellis	April 15, 2014

ADOPTED this ____ day of _____, 2009.

JOHN LAKE
COUNCIL PRESIDENT
Date & Time Signed: _____

FRED SMALL
MAYOR
Date & Time Signed: _____

ATTEST:

DAVID L. COHEN,
CITY CLERK, MMC

David Cohen

From: "Jennifer M. Anderson" <JAnderson@presleyllc.com>
To: <daphnecc@bellsouth.net>
Cc: "David Ringelstein" <DRingelstein@presleyllc.com>
Sent: Thursday, July 23, 2009 11:36 AM
Attach: Ordinance Appointing Directors.doc
Subject: YMCA Public Park and Recreation Board of City of Daphne

Mr. Cohen,

Attached is the resolution we have prepared appointing new directors to the YMCA Public Park and Recreation Board of the City of Daphne. I am sending this per your telephone conversation yesterday with David Ringelstein of this firm.

As discussed, the terms of the existing board members have expired. Mr. David Dukes of the YMCA of South Alabama, Inc. provided us with the names of the persons to be appointed as the new directors as reflected in the attached resolution. I have spoken with them and have confirmed that each (i) is willing to serve on the board, and (ii) meets the statutory eligibility requirements for appointment to the board (i.e., duly qualified electors and taxpayers of the City of Daphne, and not officers or employees of the City). The addresses for the new directors are as follows:

Kenneth Wells, 8792 Pine Run, Daphne 36526

Lynne T. DeVault, 430 Ridgewood Drive, Daphne 36526

Allison Ellis, 1617 Fifth Street, Daphne 36526

These are all unpaid, volunteer positions.

Note that the terms of the new directors have been set so that they correspond with the expiration dates of the terms of the existing directors. Pursuant to the statute (Ala. Code 11-60-7), the terms of the initial directors were staggered (2 yrs./4 yrs./6 yrs.) but the new directors all have six-year terms.

Should you have any questions, or if I can provide you with additional information, please give me a call.

Thank you for your help.

Sincerely,

Jennifer Anderson

Jennifer M. Anderson
Presley Burton & Collier, LLC
2801 Highway 280 South
Suite 700
Birmingham, Alabama 35223-2483
Telephone (direct dial): 205/423-3606
Telephone (general): 205/423-3600
Facsimile: 205/423-3610
Email: janderson@presleyllc.com

KEN WELLS
7101 Stone Drive
P.O. Box 952
Daphne, AL 36527

(251) 626-0904

kenwellscpa@bellsouth.net

EDUCATION

AUBURN UNIVERSITY , Auburn, Alabama <i>Bachelor of Science (Accounting), with honors</i>	June, 1979
UNIVERSITY OF ALABAMA , Tuscaloosa, Alabama	August 1974 - May 1975

EXPERIENCE

HANAK & WELLS, P.C. , Daphne, AL <i>Partner</i>	2008 through present
JOHNSON, SLAUGHTER, WELLS & ASSOCIATES, P.A. , Foley, AL <i>Partner</i>	1998 - 2008
LAWRENCE & LAWRENCE, P.C. , Mobile, AL <i>Partner, Manager</i>	1987-1998
JAMES N. HOWARD & ASSOCIATES, P.C. , Dallas, TX <i>Manager</i>	1984 - 1987
HOLLOWAY, LANE & COMPANY, P.C. , Dallas, TX <i>Senior Accountant</i>	1984
EDWIN R. PICKETT, CPA , Dallas, TX <i>Staff Accountant</i>	1981 - 1984
DILL, BOND & PLUMSTEAD, CPA's , Mobile, AL <i>Staff Accountant</i>	1979 - 1981

ACTIVITIES

Member - AICPA, Alabama Society of Certified Public Accountants
Treasurer - Baldwin County Republican Party

REFERENCES

Available upon request

Resume

Lynne DeVault

I was born December 14, 1946, in Birmingham, Alabama to Rev. C. M. and Mrs. Elizabeth Carraway Tyndal, both of whom are deceased. I have two brothers, Dr. Charles M. Tyndal and Dr. Edward C. Tyndal and a sister, Mrs. Elizabeth T. Burleson who all reside in Birmingham.

I graduated from Brantley High School in 1964 and attended Snead Junior College in Boaz, Alabama. I transferred to Auburn University in 1965 and completed my bachelor's degree in Elementary Education with a certificate to teach grades K-9.

I received my master's degree from the University of South Alabama in 1988 in Elementary Education.

I taught 29 ½ years in Alabama public schools and 4 years in a private school. My last 20 years of teaching were at Daphne Elementary School and Daphne Middle School. I retired in 2000 from the Baldwin County School System.

My former husband, John B. Sasser, was a councilman for the city of Daphne in the early 1990's. He filled out a term for a councilman who moved out of state and was reelected to serve another term. He died of melanoma in March of 1998.

I remarried in 2002 to Bill DeVault. We are very active in our church at Spanish Fort Presbyterian Church where I am an elder. We are participating in our 3rd Disciple Class which began August 11, 2009. I am a member of the hand bell choir and we both are active in many areas of our church's life.

My husband is an avid exerciser and attends the Bounds YMCA every day. I go in spurts. I was on the Financial Board of the Bounds YMCA several years ago.

We live in Lake Forest, a subdivision of Daphne. I have lived at this same address for 30 years. I am a registered voter and consider it my privilege and duty to vote in every election that is held here.

Alison W. Ellis
1617 Fifth Street
Daphne, AL 36526
251-626-7027

Education: University of Alabama at Birmingham, June 1993
Master of Arts in Education (English)

Troy State University, June 1991
Bachelor of Science in Language Arts Education

Experience: Christ the King Catholic School
Daphne, AL
7/8 grade writing teacher
2006-present (volunteer)

Christ the King Catholic School
Daphne, AL
7/8 grade English/Literature Teacher
1996-2000

Madison-Ridgleland Academy
Madison, MS
11/12 grade English and AP English Teacher
1995-1996

W.A. Berry High School/Hoover High School
Hoover City Schools
9/10 grade English/Literature Teacher
March 1993-September 1994

Admiral Moorer Middle School
Eufaula City Schools (AL)
7/8 grade English/Literature Teacher
1991-1992

Professional
Activities and

Organizations: National Educations Association
Alabama Education Association
National Council of Teachers of English
Hoover City Schools English/Language Arts Curriculum Design
Committee
Mississippi Private School Association
Chairman of Madison-Ridgeland Academy English Department
Millsaps College Certified Advanced Placement English Teacher
Chairman of Christ the King Catholic School English Department
Served on Various SACS Committees at Christ the King
Member of Bounds Family YMCA Board of Directors

Recent

Experiences: I have been out of the “professional” workplace for ten years. My primary focus has been raising my three sons: ages 13, 9, and 8. I volunteer on a regular basis at their schools, Bayside Academy and Christ the King Catholic School.

RESOLUTION NO. 2009-76
2009-T-DUAL SIDE LOADING RECYCLE TRUCK

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the DUAL SIDE LOADING RECYCLE TRUCK will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the DUAL SIDE LOADING RECYCLE TRUCK and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the DUAL SIDE LOADING RECYCLE TRUCK be awarded to Empire Truck Sales; and

WHEREAS, the City Council did heretofore determine that, due to funding constraints, such equipment will be lease purchased.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of \$149,481 from Empire Truck Sales as specified in BID SPECIFICATION NO: 2009-T-DUAL SIDE LOADING RECYCLE TRUCK and the Mayor is hereby authorized to negotiate and enter into a lease agreement for the truck.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ day of _____, 2009.

John Lake, Council President
Date & Time Signed: _____

Fred Small, Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION NO. 2009-77
2009-U-16 CUBIC YARD AUTOMATED SIDE LOADING TRUCK WITH
REFUSE COLLECTION BODY

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the 16 CUBIC YARD AUTOMATED SIDE LOADING TRUCK WITH REFUSE COLLECTION BODY will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the 16 CUBIC YARD AUTOMATED SIDE LOADING TRUCK WITH REFUSE COLLECTION BODY and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the 16 CUBIC YARD AUTOMATED SIDE LOADING TRUCK WITH REFUSE COLLECTION BODY be awarded to Kenworth of Birmingham; and

WHEREAS, the City Council did heretofore determine that, due to funding constraints, such equipment will be lease purchased.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of \$160,000 from Kenworth of Birmingham as specified in BID SPECIFICATION NO: 2009-U-16 CUBIC YARD AUTOMATED SIDE LOADING TRUCK WITH REFUSE COLLECTION BODY and the Mayor is hereby authorized to negotiate and enter into a lease agreement for the truck.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ day of _____, 2009.

John Lake, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION NO. 2009-78
2009-V-22 CUBIC YARD HIGH COMPACTION AUTOMATED/REFUSE
COLLECTION BODY

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the 22 CUBIC YARD HIGH COMPACTION AUTOMATED/REFUSE COLLECTION BODY will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the 22 CUBIC YARD HIGH COMPACTION AUTOMATED/REFUSE COLLECTION BODY and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the 22 CUBIC YARD HIGH COMPACTION AUTOMATED/REFUSE COLLECTION BODY be awarded to Ingram Equipment Company; and

WHEREAS, the City Council did heretofore determine that, due to funding constraints, such equipment will be lease purchased.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of \$213,548.45 from Ingram Equipment Company as specified in BID SPECIFICATION NO: 2009-V-22 CUBIC YARD HIGH COMPACTION AUTOMATED/REFUSE COLLECTION BODY and the Mayor is hereby authorized to negotiate and enter into a lease agreement.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2009.

John Lake, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION NO. 2009-79
2009-W-HYDRAULIC KNUCKLEBOOM BRUSH & LIMB LOADER WITH
DUMP BODY & CHASSIS

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the HYDRAULIC KNUCKLEBOOM BRUSH & LIMB LOADER WITH DUMP BODY & CHASSIS will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the HYDRAULIC KNUCKLEBOOM BRUSH & LIMB LOADER WITH DUMP BODY & CHASSIS and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the HYDRAULIC KNUCKLEBOOM BRUSH & LIMB LOADER WITH DUMP BODY & CHASSIS be awarded to Empire Truck Sales; and

WHEREAS, the City Council did heretofore determine that, due to funding constraints, such equipment will be lease purchased.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of \$117,900 from Empire Truck Sales as specified in BID SPECIFICATION NO: 2009-W-HYDRAULIC KNUCKLEBOOM BRUSH & LIMB LOADER WITH DUMP BODY & CHASSIS and the Mayor is hereby authorized to negotiate and enter into a lease agreement for the truck.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2009.

John Lake, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION NO. 2009-80
2009-X-STREET SWEEPER- LEASE

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the STREET SWEEPER will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the STREET SWEEPER and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the STREET SWEEPER be awarded to Ingram Equipment Company; and

WHEREAS, the City Council did heretofore determine that, due to funding constraints, such equipment will be lease purchased.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of \$146,677.58 from Ingram Equipment Company as specified in BID SPECIFICATION NO: 2009-X-STREET SWEEPER - LEASE and the Mayor is hereby authorized to negotiate and enter into a lease agreement for the Street Sweeper.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ day of _____, 2009.

John Lake, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION NO. 2009-81
2009-DD-TRAFFIC CONTROL SIGNS

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the TRAFFIC CONTROL SIGNS will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the TRAFFIC CONTROL SIGNS and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the TRAFFIC CONTROL SIGNS be awarded to Rocal, Inc..

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Rocal, Inc. for unit cost as bid herein and made a part hereof for BID SPECIFICATION NO. 2009-DD-TRAFFIC CONTROL SIGNS.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____day of _____, 2009.

John Lake, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

BID DOCUMENT: 2009-DD-TRAFFIC CONTROL SIGNS

THE BIDDER ACKNOWLEDGES WITH THE SUBMISSION OF A BID THAT HE/SHE HAS REVIEWED THE TERMS AND CONDITIONS OF THIS BID AND ACCEPTS THEM. BID SHEETS MUST BE SIGNED BY COMPANY OWNER OR AUTHORIZED PERSONNEL AND NOTARIZED.

COMPANY NAME Rocal, Inc
ADDRESS 3186 CR 550
Frankfort, OH 45628
FEDERAL ID# 31-0650779
PHONE NUMBER 740-998-2122
FAX NUMBER 740-998-2073
E-MAIL achristopher@rocal.com

Alan Christopher
AUTHORIZED SIGNATURE

Alan Christopher
PRINT NAME

Sworn to and subscribed before me this 30th day of July, 2009.

Patricia L. Grant
Notary Public

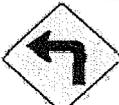


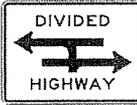
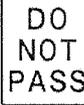
PATRICIA L. GRANT
Notary Public, State of Ohio
My Commission Expires
March 30, 2011

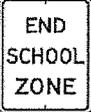
ALL BIDS MUST BE RECEIVED IN PERSON OR BY MAIL

IN PERSON :
CITY OF DAPHNE
FINANCE DEPARTMENT
ATTENTION: SUZANNE HENSON
1705 MAIN STREET
DAPHNE, ALABAMA 36526

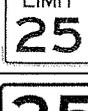
BY MAIL :
CITY OF DAPHNE
FINANCE DEPARTMENT
ATTENTION: SUZANNE HENSON
P.O. BOX 400
DAPHNE, ALABAMA 36526

Sign Name	Picture	Color	Size	Multiplier	Price Each	EXTENDED TOTAL (Multiplier x Price Each)
3 Way		White on Red	12 x 06	1.1	1.83	2.01
4 Way		White on Red	12 x 06	2.6	1.83	4.76
Arrow, Curve Left		Black on Yellow	30 x 30	1	22.81	22.81
Arrow, Curve Right		Black on Yellow	30 x 30	0.9	22.81	20.53
Arrow, One Way Left		White on Black	36 x 12	0.7	10.95	7.67
Arrow, One Way Right		White on Black	36 x 12	2	10.95	21.90
Arrow, Reverse Curve Left		Black on Yellow	30 x 30	0.2	22.81	4.56
Arrow, Reverse Curve Right		Black on Yellow	30 x 30	0.3	22.81	6.84
Arrow, Sharp Left		Black on Yellow	30 x 30	0.4	22.81	9.12
Arrow, Sharp Right		Black on Yellow	30 x 30	1	22.81	22.81
Arrow, Straight Green		White on Green	24 x 06	0.6	3.65	2.19
Cart Crossing		Black on Yellow	30 x 30	2.2	35.31	77.68
Caution Driveway Over Hill		Black on Yellow	30 x 30	0.1	22.81	2.28

Sign Name	Picture	Color	Size	Multiplier	Price Each	EXTENDED TOTAL (Multiplier x Price Each)
Caution Trucks Entering Road		Black on Yellow	30 x 30	0.4	22.81	9.12
Chevron		Black on Yellow	18 x 24	6.1	10.95	66.80
City Limits		White on Blue	36 x 24	0.2	33.90	6.78
Co Rd 13		Yellow on Blue	18 x 18	0.1	16.21	1.62
Co Rd 64		Yellow on Blue	18 x 18	0.1	16.21	1.62
Crosswalk		Black on Yellow	30 x 30	2.8	22.81	63.87
Dangerous Curve		Black on Yellow	30 x 30	0.2	22.81	4.56
Deaf Child		Black on Yellow	30 x 30	1.2	22.81	27.37
Divided Highway-Four Lane		Black on White	24 x 18	0.5	16.95	5.48
Divided Highway-Two Lane		Black on Yellow	30 x 30	0.1	22.81	2.28
Do Not Enter		Red on White	24 x 24	0.5	14.60	7.30
Do Not Pass		Black on White	18 x 24	0.5	10.95	5.48
Emergency Signals Ahead		Black on Yellow	48 x 30	0.2	36.50	7.30

Sign Name	Picture	Color	Size	Multiplier	Price Each	EXTENDED TOTAL (Multiplier x Price Each)
Emergency Signals Ahead (Overhead)		Black on White	43 x 30	0.2	36.50	7.30
End of School Zone		Black on White	24 x 30	1	18.65	18.65
Horse Crossing		Black on Yellow	30 x 30	0.1	22.81	2.28
Intersection, Side Road		Black on Yellow	30 x 30	1	22.81	22.81
Intersection, Crossroad		Black on Yellow	30 x 30	0.1	22.81	2.28
JCT		Yellow on Blue Black on White	21 x 15	0.1	7.99	.80
Keep Right		Black on White	24 x 30	1.8	18.25	32.85
Lane Ends- Merge		Black on Yellow	30 x 30	0.1	22.81	2.28
Left Turn Yield on Green		Black on White	24 x 30	0.1	18.25	1.83
No Left Turn		Black on White	24 x 18	0.2	10.95	2.19
No Loading or Unloading		Red on White	24 x 18	0.4	10.95	4.38
No Outlet		Black on Yellow	30 x 30	6.3	22.81	143.70
No Parking		Red on White	12 x 18	16.4	5.48	89.87

2009-DD-TRAFFIC CONTROL SIGNS

Sign Name	Picture	Color	Size	Multiplier	Price Each	EXTENDED TOTAL (Multiplier x Price Each)
No Parking Beyond This Point		Red on White	12 x 18	0.1	5.48	.55
No Parking Here to Corner		Red on White	12 x 18	0.3	5.48	1.64 ^{AC}
No Thru Traffic		Black on White	18 x 24	0.8	10.95	8.76
No Trucks		Black on White	18 x 24	0.7	10.95	7.67
Reduce Speed Ahead		Black on Yellow	30 x 30	0.1	22.81	2.28
School Bus Stop Ahead		Black on Yellow	30 x 30	0.4	22.81	9.12
School Zone MPH When Flashing		Black on White/ School Yellow	24 x 48	0.8	29.20	23.36
School Zone MPH w/ Times		Black on White/ School Yellow	24 x 48	0.2	29.20	5.84 ^{AC}
Slow		Black on Yellow	30 x 30	3.5	22.81	79.84
Speed Bump mph		Black on Yellow	30 x 30	1.6	22.81	36.50
Speed Limit		Black on White	24 x 30	35.7	18.25	651.53
Speed Limit (Yellow)		Black on Yellow	18 x 18	1.1	8.21	9.03
Stop		White on Red	30 x 30	5.4	22.81	123.17
			36 x 36	75	32.85	2463.75

Sign Name	Picture	Color	Size	Multiplier	Price Each	EXTENDED TOTAL (Multiplier x Price Each)
Stop Ahead		Black on Yellow w/ Symbol	30 x 30	2.7	25.31	68.34
Street Name, 2- Sided		White on Green	9" w/ 6" letters	109.6	27.50	3014.08
Traffic Light Ahead		Black on Yellow w/ Symbol	30 x 30	1	25.31	25.31
US 181		Black on White	24 x 24	0.3	16.60	4.98
US 90		Black on White	24 x 24	0.3	16.60	4.98
US 98		Black on White	24 x 24	0.1	16.60	1.66
Watch Children		Black on Yellow	30 x 30	15.6	22.81	355.84 ⁴⁰
Watch Pedestrians		Black on Yellow	30 x 30	0.3	22.81	6.84
Wrong Way		White on Red	30 x 24	0.5	18.25	9.13
Yield		Red on White	30 x 30	2.2	11.89	26.16
U-Channel Sign Posts		Green	10'	78	NIB	-
			12'	156	NIB	-
TOTAL EXTENDED COST						7685.09

Resolution 2009-82

FEMA: Storm Water Management Project – Common Detention

WHEREAS, the City of Daphne has been made aware of the availability of FEMA funding for certain drainage projects; and

WHEREAS, the City of Daphne has such a project to submit for funding consideration; and

WHEREAS, the goal of such project is to create common detention areas to aid in storm water management which could reduce the potential for downstream flooding; and

WHEREAS, the City of Daphne believes this detention area is necessary for the safety of its citizens and to minimize future downstream property losses during flood events.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Daphne that:

- 1) The City of Daphne shall submit an application to FEMA in the amount of \$125,000 (City In-Kind Match 25% - \$31,250) for the purpose of creating common detention areas to aid in storm water management ; AND
- 2) The Mayor and is hereby authorized to execute such application and any and all additional documents necessary to carry out the purpose of requesting funding consideration from FEMA on behalf of the City of Daphne.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2009.

John Lake, Council President

Date & Time Signed:_____

Fred Small, Mayor

Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk, MMC

Resolution 2009-83

FEMA: Repetitive Loss – 140 Lakeview Loop Buy Out

WHEREAS, FEMA has funding available for property buy outs for flood prone areas to prevent future losses from flooding; and

WHEREAS, the City of Daphne has such property; and

WHEREAS, such property is located at 140 Lakeview Loop; and

WHEREAS, the City of Daphne believes this buyout is necessary for the safety of its citizens and their property.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Daphne that:

- 1) The City of Daphne shall submit an application to FEMA in the amount of \$255,000 (City In-Kind Match 25% - \$63,750) for the purpose of a buyout for the property at 140 Lakeview Loop ; AND
- 2) The Mayor and is hereby authorized to execute such application and any and all additional documents necessary to carry out the purpose of requesting funding consideration from FEMA on behalf of the City of Daphne.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2009.

John Lake, Council President

Date & Time Signed: _____

Fred Small, Mayor

Date & Time Signed: _____

ATTEST:

David L. Cohen, City Clerk, MMC

Resolution 2009-84

FEMA: Nicole Circle Project

WHEREAS, FEMA has certain hazardous mitigation grant funds available for the upgrade of existing storm water infrastructure with the goal of minimizing the potential for private property losses due to flood waters; and

WHEREAS, the City of Daphne has identified a storm water area located at Nicole Circle that potentially qualifies for FEMA assistance; and

WHEREAS, the City of Daphne believes that infrastructure improvement of this area are necessary to minimize future threats to the safety and property of its citizens.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Daphne that:

- 1) The City of Daphne shall submit an application to FEMA in the amount of \$410,000 (City In-Kind Match 25% - \$102,500) for the purpose of upgrading the existing storm water infrastructure to minimize the potential for private property losses along Nicole Circle due to flood waters AND
- 2) The Mayor and is hereby authorized to execute such application and any and all additional documents necessary to carry out the purpose of requesting funding consideration from FEMA on behalf of the City of Daphne.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2009.

Greg Burnam, Council President

Date & Time Signed: _____

Fred Small, Mayor

Date & Time Signed: _____

ATTEST:

David L. Cohen, City Clerk, MMC

Resolution 2009-85

U.S. Environmental Protection Agency (EPA) Stag Grant: Storm Water Structure Inventory/Database

WHEREAS, the U.S. Environmental Protection Agency (EPA) has grant funding available for a storm water infrastructure inventory/database; and

WHEREAS, the goal of such project is to create an inventory of existing storm water infrastructure; and

WHEREAS, the City of Daphne believes this information is necessary for proper inspection and maintenance of existing infrastructure.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Daphne that:

- 1) The City of Daphne shall submit an application to the U.S. EPA in the amount of \$367,880 (City In-Kind Match 45% - \$165,546) for the purpose of obtaining a hardware & software database for a storm water infrastructure inventory ; AND
- 2) The Mayor and is hereby authorized to execute such application and any and all additional documents necessary to carry out the purpose of requesting funding consideration from U.S. EPA on behalf of the City of Daphne.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2009.

John Lake, Council President

Date & Time Signed: _____

Fred Small, Mayor

Date & Time Signed: _____

ATTEST:

David L. Cohen, City Clerk, MMC

RESOLUTION 2009 - 86

A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING THE MAYOR TO DISPOSE OF SUCH PROPERTY

WHEREAS, the Department Heads of the City of Daphne have determined that the items listed below are no longer required for public or municipal purposes; and

WHEREAS, the items listed below are recommended for disposal.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Daphne that

1- The property listed below is hereby declared to be surplus property, and

DEPT	VEH #	VEHICLE DESCRIPTION	VIN # / SERIAL #
Police	700	2000 Ford Crown Vic	2FAFP71WXYX173416

2- The Mayor is authorized to advertise and accept bids through Govdeals.com as contracted for the sale of such personal property, and

3- The Mayor is authorized to sell said property to the highest bidder and deposit any and all proceeds to the General Fund. The Mayor is further authorized to direct the disposition of any property which is not claimed by any bidder.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this ____ day of _____, 2009.

John Lake, Council President
Date & Time Signed: _____

Fred Small, Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION 2009-87

Fiscal 2009 Ecumenical Ministries, Inc.

WHEREAS, the City Council of the City of Daphne recognizes the health, safety, and welfare benefits derived by the citizens of Daphne through the services performed by community agencies and the promotion of the City of Daphne fostered by community events; and

WHEREAS, the City of Daphne has made appropriations in its Fiscal 2009 Budget for the benefit of certain community agencies and events.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Daphne that the Mayor and City Clerk are hereby authorized to execute the agreements necessary for the City to enter into a service agreement in the amount of \$10,000 with the Ecumenical Ministries, Inc. with appropriations in the Fiscal Year 2009 Budget.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this _____ day of _____, 2009.

John Lake, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk, MMC

RESOLUTION 2009-88

Fiscal 2009 American Heart Association:

WHEREAS, the City Council of the City of Daphne recognizes the health, safety, and welfare benefits derived by the citizens of Daphne through the services performed by community agencies and the promotion of the City of Daphne fostered by community events; and

WHEREAS, the City of Daphne has made appropriations in its Fiscal 2009 Budget for the benefit of certain community agencies and events.

WHEREAS, the American Heart Association uses their funding to assist medical research and education in the fight against heart disease and stroke (our nation's #1 and #3 killers); and to also assist local hospitals.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Daphne that the Mayor and City Clerk are hereby authorized to execute the agreements necessary for the City to enter into a service contract in the amount of \$ 500 with the American Heart Association with undesignated appropriations in the Fiscal Year 2009 Budget.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this _____ day of _____, 2009.

John Lake, Council President

Date & Time Signed:_____

Fred Small, Mayor

Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk, MMC

ORDINANCE 2009-35

**An Ordinance Amending Ordinance 2002-34:
Garbage Collection**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA THAT THE ABOVE ORDINANCE IS HEREBY AMENDED AS FOLLOWS:

SECTION I: Section V of Ordinance 2002-34 setting the frequency of collection as twice per week is hereby repealed and replaced by the following:

SECTION V: FREQUENCY OF COLLECTION

Garbage shall be picked up by the Contractor from each location once per week. All collection schedules are subject to change due to legal holidays and/or weather conditions. Persons desirous of garbage pickup shall call the Public Works Department of the City of Daphne to obtain a garbage collection schedule.

SECTION II: All other sections of Ordinance 2002-34 not amended herein shall remain in full force and effect.

SECTION III: EFFECTIVE DATE. This ordinance shall be in full force and effect upon its adoption and publication as provided herein.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA, this ____ day of _____, 2009.

John Lake,
Council President
Date & Time Signed: _____

Fred Small,
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen,
City Clerk, MMC

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2009-42**

**AN ORDINANCE TO ANNEX PROPERTY
PROPERTY LOCATED ON THE NORTH SIDE OF MILTON JONES ROAD
SWIFT SUPPLY, INC.**

WHEREAS, on the 6th day of March, 2009, Swift Supply, Inc., being the owner of the real property herein described, did file with the City a petition asking that said real property be annexed into and become part of the City of Daphne, Alabama; and

WHEREAS, the Planning Commission of the City of Daphne, Alabama, at its regularly scheduled meeting of April 23, 2009, considered said petition and forwarded a favorable recommendation to the City Council of the City of Daphne, Alabama for said petition of annexation; and

WHEREAS, after proper publication a public hearing was held on August 3, 2009 by the City Council of the City of Daphne concerning said petition for annexation; and

WHEREAS, said petition did contain the signatures of all owners of the described real property and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

WHEREAS, the City Council of the City of Daphne after lawful notice and public hearing did determine it is in the public interest that said property be annexed into the City of Daphne, Alabama and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

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

SECTION ONE: ANNEXATION

The boundary lines of the City of Daphne, Alabama, be, and the same are hereby altered or rearranged as to include all of the territory hereto before encompassed by the corporate limits of the City of Daphne, Alabama and in addition thereto the following described territory, to-wit:

NAME:	SWIFT SUPPLY, INC.
DESCRIPTION:	LOT 1 AND 3, MILTON JONES ROAD COMMERCIAL PARK AS RECORDED IN THE BALDWIN COUNTY PROBATE COURT RECORDS, SLIDE 2111-B.

Being contiguous to the Corporate Limits of the City of Daphne, Alabama and to be zoned B-2, General Business District.

SECTION TWO: PUBLICATION

This ordinance shall be published as provided by law, and a certified copy of the same shall be filed with the Probate Court of Baldwin County, Alabama.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS ____ DAY OF _____, 2009.

**JOHN LAKE
COUNCIL PRESIDENT**

Date & Time Signed: _____

**FRED SMALL,
MAYOR**

ATTEST:

**DAVID COHEN,
CITY CLERK, MMC**

SWIFT SUPPLY INC.

MILTON JONES ROAD COMMERCIAL PARK,
LOTS 1, & 3
ANNEXTION
EXHIBIT "A"
LEGAL DESCRIPTION
(PROPERTY 10.75 ACRES)

LOT 1, AND 3, MILTON JONES ROAD COMMERCIAL PARK AS RECORDED
IN THE BALDWIN COUNTY PROBATE COURT RECORDS, SLIDE 2111-B.

ORDINANCE 2009-43

FY 2009 Fire Hydrant Maintenance Appropriation

WHEREAS, Ordinance 2008-57 approved and adopted the Fiscal Year 2009 Budget on December 15, 2008; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2009 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2009 budget; and

WHEREAS, certain annual maintenance is required on fire hydrants located throughout the City; and

WHEREAS, the Utilities Board of the City of Daphne has provided such maintenance services.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2009 Budget is hereby amended to include a General Fund appropriation in the amount of \$60,750 for Fiscal 2009 Fire Hydrant maintenance as provided by the Utilities Board of the City of Daphne.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this ____ day of _____, 2009.

John Lake, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

ORDINANCE 2009-44
Police Vehicle Replacement Appropriation

WHEREAS, Ordinance 2008-57 approved and adopted the Fiscal Year 2009 Budget on December 15, 2008; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2009 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2009 budget; and

WHEREAS, on July 12, 2009, police vehicle #103 was involved in an accident; and

WHEREAS, the City's insurance carrier has deemed the 2003 Ford Crown Victoria vehicle to be "totaled" as a result of such collision; 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 2009 Budget is hereby amended to include a General Fund appropriation in the amount of \$ 17,379 for the replacement of the 2003 Ford Crown Victoria.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2009.

John Lake, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

ORDINANCE 2009-45

**General Fund Appropriation
FEMA: Nicole Circle Project Engineering**

WHEREAS, Ordinance 2008-57 approved and adopted the Fiscal Year 2009 Budget on December 15 , 2008; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2009 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2009 budget; and

WHEREAS, the City intends to make application with FEMA to secure hazardous mitigation funding for Nicole Circle; and

WHEREAS, such application will require engineering work in the amount of \$15,200; and

WHEREAS, Hatch Mott MacDonald, at no charge to the City, has performed some preliminary work on the project.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2009 Budget is hereby amended to include a General Fund appropriation in the amount of \$ 15,200 for engineering services as required for the Nicole Circle Hazardous Mitigation Project Grant Application. Furthermore, the Mayor is authorized to enter into an agreement with Hatch Mott MacDonald for such engineering work.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2009.

John Lake, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC