

CITY COUNCIL BUSINESS MEETING AGENDA
1705 MAIN STREET, DAPHNE, AL
DECEMBER 17, 2007
6:30 P.M.

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

- 3. APPROVE MINUTES:** Council Meeting minutes meeting held December 3, 2007
Work Session Minutes meeting held November 28, 2007
Work Session Minutes meeting held December 10, 2007

SWEARING IN: Firefighters: Jason LeSource & Grant Gruwell / Judge Doyle

VOTE: DISTRICT #6 POSTION

PRESENTATION: Safety Committee

PRESENTATION: Lake Forest Yacht Club / Captain Hal Pierce

4. REPORT STANDING COMMITTEES:

A . FINANCE COMMITTEE - Scott

Review minutes meeting held December 10th

a.) Bid Award

- 1.) Self-Contained Breathing Apparatus / Sunbelt Fire / **Resolution 2007-106**

b.) Resolutions

- 1.) Surplus Equipment / Resolution **2007-107**

c.) Ordinances

- 1.) General Fund Capital & Personnel / **Ordinance 2007-56**
- 2.) 2006 Construction Fund Interest Earnings / **Ordinance 2007-55**

d.) Financial Reports

- a.) Treasurers Report / November 30, 2007
- b.) Sales Tax Collections / October 31, 2007
- c.) Lodging Tax Collections / October 31, 2007

B. BUILDINGS & PROPERTY - Lake

Review minutes meeting held December 7, 2007

- a.) Recommend to Council to direct City Attorney to recover funds for the abatement on 403 Dryer Avenue / Backup handed out earlier

C. PUBLIC SAFETY - Burnam

- a.) Fire Reports / September and October
- b.) Police Reports / September and October

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE -

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Yelding

Review Beautification minutes meeting held December 7th

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

- C. Industrial Development Board - Yelding
- D. Library Board - Lake
- E. Planning Commission – Barnette
- F. Recreation Board - Palumbo
- G. Utility Board - Scott

6. REPORTS OF OFFICERS:

- A. *Mayors Report*
 - a.) *MOU / Baldwin County and City of Daphne / I-10 Service Road*

- B. *City Attorney’s Report*
 - MOTION: To Retain Special Council

- C. *Department Head Comments*

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) **Acceptance of Streets and Drainage / Renaissance Center Subdivision / Resubdivision of Phase 1A, Lots 1-7 and Phase 2A, Lot 1. /Resolution 2007-105**

- b.) **Bid Award: Self Contained Breathing Apparatus / Sunbelt Fire. /Resolution 2007-106**

- c.) **Declaring Certain Personal Property Surplus and Authorizing Mayor to Dispose of Such Property. /Resolution 2007-107**

- d.) **APLS Application: Daphne Public Library Expansion Grant ADA Compliant Library Entrance. /Resolution 2007-108**

- e.) **APLS Application: Daphne Public Library Expansion Grant Public Safety: Carpet Replacement. /Resolution 2007-109**

- f.) **APLS Application: Daphne Public Library Expansion Grant Public Awareness Campaign. /Resolution 2007-110**

- g.) **Application: Daphne Public Library Expansion Grant Improved Storage and Equipment Facility. /Resolution 2007-111**

- h.) **Acceptance of Donated Property on Whispering Pines Rd. Handout / Monday. /Resolution 2007-112**

ORDINANCES:

2ND READ

- a.) **Rezone: Property Located on Main Street / Demaris Anderson. /Ordinance 2007-51**
- b.) **Annexation: Property located on AL Highway 181 / M & S Development / Requested Zoning R-4, High Density Multi-Family District. /Ordinance 2007-52**
- c.) **Rezone: Property located on U.S. Hwy 98 / William Lange / From B-1, General Business District to B-2, Local Business District. /Ordinance 2007-53**
- d.) **Rezone: Property located on U.S. hwy 98 / Barry L. Booth / Veteran’s Pointe / From B-1, General Business District to B-2, Local Business District /Ordinance 2007-54**

1ST READ

- e.) **Construction Fund Interest Appropriation. /Ordinance 2007-55**
- f.) **FY 2008 Capital and Personnel Appropriations. /Ordinance 2007-56**
- g.) **Amending Ordinance 2007-23 Providing for the Adoption of Appendix “G” of the ICC International Residential Code, 2006 Edition, By Reference. /Ordinance 2007-57**
- h.) **Amend Personnel Policies and Procedures Handbook Related to Vacation Accrual. /Ordinance 2007-58**
- i.) **Amending the Personnel Policies and Procedures Handbook / Compensatory Time /Ordinance 2007-59**

9.COUNCIL COMMENTS

10. ADJOURN

**CITY OF DAPHNE
CITY COUNCIL MEETING**

ROLL CALL

CITY COUNCIL:

CALL VOTES

COUNCILMAN YELDING

PRESENT__ ABSENT__ __

COUNCILWOMAN BARNETTE

PRESENT__ ABSENT__

COUNCILMAN LAKE

PRESENT__ ABSENT__ __

COUNCILMAN BURNAM

PRESENT__ ABSENT__ __

COUNCILMAN SCOTT

PRESENT__ ABSENT__ __

COUNCILWOMAN LANDRY

PRESENT__ ABSENT__ __

COUNCILMAN PALUMBO

PRESENT__ ABSENT__ __

MAYOR

MAYOR SMALL

PRESENT__ ABSENT__ __

CITY CLERK:

DAVID L. COHEN

PRESENT___ ABSENT___

CITY ATTORNEY:

CITY ATTORNEY JAY ROSS

PRESENT__ ABSENT

MINUTE NOTES:

**CITY COUNCIL MEETING
MINUTES**

NOTES:

COMMITTEE RECOMMENDATIONS

**DECEMBER 3, 2007
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

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1. CALL TO ORDER

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

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Councilman Lake gave the invocation.

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

Also present: Mayor Small; David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney, City Attorney; Bill Eady, Planning Department Director; Kim Briley, Finance Director; James White, Fire Chief; David McKelroy, Recreation Director; Tonja Young, Library Director; Sharon Cureton, Human Resource Director; Richard Merchant, Building Official; David Carpenter, Police Chief; Melvin McCarley, Interim Public Works Director; Capt. Scott Taylor, Police Dept.; Lt. Kenny Hempfleng, Police Dpt.; Officer Rick Oliver, Police Dpt.; Mr. Ron Allen, Library Board; Judge Doyle; Starke Irvine, DRA; Lon Johnston, Utility Board.

Absent: Sandra Morse, Civic Center Director.

3. APPROVE MINUTES:

MOTION BY Councilwoman Barnette to approve the Council meeting minutes meeting held November 19, 2007. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

SWEARING IN: Officer Rick Oliver / Judge Doyle

Judge Doyle swore in Officer Oliver while his wife, Shelly, held the Bible, and Mayor Small and Chief Carpenter looked on.

PRESENTATION: Baldwin County Bicentennial Committee / Pat Scanland

The Nick Warren, president of the Bicentennial Celebration Committee, spoke to Council relating the County's plans for the celebration which includes improving property the county owns in Stockton, and turning it into a park. Ms. Scanland said that they would like the city to participate in the development of the park. The dedication of the park will be December 2009.

- PUBLIC HEARINGS:** 1.) *Rezone:* Property located on Main Street / Demaris Anderson / R-2, Medium Density Single Family Residential District to B-3, Professional Business District / ***Unanimous - Favorable Recommendation / Ordinance 2007-51***
- 2.) *Annexation:* Property located on AL Highway 181 / M & S Development / Requested zoning: R-4, High Density Multi-Family District / ***Negative Recommendation / Ordinance 2007-52***
- 3.) *Rezone:* Property located on U.S. Highway 98 / William Lange / B-1, General Business District to B-2, Local Business District / ***Unanimous - Favorable Recommendation / Ordinance 2007-53***
- 4.) *Rezone:* Property located on U.S. Highway 98 / Barry L. Booth / Veteran's Pointe / B-1, General Business District to B-2, Local Business District / ***Unanimous - Favorable Recommendation / Ordinance 2007-54***

- 1.) ***Rezone: Property located on Main Street / Demaris Anderson / R-2, Medium Density Single Family Residential District to B-3, Professional Business District***

Mr. Robert DeNeef gave a presentation.

Councilwoman Barnette stated that this request received a unanimous favorable recommendation from the Planning Commission.

Council President Burnam opened the Public Hearing at 6:58 p.m.

No one spoke for or against the rezoning.

Council President Burnam closed the Public Hearing at 6:59 p.m.

- 2.) ***Annexation: Property located on AL Highway 181 / M & S Development / Requested zoning: R-4, High Density Multi-Family District***

Mr. Trey Jinright and Mr. Ray Hicks gave a presentation.

Councilwoman Barnette stated that the negative recommendation was not unanimous. The concerns of the commission was the density. She said that Council could chose to decrease the density.

Council discussed the request and asked questions of Mr. Jinright.

Councilwoman Barnette asked that this go to the December 13, 2007 work session to discuss the possibility of decreasing the density.

Council President Burnam opened the Public Hearing at 7:19 p.m.

Mr. Bob Hart – 9839 Somerset Drive - President of the Somerset Subdivision Property Owners Association – spoke against the multi-family zoning request, but had no problem with the annexation.

Mr. Don Spears – Somerset Drive – spoke against the multi-family zoning request.

Mr. Melvin George – 9765 Somerset Drive – spoke against the multi-family zoning request.

Mr. James Hood – 9775 Somerset Drive – spoke against the multi-family zoning request.

Mr. Toby Logan – 9820 Somerset Drive – spoke against the multi-family zoning request.

Mr. Chuck Dean – 9934 Somerset Drive - spoke against the multi-family zoning request.

Mr. Shelton Walter – 9847 Somerset Place - spoke against the multi-family zoning request.

Ms. Kay Griffin – 9798 Somerset Drive - spoke against the multi-family zoning request.

Mr. James Hobbs – 9907 Somerset Drive - spoke against the multi-family zoning request.

Mr. Russ Williams – 9798 Somerset Drive - spoke against the multi-family zoning request.

Ms. Susan Samry – Somerset Drive - spoke against the multi-family zoning request.

Mrs. Cathy Dean – 9934 Somerset Drive - spoke against the multi-family zoning request.

Mr. Bob Hart – 9839 Somerset Drive -President of Somerset Subdivision Property Owners Association – stated that the property has twice been turned down for multi-family zoning by the county. He said the area is family zoning not multi-family zoning.

Mr. Ray Hicks – Property owner for requested annexation and rezoning – stated that he has submitted a plan that is below the density requirements, and spoke about the wetlands.

Mr. Trey Jinright – represent property owner - said that the water for the development is not Belforest Water Board but Daphne Utilities.

Council President Burnam closed the Public Hearing at 7:43 p.m.

- 3.) **Rezone:** Property located on U.S. Highway 98 / William Lange / B-1, General Business District to B-2, Local Business District

Mr. William Lange, property owner, gave a presentation.

Councilwoman Barnette stated that the rezoning received a unanimous favorable recommendation from the Planning Commission. She said that this should have been a B-2 zoning all along, and that is was just an oversight, and so this is just housekeeping.

Council President Burnam opened the Public Hearing at 7:49 p.m.

No one spoke for or against the rezoning.

Council President Burnam closed the Public Hearing at 7:50 p.m.

- 4.) **Rezone:** Property located on U.S. Highway 98 / Barry L. Booth / Veteran's Pointe / B-1, General Business District to B-2, Local Business District

Dr. Booth gave a presentation saying that this parcel also should have been zoned B-2 all along.

Councilwoman Barnette stated that the rezoning received a unanimous favorable recommendation from the Planning Commission. She said that this should have been a B-2 zoning all along, and that is was just an oversight, and so this is just housekeeping.

Council President Burnam opened the Public Hearing at 7:50 p.m.

No one spoke for or against the requested rezoning.

Council President Burnam closed the Public Hearing at 7:51 p.m.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE / Scott

The next meeting will be Monday December 10th. Councilman Scott stated that Mrs. Cureton will be meeting with the committee from now on.

B. BUILDINGS AND PROPERTY COMMITTEE – Lake

The committee will meet Friday at 10:00 a.m. in the Council Chambers.

C. PUBLIC SAFETY COMMITTEE – Burnam

The next

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE –

The next meeting will be next Tuesday in the Council Chambers after the Public Safety meeting in the Council Chamber.

E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY – Yelding

There was not a meeting in November. Councilman Yelding commended Public Works staff and Public Safety for their hard work with the parade and he appreciates their efforts.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Eady

There will not be a meeting in December.

B. Downtown Redevelopment Authority – Barnette

There will not be a meeting in December. The next meeting will be in January.

C. Industrial Development Board – Yelding

The board will meet December 20th in the lobby.

D. Library Board – Lake

The meeting scheduled for Thursday, December 6th at 4:00 p.m. has been cancelled. Councilman Lake reported that the Christmas Make & Take session went well last Friday. Children's Christmas Gift Make & Take session is Friday, December 7th 3:00 – 6:00 p.m., and Santa Stories Event is Thursday, December 20th from 6:00 -8:00 p.m. Adult events are Jubilee Mornings on Wednesday, December 5th at 10:00 a.m., Alabama Humanities foundation Speaker is on Thursday, December 16th at 6:30 p.m. and Jubilee Book club is on Wednesday, December 19th at 10:00 a.m.

E. Planning Commission – Barnette

MOTION BY Councilwoman Barnette to set Public Hearings for January 7, 2008 to consider the following:

- 1.) Rezone: Property located on Main Street / Howard and CeAnn Wachter / R-3, High Density Single Family Residential District to B-1, Local Business District
- 2.) Rezone: Property located on U.S. Hwy 98 (East of U.S. Hwy 98 and South Park Drive) / Windscape II Associates, Ltd. / B-2, General Business to R-4, High Density Multi-Family Residential District
- 3.) Rezone: Property located East of U.S. Hwy 98 and South Park Drive / Patrick Klass / B-2, General Business to R-4, High Density Multi-Family District
- 4.) Rezone: Property located East of U.S. Hwy 98 and South Park Drive / Patrick Klass / B-2, General Business to R-4, High Density Multi-Family District
- 5.) Annexation: Property located on AL Highway 181 (North of Dunsmore Subdivision) / Requested zoning: 14.9 acre parcel zoned B-2, General Business District / 23.47 acre parcel zoned R-4, High Density Multi-Family Residential District / 10.2 acre parcel zoned R-3, High Density Single Family Residential District / 8.89 acre parcel zoned R-4, High Density Single Family Residential District
- 6.) Revision to the Olde Towne District Map

Seconded by Councilman Palumbo.

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

Councilwoman Barnette stated that the Site Review meeting will be December 12th at 8:00 a.m. and the Planning Commission meeting will be December 20th at 6:00 p.m.

F. Recreation Board – Palumbo

The minutes for the November meeting are in the packet. The next meeting will be December 12th at the Recreation Center. Councilman Palumbo stated that one thing they discussed was letting the Bay Rivers Art Guild lease the Nicholson Center, and the board recommends to Council that they hire an architect to look at the functionality of the building.

Council discussed the use of the Nicholson Center.

Councilwoman Barnette asked that this be sent to the December 13th work session, and she would like to discuss plans for the old jail and would like to have a plan for the Nicholson Center.

Council President Burnam also wants a resolution as to who owns the old jail, the city or the Utility Board.

G. Utility Board – Scott

The minutes for the September meeting are in the packet. The next meeting will be January 3rd.

Councilwoman Barnette stated that she would like to have an update on what remains to be sewered in the city.

6. REPORTS OF THE OFFICERS:

A. Mayor's Report

Mayor Small thanked the participants in the Christmas parade, and he said that he thinks it is the largest one yet. He said his hat is off to Megan Matrone for doing a tremendous job with the parade since she has not been with the city for very long. He said there was singing, hot dogs and coffee after the parade. He thanked Public Works and Public Safety for their work at the parade.

B. City Attorney's Report

Mr. Ross stated that Council should have received by e-mail a draft of the memorandum of understanding between the county and the city regarding Timber Creek and it should come up on the Council meeting in two weeks. He said it is very simple stating that the city will pay \$1,000,000 when the contract for the road is let.

Council President Burnam stated that Council will go into Executive Session at the end of the meeting.

C. Department Head Comments

David Carpenter - Police Chief – stated that the Christmas parade went well.

Ms. Tonja Young – Library Director – reported that Santa America is providing the Santa Claus for Santa Stories, and that they did a wonderful job last year and she hopes everyone will be able to come this year.

7. PUBLIC PARTICIPATION

Mr. James Austin – spoke regarding a future rezoning in Park City.

Mr. Robert Marino – Japonica Lane – spoke regarding doing a water table study to see how much water Daphne has and how many people that it can service.

Mr. James Austin – spoke regarding a study that he did on Daphne’s water supply.

Ms. Victoria Phelps – 111 Worchester Drive – spoke regarding the sign ordinance, building height, and the Land Use ordinance not being up-to-date.

Mrs. Frieda Romanchuk – 30615 Laurel Court – spoke regarding the Renaissance Center Economic Development Agreement, and commended all volunteers of the city.

8. RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

RESOLUTIONS

a.) Renaissance Center Economic Development Agreement/Resolution 2007-83

b.) Approving Petition for Preliminary Assessment of Certain Land
Located within Renaissance Improvement District/Resolution 2007-100

c.) Appointing Board of Directors for the Educational Building Authority
of the City of Daphne/Bayside Academy...../Resolution 2007-104

MOTION BY Councilman Scott to waive the reading of Resolutions 2007-83, 2007-100 and 2007-104. *Seconded by Councilwoman Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2007-83. *Seconded by Councilman Palumbo.*

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

MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2007-100. Seconded by *Councilman Yelding*.

AYE Yelding, Lake, Scott, Burnam

NAY Barnette, Palumbo

MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2007-104. Seconded by *Councilman Yelding*.

AYE Yelding, Lake, Scott, Palumbo, Burnam

ABSTAIN Barnette

MOTION CARRIED

ORDINANCES:

2ND READ

- a.) Appropriation of Funds: Study of the East/West Corridor /
Main Street to Wilson Avenue/Ordinance 2007-50

1ST READ

- b.) Rezone: Property Located on Main Street / Demaris Anderson/Ordinance 2007-51
- c.) Annexation: Property located on AL Highway 181 /
M & S Development / Requested Zoning R-4, High
Density Multi-Family District/Ordinance 2007-52
- d.) Rezone: Property located on U.S. Hwy 98 / William Lange /
From B-1, General Business District to B-2, Local Business
District. /Ordinance 2007-53
- e.) Rezone: Property located on U.S. hwy 98 / Barry L. Booth /
Veteran's Pointe / From B-1, General Business District to
B-2, Local Business District. /Ordinance 2007-54

MOTION BY Councilwoman Barnette to waive the reading of Ordinance 2007-50. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilwoman Barnette to adopt Ordinance 2007-50. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

ORDINANCES 2007-51, 2007-52, 2007-53 AND 2007-53 WAS MADE A 1ST READ

9. COUNCIL COMMENTS

MOTION BY Councilman Yelding to reschedule the January 21, 2008 Council meeting to January 22, 2008 due to January 21, 2008 being Martin Luther King Day. *Seconded by Councilwoman Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Councilman Yelding stated that they should take a look at R-4, Multi-Family zoning and see how many the city has, and if Council needs to do a moratorium on multi-family zoning like Spanish Fort, then maybe they should do it.

Councilwoman Barnette stated that she has been screaming the need for them to figure out their priorities in planning since they started on the Council, and she agrees with the comments made tonight on how they want to grow, and how they will get there. She thinks as a Council they make decisions, however, very shortsighted, and tonight's vote on the Renaissance is a case in point, in her opinion. The trend in today's world is not to do what they just did with the Renaissance Center. They have had the Governor tell them that they have the most desirable corridor, and that is a fact. She said that they are giving away their property. Councilwoman Barnette said that if they need to look creatively so as not to loose a valuable dealerships like Chris Myers, while they have not even discussed going to them and asking why are they moving and what is taking them away. She said that they talk about being friendly, but they are reactionary, they are not proactive, and she would like to encourage Council to look proactively about what their priorities are. She said that they have a lot to accomplish in short time while they are still sitting in the Council chairs. She said that they have a list a mile long of requests coming at them from Bay Rivers Art Guild and responding quickly like that, and to what is going to happen to Bay Front Park, they have Village Point asking for things, the Daphne Beautification Committee is now giving them a list of projects that they would like to see Council address with no real plan of how to move forward. She said again this all

**DECEMBER 3, 2007
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

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goes back to the need for a retreat, she knows that they are doing candidate interviews, but she hopes they can start the new year with the new person in that seat with some idea, or at least, some recommendations, if they are not going to accomplish things, of what seems to be an important priority. Councilwoman Barnette said on a positive note the Christmas parade was wonderful. She thanked the Mayor and all the staff for making it happen. She thinks it is one of the best events for the City of Daphne. She said that she has gotten some tremendous feed back from folks that attended the parade. She said they were seven (7) to eight (8) people deep at some points, whereas last year there were huge gaps of missing folks. She stated that it looks like the staff made a great recommendation to go to a night parade. She said if they push it up to 6:00 p.m. then she thinks they have hit the sweet spot. She said it was a tremendous parade, and it highlights Daphne well, and it is one of those reasons you look back and realize just what a wonderful community this is, and how everyone can come together to share in the holiday spirit.

Councilman Lake spoke regarding how upset he is with the handling of Jubilee Square by AIG Baker and their response to the City of Daphne. He said that they have not lived up to the promises that they made before he voted for the development. He also said that the city has a lot of things to address, like parks, to make Daphne a community for families.

Councilman Scott said that they talked about Spanish Fort putting a moratorium on multi-family developments, and if they remember reading that the City of Foley turned around and they had 3,000 units that they had approved, and they probably didn't realize it until someone brought it to their attention, but they have also put a moratorium on multi-family development. He said that some of the Go Zone financing is probably the reason that some of these apartments have cropped up everywhere. There have been some favorable tax-free, zero-interest type funds available, and he does not know if that is all of it, but there a ton of single family lots that are sitting out there fallow. He said that you see subdivision after subdivision sitting out there with no houses in them, they are curbed and guttered and just vacant. He said that maybe now they have changed from single family to multi-family. He said that they definitely need to get their arms around it. Councilman Scott said that they can have legitimate, honest disagreements on the Council, which they do from time to time, but he harkens back and looks at the difference of what Daphne looks like and what some of the other cities around looks like, and he said that if they can get the businesses to stay in Daphne the city has a chance to present a view, a look, and signage that this community can be proud of. He said that if they go someplace else they can put up just about whatever they want to within some range. They have that big high definition TV looking thing right there at the exit of Hwy 181 an I-10, and the had no control over that because it is not in the City of Daphne. He said that if the city had that development, guess what, they would have had control. He said to realize the good things that they bring, and he is proud to serve on this Council.

Mr. Palumbo thanked Ms. Phelps for the photograph that she gave to Council, and said if this doesn't tell the story, then what does. He said that it may seem far fetched, but they keep pushing, and pushing and pushing for more relaxed signage. He said that they created an overlay district and gave them relaxed signage and it is not enough. There are businesses now asking for more, more and more. He said that in his opinion the so-called monument signs in the overlay district are out of compliance, and he has asked for a legal opinion on that, and he thinks that is going to be addressed very soon. He said don't think that it will not come to the type of signage as in the picture. He said that another point that Mrs. Romanchuk made was that they have all been to places that are very

vibrant, coming and growing communities and you go back some years later and you think, oh my god, what happened. What happened was poor planning and slapping anything in there just for the sake of the almighty buck to bring in another sales tax dollar. It can be done, and it can be done

right. He said that he does not know that it is being done right in some areas of the city, and that he is going to speak out against things when he thinks they are not being done proper and they are not done right. Councilman Palumbo stated that there was a story in today's newspaper and on the evening TV news about a young student, Landon Sykora who received a perfect score on his ACT's. He said that he believes in the last four (4) years there have been three (3) perfect scores in Baldwin County and each of those were a product of Daphne High School, and he does not think that is by accident. Councilman Palumbo wanted to commend the young man and his educators.

Council President Burnam said that regarding all the different projects that the city wants to do you have to remember that the vast majority of the income that the city has is from sales tax, and whenever the city has businesses that have an opportunity to go, literally within 500 feet of the city limits, that will leave Daphne and go to another one is a big concern, and he thinks that they need to try their best to keep them here.

MOTION BY Councilwoman Barnette to enter into Executive Session to discuss pending legal litigation. *Secoded by Councilman Yelding.*

The City Attorney certifies that the executive session is for the reason stated and the session will last 20 minutes.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Council entered into Executive Session at 8:45 p.m.

Council returned from Executive Session at 9:42 p.m.

10. ADJOURN

MOTION BY Councilwoman to adjourn. *Secoded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 9:42 P.M.

**DECEMBER 3, 2007
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

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INTERVIEW FOR COUNCIL POSITION #6 / VICTOR LEJEUNE

Mr. LeJeune gave some information on his background.

Council asked questions of Mr. LeJeune.

Respectfully submitted by,

David L. Cohen,
City Clerk, MMC

Certification of Presiding Officer:

Greg Burnam, Council President
Date & Time Signed: _____

NOVEMBER 28, 2007
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

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

ABSENT: Bailey Yelding.

Also present: Mayor Fred Small; David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; David McKelroy, Ed Nelson, Recreation Board.

1. CALL TO ORDER

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

2. I-10 SERVICE ROAD / QUESTION & ANSWER / ALAN COX

Council discussed and asked questions regarding how much each participate will contribute for the service road.

Mr. Cox stated that the total amount for the service road will be \$9 million, and Cypress Equities will contribute \$2 million, Baldwin County will contribute \$4 million, Daphne \$1 million, Timber Creek \$2 million plus the land. Mr. Cox stated that no money will be collected until construction begins and that will be about two and a half (2½) years. He stated that the development will generate money for Daphne and they will get the \$1 million back.

3. IMPACT FEES / JIM LAWSON, ORANGE BEACH

Mr. Lawson explained to Council how the fees are set, collected and spent. Council was concerned with the two (2) year limit to spend the money, and Mr. Lawson stated that the city, for example, can purchase a fire truck out of the general fund and repay with impact fees for as long as it takes. He said that there are software programs out there to help keep track of the fees and divide the money up and so forth. Mr. Lawson said that it helps to have a five (5) year capital plan so that you will know where the money will go. He also stated that it would be a good idea for any city that adopts impact fees to have similar ordinances so that all will interpret the law the same way and do the same thing. He said then you will have a better chance in case someone takes you to court. He said he feels that it will be a matter of time before every city in the area will have impact fees. He said that Orange Beach established impact fees by ordinance and then came back with a resolution establishing the fee structure. Mr. Lawson told Council that he will be glad to help the city with this process. He said that Orange Beach did not hire an extra person to collect and distribute the fees.

4. RECREATION ISSUES / ED NELSON

Mr. Nelson handed out a conceptual design with proposed changes to the Master Plan for the Recreation property, and explained them to Council. He also discussed with Council leasing the Nicholson Center to Bay Rivers Art Guild, and appointing members from that guild to the Recreation Board. Mr. Nelson also discussed using the Senior Center and Recreation Department space for a Performing Arts Center when they move to the facilities. He also mentioned that the boat launch at May Day Park needs to stay on the front burner.

NOVEMBER 28, 2007
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

5. DISTRICT LINES

David Cohen, City Clerk, discussed with Council proposed changes in Districts 1, 3, 4, 5, 6 and 7. Mr. Cohen also discussed possible polling places for the districts. He stated that they need to start thinking about setting salaries for Council and Mayor.

Council wants to see the report from Mr. Berger and his committee before discussing salaries.

Mr. Scott stated that he would instruct Mr. Berger to have the information to Council by the first meeting in February.

6. NO SMOKING ORDINANCE

Council discussed the ordinances from surrounding cities. They discussed what they liked and didn't like about them. Council agreed that the ordinance from Foley was the most concise. Council instructed Mr. Ross to prepare an ordinance for the next Ordinance Committee meeting.

7. ADJOURN

There being no further business to discuss the meeting adjourned at 9:30 p.m.

Respectfully submitted by,

David L. Cohen,
City Clerk, MMC

Greg Burnam,
Council President
Date & Time Signed: _____

DECEMBER 10, 2007
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

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

Also present: Mayor Fred Small; David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk.

1. CALL TO ORDER

Council President Burnam called the meeting to order at 6:45 p.m.

2. INTERVIEWS FOR DISTRICT #6 POSITION

Council interviewed the following candidates:

Donald Hastings
Diane Hurst
James Adkinson
Ben Cruitt

Mitch Davis
Eric Nager
Derek Boulware

3. ADJOURN

There being no further business to discuss the meeting adjourned at 9:45 p.m.

Respectfully submitted by,

David L. Cohen,
City Clerk, MMC

Greg Burnam,
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
December 10, 2007
4:00 P.M.**

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:06 pm. Present were Chairman Ron Scott, Councilman Bailey Yelding, Finance Director Kim Briley, Senior Accountant Suz anne Henson and Accountant Donna Page.

Also in attendance were Mayor Fred Small, Revenue Officer Cornell Smith, and Fire Battalion Chief Kenny Hanak.

II. PUBLIC PARTICIPATION

A. Nicholson Center

Mr. Ed Nelson, Chairman of the Recreation Board, reported that the Nicholson Center, which is under Recreation's control, has been sitting vacant for one and a half to two years. It is currently only used as a polling place. He stated that the Board would like to find the best use of it for the City and are open to suggestions. Mr. Nelson discussed that the new recreational facilities would include everything recreation needs at one location and the City may want to take the building out from under recreation. He stated that a representative from the State Art Council is coming to look at it for possible use by BRAG. Mr. Hudson, Architect, has agreed to do a preliminary study free of charge to determine the feasibility of converting it for their use. It was discussed that SEEDS may be able to share use of the building with BRAG. Ms. Briley noted that the Buildings and Property Committee should be consulted.

B. Bay Front

Mr. Al Guarisco requested funding in the budget for renovations and upgrades to the pavilion and Bay Front Park building and grounds. He stated that Mr. Stark Irvine would like to coordinate his development with the City's plan for this area. Mr. Scott noted that Marshall Parsons, in the Grounds Department, currently has a landscape plan with one change calling for moving the parking to the back side of the building and making the bay side a green area. Also, the building needs an elevator and new carpet. Mr. Scott stated that he was meeting with Mr. Irvine Friday and would discuss this with him, and then email the Buildings and Property Committee members. It was noted that the Village Point Park Preserve is willing to help in this project, and that once there is a plan in place and work started, they may be able to get grants.

III. ISSUES REQUIRING ACTION BY CITY COUNCIL

A. Bid: 2008-A-FD / Self Contained Breathing Apparatus.

Seven bid invitations were sent out, with three bids received. One was a no-bid. Mr. Kenny Hanak stated that the low bidder took exception to all twelve aspects of the bid with no documentation to support the exceptions. He noted that after reviewing the specifications (that he obtained himself) for their products he found them to be deficient in many areas, and he recommended accepting the bid from Sunbelt Fire, Inc., which did meet all specifications. Mr. Hanak stated that four units would be purchased.

Motion by Mr. Yelding to recommend to Council to adopt a resolution accepting staff recommendation and award the 2008-A-FD / Self Contained Breathing Apparatus bid to Sunbelt Fire, Inc. in the amount of \$5,130 each. Seconded by Mr. Scott. All in favor.

B. Surplus Equipment

A request was presented to declare a 1990 Ford F-150 truck from the Street department surplus.

Motion by Mr. Yelding to recommend to Council to adopt a resolution declaring the 1990 Ford F-150 truck surplus and authorizing the Mayor to dispose of such equipment. Seconded by Mr. Scott. All in favor.

C. FY 2008 Capital & Personnel

Mayor Small presented a list for capital and personnel expenses totaling \$488,851 that he recommends be appropriated now. This includes a 2.5% cost of living adjustment for non-public safety employees to be effective in February 2008. The remainder of capital and personnel appropriations will be considered at a later date based upon revenues received.

Mr. Scott requested that Ms. Briley email this list to the other council members and let them know the finance committee recommends approval of the list.

Motion by Mr. Scott to recommend to Council to adopt an ordinance appropriating \$488,851 in capital and personnel expenses, including the 2.5% COLA, based on the priorities established by Mayor Small and staff. Seconded by Mr. Yelding. All in favor.

D. 2006 Construction Fund Interest

Ms. Briley reported \$150,000 is needed for wiring, sound system, and furniture in the new city hall building. She recommended that these purchases be paid from the interest earned in the 2006 Construction Fund account.

Motion by Mr. Yelding to recommend to Council to approve \$ 150,000 for the wiring, sound system, and furniture for the new city hall by appropriating the interest earned in the 2006 Construction Fund account. Seconded by Mr. Scott. All in favor.

IV. Current Business

A. Salary Survey Discussion

Ms. Sharon Cureton presented an outline and package to the Committee members on the salary survey she is currently working on. She asked for direction from the Committee on proceeding with the survey such as what cities and information should be included. Mr. Scott stated that he thinks Baldwin County should be included in the survey, and he would also like to see what a city spends per citizen, compared to what Daphne spends.

Ms. Cureton noted that there are really two separate aspects of the salary analysis. One is market salaries and the other is employees that are working outside of their current job description and salary. It was discussed that this second part should be looked at first and separately, with Ms. Cureton then presenting her findings to the appropriate committee the employee's department would fall under for a recommendation, such as presenting a problem with a public works position to the Public Works Committee.

B. Downtown Redevelopment Authority Appropriation

A spreadsheet for the Special Revenues Fund 2008 budget was presented showing \$423,507 in lodging tax that is available for appropriation. Ms. Briley stated that 95% of lodging tax is earmarked for beach property acquisitions and maintenance, with the other 5% to the IDB board. She stated that an ordinance could change that and free this money to be appropriated for other purposes, such as the Downtown Redevelopment Authority.

V. FINANCIAL REPORTS

A. Treasurer's Report: November 30, 2007

The Treasurer's Report totaling \$21,931,019.92 was presented.

Motion by Mr. Yelding to accept the Treasurer's Report as of November 30, 2007, in the amount of \$21,931,019.92. Seconded by Mr. Scott. All in favor.

B. Sales and Use Taxes: October 31, 2007

Sales and Use Tax collected for October 2007	- \$	867,190
Sales and Use Tax Budgeted for October, 2007	- \$	<u>953,988</u>
Under Budget (for October)	- \$	(86,798)

YTD Budget Collections Variance - Under Budget - \$ (86,798)

C. Lodging Tax Collections, October 31, 2007

The Lodging Tax Collections report shows \$46,592.24 collected for October 2007.

D. Report of New Business Licenses – November 2007

A list showing new businesses and closed businesses for the month of November was presented.

E. Bills Paid Reports – November 2007

The November Bills Paid Report for Fiscal Year 2007 was contained in Packet #2. The November Bills Paid Report for Fiscal Year 2008 was contained in Packet #2A.

VI. ADJOURN

The meeting was adjourned at 5:50 p.m.

Fred Small
Mayor

Sharon Cureton
Human Resources Director



Sherree Hilburn
Payroll and Benefits
Coordinator

Vickie Hinman
Human Resources Assistant

The Jubilee City

December 6, 2007

INTERNAL MEMORANDUM

TO: FINANCE COMMITTEE

FROM: SHARON CURETON, HR DIRECTOR

RE: SALARY SURVEY DISCUSSION

BACKGROUND-This salary survey project began late summer to compare the salaries of our jobs in pay grades 2-13 with other similarly sized cities and cities in our geographic region. Since my earlier memo to the Council dated October 30, 2007, I have continued to gather additional salary data from other cities. Additional contacts with these cities to ensure their jobs and salaries were matched to the right job in our classification system were also made.

RESULTS-The data we will be reviewing during Finance Committee is still raw data that needs further analysis. However, I have made some preliminary decisions with the information I have received. In some instances, there are no or very few matches for our survey jobs in pay grades 2-13. For other jobs there is considerable variability in the salaries depending on the city. I used the following guidelines in the analysis to date:

- Where there were 2 or fewer matches, insufficient data will be reported.
- If the data varied considerably and there were less than 5 matches, inconclusive data will be reported.
- If at least 3 or more matches were within a reasonable salary range of each other, reported average will be reported.
- Finally, there are some jobs that have a number of matches but there is still considerable variability in salaries. These jobs required further analysis.

GOALS OF MEETING -During our meeting I hope we can accomplish several things:

1. Review the data currently reported.
2. Discuss any questions or additional information the Council needs to make a decision.
3. Set a pay policy for the City. Does the City desire to be a pay leader in the area, to match the average pay of the market, or to pay below the market? This decision will drive our pay policies, which cities should be in the survey analysis, and the outcome of this survey.

I look forward to presenting the most current survey data I have during our meeting on Monday night.

Human Resources Department
P.O. Box 400 Daphne, Alabama 36526
Phone: (251) 621-3075 Fax: (251) 621-4506

**CITY OF DAPHNE
BID OPENING MINUTES
BID DOCUMENT NO: 2008-A-FD/SELF CONTAINED BREATHING APPARATUS
November 14, 2007
11:30 A.M.
CITY HALL**

Those present were as follows:

Ms. Suzanne Henson	Senior Accountant
Mr. Kenny Hanak	FD Battalion Chief

7 bid invitations were mailed/picked up , 3 sealed bids were received.

Kenny Hanak opened the bids presented and the bids were read aloud as follows:

<u>VENDOR</u>	<u># Units</u>	<u>AMOUNT</u>	<u>BID BOND</u>
Tupelo Fire Inc.	Each	NO BID	
Sunbelt Fire, Inc.	Each	\$5,130.00	Yes
Bay Fire Products, Inc. <i>(Cost Sheet Not Notarized)</i>		\$4,032.65	Cert CK

**Included in Equipment in FY08 Budget*



Suzanne Henson, Sr. Accountant

Internal Memorandum

City of Daphne

Date: November 19, 2007

To: Suzanne Henson

From: K. Hanak *KBH*

Subject: Bid 2008-A-FD/Self Contained Breathing Apparatus

CC: Chief White *J.W.*

I have reviewed the two bids received for the Self-Contained Breath Apparatus. The low bidder, Bay Fire Products, Inc., took exception to all 12 aspects of the bid specifications. They did not provide any documentation to support these exceptions. After reviewing the specifications for their products I found them to be deficient in many areas, listed below are the most critical.

Face-piece

- The bid specified non-shatter lens which is field replaceable. The specs submitted specified only impact resistant.
- The bid specified four points of adjustment on harness assembly. The specifications submitted only provide 2.
- The bid specified that the mask be equipped with an inhalation check valve and exhalation valve to prevent the inhalation of contaminated air. The submitted specs do not provide for this.

HUD

- The bid specified the unit be capable of a power conservation mode and be powered by 3 AAA batteries. The specs submitted lacked the power conservation mode and required 6AA batteries.
- The bid specified that the HUD be visible from the outside of the mask, in order for other firefighters to view the status of their partner's air supply. The specs submitted did not provide for this feature.

First Stage Regulator

- The bid specified that the first stage regulator incorporate redundancy to ensure the firefighter will have a continued air supply in the event of a failure. The submitted bids do not provide for this feature.

CBRN Designation

- The bid specified that the unit be designated for usage in a chemical, biological, radiological, or nuclear environment. The submitted specifications make no mention of this designation.

Due to the deficiencies over all twelve areas under the bid specifications by the low bidder, we suggest that the bid from Sunbelt Fire Inc, which met all bid specifications, be accepted. If further explanation is needed please let me know.

TREASURER'S REPORT

As of November 30, 2007

TO: FINANCE COMMITTEE

FROM: KIMBERLY BRILEY, FINANCE DIRECTOR/TREASURER

<u>ACCT TITLE</u>	<u>BANK</u>	<u>BALANCE</u>
GENERAL FUND & ENTERPRISE FUNDS		
MMA ACCT	COMPASS	\$9,458,139.41
OPERATING ACCT	COMPASS	(\$277,700.76)
PAYROLL ACCT	COMPASS	(\$12,135.19)
MUNICIPAL COURT	COMPASS	<u>\$222,277.43</u>
		\$9,390,580.89
 SPECIAL REVENUES FUND		
SAIL SITE	FIRST GULF	\$9,291.76
4 CENT GAS TAX	FIRST GULF	\$155,428.07
7 CENT GAS TAX	FIRST GULF	<u>\$236,878.41</u>
		\$401,598.24
 CAPITAL PROJECTS FUND		
CAPITAL RESERVE	WACHOVIA	\$3,980,373.60
97 WARRANT CONS	WACHOVIA	\$5,195.51
99 WARRANT CONS	REGIONS	\$16,344.89
2000 CONSTRUCTION	REGIONS	\$61,470.35
2006 CONSTRUCTION	WACHOVIA	<u>\$6,066,094.27</u>
		\$10,129,478.62
 DEBT SERVICE FUND		
DEBT SERVICE	WACHOVIA	\$1,775,452.69
2006 DEBT SERVICE	FIRST GULF	<u>\$233,909.48</u>
		\$2,009,362.17
		 <u>\$21,931,019.92</u>

SALES & USE TAXES

FY 2007 BUDGET/ACTUAL COMPARISONS

	2002	2003	2004	2005	2006	2007	2008	Actual-2008	Budget	Monthlv Variances	YTD Variance	% of Budget
October	671,699.04	636,482.64	697,830.58	833,700.71	932,634.66	944,542.36	867,190.18	867,190.18	953,988	(86,797.82)	(86,797.82)	-9.10%
November	650,308.98	646,534.10	710,788.74	814,866.03	901,512.38	918,837.95	-	-	928,026	(86,797.82)	(86,797.82)	0.00%
December	858,086.66	892,208.68	941,151.87	1,091,073.78	1,168,443.68	1,182,564.39	-	-	1,194,410	(86,797.82)	(86,797.82)	0.00%
January	639,638.85	590,727.65	697,083.68	771,837.83	887,468.11	914,876.33	-	-	924,025	(86,797.82)	(86,797.82)	0.00%
February	602,215.06	632,654.31	688,421.54	788,825.08	878,123.66	877,975.60	-	-	886,755	(86,797.82)	(86,797.82)	0.00%
March	710,960.77	705,390.20	848,156.86	917,832.17	1,081,774.83	1,071,598.38	-	-	1,082,314	(86,797.82)	(86,797.82)	0.00%
April	629,853.17	692,148.44	752,039.55	863,144.81	968,760.72	960,140.54	-	-	969,742	(86,797.82)	(86,797.82)	0.00%
May	668,867.28	702,692.15	757,610.49	867,446.44	1,000,424.48	1,021,498.14	-	-	1,031,713	(86,797.82)	(86,797.82)	0.00%
June	731,684.73	752,668.04	818,209.20	982,863.46	1,024,091.07	1,066,433.92	-	-	1,061,004	(86,797.82)	(86,797.82)	0.00%
July	679,602.58	721,790.90	803,051.14	908,576.13	941,407.68	983,216.66	-	-	1,006,952	(86,797.82)	(86,797.82)	0.00%
August	657,027.91	739,993.63	745,320.33	869,818.11	950,539.01	954,421.57	-	-	975,079	(86,797.82)	(86,797.82)	0.00%
September	644,827.41	715,641.36	830,260.80	998,476.08	967,616.16	963,976.01	-	-	1,024,647	(86,797.82)	(86,797.82)	0.00%
Totals	8,144,772.44	8,428,932.10	9,289,924.78	10,708,260.63	11,702,796.44	11,870,101.85	867,190.18	867,190.18	12,037,655	(86,797.82)	(86,797.82)	

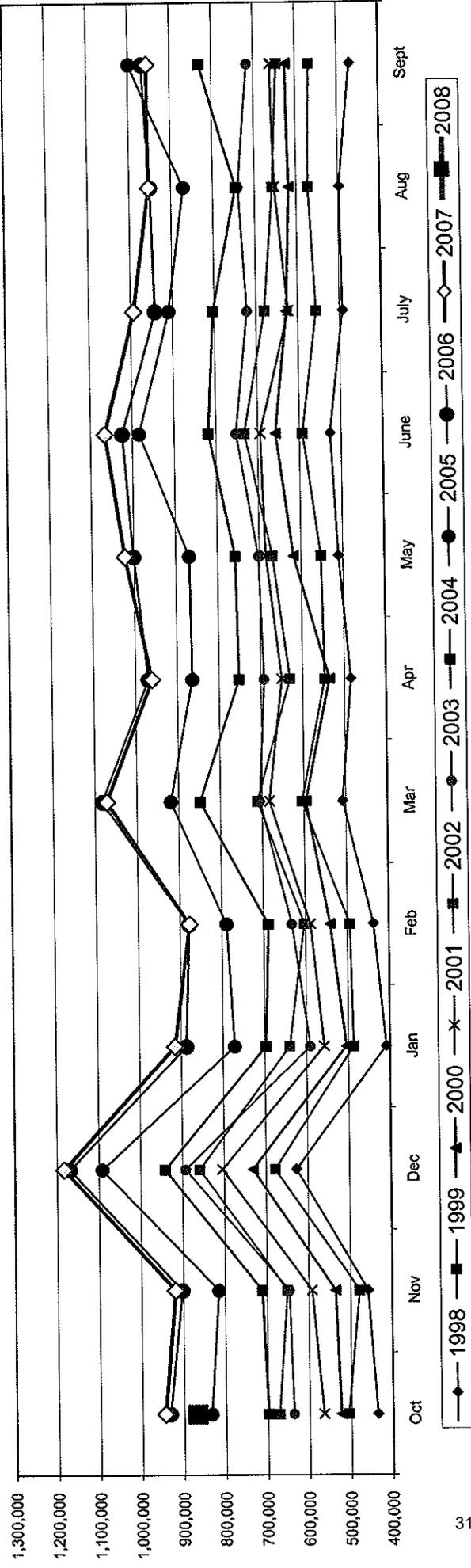
FISCAL YEAR COMPARISONS

	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008
October	(35,216.40)	61,347.94	135,870.13	98,933.95	11,907.70	(77,352.18)	-5.24%	9.64%	19.47%	11.87%	1.28%	-8.19%
November	(3,774.86)	64,254.64	103,877.29	86,846.35	17,325.57	-	-0.58%	9.94%	14.61%	10.66%	1.92%	0.00%
December	34,122.02	48,943.19	149,921.91	77,369.90	14,140.71	-	3.98%	5.49%	15.93%	7.09%	1.21%	0.00%
January	(48,911.20)	106,366.03	74,754.15	115,630.28	27,408.22	-	-7.65%	18.00%	10.72%	14.98%	3.09%	0.00%
February	30,499.25	55,767.23	100,403.54	89,298.58	(148.06)	-	5.05%	8.81%	14.58%	11.32%	-0.02%	0.00%
March	(5,570.57)	142,766.66	69,675.31	163,942.66	(10,176.45)	-	-0.78%	20.24%	8.21%	17.86%	-0.94%	0.00%
April	62,295.27	59,891.11	111,105.26	105,615.91	(8,620.18)	-	9.89%	14.77%	14.77%	12.24%	-0.89%	0.00%
May	33,824.87	54,918.34	109,835.95	132,978.04	21,073.66	-	5.06%	7.82%	14.50%	16.33%	2.11%	0.00%
June	20,983.31	65,541.16	164,654.26	41,227.61	42,342.85	-	2.87%	8.71%	20.12%	4.19%	4.13%	0.00%
July	42,188.32	81,260.24	105,524.99	32,831.55	51,808.98	-	6.21%	11.26%	13.14%	3.61%	5.50%	0.00%
August	82,965.72	5,326.70	124,497.78	80,720.90	3,882.96	-	12.63%	0.72%	16.70%	9.28%	0.41%	0.00%
September	70,813.95	114,619.44	168,215.28	(30,859.92)	(3,640.15)	-	10.98%	16.02%	20.26%	-3.09%	-0.38%	0.00%
Annual \$ Change	284,159.66	860,992.68	1,418,335.85	994,535.81	167,305.41	(77,352.18)	3.49%	10.21%	15.27%	9.29%	1.43%	-0.65%

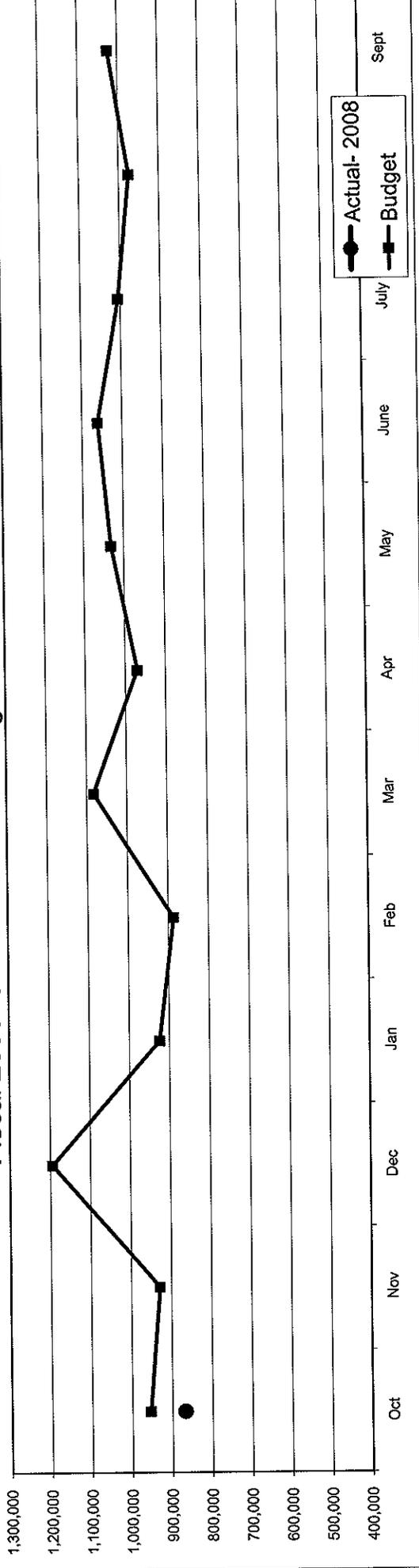
TOTAL collections: 10-31-07	867,190
Budgeted: 10-1-07 to 10-31-07	953,988
Actual Coll>(<)Budget, 10-31-07	(86,798)
% Over/(Under) Budget, 10-31-07	-9.10%

TOTAL collections: FY 07	11,870,102
TOTAL est. bdgt coll: FY 08	12,037,655
Budgeted Dollar Variance 07/08	167,553
Budgeted Percent Variance 07/08	1.41%

Sales & Use Tax Comparisons



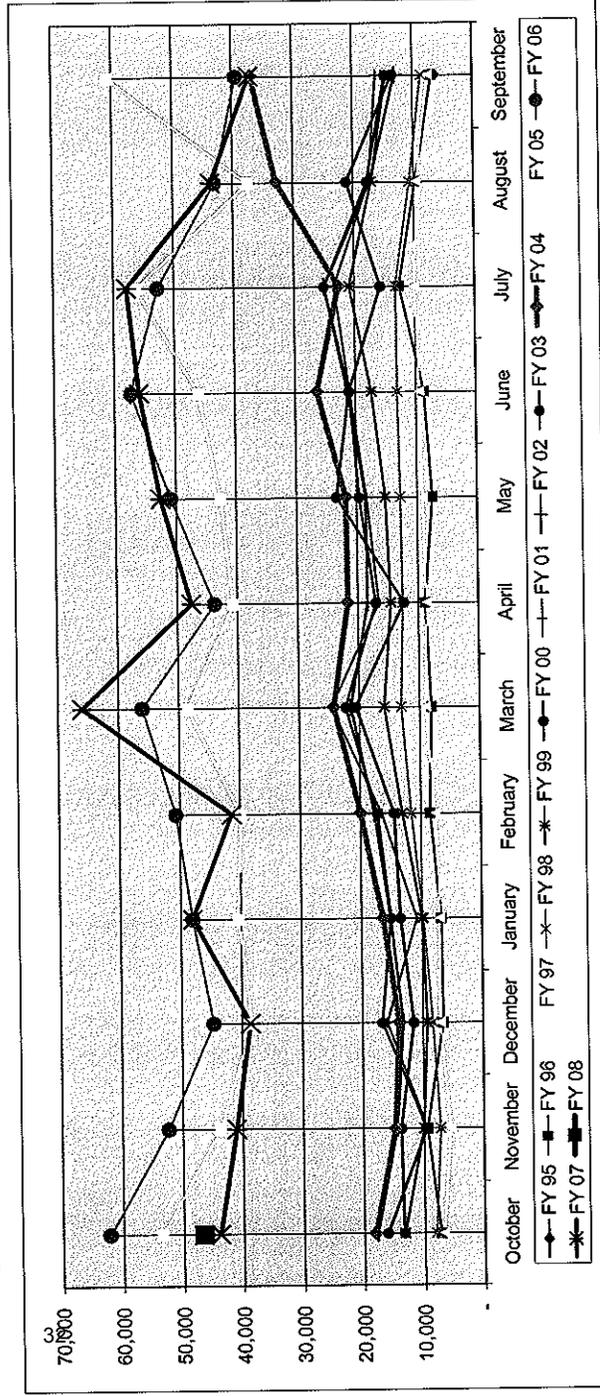
Fiscal 2008: Sales & Use Tax Budget vs. Actual Comparison



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
October	6,371.27	7,228.60	6,701.69	8,042.55	13,241.96	13,344.97	16,021.98	17,757.16	16,103.81	18,110.90	53,490.95	62,191.49	43,874.01	46,592.24
November	6,371.27	9,371.57	5,419.99	7,156.30	9,963.87	13,712.88	9,378.73	14,346.00	9,488.82	14,652.46	43,652.17	52,326.23	41,028.15	46,592.24
December	6,371.27	6,580.10	7,076.44	8,327.51	9,303.23	11,505.34	15,885.37	13,257.40	16,693.64	13,940.92	38,197.96	44,694.55	38,605.47	46,592.24
January	6,371.27	6,765.39	6,990.72	9,704.80	9,934.03	13,517.89	10,802.39	15,150.55	15,089.26	16,416.20	40,334.81	48,014.80	48,012.19	46,592.24
February	6,371.27	8,466.36	7,536.69	11,579.98	13,024.87	14,425.61	16,482.91	17,680.30	17,174.37	19,952.91	39,797.68	50,684.11	41,381.78	46,592.24
March	6,371.27	8,017.74	8,902.63	13,048.18	15,837.90	20,536.51	24,601.77	21,371.61	22,248.25	24,206.01	48,474.92	56,076.62	66,060.49	46,592.24
April	6,371.27	8,802.85	8,533.40	12,559.65	14,513.45	12,327.50	16,532.24	18,354.06	16,974.57	21,626.29	40,666.33	43,813.91	47,594.84	46,592.24
May	6,371.27	7,427.26	8,958.97	12,786.85	15,280.40	23,309.92	18,386.51	18,626.24	19,610.83	21,785.09	42,479.97	50,871.74	52,564.61	46,592.24
June	6,371.27	8,672.68	9,359.82	13,101.68	17,379.01	21,073.57	20,948.57	21,322.07	21,031.35	26,336.81	46,037.59	57,338.25	55,924.22	46,592.24
July	6,371.27	12,568.56	9,975.46	13,200.77	20,840.98	15,680.49	23,389.72	25,013.71	25,026.81	22,654.15	56,266.23	52,752.31	57,842.80	46,592.24
August	6,371.27	9,721.13	9,549.66	10,730.24	17,009.26	21,117.00	17,432.39	17,223.03	17,749.12	32,788.35	37,501.21	43,139.77	43,701.41	46,592.24
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	46,592.24
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	46,592.24

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



FY 2008 Budget	620,000
% Budget Collected	10/31/2007
	8%

NEW BUSINESSES

November-07

CITY LIMITS		CONTRACTORS	
TREADMILL DOCTOR	1	T & T RENOVATION	1
MAGGIE'S BARBER SHOP	1	SNYDER & ASSOCIATES	1
AIRGAS GULF STATES, INC	1	ANDREWS ELECTRIC	1
THE UPS STORE #2971	1	ALAN'S ROOFING	1
EASTERN SHORE TOYOTA	1	PRECISION ELECTRICAL SERVICES	1
CULINARY CELEBRATIONS	1	B & C CONCRETE INC	1
MATT BARBER	1	WEATHERGUARD FACTORY DIRECT	1
MARGARITA MAN GULF COAST	1	BC CONSTRUCTION	1
LE SOLEIL	1	TOTAL CONTRACTORS	16
WIREGRASS HOSPICE	1		
3N MANAGEMENT SERVICES, LLC	1	TOTAL NEW BUSINESSES	47
BAY COFFEE	1		
ROOM REDESIGN	1	CLOSED BUSINESSES IN DAPHNE	
TOTAL CITY LIMITS	13	OLLIE'S BARBECUE	1
		TOTAL CLOSED IN DAPHNE	1

OUTSIDE CITY LIMITS	
MIDTOWN MORTGAGE INC	1
TIMEPAYMENT CORP	1
SUSAN G KOMEN BREAST CANCER	1
DUNBAR BANKPAK, INC	1
REALPAGE INC	1
TERRA TECH ENTERPRISES, INC	1
PITNEY BOWES MANAGEMENT SERVICES	1
GCS SERVICE INC	1
GE MEDICAL SYSTEMS INFORMATION	1
DEEP SOUTH CRANE RENTALS	1
RICK'S OUTDOOR SERVICES	1
SPECIALTY WOOD PRODUCTS	1
JBSM DEVELOPMENT CO, LLC	1
THE H T HACKNEY CO	1
TRI-STATE SERVICES INC	1
ADVANCED DISPOSAL	1
GE CREDIT CORP OF TENNESSEE	1
POWER PRO-TECH SERVICES INC.	1
TOTAL OUTSIDE CITY LIMITS	18

CONTRACTORS	
C.R. EXCAVATING	1
STANLEY B DAY JR	1
WE CAN DO IT	1
JUBILEE GLASS CO.	1
MAURICIO SOTO CONCRETE CO	1
MIDSOUTH GLASS CO INC	1
KIRKMAN CONSTRUCTION LLC	1
COMPLETE PLUMBING INC	1

Buildings and Property Committee Meeting

Friday, December 7, 2007

10:00 a.m.

**City of Daphne
Council Chambers**

Committee

Councilman John Lake, Chairman

Mayor Fred Small

Councilman August A. Palumbo

Deni Biggs, Daphne Civic Center
Richard Merchant, Buildings Inspector

Minutes

Meeting Began at 10:10 a.m.

City Buildings Inspector, Richard Merchant, presented an abatement request for 403 Dryer Avenue, which was completed in December of 2006. Mr. Merchant stated that the City has incurred expenses in the amount of \$6,210.00 for the demolition and that money for the abatement has been in escrow since March of 2007. He requested a motion from the Committee to City Council to set cost for the demolition and to direct the City Attorney to recover funds for the abatement.

Mr. Merchant also specified several other buildings in the City that are in serious need of immediate demolition. Mayor Small and Councilman Palumbo recommended that Mr. Merchant complete his necessary paperwork for the abatement process for the dwellings and present the request to the Buildings & Property Committee as soon as possible.

Motion by Councilman Palumbo to send a recommendation to the Council to direct the City Attorney to recover funds for the abatement on 403 Dryer Avenue. **Second** by Mayor Small. **Motion Approved.**

Motion to adjourn by Councilman Palumbo. **Second** by Mayor Small. **Motion** approved.

Meeting adjourned 10:30 a.m.

City of Daphne

Permit Activity Report

2007-12-03

Permit Code: BL BUILDING PERMIT

Residential - NEW - R3 BL Permits

TypId - Loc#	Contractor Name / Location Name	Permit # / Project #	Master Permit #	Job Location Address	Paid	Status	Issue Date	App Date	Job Value/Cost	Permit Fee
5240-1	BRASWELL CUSTOM HOMES	07-1280		9007 TIMBERCREEK BLVD. DAPHNE, AL 36526	Yes	A	11/06/2007	11/06/2007	\$323,460.00	\$1,635.00
	BRASWELL CUSTOM HOMES					Sub Division:	TIMBERCREEK			
5373-1	COLONY HOMES	07-1310		9732 BELLATON AVE DAPHNE, AL 36526	Yes	A	11/29/2007	11/29/2007	\$162,630.00	\$830.00
	COLONY HOMES					Sub Division:	BELLATON			
5370-1	B.C. CONSTRUCTION	07-1295		193 ROLLINGHILL DR DAPHNE, AL 36526	Yes	A	11/21/2007	11/21/2007	\$163,770.00	\$835.00
	B.C. CONSTRUCTION					Sub Division:	LAKE FOREST			
3173-1	MITCHELL HOMES	07-1293		10189 ESTIA ST. DAPHNE, AL 36526	Yes	A	11/20/2007	11/20/2007	\$97,110.00	\$505.00
	MITCHELL HOMES					Sub Division:	HISTORIC MALBIS			
3173-1	MITCHELL HOMES	07-1292		10193 ESTIA ST DAPHNE, AL 36526	Yes	A	11/20/2007	11/20/2007	\$90,030.00	\$470.00
	MITCHELL HOMES					Sub Division:	HISTORIC MALBIS			
2786-1	LEGACY CONSTRUCTION LLC	07-1285		114 LAWSON RD DAPHNE, AL 36526	Yes	A	11/19/2007	11/19/2007	\$99,870.00	\$515.00
	LEGACY CONSTRUCTION					Sub Division:	LAKE FOREST			
				Total Residential - NEW - R3 BL Permits(s)	6				\$936,870.00	\$4,790.00
				Total Residential - NEW BL Permits(s)	6				\$936,870.00	\$4,790.00
				Total Residential BL Permits(s)	6				\$936,870.00	\$4,790.00

Non Residential - NEW - B2 BL Permits

TypId - Loc#	Contractor Name / Location Name	Permit # / Project #	Master Permit #	Job Location Address	Paid	Status	Issue Date	App Date	Job Value/Cost	Permit Fee
5353-1	CATAMOUNT CONSTRUCTORS	07-1249		31801 ANCHOR CROSS BLVD. DAPHNE, AL 36526	Yes	A	11/01/2007	11/01/2007	\$2,100,000.00	\$12,600.00
	CATAMOUNT CONSTRUCTORS					Sub Division:				
4206-1	STUART CONTRACTING CO., INC.	07-1247		27555 HWY 98 DAPHNE, AL 36526	Yes	A	11/01/2007	11/01/2007	\$813,000.00	\$4,878.00
	STUART CONTRACTING CO., INC.					Sub Division:				
3689-1	QUIN-CO., INC.	07-1290		24201 HWY 98 DAPHNE, AL 36526	Yes	A	11/20/2007	11/20/2007	\$253,000.00	\$1,618.00
	QUIN-CO., INC.					Sub Division:				
				Total Non Residential - NEW - B2 BL Permits(s)	3				\$3,166,000.00	\$19,096.00
				Total Non Residential - NEW BL Permits(s)	3				\$3,166,000.00	\$19,096.00
				Total Non Residential BL Permits(s)	3				\$3,166,000.00	\$19,096.00
				Total BL Permits(s)	9				\$4,102,870.00	\$23,886.00

City of Daphne

Permit Activity Report

2007-12-03

Grand Totals

9

\$4,102,870.00

\$23,886.00

Permit Summary

2007-12-03

BL - BUILDING PERMIT

11/2007	Permit Fee	\$25,165.00	
	Site Fee	\$300.00	
	Plan Review - Residential	\$175.00	
	Plan Review - Commercial	\$100.00	
		Total Fees Collected:	\$25,740.00
		JOB COST	\$4,304,833.00
Total Number of 'BL' Permits Issued during 11/2007 :			22
		Total Fees Collected:	\$25,740.00
		JOB COST	\$4,304,833.00
Total Number of 'BL' Permits Issued during 2007 :			22
		Total Fees Collected:	\$25,740.00
		JOB COST	\$4,304,833.00
Total Number of 'BL' Permits Issued:			22

EL - ELECTRICAL PERMIT

11/2007	Permit Fee	\$11,619.00	
		Total Fees Collected:	\$11,619.00
			\$14,600.00
Total Number of 'EL' Permits Issued during 11/2007 :			22
		Total Fees Collected:	\$11,619.00
			\$14,600.00
Total Number of 'EL' Permits Issued during 2007 :			22
		Total Fees Collected:	\$11,619.00
			\$4,319,433.00
Total Number of 'EL' Permits Issued:			22

ME - MECHANICAL PERMIT

11/2007	Permit Fee	\$2,611.00	
		Total Fees Collected:	\$2,611.00
			\$12,950.00
Total Number of 'ME' Permits Issued during 11/2007 :			18
		Total Fees Collected:	\$2,611.00
			\$12,950.00
Total Number of 'ME' Permits Issued during 2007 :			18
		Total Fees Collected:	\$2,611.00
			\$4,332,383.00
Total Number of 'ME' Permits Issued:			18

PL - PLUMBING PERMIT

11/2007	Permit Fee	\$6,711.00	
		Total Fees Collected:	\$6,711.00
			\$24,345.00
Total Number of 'PL' Permits Issued during 11/2007 :			11

PL - PLUMBING PERMIT

Total Fees Collected:	\$6,711.00
	\$24,345.00
Total Number of 'PL' Permits Issued during 2007 :	11

Total Fees Collected:	\$6,711.00
	\$4,356,728.00
Total Number of 'PL' Permits Issued:	11

Grand Total Fees Collected:	\$46,681.00
Grand Total Job Cost:	\$4,356,728.00
Grand Total Number of Permits Issued:	73

City of Daphne

Periodic Report of Permits Issued by Occupancy

12/03/2007

Issue Date: 2007-11-01 - 2007-11-30

Applied Date: -

		Code	Permit Count	# of Units	Valuation	Permit Fee
BUILDING PERMIT						
Residential						
R3	DECK	BL	1		\$4,200.00	\$40.00
	NEW	BL	6		\$936,870.00	\$4,790.00
	REPAIR	BL	1		\$15,000.00	\$90.00
	REMODEL	BL	2		\$2,600.00	\$45.00
	RE-ROOF	BL	3		\$18,450.00	\$140.00
	FENCE	BL	1		\$8,192.00	\$60.00
	ADDITION	BL	1		\$89,000.00	\$460.00
	GARAGE	BL	1		\$10,000.00	\$65.00
	MISCELLANEOUS	BL	1		\$29,521.00	\$165.00
Non-Residential						
B2	NEW	BL	3		\$3,166,000.00	\$19,096.00
	MISCELLANEOUS	BL	1			\$64.00
Total - BUILDING PERMIT			21		\$4,279,833.00	\$25,015.00
Grand Total			21		\$4,279,833.00	\$25,015.00

Revenue Detail Report

Transaction Date Between: 11/01/2007 And 11/30/2007

Code	Session	TaxpayerID	Loc#	Taxpayer Name	Trans Date	Revenue Amt	Discount Amt	Issue Fee	Penalty Amt	Interest Amt	Fees 1-5	Trans Total Invoice
BL	11/01/2007	5363	1	REED ROOFING	11/01/2007	\$25.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00
BL	11/01/2007	5353	1	CATAMOUNT CONSTRUCT	11/01/2007	\$12,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12,600.00
BL	11/01/2007	4420	1	TOM BIERSTER FINE HO	11/01/2007	\$485.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$485.00
BL	11/01/2007	4206	1	STUART CONTRACTING	11/01/2007	\$4,978.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,978.00
BL	11/06/2007	5240	1	BRASWELL CUSTOM HO	11/06/2007	\$1,710.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,710.00
BL	11/07/2007	3980	1	SEARS HOME IMPROVEM	11/07/2007	\$165.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$165.00
BL	11/07/2007	5364	1	A&E DESIGN	11/07/2007	\$25.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00
BL	11/08/2007	5349	1	DISTINCTIVE DESIGNS LL	11/08/2007	\$40.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00
BL	11/19/2007	4846	1	HOME OWNER	11/19/2007	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00
BL	11/19/2007	2766	1	LEGACY CONSTRUCTION	11/19/2007	\$590.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$590.00
BL	11/20/2007	3173	1	MITCHELL HOMES	11/20/2007	\$580.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$580.00
BL	11/20/2007	3589	1	QUIN-CO., INC.	11/20/2007	\$1,618.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,618.00
BL	11/20/2007	2444	1	JOHN IKNER HOMES LLC	11/20/2007	\$150.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00
BL	11/20/2007	3173	1	MITCHELL HOMES	11/20/2007	\$545.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$545.00
BL	11/21/2007	3590	1	QUIN-CO. INC.	11/21/2007	\$64.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$64.00
BL	11/21/2007	5370	1	B.C. CONSTRUCTION	11/21/2007	\$910.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$910.00
BL	11/27/2007	5371	1	TORNADO FENCE COMP	11/27/2007	\$60.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$60.00
BL	11/27/2007	4843	1	ZELLNER, MALCOLM C.	11/27/2007	\$90.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$90.00
BL	11/28/2007	5372	1	WEATHER GUARD	11/28/2007	\$75.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$75.00
BL	11/29/2007	5373	1	COLONY HOMES	11/29/2007	\$905.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$905.00
BL	11/29/2007	4912	1	OWNER	11/29/2007	\$65.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$65.00
BL	11/30/2007	5375	1	R & A ROOFING	11/30/2007	\$40.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00
EL	11/01/2007	3725	1	RICHARDSON ELECTRIC	11/01/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00
EL	11/01/2007	3725	1	RICHARDSON ELECTRIC	11/01/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00
EL	11/01/2007	3725	1	RICHARDSON ELECTRIC	11/01/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00
EL	11/02/2007	4789	1	WINKLER ELECTRIC, INC.	11/02/2007	\$25.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00
EL	11/06/2007	5004	1	SHORELINE ELECTRICAL	11/06/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00
EL	11/06/2007	4846	1	HOME OWNER	11/06/2007	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00
EL	11/15/2007	2067	1	HILLCREST ELECTRIC, IN	11/15/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00
EL	11/15/2007	2067	1	HILLCREST ELECTRIC, IN	11/15/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00
EL	11/15/2007	2067	1	HILLCREST ELECTRIC, IN	11/15/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00
EL	11/15/2007	2067	1	HILLCREST ELECTRIC, IN	11/15/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00
EL	11/15/2007	2067	1	HILLCREST ELECTRIC, IN	11/15/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00
EL	11/15/2007	2067	1	HILLCREST ELECTRIC, IN	11/15/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00
EL	11/15/2007	4188	1	STEWART'S ELECTRICAL	11/15/2007	\$7,380.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,380.00
EL	11/15/2007	2067	1	HILLCREST ELECTRIC, IN	11/15/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00
EL	11/15/2007	2067	1	HILLCREST ELECTRIC, IN	11/15/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00

EL	11/16/2007	5368	1	PRECISION ELECTRICAL	11/16/2007	\$91.50	\$0.00	\$0.00	\$0.00	\$91.50	No	
EL	11/27/2007	3725	1	RICHARDSON ELECTRIC	11/27/2007	\$180.00	\$0.00	\$0.00	\$0.00	\$180.00	No	
EL	11/27/2007	2234	1	J.P. ELECTRIC	11/27/2007	\$225.00	\$0.00	\$0.00	\$0.00	\$225.00	No	
EL	11/28/2007	1445	1	EAGLE ELECTRICAL SER	11/28/2007	\$1,305.00	\$0.00	\$0.00	\$0.00	\$1,305.00	No	
EL	11/28/2007	5069	1	PROGRESSIVE ELECTRI	11/28/2007	\$440.00	\$0.00	\$0.00	\$0.00	\$440.00	No	
EL	11/28/2007	5069	1	PROGRESSIVE ELECTRI	11/28/2007	\$660.00	\$0.00	\$0.00	\$0.00	\$660.00	No	
EL	11/29/2007	5374	1	ANDREWS ELECTRIC	11/29/2007	\$52.50	\$0.00	\$0.00	\$0.00	\$52.50	No	
EL	11/29/2007	5004	1	SHORELINE ELECTRICAL	11/29/2007	\$30.00	\$0.00	\$0.00	\$0.00	\$30.00	No	
ME	11/05/2007	1758	1	GATLIN HEATING & AIR C	11/05/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
ME	11/07/2007	4502	1	UNIQUE HEATING & AIR	11/07/2007	\$35.00	\$0.00	\$0.00	\$0.00	\$35.00	No	
ME	11/08/2007	585	1	BOESCHEN'S HEATING &	11/08/2007	\$126.00	\$0.00	\$0.00	\$0.00	\$126.00	No	
ME	11/15/2007	1866	1	GRAYSON AIR CONDITIO	11/15/2007	\$35.00	\$0.00	\$0.00	\$0.00	\$35.00	No	
ME	11/15/2007	3798	1	ROBERTS AIR CONDITIO	11/15/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
ME	11/15/2007	3798	1	ROBERTS AIR CONDITIO	11/15/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
ME	11/15/2007	3798	1	ROBERTS AIR CONDITIO	11/15/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
ME	11/19/2007	2020	1	HEAD'S HEATING & AIR C	11/19/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
ME	11/19/2007	1557	1	ESTES HEATING & AIR C	11/19/2007	\$440.00	\$0.00	\$0.00	\$0.00	\$440.00	No	
ME	11/19/2007	1557	1	ESTES HEATING & AIR C	11/19/2007	\$660.00	\$0.00	\$0.00	\$0.00	\$660.00	No	
ME	11/26/2007	411	1	BATCHELOR'S SERVICE	11/26/2007	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00	No	
ME	11/28/2007	2020	1	HEAD'S HEATING & AIR C	11/28/2007	\$55.00	\$0.00	\$0.00	\$0.00	\$55.00	No	
ME	11/29/2007	5204	1	WALKER AIR CONDITIONI	11/29/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
ME	11/29/2007	3798	1	ROBERTS AIR CONDITIO	11/29/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
ME	11/29/2007	3798	1	ROBERTS AIR CONDITIO	11/29/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
ME	11/29/2007	3798	1	ROBERTS AIR CONDITIO	11/29/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
ME	11/29/2007	3798	1	ROBERTS AIR CONDITIO	11/29/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
ME	11/29/2007	668	1	BRUNSON AIR CONDITIO	11/29/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
PL	11/05/2007	4885	1	DIXON PLUMBING INC.	11/05/2007	\$45.00	\$0.00	\$0.00	\$0.00	\$45.00	No	
PL	11/09/2007	5367	1	COMPLETE PLUMBING, I	11/09/2007	\$600.00	\$0.00	\$0.00	\$0.00	\$600.00	No	
PL	11/13/2007	5352	1	MOBILE BATH LLC	11/13/2007	\$45.00	\$0.00	\$0.00	\$0.00	\$45.00	No	
PL	11/13/2007	5277	1	HORTON PLUMBING	11/13/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
PL	11/13/2007	3293	1	NORDMANN PLUMBING C	11/13/2007	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00	No	
PL	11/16/2007	5274	1	PLUMBING SYSTEMS	11/16/2007	\$5,496.00	\$0.00	\$0.00	\$0.00	\$5,496.00	No	
PL	11/26/2007	2887	1	MAC PLUMBING	11/26/2007	\$40.00	\$0.00	\$0.00	\$0.00	\$40.00	No	
PL	11/27/2007	4868	1	DIRECTIONAL FLOW INS	11/27/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$110.00	No	
PL	11/27/2007	660	1	BROWNING PLUMBING	11/27/2007	\$30.00	\$0.00	\$0.00	\$0.00	\$30.00	No	
PL	11/28/2007	3439	1	PERSONS SERVICE CO.	11/28/2007	\$150.00	\$0.00	\$0.00	\$0.00	\$150.00	No	
PL	11/30/2007	5376	1	D P PLUMBING	11/30/2007	\$60.00	\$0.00	\$0.00	\$0.00	\$60.00	No	
Total Net Revenue / Discount / Net Revenue For Permit(s)										\$46,681.00	\$0.00	\$46,681.00
Grand Total Gross Revenue / Discount / Net Revenue										\$46,681.00	\$0.00	\$46,681.00

CERTIFICATE OF OCCUPANCY

NOV. 2007

<u>OWNER</u>	<u>ADDRESS</u>	<u>SUBDIVISION</u>	<u>PERMIT</u>	<u>DATE</u> <u>CLOSED</u>
CRAIG SINCLAIR BUILDERS	8094 PINE RUN	TIMBERCREEK	06-1576	11/6/2007
BASS HOMES	10439 PAPAS STREET	HISTORIC MALBIS	07-571	11/7/2007
ADCOCK FINE HOMES	30604 PINE COURT	TIMBERCREEK	07-647	11/7/2007
WESTERN GATE	226 MONTCLAIR LOOP	LAKE FOREST	07-735	11/8/2007
CHRIS LEIGH HOMES	8124 PINE RUN	TIMBERCREEK	06-1220	11/9/2007
ST CHARLES VILLAGE	25806 POLLARD RD	ST CHARLES VILLAGE	07-819	11/15/2007
ST CHARLES VILLAGE	25806 POLLARD RD	ST CHARLES VILLAGE	07-819	11/15/2007
ST CHARLES VILLAGE	25806 POLLARD RD	ST CHARLES VILLAGE	07-819	11/15/2007
ST CHARLES VILLAGE	25806 POLLARD RD	ST CHARLES VILLAGE	07-819	11/15/2007
ST CHARLES VILLAGE	25806 POLLARD RD	ST CHARLES VILLAGE	07-819	11/15/2007
ST CHARLES VILLAGE	25806 POLLARD RD	ST CHARLES VILLAGE	07-819	11/15/2007
HYMAN HOMES	8065 PINE RUN	TIMBERCREEK	07-097	11/15/2007
GE HOMES	9425 AUTAUGA BENID	SEHOY	05-00272	11/16/2007
BENCHMARK HOMES	7732 ELIZABETH DR	MADISON PLACE	07-855	11/19/2007

CERTIFICATE OF OCCUPANCY

NOV. 2007

<u>OWNER</u>	<u>ADDRESS</u>	<u>SUBDIVISION</u>	<u>PERMIT</u>	<u>DATE</u> <u>CLOSED</u>
BENCHMARK HOMES	7347 FRANKLIN SQ CT	FRANKLIN SQ	07-921	11/20/2007
ST CHARLES VILLAGE	25806 POLLARD RD	ST CHARLES VILLAGE	07-819	11/28/2007
ST CHARLES VILLAGE	25806 POLLARD RD	ST CHARLES VILLAGE	07-819	11/28/2007
ST CHARLES VILLAGE	25806 POLLARD RD	ST CHARLES VILLAGE	07-819	11/28/2007
ST CHARLES VILLAGE	25806 POLLARD RD	ST CHARLES VILLAGE	07-819	11/28/2007
D&W HOMES	3002 D'OLIVE RIDGE	TIMBERCREEK	07-232	11/21/2007
MITCHELL HOMES	10139 ESTIA ST	HISTORIC MALBIS	07-621	11/28/2007

PLANNING/ZONING/BUILDING DEVELOPMENT OUTLINE FOR NOVEMBER 2007

SUBDIVISIONS CORPORATE LIMITS	NUMBER OF LOTS	NO. RESIDENTIAL AND COMMERCIAL PERMITS ISSUED
ASHLEY PLACE, PHASE ONE	20	
AUSTIN PLACE, PHASE ONE	14	
AUSTIN PLACE, PHASE TWO	9	
BELLATON, PHASE ONE	59	
BELLATON, PHASE TWO	56	1
BLACKSHER PLACE, PHASE ONE	8	
BRISTOL CREEK, PHASE ONE	40	
BROOKHAVEN, PHASE ONE	52	
BROOKSIDE, PHASE ONE		
CANTERBURY PLACE, PHASE ONE	36	
CANTERBURY PLACE, PHASE TWO	34	
CANTERBURY PLACE, PHASE THREE	40	
CANTERBURY PLACE, PHASE FOUR	13	
CHARLESTON OAKS, PHASE ONE	24	
CHATEAUGUAY SQUARE, PHASE ONE	12	
CREEKSIDE, PHASE ONE	37	
CREEKSIDE, PHASE TWO	50	
CREEKSIDE, PHASE THREE	5	
DAPHNE COMMERCIAL PARK, PHASE ONE	25	
DELACHASE SQUARE, PHASE ONE	6	
DEERWOOD SQUARE	26	
EAGLE CREEK, PHASE ONE	32	
EAGLE CREEK, PHASE TWO	42	
FRANKLIN SQUARE, PHASE ONE	17	
FRENCH SETTLEMENT, PHASE ONE	31	
HARBOR PLACE, PHASE ONE	25	
HIDDEN CREEK, PHASE ONE	9	
HISTORIC MALBIS, PHASE ONE	122	
HISTORIC MALBIS, PHASE TWO, PART A	101	
HISTORIC MALBIS, PHASE TWO, PART B	69	
HISTORIC MALBIS, PHASE THREE, PART A	8	2
HWY 64 COMMERCIAL PARK, PHASE ONE	15	
JACKSON SQUARE, PHASE ONE	29	
KAYLAR PLACE		
KRYSTAL RIDGE, PHASE ONE	10	

PLANNING/ZONING/BUILDING DEVELOPMENT OUTLINE FOR NOVEMBER 2007

LACASA DI SAN FRANCESCO, PHASE ONE	24	
LACASA DI SAN FRANCESCO, PHASE TWO	13	
LAKE FOREST		2
LAUREL PLACE, PHASE ONE	15	
MADISON PLACE, PHASE ONE	67	
MADISON PLACE, PHASE TWO		
OAK CREEK, PHASE ONE	34	
OAKSTONE, PHASE ONE	12	
OLD FIELD, PHASE ONE		
OTTAWA SPRINGS, PHASE ONE	64	
PECAN TRACE, PHASE ONE	29	
POLO TRACE, PHASE ONE	18	
POTTERS MILL, PHASE THREE	24	
SAINT CHARLES PLACE, PHASE ONE	22	
SAINT CHARLES VILLAGE		
SEHOY, PHASE ONE	75	
SEHOY, PHASE TWO	32	
SEHOY, PHASE THREE	57	
SEHOY, PHASE FOUR	53	
SEHOY, PHASE FIVE	29	
STRATFORD GLEN, PHASE ONE	34	
STRATFORD GLEN, PHASE ONE B	17	
STRATFORD GLEN, PHASE TWO	29	
STRATFORD GLEN, PHASE THREE	47	
SUNSET BAY VILLAS		
TIAWASEE TRACE, PHASE ONE	51	
TIMBERCREEK, PHASE ONE	191	
TIMBERCREEK, PHASE TWO	81	
TIMBERCREEK, PHASE THREE	54	
TIMBERCREEK, PHASE FOUR	55	
TIMBERCREEK, PHASE FIVE	26	1
TIMBERCREEK, PHASE SIX	85	
TIMBERCREEK, PHASE SEVEN	72	
TIMBERCREEK, PHASE EIGHT	52	
TIMBERCREEK, PHASE NINE	93	
TIMBERCREEK, PHASE TEN	31	

PLANNING/ZONING/BUILDING DEVELOPMENT OUTLINE FOR NOVEMBER 2007

TRACE CROSSING, PHASE ONE	14	
VAN AVENUE, PHASE ONE	8	
VICTORIA SQUARE, PHASE ONE		
WOOD FOREST, PHASE ONE	26	
YANCEY BRANCH, PHASE ONE	28	

**CITY OF DAPHNE
FIRE DEPARTMENT MONTHLY REPORT**

Report Period: **September 2007**

	Current:	FY to Date:
Suppression:		
1-Fire/Explosion:		
10-Fire, Other	0	3
11-Structure Fire/Commercial	0	6
11-Structure Fire/Residential	1	28
12-Fire in Mobile Property used as fixed structure	0	2
13-Mobile Property (vehicle) Fire	1	14
14-Natural Vegetation Fire	0	21
15-Outside Rubbish Fire	2	8
16-Special Outside Fire	0	2
17-Cultivated Vegetable Crop Fire	0	1
2-Overpressure Rupture:	0	4
3-Rescue Call and Emergency Medical Service Incidents:	127	1,401
4-Hazardous Conditions (No fire):	6	56
5-Service Call:	11	125
6-Good Intent Call:	14	158
7-False Alarm & False Call:	10	128
8-Severe Weather & Natural Disaster:	1	4
9-Other Situation:	0	6
Total Emergency Calls:	143	1,714
Monthly Total Calls:	173	1,972
Response Time:		
Highest:	12	22
Lowest:	1	1
Average (Minutes/Seconds) :	4/27	4/20
Miscellaneous Reports:		
Training Hours	56	3,489.75
Property Loss - \$	\$2,300	\$522,732
Fire Personnel Injuries by Fire/Civilian Injuries by Fire	0/0	0/0
Advance Life Support Rescues	59	599
Child Passenger Safety Seat Inspections/Installations	6	100
Fire Prevention Awareness/Education:		
Classes	0	40
Persons Attending	0	4,818
Bureau of Fire Prevention:		
Plan Reviews	7	88
Final/Certificate of Occupancy	0	14
General/Annual Inspections	111	1,917
General/Re-Inspections (Violation Follow-up - Annual)	12	441
Business Licenses	4	107
Consultations-	0	0
All Other/Misc. Activities	0	16
Total Activities:	134	2,571

Authorized by:

James White

Chief James White

**CITY OF DAPHNE
FIRE DEPARTMENT MONTHLY REPORT**

Report Period: **October 2007**

	Current:	FY to Date:
Suppression:		
1-Fire/Explosion:		
10-Fire, Other	0	0
11-Structure Fire/Commercial	0	0
11-Structure Fire/Residential	0	0
12-Fire in Mobile Property used as fixed structure	0	0
13-Mobile Property (vehicle) Fire	3	3
14-Natural Vegetation Fire	2	2
15-Outside Rubbish Fire	0	0
16-Special Outside Fire	0	0
17-Cultivated Vegetable Crop Fire	0	0
2-Overpressure Rupture:	0	0
3-Rescue Call and Emergency Medical Service Incidents:	107	107
4-Hazardous Conditions (No fire):	12	12
5-Service Call:	10	10
6-Good Intent Call:	9	9
7-False Alarm & False Call:	14	14
8-Severe Weather & Natural Disaster:	1	1
9-Other Situation:	1	1
Total Emergency Calls:	136	136
Monthly Total Calls:	159	159
Response Time:		
Highest:	11	11
Lowest:	1	1
Average (Minutes/Seconds) :	4/36	4/36
Miscellaneous Reports:		
Training Hours	237.67	237.67
Property Loss - \$	\$34,205	\$34,205
Fire Personnel Injuries by Fire/Civilian Injuries by Fire	0/0	0/0
Advance Life Support Rescues	52	52
Child Passenger Safety Seat Inspections/Installations	8	8
Fire Prevention Awareness/Education:		
Classes	50	50
Persons Attending	1,626	1,626
Bureau of Fire Prevention:		
Plan Reviews	11	11
Final/Certificate of Occupancy	0	0
General/Annual Inspections	137	137
General/Re-Inspections (Violation Follow-up - Annual)	21	21
Business Licenses	7	7
Consultations-	0	0
All Other/Misc. Activities	4	4
Total Activities:	180	180

Authorized by:

James White

Chief James White

Daphne Police Department		Monthly Report					SEPTEMBER 2007			
Patrol Division		Detective Division:		JAIL:		Animal Control		Crimes Reported This Month:		
(Capt. Bell/Lt. Hempfleng)		(Capt. Bell/Lt. Beedy)		(Capt. Taylor/Lt. Yelding)		(Capt. Taylor)				
						YTD				
# Complaints	927	# New Cases Received:	65	Total Arrestees Received & Processed:	158	2,055		Arson	0	
# Misd. Arrests	130	# Previous Unsolved Cases:	119	Arrestees by Agency:			#Complaints	52	Burglary – Commercial	9
# Felony Arrests	29	# Cases Solved:	10	Daphne PD	131	1,371	#Follow-ups	80	Burglary – Residence	4
DUI Arrests	8	Resulting in Total Arrests:		BCSO	5	119	#Citations	3	Burglary - Vehicle	4
Alias Warrant Arrests	78	Felonies:	2	Loxley PD	0	261	#Warnings	0	Criminal Mischief	11
Citations	184	Misdemeanors:	2	Silverhill PD	0	60	#Felines Captured	24	Disorderly Conduct	2
Close Patrols	88	Houses Searched	0	Spanish Fort PD	16	157	#Canines Captured	33	Domestic Disturbance	20
Warnings	94			Troopers	4	51	#Other Captured	8	False Info to Police	1
Motorist Assists	163			INS	0	1	#Returned to Owner	\$7	Felony Assault	0
Roadway Accidents	62	Warrants:		Other Agencies	2	33	#Adopted Out	17	Felony Theft	23
Private Property Accidents	18	Bettner Served	47				#Euthanized	31	Harassment	3
Traffic Homicide	0	Agency Assists	22	Highest	40				Identity Theft	8
		Recalls (Pd Fines)	11	Lowest	29				Indecent Exposure	1
DRUG REPORT		Total Warrants Served	90						Kidnapping	0
ROUTINE PATROL/SPECIAL OPS				Meals Served	2,638	32,805			Menacing	0
		Sex Offender:		Medical Cost	1,701.05	\$36,661.01			Misdemeanor Assault	0
# Misd. Marijuana Arrest	3	New Registration:	0	Worker Inmate Hours	486	10,025.75			Misdemeanor Theft	16
# Felony Marijuana Arrest	0	Contact Verification	0						Murder	0
# Controlled Substance Arrest:	1	Total # registered in Daphne	2						Other Death Investigations	1
# Drug Paraphernalia Arrest	4	DARE:							Public Intoxication	2
Vehicles Searched		# Hours Report Writing:	0						Public Lewdness	1
		# Students Instructed SRO	125						Receiving Stolen Property	3
Drugs Seized:marijuana,presc.drugs		# Students Instructed DARE	45						Reckless Endangerment	0
Money Seized	0	# Police Reports by SRO	0						Resisting Arrest	0
Vehicles Seized	0	# Arrest by SRO	0						Robbery	1
									Sex Crime Investigations	0
		CODE ENFORCEMENT:							Suicide	0
		Warnings:	11						Suicide, attempted	2
		Citations	1						Theft of Services	0
		Warning							Unauthorized Use of Services	
		Compliance	8							3
		Follow – Up	21						Weapon Offenses	1
									White Collar Crimes	3
<i>Approved by:</i>		<i>David Carpenter, Chief of Police</i>								

Daphne Police Department		Monthly Report					October 2007			
Patrol Division		Detective Division:		JAIL:			Animal Control		Crimes Reported This Month:	
(Capt. Bell/Lt. Hempfleng)		(Capt. Bell/Lt. Beedy)		(Capt. Taylor/Lt. Yelding)			(Capt. Taylor)			
						YTD				
# Complaints	1,274	# New Cases Received:	62	Total Arrestees Received & Processed:	137	137			Arson	0
# Misd. Arrests	76	# Previous Unsolved Cases:	132	Arrestees by Agency:			#Complaints	65	Burglary – Commercial	9
# Felony Arrests	7	# Cases Solved:	28	Daphne PD	111	111	#Follow-ups	98	Burglary – Residence	9
DUI Arrests	7	Resulting in Total Arrests:		BCSO	9	9	#Citations	7	Burglary - Vehicle	10
Alias Warrant Arrests	55	Felonies:	13	Spanish Fort PD	14	14	#Warnings	8	Criminal Mischief	7
Citations	201	Misdemeanors:	3	Troopers	2	2	#Felines Captured	23	Disorderly Conduct	1
Close Patrols	115	Houses Searched	0	INS	0	0	#Canines Captured	54	Domestic Disturbance	24
Warnings	48			US Marshals Office	0	0	#Other Captured	3	False Info to Police	0
Motorist Assists	174			Other Counties	0	0	#Returned to Owner	\$27	Felony Assault	0
Roadway Accidents	50	Warrants:		Other States	1	1	#Adopted Out	21	Felony Theft	11
Private Property Accidents	25	Bettner Served	42				#Euthanized	28	Harassment	12
Traffic Homicide	0	Agency Assists	20	Highest	41				Identity Theft	2
		Recalls (Pd Fines)	27	Lowest	26				Indecent Exposure	0
DRUG REPORT		Total Warrants Served	89						Kidnapping	0
ROUTINE PATROL/SPECIAL OPS				Meals Served	2,561	2,561			Menacing	0
		Sex Offender:		Medical Cost	\$839.17	\$839.17			Misdemeanor Assault	0
# Misd. Marijuana Arrest	2	New Registration:	0	Worker Inmate Hours	819	819			Misdemeanor Theft	16
# Felony Marijuana Arrest	0	Contact Verification	1						Murder	0
# Controlled Substance Arrest:	0	Total # registered in Daphne	4						Other Death Investigations	0
# Drug Paraphernalia Arrest	1	DARE:							Public Intoxication	1
Vehicles Searched	0	# Hours Report Writing:	6.5						Public Lewdness	0
		# Students Instructed SRO	135						Receiving Stolen Property	0
Drugs Seized: MARIJUANA		# Students Instructed DARE	45						Reckless Endangerment	1
Money Seized	0	# Police Reports by SRO	4						Resisting Arrest	1
Vehicles Seized	0	# Arrest by SRO	0						Robbery	1
									Sex Crime Investigations	0
		CODE ENFORCEMENT:							Suicide	0
		Warnings:	4						Suicide, attempted	1
		Citations	1						Theft of Services	0
		Warning Compliance	13						Unauthorized Use of Services	1
		Follow – Up	25						Weapon Offenses	1
									White Collar Crimes	9
<i>Approved by:</i>				<i>David Carpenter, Chief of Police</i>						

Daphne Beautification Committee

Civic Center Recreation Building, Daphne, AL

Minutes

December 7, 2007 - 10:00 AM

Meeting: General Membership Meeting

Invitees: Jay Hastings – Daphne Chamber of Commerce

City Liaison: Marshall Parsons, David McElroy, Marjorie Bellue

Members:

Chair: Anne Talton (7)

Frances Harrell (1)

Jessia Prater (1)

Vice Chair: Nancy Henderson (3)

Dorothy Morrison (2)

Carolyn Coleman (2)

Secretary: Judy Sholtis (2)

Selena Vaughn (4)

Tomasina Werner (4)

Treasurer: Frieda Romanchuck (7)

Patty Kearney (5)

Dorothy Rankins (5)

Marilyn O'Connor Moore (2)

Audrey Rouire (6)

Kay Wineman (7)

I. Call to order – 10:10 a.m.

II. Roll call – Absent were Frieda Romanchuck, Frances Harrell, and Dorothy Rankins.

Jay Hasting, Director of the Daphne Chamber of Commerce came to visit and talked to us about needing more volunteers to help him as he wanted to open the scenic overlook seven days a week for tourist information. It will now be open Saturday 10 to 3 and Sunday 12 to 4. He asked us to tell our friends and help in anyway possible to promote Daphne.

We also had a visitor, Mary Lloyd, representing the Downtown Redevelopment Committee who said she is interested in partnering with Daphne Beautification so that we are all working together for the same goals.

III. Approval of minutes – The minutes were sent out by email, no corrections. A vote was taken to accept the minutes as posted. Minutes accepted by unanimous vote.

IV. Treasurers Report- The treasurer’s report was given by Dorothy Morrison who said that we have \$4,498.24 in available funds. A motion was made to accept the report. This was seconded and passed by unanimous vote

V. Sub-Committee Reports -

- a. Beautification Awards – Carolyn Coleman reported that “The Frame Corner” will receive the certificate on December 13 at 10 a.m. and she hopes all of us can be

there as the mayor presents the award. After the presentation she invites all of us to her house for coffee. Maps to her house were given out.

- b. Gator Alley – Dorothy Morrison reported that the sidewalk was installed and the fencing would be going up next in the parking area. She has contacted a teacher who will have his high school students carve one dimensional wildlife figures to be attached to the tops of each fence post. She always needs volunteers to help clean up this area.
- c. Crape Myrtles – Marshal reported that planting will start soon.
- d. Arbor Day –Arbor Day is way ahead of schedule. The poster contest group is ready to take the bins of supplies to the teachers. These will be delivered in January. The brochure is almost complete. A schedule of events are to be worked on for the big event. The certificate completed for the Mayor to read the Arbor Day proclamation. The committee will meet at Bay Coffee on Dec. 11 at 8:30.
- e. Christmas Decorations – Christmas is up and the city looks great. Many new areas were worked on this year. Wreaths for a long fence at Main and Daphne. Wreaths for the doors at the library and Recreation Department as well as bows in the new ferns planters in that area.

VI. Open Business –

- a. Top Ten List – This list was read and discussed. The need for signage to direct tourists to Old Towne Daphne was discussed and mention of two other groups having the same ideas. Selena Vaughn will head a subcommittee to work with Mary Lloyd and other group. Marshall suggested small blue information signs which would be high in the intersections. A motion was made by Dorothy Morrison to not place these signs. Motion seconded and passed.
- b. Lighting for Welcome signs – Dorothy Morrison made a motion to allow up to \$2500 towards cost of lighting our three new “Welcome to Daphne” signs. The motion was seconded and passed.

VII. New Business - 2008 Elections –Chairman, Vice Chairman, Secretary, Treasurer to start the January 2008 meeting. The Daphne Beautification Committee held its annual election and the 2008 board is as follow: Chairman – Anne Talton, Vice Chairman – Nancy Henderson, Secretary – Judy Sholtis, and Treasurer – Frieda Romanchuck.

VIII. Public Works –Gator alley, Taco Bell replaced its huge sign with very nice sign. Should send a letter of thanks and appreciation.

IX. Announcements –Dorothy Morrison read a letter from DTRC and we will leave the fence at Jubilee courtyard as is.

X. Adjournment - 11:45

**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:

**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

Ross and Jordan P.C.
Post Office Box 210
Mobile, AL 36601

MEMORANDUM

December 3, 2007

To: Daphne City Counsel Members

From: Jay M. Ross

RE: **MEMORANDUM OF UNDERSTANDING
BETWEEN BALDWIN COUNTY COMMISSION AND
THE CITY OF DAPHNE**

Dear All:

At the request of Counsel President Burnam please find enclosed the draft of the Memorandum of Understanding between the Baldwin County Commission and the City of Daphne, related to the allocation of cost for the service road along North Interstate 10. Obviously, the agreement is in draft form as extremely simple and obligates the City to pay a million dollars, at the time the County formerly awards the contract for construction of the project. I would like to have more specifics built into the agreement, but I wanted to provide this to you as Mr. Burnam indicates it will come up at the next Counsel meeting for formal consideration. As I continue to work through

the document I will provide updates to each of you. Thank you.

Sincerely
Jay M. Ross

ROUGH DRAFT

ROUGH DRAFT

STATE OF ALABAMA)
COUNTY OF BALDWIN)

MEMORANDUM OF UNDERSTANDING (MOU)
(Between the Baldwin County Commission and the City of Daphne)

WHEREAS, the State of Alabama law authorizes local governments to partner and coordinate with each other to provide services, and

WHEREAS, the County is extending County Road 13 in Daphne, Alabama, northerly to Interstate Highway (I-10) and desires, in connection with such extension, to have an interchange and service road on the northern side of I-10- connecting Alabama Highway 181 to U.S. Highway 98.

WHEREAS, The Parties are informed that the State of Alabama Department of Transportation (ALDOT) will construct such an interchange; and,

WHEREAS, if ALDOT constructs the interchange, the County will construct the service road to alleviate anticipated traffic congestion from the extreme growth in the general area; and,

WHEREAS, the City of Daphne (the City) sees the general public benefit in the subject project and would like to participate, with a financial contribution, to the project.

NOW, THEREFORE, as part of their unified effort, the City and the County, without binding one or the other, do nonetheless hereby seek to further clarify their relationship as follows:

1. The County plans to proceed with reasonable dispatch and diligence to complete the plans to build, connect to the interchange, and make operational the subject I-10 service road.
2. The City plans to participate in this project with a financial contribution of one million dollars (\$1,000,000.00) at least by the time the County formally awards the contract for construction on the project.

ATTEST

COUNTY

_____/_____
County Administrator Date

_____/_____
Chairman Date

ATTEST

CITY

_____/_____
Secretary Date

_____/_____
President Date

Jay M. Ross

From: Richard Davis [RDavis@Davis-Fields.com]
Sent: Monday, December 03, 2007 11:17 AM
To: jay@rossandjordan.com
Cc: tre1194@bellsouth.net
Subject: FW: Service Road along I-10
Attachments: Daphne MOU (2) 11-7-07.doc

Good morning Jay. Pursuant to your call this morning, I am resending the MOU herewith.

From: Richard Davis
Sent: Wednesday, November 07, 2007 3:38 PM
To: 'jay@rossandjordan.com'
Cc: 'Scott Barnett'; Dawn LeNoir; 'tre1194@bellsouth.net'
Subject: Service Road along I-10

Jay:

As you probably recall, my firm represents TimberCreek Land Company, Inc., which, as you also know, is contributing funds to the County for construction of the service road along I-10. County Attorney Scott Barnett has drafted a proposed Memorandum of Understanding to confirm the City's commitment to participate, and he asked that I forward that draft to the appropriate contact for the City, meaning you. Would you please take the necessary steps to have this placed on the next Council workshop agenda and on the next regular meeting agenda? If you want to meet to discuss this, I'd be glad to; Allen Cox is also available. Allen plans to be present at the workshop and at the formal meeting in order to answer questions, address concerns, etc., so please keep me posted. Thanks very much, and I look forward to hearing from you.

<<Daphne MOU (2) 11-7-07.doc>>

Richard E. Davis
Davis & Fields, P.C.
Post Office Box 2925
Daphne, Alabama 36526
(251) 621-1555, ext. 1
(251) 621-1520, fax
email: rdavis@davis-fields.com

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ROUGH DRAFT

ROUGH DRAFT

STATE OF ALABAMA)
COUNTY OF BALDWIN)

MEMORANDUM OF UNDERSTANDING (MOU)
(Between the Baldwin County Commission and the City of Daphne)

WHEREAS, the State of Alabama law authorizes local governments to partner and coordinate with each other to provide services, and

WHEREAS, the County is extending County Road 13 in Daphne, Alabama, northerly to Interstate Highway (I-10) and desires, in connection with such extension, to have an interchange and service road on the northern side of I-10- connecting Alabama Highway 181 to U.S. Highway 98.

WHEREAS, The Parties are informed that the State of Alabama Department of Transportation (ALDOT) will construct such an interchange; and,

WHEREAS, if ALDOT constructs the interchange, the County will construct the service road to alleviate anticipated traffic congestion from the extreme growth in the general area; and,

WHEREAS, the City of Daphne (the City) sees the general public benefit in the subject project and would like to participate, with a financial contribution, to the project.

NOW, THEREFORE, as part of their unified effort, the City and the County, without binding one or the other, do nonetheless hereby seek to further clarify their relationship as follows:

1. The County plans to proceed with reasonable dispatch and diligence to complete the plans to build, connect to the interchange, and make operational the subject I-10 service road.
2. The City plans to participate in this project with a financial contribution of one million dollars (\$1,000,000.00) at least by the time the County formally awards the contract for construction on the project.

ATTEST

COUNTY

_____/_____
County Administrator Date

_____/_____
Chairman Date

ATTEST

CITY

_____/_____
Secretary Date

_____/_____
President Date

CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

RESOLUTION 2007 - 105

**Acceptance of Streets and Drainage
located in the Renaissance Center Subdivision,
the Resubdivision of Phase 1A, Lots 1-7 and Phase 2A, Lot 1**

Whereas, the City Council of the City of Daphne, Alabama has received notice that the Planning Commission of Daphne has given Final Plat approval to the Renaissance Center Subdivision, the Resubdivision of Phase 1A, Lots 1-7 and Phase 2A, Lot 1 on June 28, 2007 and the City of Daphne hereby recommends acceptance of said street located in the Renaissance Center Subdivision, the Resubdivision of Phase 1A, Lots 1-7 and Phase 2A, Lot 1; and,

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

Whereas, the Division of Public Works has accepted said streets and storm water drainage of the Renaissance Center Subdivision, the Resubdivision of Phase 1A, Lots 1-7 and Phase 2A, Lot 1; and,

Whereas, the Utilities Board of the City of Daphne has accepted the utilities of the Renaissance Center Subdivision, the Resubdivision of Phase 1A, Lots 1-7 and Phase 2A, Lot 1; and,

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE AS FOLLOWS, that the Renaissance Center Subdivision, the Resubdivision of Phase 1A, Lots 1-7 and Phase 2A, Lot 1 according to the plat by Hutchinson, Moore & Rauch as recorded in the Judge of Probate, Baldwin County, Alabama, and said streets being named Frederick Boulevard is hereby accepted by the City of Daphne, Alabama as a city street for maintenance.

ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE ____ DAY OF _____, 2007.

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

**GREG BURNAM
COUNCIL PRESIDENT
DATE AND TIME SIGNED:**

**FRED SMALL
MAYOR
DATE AND TIME SIGNED:**

ATTEST:

DAVID L. COHEN, CITY CLERK, MMC

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

SUBDIVISION NAME: Renaissance Center Subdivision, the Resubdivision of Phase 1A, Lots 1-7 and Phase 2A, Lot 1

LOCATION: Alabama Highway 181 and U. S. Highway 90

THIS ACCEPTANCE OF ROADS AND RIGHTS-OF-WAY is made this 29th day of May, 2007, by Renaissance Center, L.L.C., hereinafter called the Subdivider, owner of certain property located in Baldwin County, Alabama known as Renaissance Center Subdivision, the Resubdivision of Phase 1A, Lots 1-7 and Phase 2A, Lot 1 Subdivision to be recorded in the office of the Judge of Probate of Baldwin County, Alabama; and,

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

WHEREAS, the Subdivider does hereby agree to provide a Maintenance Bond, as outlined in Article XVII, entitled Subdivision Review, in an amount equal to ten (10) percent of the total street and drainage improvements (\$68,813.20) in the subdivision for a period of two (2) years after the date of their acceptance and dedication of the same to the City. Said bond shall be required by the City as a condition to the acceptance and dedication of any new roads or rights-of-way within the City; and,

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

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

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

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

NOW, THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Subdivider does hereby dedicate the roads and rights-of-way in said subdivision to the City of Daphne, a municipal corporation, as per the recommendation of the City of Daphne Planning Commission at their regular meeting of June 28, 2007. That said subdivision according the plat recorded in the Judge of Probate, Baldwin County, Alabama and said streets being named Frederick Boulevard ~ 1,374 LF 60 ft ROW width

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

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

Respectfully submitted,

Lee Trip Pittman - Renaissance Center, LLC
Name of Individual or Corporation

By: Lee Trip Pittman

Its: Advisory Manager

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned Notary Public in and for said State and County, hereby certify that L. Tripp Pittman whose name as advisory manager of Renaissance ctr, an Alabama corporation or as owner of Renaissance Center is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer or owner and with full authority, executed the same voluntarily on the day same bears date.

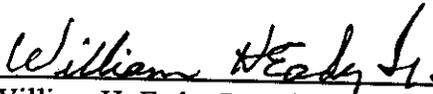
Given under my hand and official seal on this the 30th day of May 2007.

Ashley Boudette (NOTARY SEAL)
NOTARY PUBLIC

My commission expires: June 4, 2008

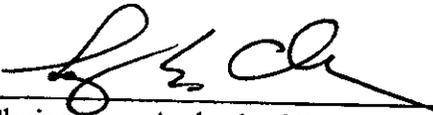
**CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY**

Recommendation:



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

Approval:



Chairman or Authorized Representative
City of Daphne

MAINTENANCE BOND

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
Hartford, Connecticut 06183

BOND NO. 104958741

KNOW ALL MEN BY THESE PRESENTS:

That **James Brothers Excavating Inc.**, as Principal, hereinafter called Contractor, and **TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA**, as Surety, hereinafter called Surety, are held and firmly bound unto **The City of Daphne, Alabama**, as Obligee, hereinafter called Owner,

in the penal sum of **\$ 68,813.20**, for the payment whereof Contractor and Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, Contractor has by written agreement entered into a contract with Owner for **Renaissance Center**

in accordance with the General Conditions, the Drawings and Specifications, which contract is by reference incorporated herein, and made a part hereof, and is referred to as the Contract.

NOW, THEREFORE, the condition of this obligation is such that, if Contractor shall remedy any defects due to faulty materials or workmanship which shall appear within a period of **2** year from the date of substantial completion of the work provided for in the Contract, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER, that Owner shall give Contractor and Surety notice of observed defects with reasonable promptness.

SIGNED and sealed this day of **JUNE 27, 2007**

IN THE PRESENCE OF: *Mark A. Boyett*

James Brothers Excavating Inc.

(Seal)
Principal

[Signature]
Title

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

By *John T. Thomas, Jr.*
John T. Thomas, Jr., Attorney-in-Fact



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 216738

Certificate No. 001476192

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Jim E. Mabrey, John T. Thomas, Jr., Maria A. Davison, and Vernon D. Harrison

of the City of Fairhope, State of Alabama, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 14th day of June, 2006

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 14th day of June, 2006, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

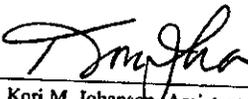
FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

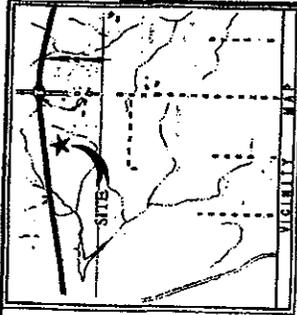
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this _____ day of _____, 20__.


Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.stpaultravelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

RENAISSANCE CENTER PHASE 1a - LOTS 1-7 & PHASE 2a - LOT 1



ENTER DATA
 Phase 1a
 LOT 1 - 10 Acres more or less
 ZONING
 GENERAL BUSINESS
 INTERMEDIATE DENSITY RESIDENTIAL
 DENSE RESIDENTIAL
 ALABAMA LICENSE NUMBER 2840
 DATE OF EXPIRATION 12/31/2007

MINISTERS COMMENDMENT
 MINISTERS COMMENDMENT FOR THE CITY OF DANNING, ALABAMA
 DATE OF EXPIRATION 12/31/2007

INTERSTATE NUMBER 10 SOUTH ROW
 PHASE 2a - LOT 1
 PHASE 1b & c
 PHASE 1d & e
 PHASE 1f & g

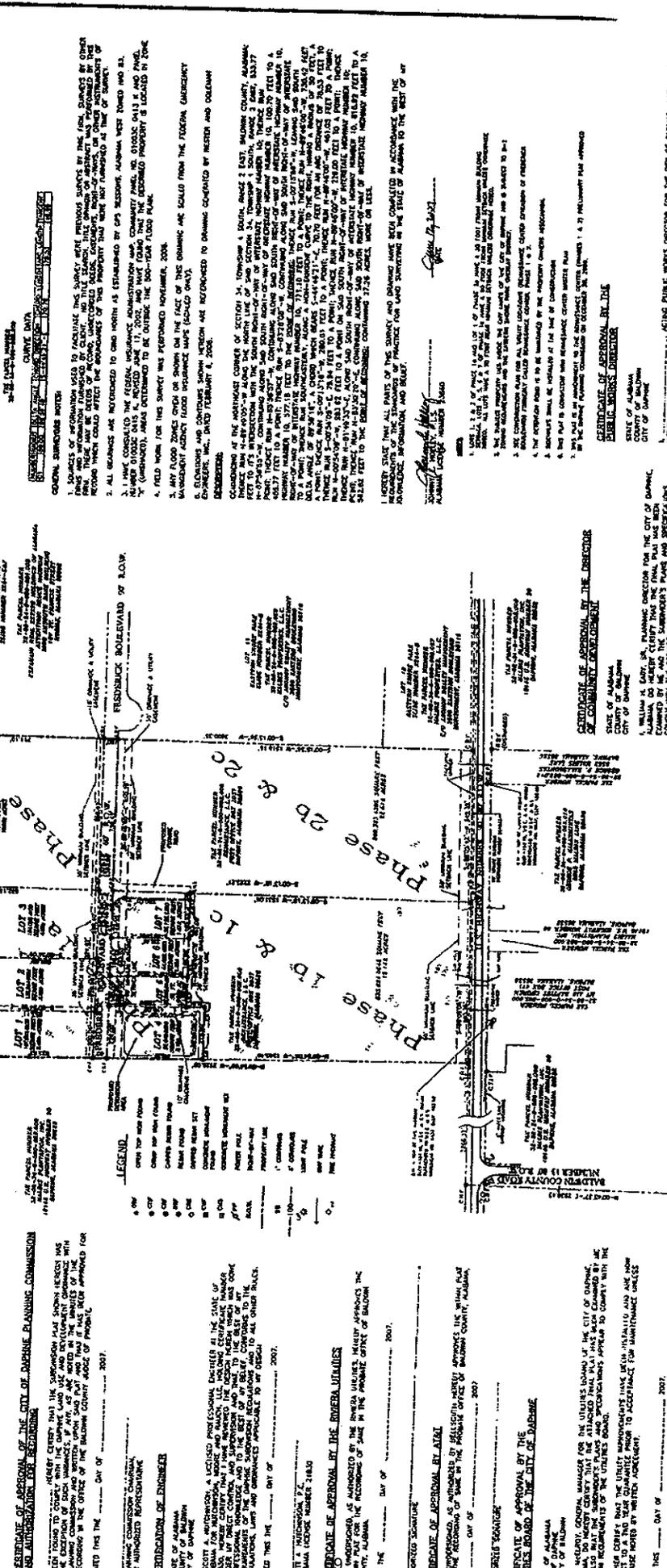
LEGEND
 1. LOT 1
 2. LOT 2
 3. LOT 3
 4. LOT 4
 5. LOT 5
 6. LOT 6
 7. LOT 7
 8. PHASE 1b & c
 9. PHASE 1d & e
 10. PHASE 1f & g

ACKNOWLEDGMENT
 STATE OF ALABAMA
 COUNTY OF BALDWIN

CERTIFICATE OF APPROVAL OF THE CITY OF DANNING PLANNING COMMISSION
 AND AUTHORIZATION FOR RECORDING

CERTIFICATE OF APPROVAL BY THE ENGINEER
 STATE OF ALABAMA
 COUNTY OF BALDWIN

CERTIFICATE OF APPROVAL BY THE SURVEYOR
 STATE OF ALABAMA
 COUNTY OF BALDWIN



ACKNOWLEDGMENT
 STATE OF ALABAMA
 COUNTY OF BALDWIN

CERTIFICATE OF APPROVAL BY THE SURVEYOR
 STATE OF ALABAMA
 COUNTY OF BALDWIN

CERTIFICATE OF APPROVAL BY THE ENGINEER
 STATE OF ALABAMA
 COUNTY OF BALDWIN

CERTIFICATE OF APPROVAL BY THE DIRECTOR OF COMMUNITY DEVELOPMENT
 STATE OF ALABAMA
 COUNTY OF BALDWIN

ACKNOWLEDGMENT
 STATE OF ALABAMA
 COUNTY OF BALDWIN

CERTIFICATE OF APPROVAL BY THE SURVEYOR
 STATE OF ALABAMA
 COUNTY OF BALDWIN

CERTIFICATE OF APPROVAL BY THE ENGINEER
 STATE OF ALABAMA
 COUNTY OF BALDWIN

CERTIFICATE OF APPROVAL BY THE DIRECTOR OF COMMUNITY DEVELOPMENT
 STATE OF ALABAMA
 COUNTY OF BALDWIN

ACKNOWLEDGMENT
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 STATE OF ALABAMA
 COUNTY OF BALDWIN

ACKNOWLEDGMENT
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 STATE OF ALABAMA
 COUNTY OF BALDWIN

CERTIFICATE OF APPROVAL BY THE ENGINEER
 STATE OF ALABAMA
 COUNTY OF BALDWIN

CERTIFICATE OF APPROVAL BY THE DIRECTOR OF COMMUNITY DEVELOPMENT
 STATE OF ALABAMA
 COUNTY OF BALDWIN

**APARTMENT UNITS
CITY OF DAPHNE, AL
AS OF DECEMBER 2007**

PROPERTY NAME	TYPE	UNITS COMPLETE	LOCATION	ZONING DISTRICT
(CONSTRUCTED)				1, 608 TI
ASHLEY GATES, PHASE ONE AND TWO	CONVENTIONAL	248	VAN AVENUE	B-2
BAY FOREST, PHASE ONE	CONVENTIONAL	32	NORTH MAIN ST	R-3
BAY FOREST, PHASE TWO	CONVENTIONAL	24	LAKE FOREST BLVD	R-3
BAY VISTA	CONVENTIONAL	98	NORTH MAIN ST	R-4
BAY BREEZE, PHASE ONE	CONVENTIONAL	116	NORTH END OF LAKE FOREST BLVD	R-4
EAST BAY	CONVENTIONAL	108	US HIGHWAY 98	R-4
GRANDE POINTE	CONVENTIONAL	180	LAKE FRONT DRIVE	R-4
ASHLEY GATES, PHASE ONE	CONVENTIONAL	248	VAN AVENUE	B-2
PELICAN BAY	CONVENTIONAL	58	US HIGHWAY 98	R-4
SUNBELT	CONVENTIONAL	32	NORTH MAIN STREET	B-1
WINDSCAPE	CONVENTIONAL	72	US HIGHWAY 98	B-2
AUDUBON PARK, PHASE ONE	CONVENTIONAL	264	COUNTY ROAD 64	R-6, MULTI BALDWIN CTY
LAKE FOREST	CONVENTIONAL	128	US HIGHWAY 98	B-1
(APPROVED AND/OR UNDER CONSTRUCTION)				293 TI
AUDUBON PARK, PHASE TWO	CONVENTIONAL	80	POLLARD RD/CTY RD 64	R-4
BAY BREEZE, PHASE TWO	CONVENTIONAL	70	LAKE FOREST BLVD	R-4
PARK AT WHISPERING PINES, PHASE ONE	CONVENTIONAL	143	POLLARD/WHISPERING PINES	R-4
(PLANNED/PROPOSED)				270 TI
LAUREL SPRINGS	CONVENTIONAL	56	POLLARD ROAD	R-2B, BALD CTY ANNEXING R-4
THE PARK AT WHISPERING PINES, PHASE TWO	CONVENTIONAL	64	POLLARD RD/WHISPERING PINES	R-4 ORLEANS COMMONS SITE
KLAAS DEVELOPMENT	CONVENTIONAL	150	PARK DRIVE/US HIGHWAY 98	B-2, ZONING AMENDMENT R-4

**CONDOMINIUMS
CITY OF DAPHNE, AL
AS OF DECEMBER 2007**

PROPERTY NAME	TYPE	UNITS COMPLETE	LOCATION	ZONING DISTRICT
(CONSTRUCTED)				391 TI
BAY TERRACE	CONVENTIONAL	11	CHESHIRE LANE	B-1
BAY VILLAGE	CONVENTIONAL	26	MADISON ST	R-4
THE FORESTER	CONVENTIONAL	28	LINCOLN STREET	B-1
GOLF TERRACE	CONVENTIONAL	60	BAYVIEW DRIVE	R-4
JACKSON SQUARE	CONVENTIONAL	12	MAIN STREET	R-4
SEACLIFF, PHASE ONE AND TWO	CONVENTIONAL	107	US HIGHWAY 98	R-4
THE WOODLANDS	CONVENTIONAL	20	5 TH , VAN AND LINCOLN	B-1
SUNSET BAY VILLAS	CONVENTIONAL	109	YACHT CLUB DR	R-4
JUBILEE RIDGE	CONVENTIONAL	8	COUNTY RD 64	R-4
ST CHARLES, PHASE ONE	CONVENTIONAL	10	POLLARD ROAD	R-4
(APPROVED AND/OR UNDER CONSTRUCTION)				138 TI
JUBILEE RIDGE	CONVENTIONAL	106	COUNTY ROAD 64	R-4
ST CHARLES, PHASE ONE	CONVENTIONAL	32	POLLARD ROAD	R-4
(PLANNED/PROPOSED)				216 TI
ST CHARLES VILLAGE, PHASE TWO	CONVENTIONAL	56	POLLARD ROAD	R-4
ST CHARLES VILLAGE, PHASE THREE	CONVENTIONAL	56	POLLARD RD	R-4
ORLEANS COMMONS	CONVENTIONAL	56	POLLARD RD	R-4
SUMMIT, PHASE ONE AND TWO	CONVENTIONAL	48	U S HIGHWAY 98	R-4

Created: December 11, 2007

**TOWNHOMES
CITY OF DAPHNE, AL
AS OF DECEMBER 2007**

PROPERTY NAME	TYPE	UNITS COMPLETE	LOCATION	ZONING DISTRICT
(CONSTRUCTED)				285 tl
WILLOWTREE	CONVENTIONAL	5	VAN BUREN STREET	B-1
LAKEVIEW	CONVENTIONAL	48	LAKESHORE DRIVE	R-4
SUMMER OAKS	CONVENTIONAL	68	US HIGHWAY 98	R-4
D'OLIVE SPRINGS	CONVENTIONAL	17	D'OLIVE SPRINGS DR	R-4
JUBILEE	CONVENTIONAL	6	VAN BUREN/5TH STREET	B-1
LOMA ALTA VILLAS	CONVENTIONAL	69	PARMA DRIVE	R-4
LOMA ALTA	CONVENTIONAL	72	PARMA DRIVE	R-4
(PLANNED/PROPOSED)				50 tl
M & S DEVELOPMENT	CONVENTIONAL	50	ALABAMA HIGHWAY 181	R-2 B BALD CTY ANNEXING R-4

Created: December 11, 2007

RESOLUTION NO. 2007 – 106

2008-A-FD/SELF-CONTAINED BREATHING APPARATUS

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

WHEREAS, The City of Daphne acknowledges that the cost for the SELF-CONTAINED BREATHING APPARATUS will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the FD/SELF-CONTAINED BREATHING APPARATUS and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the FD/SELF-CONTAINED BREATHING APPARATUS be awarded to Sunbelt Fire Apparatus.

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 Sunbelt Fire, Inc. for a cost of \$5,130/each as specified in BID SPECIFICATION NO: 2008-A-FD/SELF-CONTAINED BREATHING APPARATUS.

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

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk MMC

RESOLUTION 2007 - 107

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

Street	25	1990 Ford F-150 Truck	1FTDF15NXLNA60059

2- The Mayor is authorized to advertise and accept bids through Govedeals.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 _____, 2007.

Greg Burnam,
Council President
Date & Time Signed: _____

Fred Small,
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen,
City Clerk MMC

RESOLUTION 2007- 108

**APLS Application:
Daphne Public Library Expansion Grant
ADA Compliant Library Entrance**

WHEREAS, the City of Daphne is interested in the development of a viable community which will provide its residents with appropriate and adequate library facilities; and

WHEREAS, the City of Daphne recently completed a feasibility study with funds provided by the City of Daphne for library expansion to better serve its citizens; and

WHEREAS, Alabama Public Library Service (APLS) has made additional funds available for library expansion; and

WHEREAS, the City of Daphne plans to expand the current library facilities.

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

1) The City of Daphne shall allow the library board to submit an application to **APLS** in the amount of \$50,000 for providing library expansion **ADA Compliant Library Entrance** for its citizens. AND

2) Fred Small in his capacity as Mayor of the City of Daphne, is hereby authorized to execute such application and any and all additional documents necessary to carry out the purpose of requesting funding and consideration from APLS on behalf of the City of Daphne for such project. AND

3) If funded, the City of Daphne will make available match funds in the amount of \$15,000 which is 30% in addition to the grant award for a total project cost of \$65,000.

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

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk, MMC

RESOLUTION 2007- 109

**APLS Application:
Daphne Public Library Expansion Grant
Public Safety: Carpet Replacement**

WHEREAS, the City of Daphne is interested in the development of a viable community which will provide its residents with appropriate and adequate library facilities; and

WHEREAS, the City of Daphne recently completed a feasibility study with funds provided by the City of Daphne for library expansion to better serve its citizens; and

WHEREAS, Alabama Public Library Service (APLS) has made additional funds available for library expansion; and

WHEREAS, the City of Daphne plans to expand the current library facilities.

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

1) The City of Daphne shall allow the library board to submit an application to **APLS** in the amount of \$50,000 for providing library expansion for unsafe carpet which will be replaced with new carpet for its citizens. AND

2) Fred Small in his capacity as Mayor of the City of Daphne, is hereby authorized to execute such application and any and all additional documents necessary to carry out the purpose of requesting funding and consideration from APLS on behalf of the City of Daphne for such project. AND

3) If funded, the City of Daphne will make available match funds in the amount of \$15,000 which is 30% in addition to the grant award for a total project cost of \$65,000.

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

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk, MMC

RESOLUTION 2007- 110

**APLS Application:
Daphne Public Library Expansion Grant
Public Awareness Campaign**

WHEREAS, the City of Daphne is interested in the development of a viable community which will provide its residents with appropriate and adequate library facilities; and

WHEREAS, the City of Daphne recently completed a feasibility study with funds provided by the City of Daphne for library expansion to better serve its citizens; and

WHEREAS, Alabama Public Library Service (APLS) has made additional funds available for library expansion; and

WHEREAS, the City of Daphne plans to expand the current library facilities.

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

1) The City of Daphne shall allow the library board to submit an application to **APLS** in the amount of \$50,000 for providing library expansion public awareness campaign for its citizens.
AND

2) Fred Small in his capacity as Mayor of the City of Daphne, is hereby authorized to execute such application and any and all additional documents necessary to carry out the purpose of requesting funding and consideration from APLS on behalf of the City of Daphne for such project. AND

3) If funded, the City of Daphne will make available match funds in the amount of \$15,000 which is 30% in addition to the grant award for a total project cost of \$65,000.

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

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk, MMC

RESOLUTION 2007- 111

**APLS Application:
Daphne Public Library Expansion Grant
Improved Storage and Equipment Security**

WHEREAS, the City of Daphne is interested in the development of a viable community which will provide its residents with appropriate and adequate library facilities; and

WHEREAS, the City of Daphne recently completed a feasibility study with funds provided by the City of Daphne for library expansion to better serve its citizens; and

WHEREAS, Alabama Public Library Service (APLS) has made additional funds available for library expansion; and

WHEREAS, the City of Daphne plans to expand the current library facilities.

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

1) The City of Daphne shall allow the library board to submit an application to **APLS** in the amount of \$50,000 for providing library expansion **Improved Storage and Equipment Security** for its citizens. AND

2) Fred Small in his capacity as Mayor of the City of Daphne, is hereby authorized to execute such application and any and all additional documents necessary to carry out the purpose of requesting funding and consideration from APLS on behalf of the City of Daphne for such project. AND

3) If funded, the City of Daphne will make available match funds in the amount of \$15,000 which is 30% in addition to the grant award for a total project cost of \$65,000.

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

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk, MMC

ORDINANCE NO. 2007 – 51

**Ordinance to Rezone Property Located on Main Street
Demaris Anderson (0.30 Acres)**

WHEREAS, the owners of certain real property within the City of Daphne, Alabama, have requested that said property be rezoned from R-2, Medium Density Single Family Residential District to B-3, Professional Business District, said property is located on Main Street, Alabama, being more particularly described as follows:

Legal Description:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, MORSE SUBDIVISION, SLIDE NUMBER 2176-D, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, SAID POINT OF BEING ON THE WEST RIGHT-OF-WAY OF MAIN STREET; THENCE RUN S-89°18'14"-W, LEAVING SAID WEST RIGHT-OF-WAY OF MAIN STREET, 142.25 FEET TO A POINT; THENCE RUN N-00°33'56"-E, 91.47 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF VAN AVENUE; THENCE RUN N-89°29'09"-E ALONG SAID SOUTH RIGHT-OF-WAY OF VAN AVENUE, 141.41 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF MAIN STREET; THENCE RUN S-00°02'39"-W ALONG SAID WEST RIGHT-OF-WAY OF MAIN STREET, 91.01 FEET TO THE POINT OF BEGINNING; CONTAINING 0.30 ACRES, MORE OR LESS.

WHEREAS, the Planning Commission of the City of Daphne on October 25, 2007 has considered said request and set forth an *affirmative recommendation* to the City Council of the City of Daphne that said property be rezoned; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on Monday, December 3, 2007 concerning the requested rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that said property described above is hereby rezoned from R-2, Medium Density Single Family Residential District to B-3, Professional Business District, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

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

Greg Burnam, Council President
Date & Time Signed:_____

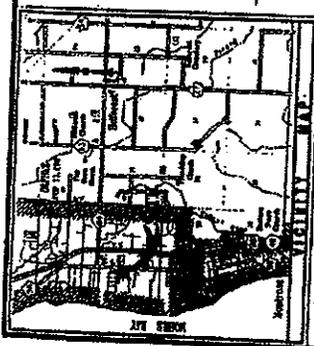
Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen
City Clerk, MMC

**DEMARIS L. ANDERSON
ZONING AMENDMENT
EXHIBIT "A"
LEGAL DESCRIPTION
(PROPERTY 0.30 AC)**

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, MORSE SUBDIVISION, SLIDE NUMBER 2176-D, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, SAID POINT OF BEING ON THE WEST RIGHT-OF-WAY OF MAIN STREET; THENCE RUN S-89°18'14"-W, LEAVING SAID WEST RIGHT-OF-WAY OF MAIN STREET, 142.25 FEET TO A POINT; THENCE RUN N-00°33'56"-E, 91.47 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF VAN AVENUE; THENCE RUN N-89°29'09"-E ALONG SAID SOUTH RIGHT-OF-WAY OF VAN AVENUE, 141.41 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF MAIN STREET; THENCE RUN S-00°02'39"-W ALONG SAID WEST RIGHT-OF-WAY OF MAIN STREET, 91.01 FEET TO THE POINT OF BEGINNING; CONTAINING 0.30 ACRES, MORE OR LESS.



NEARBY MAP
PART OF SECTION 10

GENERAL SURVEYOR'S NOTES:

1. SOURCES OF INFORMATION USED TO FACILITATE THIS SURVEY WERE PREVIOUS SURVEYS BY THE FIRM SURVEYS BY OTHER FIRMS AND INFORMATION FURNISHED BY CLIENT. NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM. THERE MAY BE RECORDS UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS OF RECORD WHICH COULD AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT FURNISHED AT TIME OF SURVEY.
2. ALL BEARINGS ARE BASED ON THE WEST RIGHT-OF-WAY OF MAIN STREET AS BEING S-07°02'39"-W, ACCORDING TO MORSE SUBDIVISION SLIDE NUMBER 2176-D, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.
3. I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION MAP, COMMUNITY PANEL NO. 01003020507 X, REVISED JUNE 17, 2002, AND HAVE FOUND THAT THE DESCRIBED PROPERTY IS LOCATED IN ZONE "X" (UNSHADED) AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN.
4. FIELD WORK FOR THIS SURVEY WAS PERFORMED AUGUST 25, 2008.
5. ANY FLOOD ZONES GIVEN OR SHOWN ON THE FACE OF THIS DRAWING ARE SOALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE MAPS (SOALED ONLY).

DESCRIPTION OF BEGINNING:

START AT A POINT 2285.5 FEET SOUTH OF THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 2 EAST, THENCE RUN WEST ON A VARIATION OF 4°30' EAST 182 FEET; THENCE SOUTH ON A VARIATION OF NORTH 4°15' EAST 29 FEET; THENCE EAST ON A VARIATION OF 4°30' EAST 162 FEET; THENCE NORTH ON A VARIATION OF NORTH 4°18' SOUTH, RANGE 2 EAST; BEING A PORTION OF SPANISH GRANT SECTION.

DESCRIPTION OF SURVEY:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, MORSE SUBDIVISION, SLIDE NUMBER 2176-D, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, SAID POINT BEING ON THE WEST RIGHT-OF-WAY OF MAIN STREET, THENCE RUN WEST ON A VARIATION OF 4°30' EAST 91.47 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF MAIN STREET, THENCE RUN N-07°33'56"-E 91.47 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF VAN AVENUE, THENCE SOUTH 89°29'09"-E ALONG SAID SOUTH RIGHT-OF-WAY OF VAN AVENUE, 144.41 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF MAIN STREET, THENCE RUN S-07°02'39"-W ALONG SAID WEST RIGHT-OF-WAY OF MAIN STREET, 91.01 FEET TO THE POINT OF BEGINNING, CONTAINING 0.30 ACRES, MORE OR LESS.

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Demaris L. Anderson
 DEMARIS L. ANDERSON, P.L.S.
 ALABAMA LICENSE NUMBER 23660

August 29, 2008
 DATE

DEMARIS ANDERSON
ZONING AMENDMENT
EXHIBIT "B"

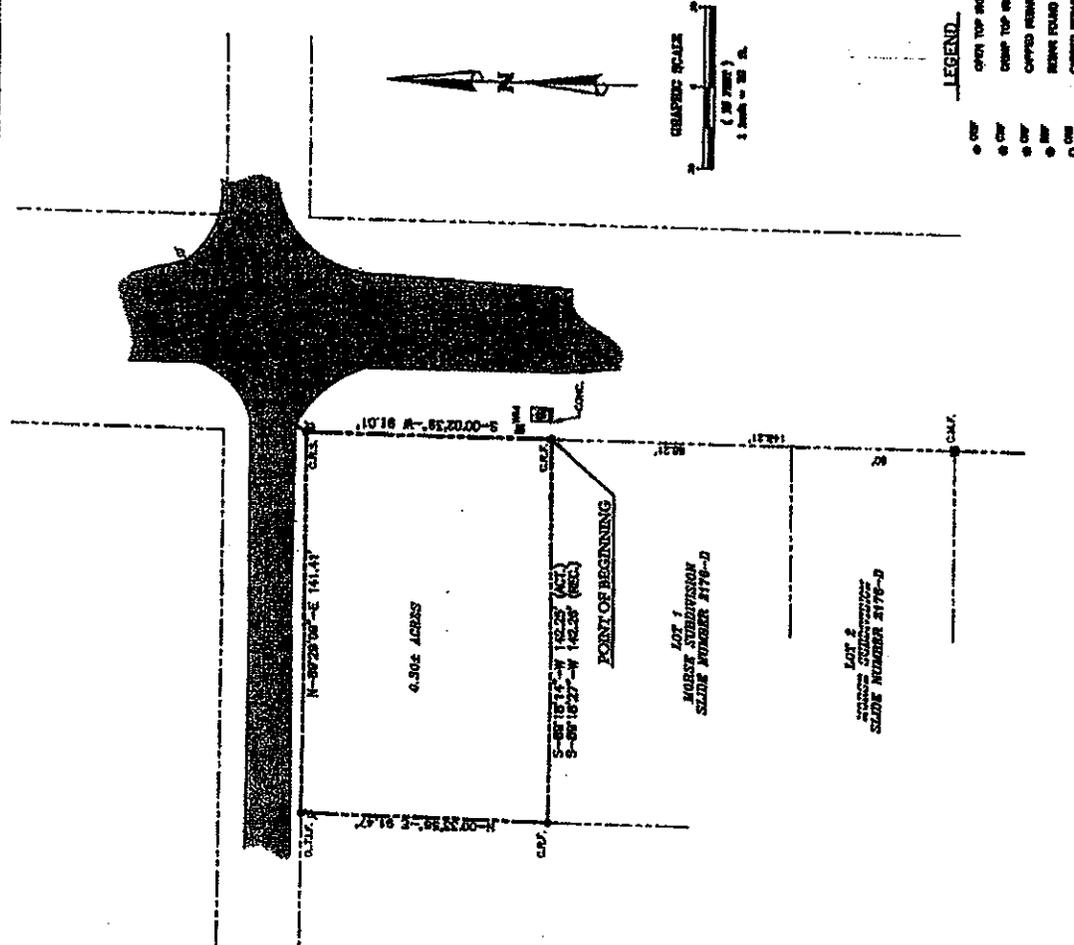


HUTCHINSON MOORE & RAUCH, LLC
 ENGINEERS SURVEYORS
 DAPHNE, ALABAMA
 2009 MAIN STREET
 POST OFFICE BOX 2007
 DAPHNE, ALABAMA 36528
 TEL (205) 624-2048
 FAX (205) 624-8823
 dh@hmr-engineers.com



BOUNDARY SURVEY
GRANT SECTION 41, TOWNSHIP 3 SOUTH, RANGE 2 EAST
DEMARIS L. ANDERSON

SCALE: AS SHOWN
 DATE: AUGUST 25, 2008
 SHEET NO. 001
 TOTAL SHEETS: 001



- LEGEND:**
- OPEN TOP MARK FOUND
 - CHAMP TOP IRON NAIL
 - CHIPPED IRON FOUND
 - IRON NAIL FOUND
 - CHIPPED IRON SET
 - CONCRETE MARKANT FOUND
 - CONCRETE MARKANT SET
 - POWER POLE
 - PAINT-OF-WAY
 - PROPERTY LINE
 - TRANSFERRED BOX
 - UNDER WIRE
 - CUT WIRE

ORDINANCE NO. 2007 - 52

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

**M & S Development, LLC
(Property located on AL Highway 181 (9.76 Acres))**

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

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

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

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

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne on October 25, 2007 and *the motion failed for the affirmative recommendation* for the City Council to consider said request for annexation and said property **shall be zoned R-4, High Density Multi-Family District**; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on December 3, 2007 concerning the petition for annexation; and,

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

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

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

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

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

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

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

“Exhibit A”

LEGAL DESCRIPTION:

BEING IN SECTION 10, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, SOMMERSET PLACE, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA ON SLIDE 1585-B, BEING ON THE WEST RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY NO. 181 (80' R/W); THENCE ALONG SAID RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY NO. 181, S00°01'00"W, 330.00 FEET TO AN IRON PIN; THENCE N89°25'00"W, 1289.55 FEET TO AN IRON PIN; THENCE N00°01'00"E, 330.00 FEET TO AN IRON PIN; THENCE S89°25'00"W, 1289.55 TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 9.769 ACRES, MORE OR LESS AND IS THE SAME TRACT OF LAND DESCRIBED ON INSTRUMENT NUMBER 1006049 AND RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.

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

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

M & S DEVELOPMENT, LLC

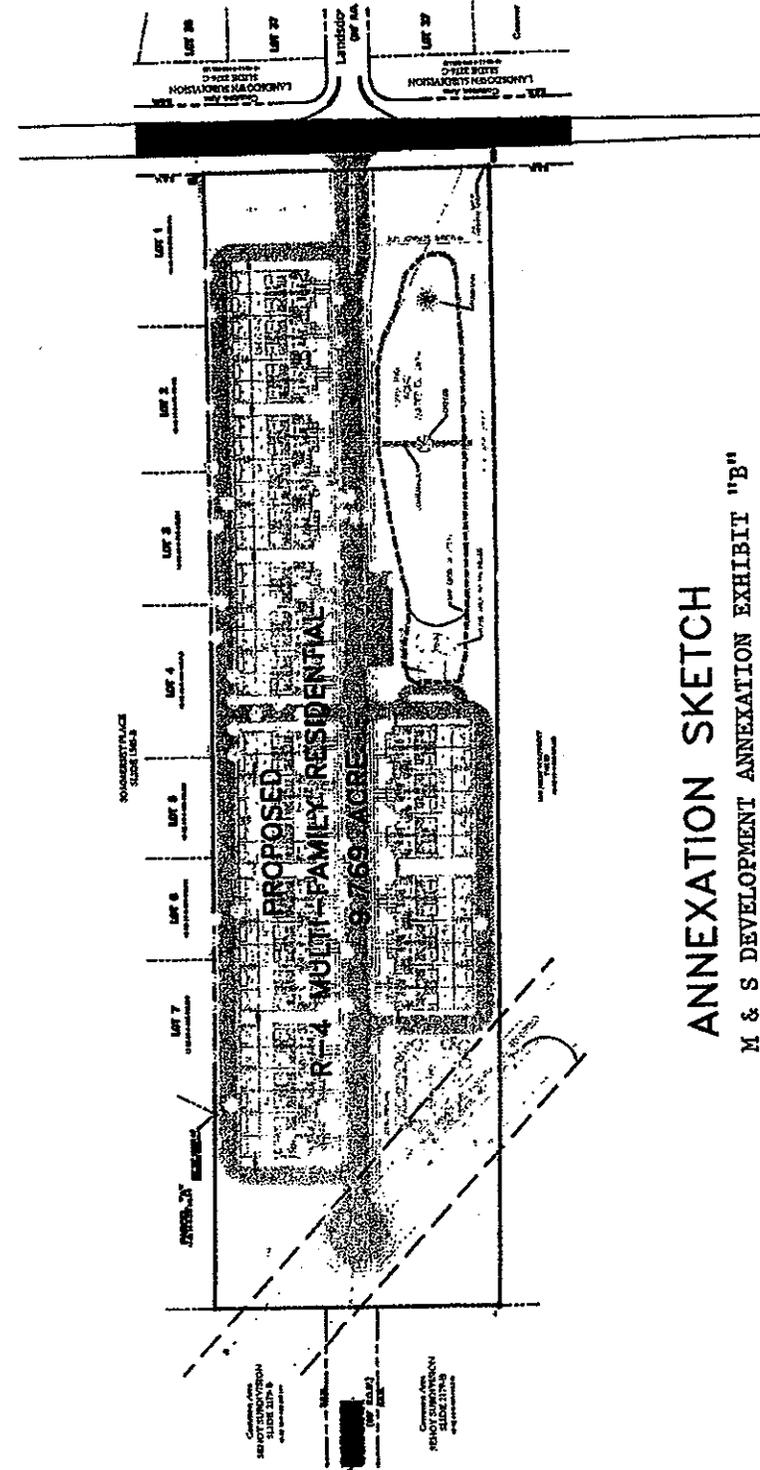
(REFERENCE: M & S DEVELOPMENT)

ANNEXATION
LEGAL DESCRIPTION

EXHIBIT "A"

TAX ID 43-02-10-0-000-006.000

BEING IN SECTION 10, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, SOMMERSET PLACE, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA ON SLIDE 1585-B, BEING ON THE WEST RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY NO. 181 (80' R/W); THENCE ALONG SAID RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY NO. 181, S00°01'00"W, 330.00 FEET TO AN IRON PIN; THENCE N89°25'00"W, 1289.55 FEET TO AN IRON PIN; THENCE N00°01'00"E, 330.00 FEET TO AN IRON PIN; THENCE S89°25'00"W, 1289.55 TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 9.769 ACRES, MORE OR LESS AND IS THE SAME TRACT OF LAND DESCRIBED ON INSTRUMENT NUMBER 1006049 AND RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.



ANNEXATION SKETCH
M & S DEVELOPMENT ANNEXATION EXHIBIT "B"

ORDINANCE NO. 2007 – 53

**Ordinance to Rezone Property Located on U. S. Highway 98
William Lange (Bay Auto Glass) (1.44 Acres)**

WHEREAS, the owners of certain real property within the City of Daphne, Alabama, have requested that said property be rezoned from B-1, General Business District to B-2, Local Business District, said property is located on U. S. Highway 98, Alabama, being more particularly described as follows:

Legal Description:

PARCEL A:

COMMENCING AT THE HALF SECTION CORNER ON THE EAST LINE OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; RUN THENCE NORTH 00° 21' 39" WEST, 1735.82 FEET TO A POINT ON SAID HALF SECTION LINE OF SECTION 18; THENCE RUN SOUTH 89° 41' 10" WEST, 30.0 FEET TO AN IRON PIPE ON THE WEST RIGHT OF WAY LINE OF OLD SPANISH TRAIL (60.0 FOOT RIGHT OF WAY) FOR THE POINT OF BEGINNING; THENCE RUN SOUTH 00° 22' 56" EAST ALONG SAID WEST RIGHT OF WAY, 93.05 FEET TO A CAPPED STEEL ROD; THENCE RUN SOUTH 89° 42' 17" WEST, 277.15 FEET TO A CAPPED STEEL ROD ON THE EAST RIGHT OF WAY LINE OF US HIGHWAY NUMBER 98 (4-LANE); THENCE RUN NORTHWARDLY ALONG THE ARC OF A CURVE TO THE RIGHT (SAID ARC HAVING A RADIUS OF 5629.58 FEET), 100.00 FEET TO AN IRON PIPE (CHORD BEARING NORTH 21° 47' 01" WEST, A DISTANCE OF 100.00 FEET); THENCE RUN NORTH 89° 42' 17" EAST, 313.64 FEET TO THE POINT OF BEGINNING.

PARCEL B:

THE NORTH 60 FEET OF LOT NUMBER 2 OF "TILLMAN BROTHERS SUBDIVISION" AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 1650-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.

LOT 1 AND A PORTION OF LOT 2, TILLMAN BROTHERS SUBDIVISION

LEGAL DESCRIPTION:

LOTS NUMBER 2 AND 3 OF TILLMAN BROTHERS SUBDIVISION AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 1650-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.

LESS AND EXCEPT:

THE NORTH 60 FEET OF LOT NUMBER 2 OF TILLMAN BROTHERS SUBDIVISION AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 1650-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.

WHEREAS, the Planning Commission of the City of Daphne on October 25, 2007 has considered said request and set forth an *affirmative recommendation* to the City Council of the City of Daphne that said property be rezoned; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on Monday, December 3, 2007 concerning the requested rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that said property described above is hereby rezoned from B-1, General Business District to B-2, Local Business District, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

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

Greg Burnam, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen
City Clerk, MMC

WILLIAM LANGE
JIM BOOTHE CONTRACTING
ZONING AMENDMENT

EXHIBIT "A"

PARCEL A:

COMMENCING AT THE HALF SECTION CORNER ON THE EAST LINE OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; RUN THENCE NORTH $00^{\circ} 21' 39''$ WEST, 1735.82 FEET TO A POINT ON SAID HALF SECTION LINE OF SECTION 18; THENCE RUN SOUTH $89^{\circ} 41' 10''$ WEST, 30.0 FEET TO AN IRON PIPE ON THE WEST RIGHT OF WAY LINE OF OLD SPANISH TRAIL (60.0 FOOT RIGHT OF WAY) FOR THE POINT OF BEGINNING; THENCE RUN SOUTH $00^{\circ} 22' 56''$ EAST ALONG SAID WEST RIGHT OF WAY, 93.05 FEET TO A CAPPED STEEL ROD; THENCE RUN SOUTH $89^{\circ} 42' 17''$ WEST, 277.15 FEET TO A CAPPED STEEL ROD ON THE EAST RIGHT OF WAY LINE OF US HIGHWAY NUMBER 98 (4-LANE); THENCE RUN NORTHWARDLY ALONG THE ARC OF A CURVE TO THE RIGHT (SAID ARC HAVING A RADIUS OF 5629.58 FEET), 100.00 FEET TO AN IRON PIPE (CHORD BEARING NORTH $21^{\circ} 47' 01''$ WEST, A DISTANCE OF 100.00 FEET); THENCE RUN NORTH $89^{\circ} 42' 17''$ EAST, 313.64 FEET TO THE POINT OF BEGINNING.

PARCEL B:

THE NORTH 60 FEET OF LOT NUMBER 2 OF "TILLMAN BROTHERS SUBDIVISION" AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 1650-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.

(Description supplied by client and copied from Instrument 710346).

LOT 1 AND A PORTION OF LOT 2, TILLMAN BROTHERS SUBDIVISION

WILLIAM LANGE
ZONING AMENDMENT

EXHIBIT "A"

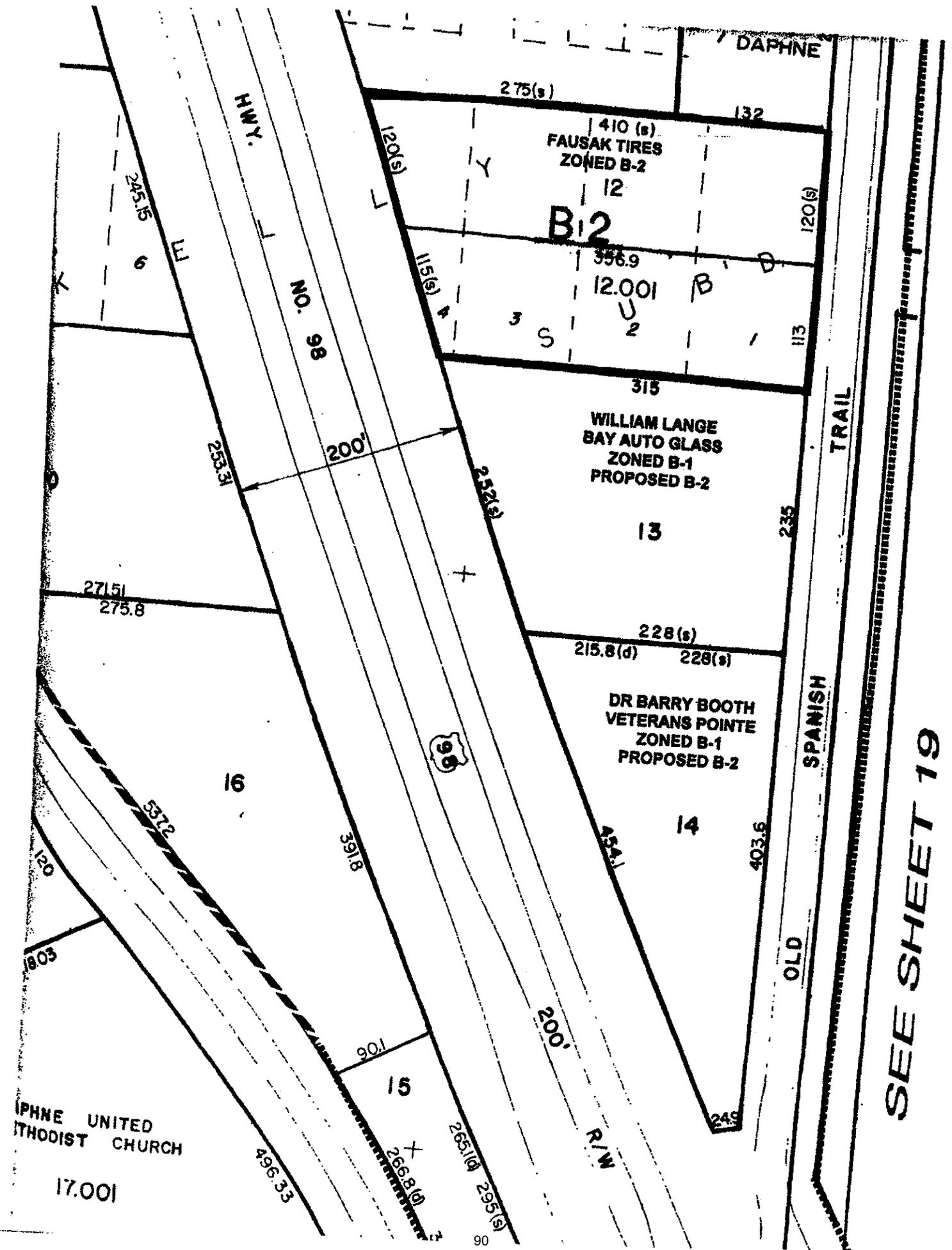
LEGAL DESCRIPTION:

LOTS NUMBER 2 AND 3 OF TILLMAN BROTHERS SUBDIVISION AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 1650-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.

LESS AND EXCEPT:

THE NORTH 60 FEET OF LOT NUMBER 2 OF TILLMAN BROTHERS SUBDIVISION AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 1650-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.

REFERENCE: BAY AUTO GLASS



DAPHNE

275(s)

132

410 (s)
FAUSAK TIRES
ZONED B-2

12

B-12

120(s)

356.9

12.001

B

113

315

WILLIAM LANGE
BAY AUTO GLASS
ZONED B-1
PROPOSED B-2

13

235

228(s)

215.8(d)

228(s)

DR BARRY BOOTH
VETERANS POINTE
ZONED B-1
PROPOSED B-2

14

403.6

TRAIL

SPANISH

OLD

SEE SHEET 19

H.W.Y.

96



R/W

PHNE UNITED
METHODIST CHURCH

17.001

ORDINANCE NO. 2007 – 54

**Ordinance to Rezone Property Located on U. S. Highway 98
Barry L. Booth (Veterans Pointe) (1.6 Acres)**

WHEREAS, the owners of certain real property within the City of Daphne, Alabama, have requested that said property be rezoned from B-1, General Business District to B-2, Local Business District, said property is located on U. S. Highway 98, Alabama, being more particularly described as follows:

Legal Description:

FROM THE HALF SECTION CORNER OF GRANT SECTION 41, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; RUN THENCE NORTH ALONG THE EAST SECTION LINE OF GRANT SECTION 41, A DISTANCE OF 1501.40 FEET TO A POINT; THENCE RUN WEST A DISTANCE OF 30 FEET TO A POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF OLD SPANISH TRAIL BEING THE POINT OF BEGINNING; THENCE CONTINUE WEST, A DISTANCE OF 212.25 FEET TO AN IRON PIN LYING ON THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY 98, THE FOUR LANE; THENCE RUN SOUTHEASTERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 98, THE FOUR LANE, A DISTANCE OF 442 FEET, MORE OR LESS (441.79 CHORD, S-25°32'01"-E), ALONG A CURVE TO THE RIGHT, CONCAVE SOUTHEASTERLY, TO AN IRON PIN; THENCE RUN N-75°43'48"-E, A DISTANCE OF 24.93 FEET TO AN IRON PIN LYING ON THE WEST RIGHT-OF-WAY LINE OF OLD SPANISH TRAIL; THENCE RUN N-00°15'50"-W, A DISTANCE OF 393.61 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1.6 ACRES, MORE OR LESS.

WHEREAS, the Planning Commission of the City of Daphne on October 25, 2007 has considered said request and set forth an *affirmative recommendation* to the City Council of the City of Daphne that said property be rezoned; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on Monday, December 3, 2007 concerning the requested rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that said property described above is hereby rezoned from B-1, General Business District to B-2, Local Business District and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

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

Greg Burnam, Council President

Date & Time Signed:_____

Fred Small, Mayor

Date & Time Signed:_____

ATTEST:

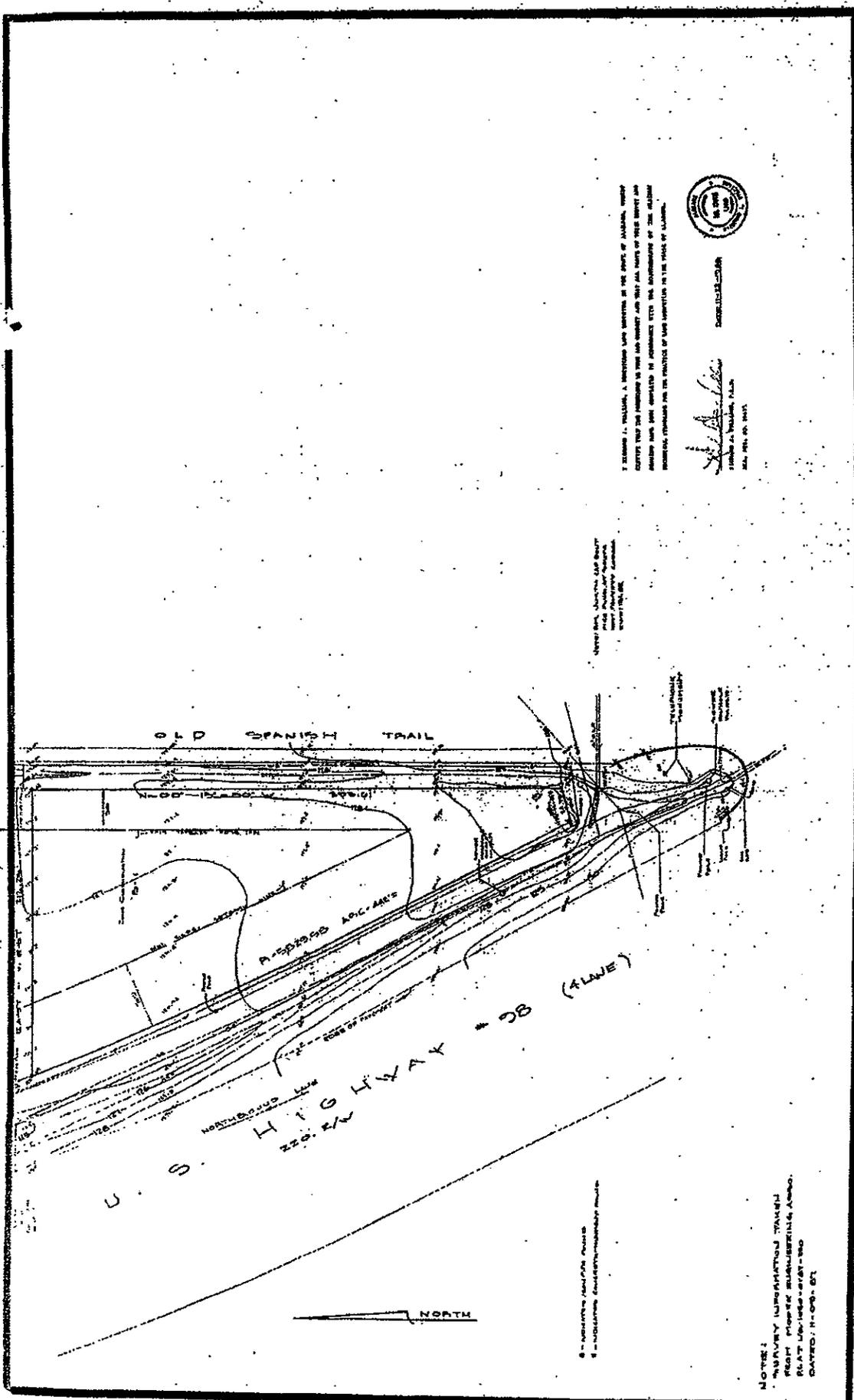
David L. Cohen
City Clerk, MMC

BARRY BOOTH
VETERANS POINTE
ZONING AMENDMENT

EXHIBIT "A"

FROM THE HALF SECTION CORNER OF GRANT SECTION 41, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; RUN THENCE NORTH ALONG THE EAST SECTION LINE OF GRANT SECTION 41, A DISTANCE OF 1501.40 FEET TO A POINT; THENCE RUN WEST A DISTANCE OF 30 FEET TO A POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF OLD SPANISH TRAIL BEING THE POINT OF BEGINNING; THENCE CONTINUE WEST, A DISTANCE OF 212.25 FEET TO AN IRON PIN LYING ON THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY 98, THE FOUR LANE; THENCE RUN SOUTHEASTERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 98, THE FOUR LANE, A DISTANCE OF 442 FEET, MORE OR LESS (441.79 CHORD, S-25°32'01"-E), ALONG A CURVE TO THE RIGHT, CONCAVE SOUTHEASTERLY, TO AN IRON PIN; THENCE RUN N-75°43'48"-E, A DISTANCE OF 24.93 FEET TO AN IRON PIN LYING ON THE WEST RIGHT-OF-WAY LINE OF OLD SPANISH TRAIL; THENCE RUN N-00°15'50"-W, A DISTANCE OF 393.61 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1.6 ACRES, MORE OR LESS.

(Description supplied by client and copied from Map Book 779, Page 0793)



I, DAPHNE J. ALABAMA, a registered land surveyor in the State of Alabama, hereby certify that the information on this plat was obtained and that all facts on this plat are true and correct and that I am a duly licensed and qualified land surveyor in the State of Alabama. My commission expires on the 31st day of December, 2011.



Daphne J. Alabama
 DAPHNE J. ALABAMA
 1000 N. W. 10th St.
 Tallahassee, Florida 32304
 My. Reg. No. 10011

TOPOGRAPHIC SURVEY FOR
 DR. BARRY BOOTH
 DAPHNE, ALABAMA
 Scale: 1" = 300' Date: 11-08-07
 42-562.11-012

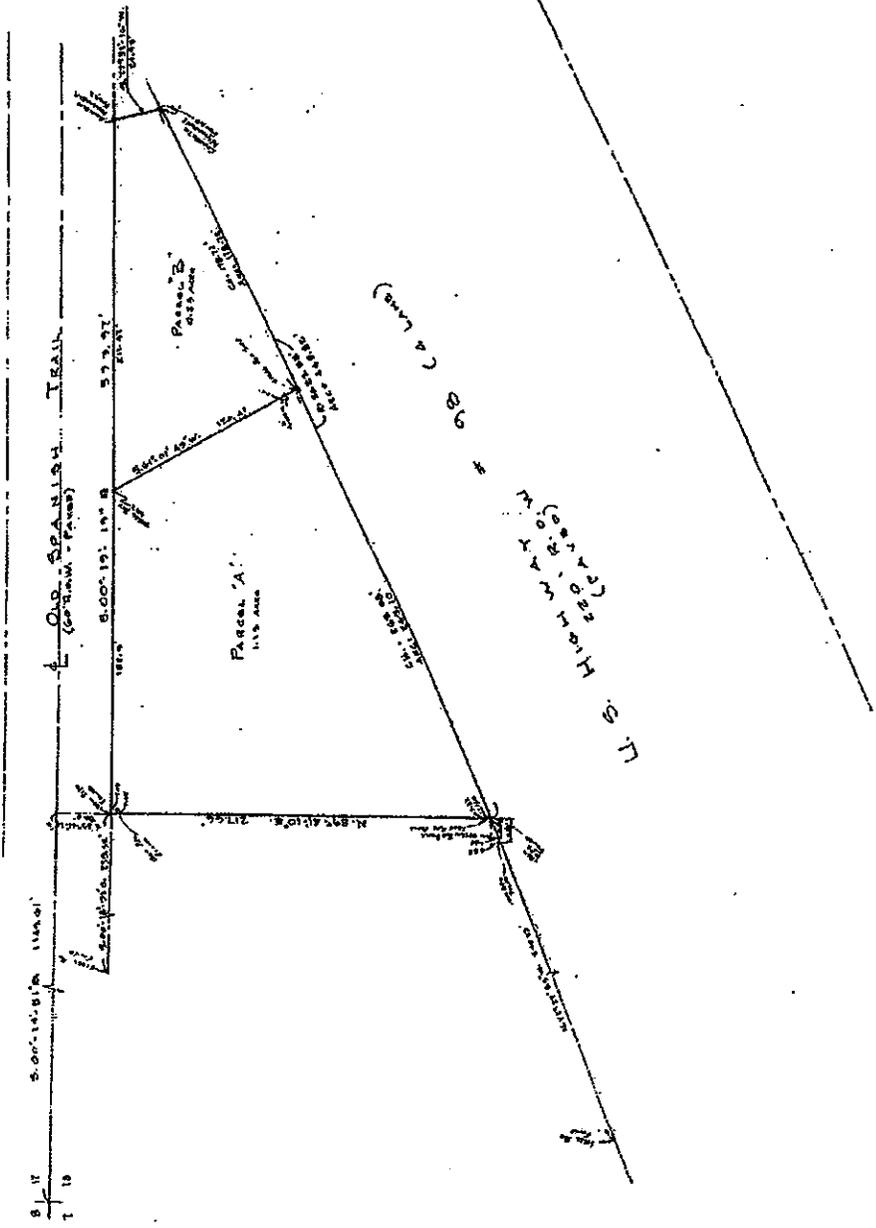
consulting engineers
 and
 land surveyors

McCROFFY & WILLIAMS



DR BARRY BOOTH VETERANS POINTE ZONING AMENDMENT EXHIBIT "B"

N



STATE OF ALABAMA
 COUNTY OF MONTGOMERY

NOTICE: A

CONVEYANCE OF THE ALLIANT INTEREST OF SECTION 16, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SECTION 18, TOWNSHIP 6 SOUTH, RANGE 2 EAST, PLAIN COMMUNITY - FINISH ACCESS ROADS, PLAIN COMMUNITY - FINISH ACCESS ROADS, DATED JANUARY 9, 1989.



Notes:
 KEMA RECORDS INDICATES THAT THIS PROPERTY IS LOCATED IN SOME OF PLAIN COMMUNITY - FINISH ACCESS ROADS, DATED JANUARY 9, 1989.

NET PI



McCrory & Williams

consulting engineers
 and
 land surveyors

A Survey For
 DR BARRY BOOTH

Section 18, Township 6 South, Range 2 East

Map: 115.50 Date: 1-10-89 Scale: 1" = 50' Sheet: 1 of 1

DR BARRY BOOTH VETERANS POINTE ZONING AMENDMENT EXHIBIT "B"

DAPHNE

2.75(s)

132

410 (s)
FAUSAK TIRES
ZONED B-2

B-2

12

356.9
12.001

S

B

120(s)

113

HWY.

NO. 96

245.15

6

120(s)

115(s)

233.3

200'

232.3

315
WILLIAM LANGE
BAY AUTO GLASS
ZONED B-1
PROPOSED B-2

13

235

271.51

275.8

228(s)

215.8(d)

228(s)

DR BARRY BOOTH
VETERANS POINTE
ZONED B-1
PROPOSED B-2

14

403.6



16

537.2

816.3

1454.1

SPANISH TRAIL

OLD

200'

R/W

901

15

2651(a)

266.8(a)

235(s)

95

DAPHNE UNITED
METHODIST CHURCH

17.001

496.33

SEE SHEET 19

ORDINANCE 2007 - 55

2006 Construction Fund Interest Appropriation

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

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

WHEREAS, the 2006 Construction Fund is estimated to have interest earnings in the amount of \$ 150,000 in Fiscal 2008.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2008 Budget is hereby amended to include 2006 Construction Fund interest appropriations in the amount of \$ 150,000 for the following items for the New City Hall Facility: telecommunication wiring, sound system, and furniture.

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

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk MMC

ORDINANCE 2007 - 56

FY 2008 Capital and Personnel Appropriations

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

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

WHEREAS, such appropriations totaling \$ 488,851 are listed as attached.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2008 Budget is hereby amended to include General Fund appropriations in the amount of \$ 488,851 for certain capital and personnel matters per the attached schedule.

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

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk MMC

**General Fund
FY 2008**

Estimated Revenues>Appropriations 1,131,394

Transfers In (To close these Construction Funds)

Transfers from 1997 Construction Fund	5,200
Transfers from 2000 Construction Fund	<u>61,200</u>
	66,400

Available for Appropriation	1,197,794
------------------------------------	------------------

Appropriations

Personnel

COLA: Non Public Safety (2.5%) Effective February	(110,131)
Adjust Police Dept Captain	<u>(4,589)</u>
	(114,720)

Infrastructure

Resurfacing	-
-------------	---

Capital

Building Inspections Furniture	(22,379)
Laser Fische Imaging	(10,000)
Advanced Life Support Eqpt St #4	(20,000)
Replace Fire Dept 1990 Pickup	(21,000)
Front Counter Space- Revenue	(5,800)
3 Patrol Vehicles	(92,220)
Police: 7 Air Conditioning Units	(32,732)
Hydro Mower	(105,000)
May Day Park Play Ground Equipment	(31,000)
Building Maintenance Man Lift	<u>(24,000)</u>
	(364,131)

Other

Boys & Girls Club	(8,000)
Baldwin County Trailblazers	<u>(2,000)</u>
	(10,000)

Appropriations	(488,851)
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Estimated Revenues > Appropriations	<u>708,943</u>
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CITY OF DAPHNE

ORDINANCE 2007 - 57

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF ORDINANCE NO. 2007-23; PROVIDING FOR THE ADOPTION OF APPENDIX G OF THE ICC INTERNATIONAL RESIDENTIAL CODE, 2006 EDITION, BY REFERENCE

WHEREAS, the City Council of the City of Daphne desires to promote the health, safety and welfare of the citizens of the City of Daphne by establishing uniform rules and regulations for the design and construction of swimming pools, spas and hot tubs in or on the parcel of a one or two family dwelling within the City of Daphne; and

WHEREAS, the City Council of the City of Daphne recognizes that the procedures set forth hereafter will protect both the City of Daphne and its citizens and the owners of properties coming under the jurisdiction of this ordinance and made the subject of these procedures.

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

SECTION I: That Ordinance Number 2007-23 be and is hereby amended by the inclusion within Section 1 of said Ordinance, subparagraph (f) to be entitled **TECHINICAL CODES-ADOPTION BY REFERENCE** which shall state:

APPENDIX G, INTERNATIONAL BUILDING CODE, 2006 EDITION – IS ADOPTED BY REFERENCE

- a.) For the purposes of establishing uniform rules and regulations, the Council hereby adopts by reference: Appendix G of the ICC International Building Code, 2006 Edition.
- b.) The above referenced Appendix is hereby adopted as the standard code of the City of Daphne as to swimming pools, spas, hot tubs and the barrier requirements of such.
- c.) Said Appendix G is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this section shall take effect, the provisions thereof shall be controlling in the construction or alteration, or repair of swimming pools, spas, and hot tubs and the barrier requirements of each in or n the lot of a one or two family dwelling.

**ORDINANCE 2007-
SWIMMING POOLS
PAGE 2**

SECTION II: CONFLICT WITH OTHER ORDINANCES. That any Ordinance heretofore adopted by the Council, which is in conflict with this Ordinance is hereby replaced to the extent of such conflict.

SECTION III: SEVERABILITY. The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION IV: EFFECTIVE DATE. This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Daphne and publication as required by law.

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

**GREG BURNAM
COUNCIL PRESIDENT**

Date & Time Signed: _____

**FRED SMALL
MAYOR**

Date & Time Signed: _____

ATTEST:

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

**CITY OF DAPHNE
ORDINANCE NO. : 2007 - 58**

**A ORDINANCE TO AMEND CERTAIN
PERSONNEL POLICIES AND PROCEDURES
RELATED TO VACATION ACCRUAL**

WHEREAS, the City Council of the City of Daphne recognized in Resolution 2005-74 that the City of Daphne Fire Department members work shifts and hours worked per year caused an inequity in the calculation of vacation time benefits earned by fire fighters, and;

WHEREAS, the City Council of the City of Daphne determined in Resolution 2005-74 to rectify this inequity through the Personnel Manual for the City of Daphne by providing a higher vacation accrual rate for firefighters, and;

WHEREAS pursuant to Resolution 2006-74 the City Council of the City of Daphne modified certain provisions of the Personnel Manual related to vacation leave from advancing to accrual but omitted higher vacation accrual rates for firefighters.

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

SECTION ONE: Section 9.4.2.3. “ACCRUAL OF VACATION LEAVE” is hereby amended to clarify vacation accrual rates for employees working 2080 and 2808 hours per year.

Continuous Years of Service	% X 2080	Hours Earned Per Year
0 thru 9 years	.0385 per hour	80 hours per year
10 thru 14 years	.0577 per hour	120 hours per year
15 thru 24 years	.0769 per hour	160 hours per year
Over 24 years	.0962 per hour	200 hours per year

Continuous Years of Service	% X 2808	Hours Earned Per Year
0 thru 9 years	.0385 per hour	108 hours per year
10 thru 14 years	.0577 per hour	162 hours per year
15 thru 24 years	.0769 per hour	216 hours per year
Over 24 years	.0962 per hour	270 hours per year

SECTION TWO: SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION THREE: REPEALER

All prior Ordinances or parts thereof in conflict with the provisions of this Ordinance, to the extent they conflict be and are hereby repealed.

SECTION FOUR: EFFECTIVE DATE

This Ordinance shall take effect on the _____ day of _____, 2007, upon its adoption and publication as required by law.

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

GREG BURNAM,
COUNCIL PRESIDENT
Date & Time Signed: _____

FRED SMALL,
MAYOR
Date & Time Signed: _____

ATTEST:

DAVID L. COHEN,
CITY CLERK, MMC

CITY OF DAPHNE

ORDINANCE NO.: 2007- 59

A ORDINANCE TO AMEND CERTAIN PERSONNEL POLICIES AND PROCEDURES RELATED TO COMPENSATORY TIME

WHEREAS, the City Council of the City of Daphne, Alabama , has certain personnel policies and procedures which are required to be administered by the Human Resources Director, and;

WHEREAS, the City of Council of the City of Daphne, Alabama, believes that certain policies need adjusting for the efficient operation of the city, and;

WHEREAS, the City Council of the City of Daphne, Alabama, desires to enhance City policy in certain aspects of the personnel policies and procedures related to compensatory time, and;

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

SECTION ONE: That Section 9.2.2.4. of the Personnel Policy and Procedure Handbook entitled "**COMPENSATORY TIME**" be and is hereby deleted in its entirety.

SECTION TWO: That all other Sections of the Personnel Policy and Procedures Handbook that any way relates or references Compensatory Time to and including Sections 9.2.2. entitled "Non Exempt Employee", Section 9.2.3. "Exempt Employee", Section 9.3.3.1. "Entitlement to Overtime", Section 9.4.3.9 "Coordination with Workers Compensation", Section 9.5.1.2. "Coordination with other Provided Leaves", and Section 9.7.2. "Content of Attendance Records" be and is hereby deleted.

SECTION THREE: SEVERABILITY

That if any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed as a

separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION FOUR: REPEALER

That prior Ordinances or parts thereof in conflict with the provisions of this Ordinance, to the extent they conflict be and are hereby repealed.

SECTION FIVE: EFFECTIVE DATE

This Ordinance shall take effect upon its adoption and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS DAY OF _____, 2007.

GREG BURNAM,
COUNCIL PRESIDENT
Date & Time Signed: _____

FRED SMALL,
MAYOR
Date & Time Signed: _____

ATTEST:

DAVID L. COHEN,
CITY CLERK, MMC

Date and time: _____