

**CITY OF DAPHNE
CITY COUNCIL BUSINESS MEETING AGENDA
1705 MAIN STREET, DAPHNE, AL
DECEMBER 18, 2006
6:30 P.M.**

1. CALL TO ORDER

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

- 3. APPROVE MINUTES:** Work Session Minutes meeting Held November 16, 2006 {Amended}
Council minutes meeting held December 4, 2006

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE / Scott

Review minutes meeting held December 11th

a.) Prepaid Travel / Resolution 2006-103

- 1.) Ken Royal / Alabama Public Library Service, Conversational Spanish for Library
Workers / Montgomery, AL / January 11-12, 2007 / \$70.00

b.) Bids / Resolution 2006-106

Fire Department Extrication Equipment / NAFECO, Inc.

c.) Financial Reports

- 1.) Treasurers Report / November 30, 2006
2.) Sales & Use Tax Collection / October 31, 2006
3.) Lodging Tax Collection / October 31, 2006

B. BUILDINGS & PROPERTY - Lake

Review minutes meeting held December 1st

C. PUBLIC SAFETY - Burnam

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Landry

Review minutes meeting held December 5th

- 1.) Recommend Erosion and Sediment Control Ordinance / Ordinance 2006-82
2.) Recommend Vacation Roll Over Resolution / Resolution 2006-104
3.) Recommend Pay Level & Policy for Benefits for Former Employees / Resolution 2006-102

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Yelding

Review Beautification minutes meeting held December 1st

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments - Eady

Review minutes meeting held December 7th

B. Downtown Redevelopment Authority - Barnette

C. Industrial Development Board - Yelding

Nomination to Board / W. Joe Taylor / Resume in packet

D. Library Board - Lake

Review minutes meeting held November 13th

E. Planning Commission - Barnette

Review minutes meeting held November 21st

F. Recreation Board - Palumbo

G. Utility Board - Scott

6. REPORTS OF OFFICERS:

A. Mayors Report

- a.) *Parade Permit / Shadow Barons / February 17, 2007 / Rain Date February 18, 2007/ Afternoon After Church*
- b.) *Accepting Lots from Lake Forest*
- c.) **MOTION:** Authorize providing gravity sanitary sewer service in lieu of low pressure force main sewer service under the existing contract with R & B Contracting Co., Inc. to the residents on Camellia Court that were not previously serviced.

B. City Attorney's Report

C. Department Head Comments

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) **Amend Personnel Polices and Procedures Handbook / Entry Level Pay and Benefits for Former Employees. /Resolution 2006-102**
- b.) **Prepaid Travel / Ken Royal. /Resolution 2006-103**
- c.) **Amend Personnel Polices and Procedures Handbook / Vacation Carry Over. /Resolution 2006-104**
- d.) **Scheduling a Public Hearing to Consider Adoption of Certain Technical Codes by Reference. /Resolution 2006-105**
- E.) **Bid Award: 2007-C-FD/Extracation Equipment / NAFECO, Inc. . . . /Resolution 2006-106**

ORDINANCES:

2nd READ

- a.) **Annexation: Arthur Keller Property /Ordinance 2006-80**

1ST READ

- b.) **Erosion and Sediment Control. /Ordinance 2006-82**
- c.) **Adopting the Capital Budget. /Ordinance 2006-83**

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

NOVEMBER 16, 2006
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
5:30 P.M.

1

COUNCIL MEMBERS PRESENT: Cathy Barnette; John Lake; Greg Burnam arrived at 6:40 p.m., Ron Scott; Regina Landry; August Palumbo.

ABSENT: Bailey Yelding.

Also present: Mayor Fred Small; David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; Meredith Turpin, Attorney; Bill Eady, Planning Director; Kim Briley, Finance Director; Jeff Hudson, Gatlin Hudson Architects; Melinda Immel, Volkert & Associates; Charles Houser, Mayor of Magnolia Springs.

1. CALL TO ORDER

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

2. NO SMOKING ORDINANCE

Mr. Lake asked Mrs. Tina Findley with the AL Department of Health to speak regarding a no smoking ordinance. She presented Council with a petition signed by about 400 people who were in favor of a no smoking ordinance.

NOTE: Council President Burnam arrived at 6:40 p.m.

Some of the Council felt it was not the Council's job to govern what goes on in business establishments.

Mr. Lake stated for the record that he is for a no smoking ordinance because of health issues.

3. BID FOR CITY HALL RENOVATION / JEFF HUDSON

Mr. Hudson stated that the bid came in under budget and that the Council could choose from the ad alternates or they could decide to go with them all. He recommended to eliminate the alternate numbers #2, #5, #9, #10, #12, and #14. Mr. Hudson stated that time is an issue in order to get contracts signed and for the contractor to get bonding. (*Bid summary is spread out upon these minutes.*)

Mrs. Barnette stated that the bid was not under budget when you add in the fee for architectural services.

4. DAUPHINE ACRES SEWER / MELINDA IMMEL

Mrs. Melinda Immel updated the Council on the homes that did not get sewered in Dauphine Acres. She stated that because of the location of Mr. Wiese's septic tank the cost of gravity sewer would come down to about \$47,000 and \$52,000.

NOVEMBER 16, 2006
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
5:30 P.M.

2

The Council discussed that they had voted to do the low pressure system and that nothing has changed to go for the gravity system.

Council President Burnam recognized the Mayor-elect of Magnolia Springs Mr. Charles Houser.

5. ANNEXATIONS / MAYOR SMALL

Mayor Small discussed the boundary for the annexation with Council and stated that he wants to have public hearings out in the communities with the Fire Department, Police Department, Public Works and Council. He stated that you cannot have a strategic plan without annexing and the city needs to have a plan. He stated that he would like a motion Monday at the Council meeting to proceed with the legal work on for the annexation. He would like to have it to the Legislature for their first session next year. Mayor Small said that the lines could always be changed later, he just wanted to get the legal work started.

Council President Burnam asked the Assistant City Clerk to put this motion on the agenda for Monday night.

6. NORTH I-10 BY-PASS

Mayor Small stated that he would like to add this to the capital budget to be discussed by the Council. He said that the amount that Spanish Fort is asking Daphne to pay is \$618,076.40. Council asked the Mayor why Daphne had to pay so much and Spanish Fort so little. Mayor Small stated that Spanish Fort came up with this figure based on how much land was in the Daphne city limits.

7. UTILITY BOARD NOMINATIONS

Council discussed whether nominations should go to the Utility Board first and then sent back to Council with the board's recommendation.

Most of the Council felt that nominations should come from Council and that the board needs diversity and have members not just come from one group.

8. SET COUNCIL RETREAT DATE

Mrs. Barnette stated that the Council needs this retreat to discuss what they want to accomplish during the next two years of their term.

**NOVEMBER 16, 2006
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
5:30 P.M.**

Council President Burnam instructed Rebecca, the Assistant City Clerk, to e-mail the Council to see what date is convenient during the second or third week in January, and to contact Bill Hart to mediate.

9. CAPITAL BUDGET

The Council asked questions of Mayor Small regarding the Capital Budget.

NOTE: Mr. Lake departed at 8:20 p.m.

Council discussed the contribution list that will be on the agenda for Monday noting that the Blue Print for Tomorrow and SARPC were not on the list. Council would like a presentation from both of these groups at a work session.

9. ADJOURN

There being no further business to discuss, the meeting adjourned at 8:35 p.m.

Respectfully submitted by

David L. Cohen,
City Clerk, MMC

Certification of Presiding Officer

Greg Burnam,
Council President
Date & Time Signed: _____

**DECEMBER 4, 2006
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1

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 Mr. Eady gave the invocation.

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

Also present: Mayor Small; David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; Betsy Turner, Attorney; Bill Eady, Planning Department Director; Ken Eslava, Public Works Director; David McKelroy, Recreation Director; Sharon Cureton, Human Resource Director; Mund Hanson, Fire Chief; David Carpenter, Police Chief; Sandra Morse, Civic Center Director; Kim Briley, Finance Director; Richard Merchant, Building Official; Tonja Young, Library Director; Rob McElroy, Utility Director; Melinda Immel, Volkert & Associates; Starke Irvine, DRA; Bob Segalla, Utility Board; John Coulter, IDB; Lon Johnston, Utility Board.

3. APPROVE MINUTES:

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

| | | | | | |
|------------|---------------------|------------|-------------|----------------|-----------------------|
| AYE | ALL IN FAVOR | NAY | NONE | OPPOSED | MOTION CARRIED |
|------------|---------------------|------------|-------------|----------------|-----------------------|

Mrs. Barnette stated that she would like, for clarification, a change under item number three (3) Bid for the City Hall renovation, the minutes state that the bid came in under budget, but technically the budget was \$700,000, and with the architectural fees, it wasn't under budget. She asked that the record reflect this change, that it was not officially under budget, she thinks that it is misleading. She said that it did not reflect her comments.

Council President Burnam asked if *Mrs. Barnette* would like to wait until the minutes are corrected to approve the work session minutes.

Mrs. Barnette stated that that would be fine with her.

PRESENTATION: Olde Towne Daphne Association / 2006 Spirit Award

Mrs. Karen Nady presented Mr. Rob McElroy, Utilities Director, with their 2006 Spirit Award.

PUBLIC HEARING: Adoption of International Building Codes

Richard Merchant, Building Official, stated that he would like to see the International Building Code adopted with omitting: 1.) windows being wind born debris resistant, 2.) having high wind shingles and 3.) the design requirement.

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

Mr. Louis Nady – Captain O’Neal – spoke against omitting the high wind shingles. He pointed to the sea of tarps in Florida after the hurricanes.

Mr. Starke Irvine – 304 Bayhill Drive - wants the home builders involved, at the work session it was mentioned that their will be several public hearings so that they can be involved.

Mr. Carl Schneider – Daphne – Insurance agent, worked on the Hurricane Task Force in this area, and worked with the Building Code Commission in Montgomery – asked the Council to adopt a Building Code with the broadest protection. He stated that building codes are not the broadest codes, they are the minimum codes and they are there for protection of life, health and property.

Council President Burnam asked that the ordinance be removed from the agenda.

Mr. Cohen, City Clerk, stated that they can set another public hearing and re-advertise for two consecutive weeks and have a fifteen (15) day waiting period.

MOTION BY Mr. Scott to set a Public Hearing for the 2nd Council meeting in January, which will be January 16, 2006, to consider the adoption of the International Building Codes ,and for the City Clerk to prepare the resolution for advertising. Seconded by Ms. Landry.

Mr. Scott stated encouraged the Builder’s Association to be present with legal representation, and the Insurance Association with legal representation, and he would like to hear their legal opinions. He would like to hear some straight answers from the two competing interests in this matter, because they want to make the decisions with the best interests of the citizens of Daphne.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

PUBLIC HEARING: Annexation; Arthur Keller Property / Property located on the southeast corner of Whispering Pines Road and Pollard Road

Mr. Eady gave a presentation along with a power point presentation, stating that the Planning Commission at its October 26th meeting gave an affirmative recommendation for this annexation.

Mr. Bill Lewis, with Seaman Capital, and Christopher Baker, with Hutchinson, Moore & Rauch described the apartments, and what type of landscaping that they will do alongside the roads. They also discussed the storm water run-off, and the retention pond. Mr. Lewis stated that there will be 143 units, 46 one bedroom, 72 two bedroom, 25 three bedroom apartments.

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

Mr. Cliff Peters – 2702 Creekside Drive – spoke against the proposed zoning for the annexation.

Mrs. Charlotte Frohnhafer – Creekside Subdivision – spoke against the proposed zoning and having apartments so close to her house.

Mr. Bill Barnette – Creekside Subdivision - spoke against the proposed zoning for the annexation.

Council President Burnam closed the Public Hearing at 7:27 p.m.

Council President Burnam stated that Ordinance 2006-80 is a first read.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE – Scott

The next meeting will be two weeks from today at 4:00 p.m. in the Executive Council Chamber, and he invited the public to come.

MOTION BY Mr. Scott to have surplus items reviewed by the Buildings and Property Committee before going to the Finance Committee for review before going before Council. *Seconded by Mr. Lake.*

AYE Lake, Palumbo

NAY Yelding, Barnette, Scott, Landry, Burnam

MOTION FAILED

B. Buildings and Property Committee – Lake

Mr. Lake stated that the Committee met last Friday and the minutes will be in the next packet.

C. PUBLIC SAFETY – Burnam

No report. The next meeting will be tomorrow at 4:30 p.m. in the Council Chambers.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Landry

No report. The next meeting will be tomorrow at 5:30 after the Public Safety meeting.

E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY – Yelding

No report. The next meeting will be December 22nd at 8:00 a.m. in the Council Chambers.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Eady

The Board will meet Thursday December 7th at 6:00 p.m. with 2 appeals, a church on Wilson Avenue and a Daycare.

B. Downtown Redevelopment Authority – Barnette

There will not be a meeting in December, but the Architectural Review Committee will meet next week.

C. Industrial Development Board – Yelding

No report. The next meeting will be Wednesday at 6:00 p.m. in the Executive Chambers.

D. Library Board – Lake

No report. The next meeting will be next Monday.

E. Planning Commission – Barnette

The minutes for the October meeting are in the packet.

MOTION BY Mrs. Barnette to set a Public Hearing for January 2, 2007 to consider rezoning property located Main Street and Ryan Avenue / Eastern Shore Knights of Columbus from R-1, Low Density Single Family Residential District to B-2, General Business District. *Seconded by Mr. Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Mrs. Barnette stated that the Site Preview meeting will be December 20th at 8:00 a.m.

F. Recreation Board – Palumbo

No report. The next meeting will be December 13th at 6:00 p.m.

G. Utility Board – Scott

No report. The next meeting will be Wednesday at 5:00 p.m.

Mr. Scott stated that there have been three (3) resumes presented for the position on the Utility Board.

Council President Burnam opened the floor for nominations.

MOTION BY Mr. Scott to nominate James “Bo” White. *Seconded by Ms. Landry.*

MOTION BY Mrs. Barnette to nominate Fenton Jenkins and Philip Anderson. *Seconded by Mr. Lake.*

Council President Burnam closed the floor to nominations.

MOTION BY Ms. Landry to appoint James “Bo” White to the Utility Board. Seconded by Mrs. Barnette.

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

ABSTAIN Palumbo

NAY NONE OPPOSED

MOTION CARRIED

Mr. White received the majority of the votes and is hereby appointed to the Utility Board to serve out the remaining term of Bob Patterson.

6. REPORTS OF THE OFFICERS:

A. *Mayor’s Report*

a.) Parade Permit / Apollo’s Mystic Ladies / Mardi Gras Parade / February 9, 2007 / Rain Date February 15, 2007

MOTION BY Mr. Scott to approve the Parade Permit for Apollo’s Mystic Ladies / Mardi Gras Parade / February 9, 2007 / Rain Date February 15, 2007. Seconded by Ms. Landry.

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

b.) *Pay Exceptions:*

1.) Assistant Planner

2.) Accounting Technician

3.) Revenue Officer

4.) Assistant to Mayor

5.) Deputy Director of Community Development

Mayor Small removed the Deputy Director of Community Development from the list of pay exceptions.

MOTION BY Mrs. Barnette to approve the pay exception for the Assistant Planner to Grade 18, Step 12, \$41,520 annually. Seconded by Mr. Yelding.

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

MOTION BY Mrs. Barnette to approve the pay exception for the Accounting Technician to grade 11, Step 3, \$12.54 per hour. Seconded by Ms. Landry.

AYE ALL IN FAVOR

NAY NONE OPPOSED

MOTION CARRIED

MOTION BY Mr. Yelding to approve the pay exception for the Revenue Officer to Grade 20, Step 3, \$1,360.58 bi-weekly. *Seconded by Mrs. Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Mr. Scott to approve the pay exception for the Assistant to the Mayor to Grade 13, Step 8, 15.38 per hour. *Seconded by Mr. Palumbo.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

c.) Capital Budget

Mayor Small asked that Council put the Capital Budget on the next work session for discussion. He stated that the departments need items on the budget.

d.) Change Council meeting scheduled for January 1, 2007 to January 2, 2007

MOTION BY Mrs. Barnette to change the January 1, 2007 Council meeting to January 2, 2007. *Seconded by Mr. Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

e.) Change Council meeting scheduled for January 15, 2007

MOTION BY Mrs. Barnette to change the January 15, 2007 Council meeting to January 16, 2007. *Seconded by Ms. Landry.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

B. City Attorney's Report

Mr. Ross mentioned that at the Council's pleasure there is a settlement agreement to pending litigation that he needed to discuss with them. He stated that it would take about five (5) minutes.

C. Department Head Comments

David McKelroy – Recreation Director – thanked the Public Works, Police, and Fire Departments for their help with the Christmas parade. He especially gave thanks to Robyn Andrews for a job well done in organizing the parade.

Mund Hanson – Fire Chief – stated that the adoption of the fire codes needs to be adopted, if not on the first read, then on the second because of time lines regarding the issuing of permits.

Mr. Eady – Planning Director – thanked the Council for the additional help.

7. PUBLIC PARTICIPATION

Mr. Paul Sautullo – 6584 Haley’s Lane - thanked the city leaders, especially Mrs. Barnette and Ken Eslava, for the work at Yancey Branch and behind the Methodist Church.

Mr. John Coulter – Ridgewood Drive – spoke regarding and article in the paper about the budget and also regarding the Civic Center.

Mrs. Maureen Nation – spoke regarding the work going on at Yancey Branch stating that specialist should be brought in to deal with the wetlands.

Mr. Lon Johnston – 316 Whiting Court – spoke regarding the article in the paper about the work at Village Point Park. He asked the Council three (3) questions that he would like a response to: (1) When dealing with the project at the McMillan Bay Access it became abundantly clear that all projects had to go through the Planning Commission, and to his knowledge this did not go through the Planning Commission, and he would like to know why not, since they are the overseers of such projects. (2) There is a 75/25 Federal grant that seems to be in question. He said that the paper did not indicate what the 75% represented in dollars, and he would like to know what the dollar amount is, and from a legal point of view, is the City of Daphne going to be responsible for reimbursing the government for funds expended. (3) Mr. Johnston stated that he would remind the Council President and President pro tem that they were on the same Council that he was, that he believes, unanimously approved a resolution that all such projects that involved Village Point Park Preserve would involve the Village Point Foundation, and from what the paper said, that was not done either. He said that there is not much reason to have resolutions and ordinances if they are not going to follow them. He asked for a response by the next meeting.

Mr. Bob Segalla – Creekside - spoke regarding the appointments to the Utility Board. He stated that everyone on the Board is a businessmen and the only engineers are Mr. McElroy and Danny Lyndall. He was glad there were three resumes to consider and wished there had been more.

Mrs. Karen Nady – Captain O’Neal Drive – spoke regarding the Christmas parade and being lectured to by Council and not being able to say anything in rebuttal.

8. RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

RESOLUTIONS

a.) Set Public Hearing for Adopting International

Fire Code /Resolution 2006-101

MOTION BY Mr. Scott to waive the reading of Resolution 2006-101. *Seconded by Ms. Landry.*

Mrs. Barnette asked that the title of the Resolution be changed to reflect that it is just setting the Public Hearing and not adopting the Codes.

**Mr. Scott amended the motion to include changing the title of the Resolution.
Ms. Landry seconded the amendment.**

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Ms. Landry to adopt Resolution 2006-101 as amended to change the title of the Resolution to: To Schedule a Public Hearing to Consider an Ordinance Adopting the International Fire Code. *Seconded by Mrs. Barnette*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

ORDINANCES:

1st READ

- a.) **Annexation: Arthur Keller Property/Ordinance 2006-80**
- b.) **Adopting the International Building Code...../Ordinance 2006-81**

ORDINANCE 2006-80 WAS MADE A FIRST READ EARLIER IN THE MEETING.

ORDINANCE 2006-81 – A NEW PUBLIC HEARING WAS SCHEDULED TO CONSIDER THIS ORDINANCE ON JANUARY 16, 2007

8. COUNCIL COMMENTS

Mr. Yelding commented regarding the city's committees. He said, no offense to Mr. Segalla, but they have changed in mid-stream. He stated that when Mr. Segalla became a member of the Utility Board he did not recollect receiving a resume from him. Mr. Yelding stated that at that time it was not required. He stated that the Council needs to establish rules regarding appointing Board members, right now they are doing it in haphazard way.

Mrs. Barnette encouraged the City Clerks office to make sure the Council has been contacted for the date of the retreat, and that it is worked out far enough ahead of time so everyone can schedule for it.

Mr. Lake addressed Mrs. Karen Nady stating that he agrees with her, that when he spoke up earlier on the Building code he was wrong. He said that he should have bit his tongue. He said that they should allow the public to speak on the issue, and he agrees wholeheartedly with her on that, and he appreciates that she brought it forward. He also stated that Pritchard passed a no smoking ordinance, and he said that, hopefully, Daphne will follow suit. Mr. Lake stated that he would like the city to consider assisting the Battleship with needed repairs. He would like to do this because the Battleship Commission has never asked for money before, and this is a major attraction for this area, and supports Daphne hotels and restaurants.

Mr. Scott stated that he really enjoyed the parade. He said that the one thing that makes Daphne and this area different that a lot of places that he has lived before is the sense of community, and these parades bring the people out and you get the inner action. Mr. Scott said that speaking of sense of community, he said that he was not in Daphne when they built the Civic Center, and in trying to get it done they may have oversold it a little bit, but it is not supposed to be a money maker, but they will do everything they can to make it as inexpensive to the city as they can, but the Civic Center is a jewel for this area. He said that it brings the community together, and he wishes that more people would come out for events at the Civic Center. He stated that he applauds the previous Council that had the courage to make it happen. He said that he agrees with Mr. Coulter that they need to make it as inexpensive as they can, but they do need to recognize the great asset that it is to the city.

Ms. Landry said that she had a blast at the parade, and it was very organized, and everyone involved did a great job. She thought having it at night was cool also. She stated that there are so many things now being added to work sessions that they need to sit down and prioritize them. She said just because someone wants to be on the agenda doesn't mean that they will necessarily be on that agenda, it may be a month or two before they get on the agenda. She stated that the capital budget is very important and everyone feels that way. Ms. Landry said that her experience with work session is after three (3) hours everyone is arguing, ill, and upset, and she is getting nervous and things do not go well at the work session when it goes for a long, long of time. She said that she would like to see them prioritize what is the most important business to consider for that month.

Mr. Palumbo agreed with Ms. Landry's statements.

Mayor Small stated that he wanted Mr. Coulter to know and assure him that there will not be any pork in the budget. He said that the article was very premature, because it has not been voted on and it is not carved in stone. He said probably what was seen in the pie will change considerably by the time eight minds work on it. Mayor Small said that the article mentioned \$122,000 for a dance floor and that probably included everything for the Civic Center and not just the dance floor. He said that he appreciated the Volunteer Fire Department for providing the hot dogs after the parade. He appreciated the work by the Recreation Department on the parade, and especially Mrs. Andrews, he thought she put on a great parade. He said he appreciated the work by the Police, Fire and Public Works Departments as well. He said it was a great time for all. He said that he missed the Council for the lighting of the Christmas tree, and that they missed a fun time. He said next year maybe they would sing Christmas carols.

Mr. Palumbo stated that he wanted to thank the Volunteer Fire Department for voting to expend some \$52,000 to purchase an EMT truck for the Daphne Fire Department. He said the Volunteer Department buys fire trucks and vehicles of this nature and that frees up a whole lot of money that they can spend in other parts of the city. He wanted to personally thank them for their support.

Council President Burnam stated that he thinks they should do something to help the Battleship out. He said they could challenge other cities to help. He feels that this is an attraction for the area and there is a lot of history there, and it would be in the city's best interest to help out. He also commended all the city departments that was involved with the Christmas parade especially Mrs. Andrews.

MOTION BY Mr. Lake to enter into Executive Session to discuss a settlement agreement regarding pending litigation. *Seconded by Mrs. Barnette.*

The City Attorney certified that the session is necessary for the reason stated. The meeting will last about five (5) minutes.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Council entered into Executive Session at 8:38 p.m.

Council returned from Executive Session at 8:48 p.m.

MOTION BY Ms. Landry to enter into the settlement agreement as recommended by AMIC regarding the Wooster litigation and to authorize the Mayor to sign such documentation as may be necessary to finalize and implement such agreement. *Seconded by Mrs. Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

9. ADJOURN

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

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:50 P.M.

Respectfully submitted by,

Certification of Presiding Officer:

David L. Cohen,
City Clerk, MMC

Greg Burnam
Date & Time Signed: _____

**CITY COUNCIL MEETING
STANDING COMMITTEE RECOMMENDATIONS:**

FINANCE COMMITTEE REPORT

BUILDINGS & PROPERTY COMMITTEE REPORT

PLANNING/ZONING/CODE ENFORCEMENT COMMITTEE REPORT

PUBLIC SAFETY/ORDINANCE COMMITTEE REPORT

PUBLIC WORKS/BEAUTIFICATION/MUSEUM COMMITTEE REPORT

**CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
December 11, 2006
3:00 P.M.**

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 3:00 p.m. Present were Chairman Ron Scott, Councilman Bailey Yelding, Finance Director Kim Briley, Senior Accountant Suzânn Henson.

Also in attendance was Fire Chief Mund Hanson.

Councilwoman Regina Landry arrived at 3:15 p.m.

II. PUBLIC PARTICIPATION

There was no public present.

III. ISSUES REQUIRING ACTION BY CITY COUNCIL

A. Prepaid Travel

- 1. Ken Royal, Library Computer Technician** - Alabama Public Library Service, Conversational Spanish for Library Workers, January 11-12, 2007 - \$70.

Request for prepaid Travel for Ken Royal was reviewed.

Motion by Mr. Yelding to recommend to Council to adopt a resolution approving prepaid travel for Ken Royal in the amount of \$70.00 (January 11-12, 2007) to attend the Alabama Public Library Service, Conversational Spanish for Library Workers, in Montgomery, AL. Seconded by Mr. Scott.

B. Bids

2007-C-FD/EXTRACATION EQUIPMENT

Chief Mund Hanson discussed the extrication equipment (Jaws of Life) would be purchased with encumbered monies and that the bid from NAFECO, Inc. came in lower than estimated. Chief Hanson also discussed the need for this equipment. Chief explained that this equipment will be located on a pumper truck at Fire Station #4. Chief Hanson noted that Fire Station #4 needs this equipment since this station will respond to service calls for interstate accidents. Chief Hanson also noted that with this purchase all pumper trucks would be outfitted with extrication equipment.

Motion by Mr. Yelding to recommend to Council to adopt a resolution awarding Bid Number 2007-C-FD/Extracation Equipment to NAFECO, Inc. for unit cost as bid (total unit \$22,914.00). Seconded by Mr. Scott.

IV. FINANCIAL REPORTS

A. Treasurer's Report: November 30, 2006

Ms. Briley noted that the balance is up \$ 137,793 from last month. Discussion was made that the balance for the new 2006 Special Tax Warrants Debt Service is included in Debt Service account balance. Because of the confidential nature of sales tax collections and because only one business is operating at the Eastern Shore Park an individual account balance for the Eastern Shore Park account is not shown- it is included with the Wachovia Debt Service Account balance. Once more than one business is open at the Eastern Shore Park, the balance will be reported separately. The Treasurer's Report total is \$24,206,414.10.

Motion to be made at Council Meeting to accept the Treasurer's Report as of November 30, 2006, in the amount of \$24,206,414.10.

B. Sales and Use Taxes: October 31, 2006

The sales and use taxes collection spreadsheet and graphs as of October 31, 2006 were presented. Collections for October 2006 were \$956,038.70. Mr. Scott noted that collections were \$4,751.70 above budget.

B. Net Assessed Property Values, September 30, 2006

A comparison report for Net Assessed Property Values and Ad Valorem Tax collections for the last seven years was presented. Mr. Scott noted that this was just an update. Mr. Scott noted that the City's debt limit is 20% of the net assessed property value in the City of Daphne. Mr. Scott asked Ms. Briley to include the City's current debt information on this report for Council's review. Ms. Briley noted she would add the information to this report in the Council packet.

C. Lodging Tax Collections, October 31, 2006

The Lodging Tax Collections report shows \$43,874.01 collected for October 2006.

D. Report of New Business Licenses – November 2006

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

E. Bills Paid Reports – October 31, 2006

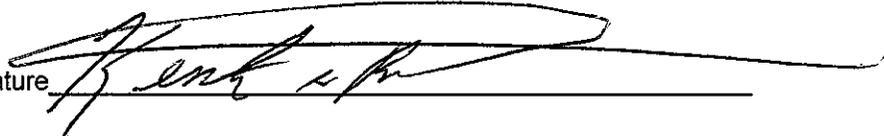
The Bills Paid Report for November 2006 for Fiscal Year 2006 was contained in Packet #2. The November Bills Paid Report for Fiscal Year 2007 was contained in packet #3.

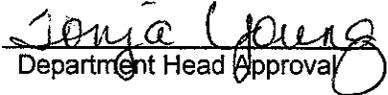
VI. ADJOURN

The meeting was adjourned at 3:30 pm.

| PREPAID TRAVEL REQUEST FORM | |
|--|--|
| KENNETH ROYAL / COMPUTER TECH EMPLOYEE NAME / TITLE | Library Computer Tech Kenneth Royal |
| DEPARTMENT DAPHNE PUBLIC LIBRARY | Library |
| DATES OF TRAVEL 11, + 12 JAN 2007 | January 11-12, 2007 |
| ALABAMA PUBLIC LIBRARY SERVICE SCHOOL/ORGANIZATION | APLS |
| APLS 6030 MONTICELLO DR. MONTGOMERY, ALABAMA LOCATION FOR TRAINING: CITY / STATE | Montgomery, AL |
| ONE DAY VISIT APAS / SPANISH REGISTRATION FEE ONE DAY CLASS | \$ 50.00 |
| LODGING BEST WESTERN MONTICELLO | \$ 53.96 |
| TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS) 1 | \$ 70.00 |

A complete Expense Report with itemized receipts must be submitted within one week of return. The employee understands that proper itemized receipts must be submitted for all monies expended. Any remaining balance must be reimbursed to the City or this amount will be included as taxable income on the employee's W-2.

Employee Signature 


Department Head Approval

Vendor # _____ Dept Org # _____ Object # _____ Proj# _____

***PREPAID TRAVEL IS APPROVED BY THE FINANCE COMMITTEE THEN COUNCIL - PLEASE SUBMIT IN TIME TO ALLOW SUFFICIENT TIME FOR THESE APPROVALS.**

***ATTACH A COPY OF THE BROCHURE/REGISTRATION FORM FOR TRAINING EVENT ATTENDING - THE ATTACHED COPY SHOULD DISPLAY PURPOSE, DATES, AND COST OF TRAINING EVENT.**

INTERNAL MEMORANDUM

Date: December 06, 2006
To: Finance Committee
From: Mund Hanson, Fire Chief 
Subject: Bid 2007-C-FD/EXTRACATION EQUIPMENT

I have reviewed the bid and request that North Alabama Fire Equipment Company be awarded this bid.

CITY OF DAPHNE

**BID OPENING MINUTES
BID DOCUMENT NO: 2007-C-FD/EXTRACATION EQUIPMENT
DECEMBER 6, 2007
11:30 A.M.
CITY HALL**

Those present were as follows:

Ms. Suzânnne Henson Sr. Accountant
Chief Mund Hanson Fire Department

7 bid invitations were mailed/picked up , 4 sealed bids were received.

Chief Hanson opened the bid presented and the bids were read aloud as follows:

| <u>VENDOR</u> | <u>TOTAL UNIT COST</u> |
|-----------------------------|------------------------|
| Sunbelt Fire | No Bid |
| Tupelo Fire Equipment, Inc. | No Bid |
| NAFECO | \$22,914.00 |
| Axis Fire Supply, Inc | No Bid |



Suzânnne Henson, Sr. Accountant

TREASURER'S REPORT

As of November 30, 2006

TO: FINANCE COMMITTEE

FROM: KIMBERLY BRILEY, FINANCE DIRECTOR/TREASURER

| ACCT TITLE | BANK | BALANCE |
|--|---------------------|------------------------|
| GENERAL FUND & ENTERPRISE FUNDS | | |
| MMA ACCT | COMPASS | \$7,522,883.86 |
| OPERATING ACCT | COMPASS | (\$511,712.89) |
| PAYROLL ACCT | COMPASS | (\$19,687.54) |
| MUNICIPAL COURT | COMPASS | \$245,898.65 |
| | | <u>\$7,237,382.08</u> |
| SPECIAL REVENUES FUND | | |
| SAIL SITE | FIRST GULF | \$3,302.90 |
| 4 CENT GAS TAX | FIRST GULF | \$106,257.97 |
| 7 CENT GAS TAX | FIRST GULF | \$195,099.75 |
| | | <u>\$304,660.62</u> |
| CAPITAL PROJECTS FUND | | |
| CDBG LOAN REPAY | COMPASS | \$712.39 |
| CAPITAL RESERVE | WACHOVIA | \$3,904,895.66 |
| 97 WARRANT CONS | WACHOVIA | \$5,060.31 |
| 99 WARRANT CONS | REGIONS | \$418,779.61 |
| 2000 CONSTRUCTION | REGIONS | \$90,821.70 |
| 2006 CONSTRUCTION | WACHOVIA | \$10,634,530.29 |
| | | <u>\$15,054,799.96</u> |
| DEBT SERVICE FUND | | |
| DEBT SERVICE | WACHOVIA/FIRST GULF | \$1,609,571.44 |
| | | <u>\$24,206,414.10</u> |

SALES & USE TAXES

ACTUAL COLLECTIONS

| | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 |
|---------------|---------------------|---------------------|---------------------|---------------------|----------------------|----------------------|-------------------|
| October | 565,075.77 | 671,699.04 | 636,482.64 | 697,830.58 | 833,700.71 | 932,634.66 | 956,038.70 |
| November | 591,377.80 | 650,308.98 | 646,534.10 | 710,788.74 | 814,666.03 | 901,512.38 | |
| December | 803,488.81 | 858,086.66 | 892,208.68 | 941,151.87 | 1,091,073.78 | 1,168,443.68 | |
| January | 557,344.42 | 639,838.85 | 590,727.65 | 697,083.68 | 771,837.83 | 887,468.11 | |
| February | 587,990.90 | 602,215.06 | 632,654.31 | 688,421.54 | 788,825.08 | 878,123.66 | |
| March | 682,504.29 | 710,960.77 | 705,390.20 | 848,156.86 | 917,832.17 | 1,081,774.83 | |
| April | 649,639.77 | 629,853.17 | 692,148.44 | 752,039.55 | 863,144.81 | 968,760.72 | |
| May | 684,188.67 | 668,867.28 | 702,692.15 | 757,610.49 | 867,446.44 | 1,000,424.48 | |
| June | 693,747.71 | 731,684.73 | 752,668.04 | 818,209.20 | 982,863.46 | 1,024,091.07 | |
| July | 622,924.98 | 679,602.58 | 721,790.90 | 803,051.14 | 908,576.13 | 941,407.68 | |
| August | 652,404.99 | 657,027.91 | 739,993.63 | 745,320.33 | 869,818.11 | 950,539.01 | |
| September | 660,492.09 | 644,827.41 | 715,641.36 | 830,260.80 | 998,476.08 | 967,616.16 | |
| Totals | 7,751,180.20 | 8,144,772.44 | 8,428,932.10 | 9,289,924.78 | 10,706,260.53 | 11,702,796.44 | 956,038.70 |

FY 2007 BUDGET/ACTUAL COMPARISONS

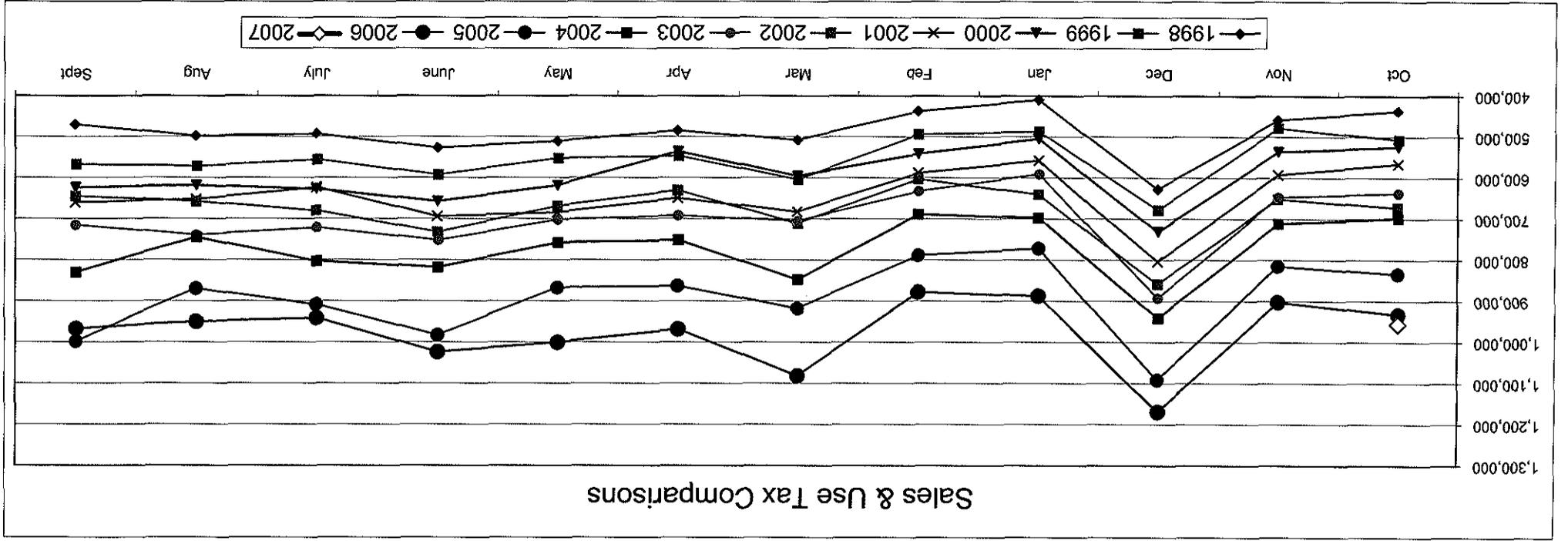
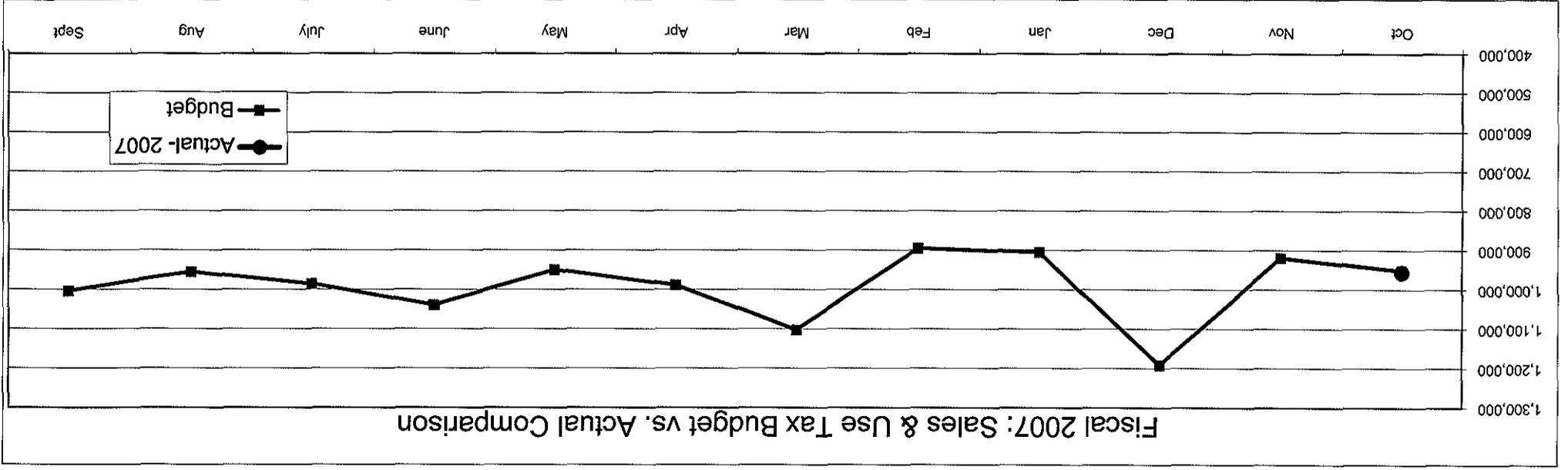
| | Actual- 2007 | Budget | Monthly Variance | YTD Variance | % of Budget |
|---------------|-------------------|-------------------|------------------|--------------|-------------|
| October | 956,038.70 | 951,287 | 4,751.70 | 4,751.70 | 0.50% |
| November | | 919,543 | | | 0.00% |
| December | | 1,191,813 | | - | 0.00% |
| January | | 905,217 | | - | 0.00% |
| February | | 895,686 | | - | 0.00% |
| March | | 1,103,410 | | - | 0.00% |
| April | | 989,020 | | - | 0.00% |
| May | | 950,447 | | - | 0.00% |
| June | | 1,040,098 | | - | 0.00% |
| July | | 986,131 | | - | 0.00% |
| August | | 955,866 | | - | 0.00% |
| September | | 1,004,457 | | - | 0.00% |
| Totals | 956,038.70 | 11,892,975 | 4,751.70 | | |

FISCAL YEAR COMPARISONS

| | <u>\$ Change</u> | | | | | | <u>Percent Change</u> | | | | | |
|-------------------------|-------------------|-------------------|-------------------|---------------------|-------------------|------------------|-----------------------|--------------|---------------|---------------|--------------|-----------|
| | 2001-2002 | 2002-2003 | 2003-2004 | 2004-2005 | 2005-2006 | 2006-2007 | 2001-2002 | 2002-2003 | 2003-2004 | 2004-2005 | 2005-2006 | 2006-2007 |
| October | 106,623.27 | (35,216.40) | 61,347.94 | 135,870.13 | 98,933.95 | 23,404.04 | 18.87% | -5.24% | 9.64% | 19.47% | 11.87% | 2.51% |
| November | 58,931.18 | (3,774.88) | 64,254.64 | 103,877.29 | 86,846.35 | | 9.97% | -0.58% | 9.94% | 14.61% | 10.66% | |
| December | 54,597.85 | 34,122.02 | 48,943.19 | 149,921.91 | 77,369.90 | | 6.80% | 3.98% | 5.49% | 15.93% | 7.09% | |
| January | 82,294.43 | (48,911.20) | 106,356.03 | 74,754.15 | 115,630.28 | | 14.77% | -7.65% | 18.00% | 10.72% | 14.98% | |
| February | 14,224.16 | 30,439.25 | 55,767.23 | 100,403.54 | 89,298.58 | | 2.42% | 5.05% | 8.81% | 14.58% | 11.32% | |
| March | 28,456.48 | (5,570.57) | 142,766.66 | 69,675.31 | 163,942.66 | | 4.17% | -0.78% | 20.24% | 8.21% | 17.86% | |
| April | (19,786.60) | 62,295.27 | 59,891.11 | 111,105.26 | 105,615.91 | | -3.05% | 9.89% | 8.65% | 14.77% | 12.24% | |
| May | (15,321.39) | 33,824.87 | 54,918.34 | 109,835.95 | 132,978.04 | | -2.24% | 5.06% | 7.82% | 14.50% | 15.33% | |
| June | 37,937.02 | 20,983.31 | 65,541.16 | 164,654.26 | 41,227.61 | | 5.47% | 2.87% | 8.71% | 20.12% | 4.19% | |
| July | 56,677.60 | 42,188.32 | 81,260.24 | 105,524.99 | 32,831.55 | | 9.10% | 6.21% | 11.26% | 13.14% | 3.61% | |
| August | 4,622.92 | 82,965.72 | 5,326.70 | 124,497.78 | 80,720.90 | | 0.71% | 12.63% | 0.72% | 16.70% | 9.28% | |
| September | (15,664.68) | 70,813.95 | 114,619.44 | 168,215.28 | (30,859.92) | | -2.37% | 10.98% | 16.02% | 20.26% | -3.09% | |
| Annual \$ Change | 393,592.24 | 284,159.66 | 860,992.68 | 1,418,335.85 | 994,535.81 | 23,404.04 | 5.08% | 3.49% | 10.21% | 15.27% | 9.29% | |

| | |
|---------------------------------|------------|
| TOTAL collections: FY 06 | 11,702,796 |
| TOTAL est. bdgt coll: FY 06 | 11,892,975 |
| Budgeted Dollar Variance 06/07 | 190,179 |
| Budgeted Percent Variance 06/07 | 1.63% |

| | |
|------------------------------------|---------|
| TOTAL collections: 10-31-06 | 956,039 |
| Budgeted: 10-1-06 to 10-31-06 | 951,287 |
| Actual Coll > (<) Budget, 10-31-06 | 4,752 |
| % Over/(Under) Budget, 10-31-06 | 0.50% |



NET Assessed Property Values

| | <u>9/30/1999</u> | <u>9/30/2000</u> | <u>9/30/2001</u> | <u>9/30/2002</u> | <u>9/30/2003</u> | <u>9/30/2004</u> | <u>9/30/2005</u> | <u>9/30/2006</u> |
|----------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Class I | - | - | - | 555,320 | 578,920 | 609,740 | 593,240 | 586,640 |
| Class II | - | - | - | 94,492,198 | 98,245,941 | 102,712,390 | 123,771,900 | 139,953,720 |
| Class III | - | - | - | 65,717,360 | 74,539,640 | 77,617,420 | 84,247,620 | 96,791,040 |
| Penalties | - | - | - | 39,480 | 73,500 | 37,720 | 69,740 | - |
| | <u>146,571,416</u> | <u>151,151,510</u> | <u>153,049,822</u> | <u>160,804,358</u> | <u>173,438,001</u> | <u>180,977,270</u> | <u>208,682,500</u> | <u>237,331,400</u> |
| Class IV Automobiles | 14,035,100 | 18,727,960 | 22,070,060 | 23,413,400 | 23,330,760 | 24,075,280 | 26,262,500 | 28,769,040 |
| | <u>160,606,516</u> | <u>169,879,470</u> | <u>175,119,882</u> | <u>184,217,758</u> | <u>196,768,761</u> | <u>205,052,550</u> | <u>234,945,000</u> | <u>266,100,440</u> |

Total Millage rate of ad valorem tax collected in the City of Daphne is 43.0 mills.
Of the 43.0 mills, the Municipal rate is 15.0 mills.

Note: Per Phil Nix- In previous years, there was a reserve for non-assessment. None was requested for this year.

Ad Valorem: Tax Collections

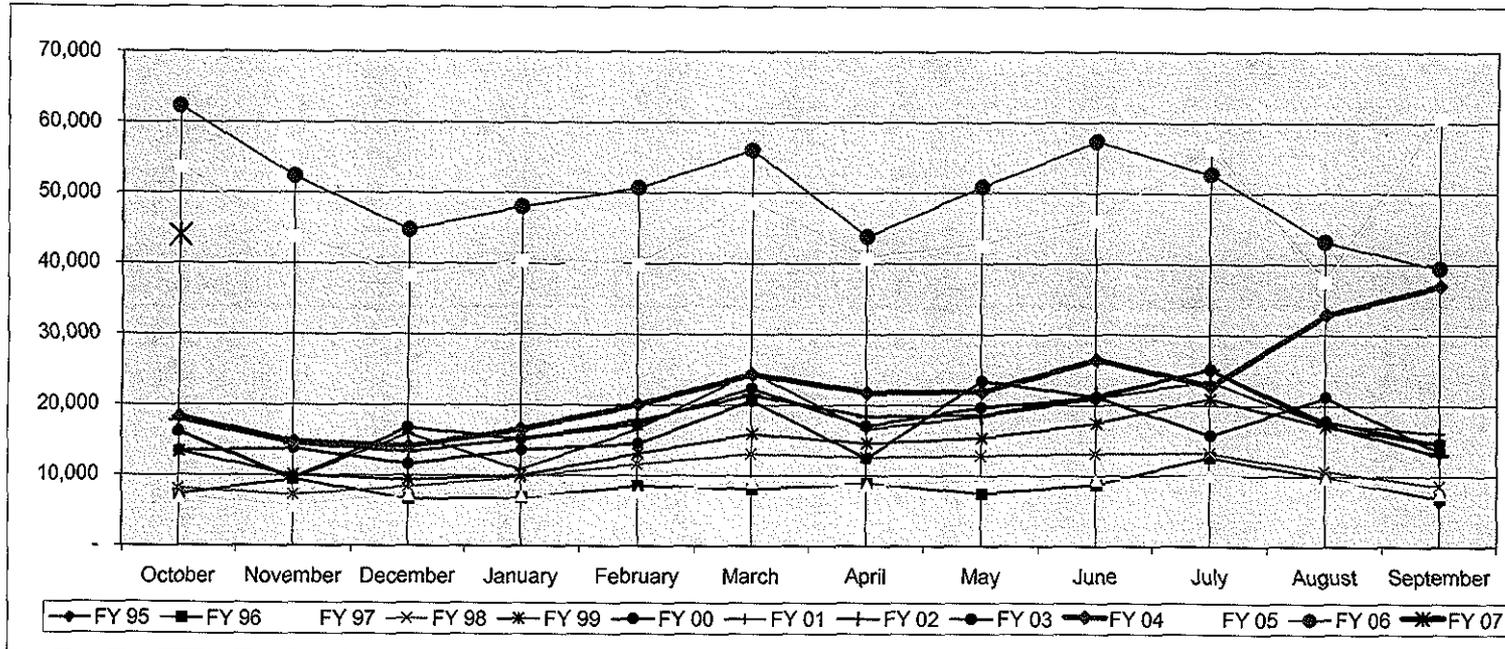
| | <u>FY 2000</u> | <u>FY 2001</u> | <u>FY 2002</u> | <u>FY 2003</u> | <u>FY 2004</u> | <u>FY 2005</u> | <u>FY 2006</u> | <u>Budget FY 2007</u> |
|----------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-----------------------|
| Property Class I-III | 1,882,026 | 1,996,746 | 2,130,635 | 2,254,739 | 2,508,168 | 2,551,790 | 2,797,567 | 2,900,000 |
| Class IV Automobiles | 313,141 | 369,492 | 385,623 | 384,801 | 396,865 | 432,838 | 479,688 | 400,000 |
| Total Collections | <u>2,195,167</u> | <u>2,366,238</u> | <u>2,516,258</u> | <u>2,639,540</u> | <u>2,905,033</u> | <u>2,984,628</u> | <u>3,277,255</u> | <u>3,300,000</u> |
| Mills | 0.015 | 0.015 | 0.015 | 0.015 | 0.015 | 0.015 | 0.015 | 0.015 |
| Yield/Mill | 146,344.47 | 157,749.20 | 167,750.50 | 175,969.36 | 193,668.86 | 198,975.18 | 218,483.65 | 220,000.00 |

| | |
|---|---------------------|
| Constitutional Debt Limit: FY 2007 | 53,220,088 |
| 9-30-2006 Debt Outstanding & Chargeable to Debt Limit | <u>(35,955,192)</u> |
| Debt Margin, 9-30-2006 | <u>17,264,896</u> |
| Total Indebtedness | 47,353,116 |

Monthly Lodging Tax Collections

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

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



| |
|----------------------------|
| FY 2007 Budget |
| 620,000 |
| % Budget Collected, |
| <u>10/31/2006</u> |
| 7% |

NEW BUSINESSES

November-06

| CITY LIMITS | | CONTRACTORS | |
|-----------------------------------|-----------|-----------------------------|-----------|
| ALANKAR | 1 | J HILL CONSTRUCTION | 1 |
| ATHENS CAFÉ | 1 | J G ELECTRIC | 1 |
| COOL-TECH | 1 | CORESLAB STRUCTURES | 1 |
| DAPHNE FAMILY PRACTICE | 2 | SMG BUILDERS INC | 1 |
| DELLA'S POINT OF VIEW PHOTOGRAPHY | 1 | ALL FLOW GUTTERS | 1 |
| GLOBALENG CONTROLS | 1 | WEBB'S BACKHOE INC | 1 |
| GULF STEEL OF ALABAMA | 1 | BULLDOG ELECTRIC | 1 |
| JENNIFER M MURRAY LLC | 1 | LOCKLIER, JOHN MARION III | 1 |
| SOUTHERN DECORATING | 1 | DESTIN DRYWALL & PAINT INC | 1 |
| THE ZONE | 1 | KEN AIR SERVICE INC | 1 |
| TOP LINE CREATIONS | 1 | DIXIE STEEL ERECTORS LLC | 1 |
| CITY LIMITS | 12 | LARRY A BROOKS CO LLC | 1 |
| | | FRED LOTT CONSTRUCTION | 1 |
| | | ROD COOKE CONSTRUCTION | 1 |
| | | MILLS ELECTRIC, INC | 1 |
| | | AIR DEPOT | 1 |
| | | CONTRACTORS | 16 |
| | | | |
| | | TOTAL NEW BUSINESSES | 52 |
| | | | |
| OUTSIDE CITY LIMITS | | | |
| WAIORA USA INC | 1 | | |
| HYUNDAI MOTOR AMERICA | 1 | | |
| GULF COAST TSS PHOTOGRAPHY | 1 | | |
| FORMETCO INC | 1 | | |
| FITNESS PRO | 1 | | |
| GULF COAST MATERIALS LLC | 1 | | |
| TOTAL IMAGE SPECIALISTS | 1 | | |
| NEILL CORPORATION | 1 | | |
| HUBBELL LIGHTING INC | 1 | | |
| JASPER ENGINE EXCHANGE INC | 1 | | |
| MEL STEVENSON & ASSOCIATES | 1 | | |
| BAY FLOORING & DESIGN, INC | 1 | | |
| FORMETTO INC | 1 | | |
| CIT TECHNOLOGIES CORP | 1 | | |
| ACI PROCUREMENT CO LP | 1 | | |
| PROCTOR & GAMBLE DIST LLC | 1 | | |
| UNIVERSAL ECS, INC | 1 | | |
| THE NRA FOUNDATION, INC | 1 | | |
| CHART INC | 1 | | |
| HENRICKS FURNITURE GROUP | 1 | | |
| D J ROOFING SUPPLY INC | 1 | | |
| NHT GLOBAL INC | 1 | | |
| MORRIS READY MIX | 1 | | |
| ERRANDS 4 U | 1 | | |
| OUTSIDE CITY LIMITS | 24 | | |

Buildings and Property Committee Meeting

December 1, 2006

10:00 a.m.

City of Daphne

Council Chambers

Committee

Councilman John Lake, Chairman

Mayor Fred Small

Councilman August A. Palumbo

Sandra Morse, Director Daphne Civic Center

Ken Eslava, Public Works, Director

Richard Merchant, Buildings Inspector

Ragan Lambert, Building Department

Ashley Campbell, Erosion Control

Mr. Starke Irvine

Mr. Alan Chastain

Minutes

The Committee discussed the land swap proposal at Bayfront Park as presented by Mr. Stark Irvine and reviewed the summary appraisal report (**see attached**). The Committee stated that the City needs to facilitate better usage of the property. Mayor Small mentioned that he had attended several meeting concerning proposed tour boats from Mobile to the Eastern Shore and how better usage of Bayfront Park property could be beneficial. The sewer problems were discussed as in the past it had been proposed that the City of Daphne, Daphne Utilities, and Mr. Irvine would pay one third (1/3) each to correct the sewer problems. The Committee discussed ways to pump sewer, yet not destroy the streets.

Proposal between Irvine Properties, Inc. and the City of Daphne

- 1.) S. Starke Irvine, of Irvine Properties, Inc (Irvine) has made a proposal to the City of Daphne in regard to an exchange of property on Bayfront Park Dr. Irvine has offered to exchange the east 50' of Lot 12 Edgewater S/D to the City in return for the city owned parcel, being approximately 150' X 180' west of the "bluff lot" which is owned by Irvine. The City will apply for a permit to allow the construction of a storm water detention pond to be constructed by Irvine. This will remain as a water feature and filtration system for storm water runoff from the north side of Village Point Park Dr. The city will use the 50' parcel for the development of a road to run behind Thomas Medical Center for the purpose of providing access to the city owned land lying behind TMC and part of the Bayfront Park.
- 2.) The Edgewater subdivision owns a triangular shaped parcel which is contiguous with those lots lying on the south side of Bayfront Park Dr. and a rectangular lot

which is situated on Mobile (D'Olive) Bay. Irvine, on behalf of the property owners, has proposed an exchange of said land in exchange for the city upgrading and installing all utilities and storm water drainage for the subdivision.

Note: Mr. Irvine has since this meeting found evidence (as per Guaranty Title) that the property owners do not own the triangular strip, it is owned however, by Scenic 98 Partners.

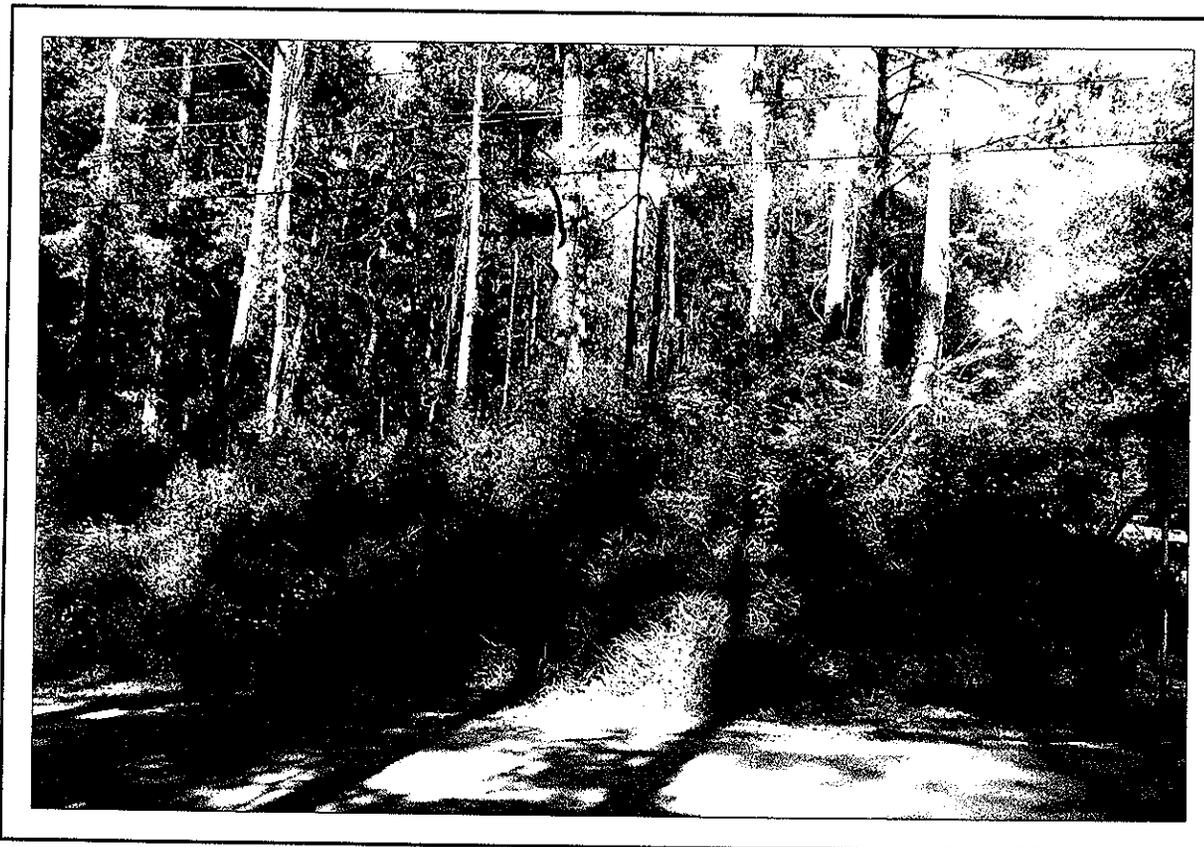
The Committee discussed the fact that there is a deed problem concerning a part of the Bayfront Park lands. **Motion** by Councilman Palumbo to authorize Mayor Small to resolve the deed issue. **Seconded** by Mayor Small. **Motion Approved.**

Mr. Alan Chastain of C.R. Signs, Inc. of Spanish Fort made a presentation with reference to electronic signage. Mr. Chastain displayed sample signage at the Civic Center for the Committee to view.

The Committee discussed a request from Spanish Fort High School to waive base fees for Civic Center usage for the prom. **Motion** by Councilman Palumbo to waive one half (1/2) the rental fees for Spanish Fort High School Prom for 2007. **Seconded** by Councilman Lake. **Motion Approved.**

Mr. Richard Merchant, Building Inspector stated that building permits were low. Mr. Merchant requested assistance from the Committee as to how best to recoup costs when he has to demolish structures. The Committee referred the question to the City Attorney. Councilman Plaumbo requested that Erosion Control photo's of the bluff be presented to the full Council in a power point presentation.

Meeting Adjourned at 11:40



SUMMARY APPRAISAL REPORT

OF THE REAL PROPERTY LOCATED AT

**Bel Air Drive(AKA Bayfront Park Drive)
Daphne, Alabama 36526**

Complete Appraisal Analysis - Summary Appraisal Report

LAND APPRAISAL REPORT

File No. 6880

Borrower N/A-Owner Irvine Properties Inc., etal Census Tract 107.02 Map Reference PB 5, Page 31
 Property Address Bel Air Drive(AKA Bayfront Park Drive)
 City Daphne County Baldwin State Alabama Zip Code 36526
 Legal Description The east 50 foot of lot 12, Edgewater Heights Subdivision
 Sale Price N/A Date of Sale N/A Loan Term N/A yrs. Property Rights Appraised Fee Leasehold De Minimis PUD
 Actual Real Estate Taxes \$1,090.48 (yr.) Loan charges to be paid by seller N/A Other sales concessions N/A
 Lender/Client City Of Daphne Address Co: Mayor Fred Small, P.O. Box 400, Daphne, Alabama, 36526
 Occupant Unimproved Appraiser S.K. Smith, III Instructions to Appraiser Market Value

IDENTIFICATION

Location: Urban Suburban Rural
 Built Up: Over 75% 25% to 75% Under 25%
 Growth Rate: Fully Dev. Rapid Steady Slow
 Property Values: Increasing Stable Declining
 Demand/Supply: Shortage In Balance Over Supply
 Marketing Time: Under 3 Mos. 4-6 Mos. Over 6 Mos.
 Present Land Use: 50% 1 Family 2-4 Fam 1 Apts. 1 Condo 20% Commercial
 Change in Present Land Use: Not Likely Likely (*) Taking Place (*)
 Predominant Occupancy: Owner Tenant Vacant
 Single Family Price Range: \$ 100,000 to \$ 500,000+ Predominant Value \$ 250,000+
 Single Family Age: New yrs. to 150+ yrs. Predominant Age 20-50 yrs.

Employment Stability: Good Avg Fair Poor
 Convenience to Employment:
 Convenience to Shopping:
 Convenience to Schools:
 Adequacy of Public Transportation:
 Recreational Facilities:
 Adequacy of Utilities:
 Property Compatibility:
 Protection from Detrimental Conditions:
 Police and Fire Protection:
 General Appearance of Properties:
 Appeal to Market:

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, noise) The subject is located on the north side of Bel Air Drive(Bayfront Park Drive) about 1200 feet west of North Main Street and 1100 feet east of Mobile Bay in the northern sector of Daphne, Alabama. Primary land usage in the immediate area varies widely from single family dwellings, apartments, condos, and commercial pursuits to the City of Daphne Bay Front Park. *** See Additional Comments ***

NEIGHBORHOOD

Dimensions 50 x 179.9'+/- = 8,995+/-SF Corner Lot
 Zoning Classification B-2, General Business Present improvements do do not conform to zoning regulations
 Highest and best use: Present use Other (specify) Upland access road to adjacent City owned property to the North
 Elec. Public Other (Describe) _____ OFF SITE IMPROVEMENTS
 Gas _____ Street Access: Public Private
 Water _____ Surface Asphalt Topo Basically Level
 San. Sewer Available _____ Maintenance: Public Private Size 8,995+/-SF
 Storm Sewer Curb/Gutter Shape Rectangular
 Sidewalk Street Lights View Woods/Residential/Commercial
 Drainage Appears Adequate
 Is the property located in a HUD identified Special Flood Hazard Area? No Yes

Comments (favorable or unfavorable including any apparent adverse easements, encroachments or other adverse conditions) A survey and complete legal was not provided for this assignment. The estimated value is based on the assumption no adverse conditions exists that would affect marketability. The subject consists of the east 50 foot of lot 12. This area is being considered as a potential ingress/egress way from Bayfront Park Drive to the adjacent land that lies to the north that is the upland area of City owned property

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment, reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to, or more favorable than, the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject, if a significant item in the comparable is inferior to, or less favorable than, the subject property, a plus (+) adjustment is made, thus increasing the indicated value of the subject.

SITE

| ITEM | Subject Property | COMPARABLE NO. 1 | COMPARABLE NO. 2 | COMPARABLE NO. 3 |
|----------------------------------|----------------------------|---|---|---|
| Address | Bayfront Park Drive Daphne | Lot 19 Edgewater Heights Daphne, Alabama | Lot 13 Less 15' Plus 25' Edgewater Heights, Daphne | Lot 14, plus 15' of lot 13 Edgewater Heights, Daphne |
| Proximity to Subj. | | 500+/-Feet East | 50+Feet South | 50+/-Feet South |
| Sales Price | \$ N/A | \$ 115,000 | \$ 135,000 | \$ 125,000 |
| Price | \$ | \$ 6.29/SF | \$ 6.74/SF | \$ 6.13/SF |
| Data Source | Inspection | Instrument# 930493/Deese | Instrument# 914327/Dewberry | Instrument# 876193/Irvine |
| Date of Sale and Time Adjustment | DESCRIPTION | DESCRIPTION | DESCRIPTION | DESCRIPTION |
| | N/A | 10/18/2005 | 8/11/2005 | 3/9/2005 |
| Location | Average | Similar | Similar | Similar |
| Site/View | Commercial/Woods | Similar | Similar | Similar |
| Site Area | 8,995+/-SF | 18,295+SF -56,000 | 20,038+SF -66,000 | 20,386+SF -68,500 |
| Utilities | Available | Similar | Similar | Similar |
| Zoning | B-2 | Similar | Similar | Similar |
| Topo/House | Level/No House | Old House-No Value | Old House-No Value | Old House-No Value |
| Sales or Financing Concessions | N/A | Cash | Cash | Cash |
| | | No Concessions | No Concessions | No Concessions |
| Net Adj. (Total) | | Plus <input checked="" type="checkbox"/> Minus \$ -56,000 | Plus <input checked="" type="checkbox"/> Minus \$ -66,000 | Plus <input checked="" type="checkbox"/> Minus \$ -68,500 |
| Indicated Value of Subject | | Gross 48.7% Net -48.7% \$ 59,000 | Gross 48.9% Net -48.9% \$ 69,000 | Gross 54.8% Net -54.8% \$ 56,500 |

Comments on Market Data: The above transactions are the most recent sales in the subject subdivision(except for lots 22, 23, and 24 that sold at \$492,000 with improvements on 6/30/2005) that in the appraisers opinion provide a supportable range in value for the subject. These sales support a range in value from a low of \$56,500 to a high of \$69,000. *** See Additional Comments ***

Comments and Conditions of Appraisal: This assignment was made subject to the rules and regulations of the State of Alabama Real Estate Appraisers Board. The undersigned State Licensed Appraiser has met the requirements of the board that allow this report to be regarded as a Certified Appraisal. This is a Complete Appraisal according to Standards Rule 1 and the communication to the client is a Summary Appraisal Report in accordance with Standards Rule 2-2(b).

Final Reconciliation: The cost and income approaches to value are not applicable in valuing vacant building sites. The most weight is placed on the Sales Analysis. This approach compares and weighs the subject to other vacant building sites in the area and tends to best measure the actions of Buyers and Sellers.

RECONCILIATION

ESTIMATE THE MARKET VALUE OF SUBJECT PROPERTY AS OF November 13, 2006 to be \$60,000
 Appraiser(s) S. K. Smith, III Review Appraiser (if applicable) Did Did Not Physically Inspect Property
 Signature _____ Date 11/13/2006
 Name S. K. Smith, III State AL License Certification # R00386

Courtney & Morris Appraisals, Inc.

ADDITIONAL COMMENTS

| | | | |
|-------------------|--|----------|---------|
| Borrower or Owner | N/A-Owner Irvine Properties Inc., etal | | |
| Property Address | Bel Air Drive(AKA Bayfront Park Drive) | | |
| City | Daphne | County | Baldwin |
| | | State | Alabama |
| | | Zip Code | 36526 |
| Lender or Client | City Of Daphne | | |

Neighborhood

The subject is a part of the Edgewater Heights subdivision which was developed many years ago and property owners have a 1/24 interest in a 50' x 214+ foot lot that fronts Mobile Bay at the west end of the street. This site is identified as parcel 25.004 on the attached tax plat. This is a positive influence on marketability. According to the Baldwin County probate records there have been 16 transactions in the subdivision between 4/1/1996 and 9/30/2006 of which I have reviewed for this analysis as well as other sales in the area.

Site

The subject site is along a hill side above street grade and according to the attached aerial topo map has an elevation of about 25 feet above sea level. The site is wooded with mature pines.

Comments on Market Data

It is my opinion the subjects value should fall within this range say, \$60,000. This would equate to a value on a per square foot basis of \$6.67 per Square foot. The comps sold from a low of \$6.13 to a high of \$6.74 per square foot. Although the date of sales exceed 1 year from the date of the appraisal no time adjustment is warranted. This is due to the current economic climate in Baldwin County. Baldwin County was brushed by 5 hurricanes in 2005 and the total volume of sales has declined in 2006 with respect to 2005. According to Real Estate Sales Activity reported by Metro Market Trends the total volume of sales is down by 22.32% for the first 9 months of the year(\$952,866,239+). New Single family sales are down by 7.84%, Single Family Resales are down by 21.62%, Residential lots are down by 23.95%, Improved Commercial is down 40.27% and vacant commercial is down 17.11%. The comparables chosen for the analysis are all located within 600 feet of the subject and in the appraisers opinion indicate what the prevailing market is willing to pay for the immediate area and provide a supportable range in value for the subject.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concessions but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. The separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower, the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

SUPERVISORY APPRAISER'S CERTIFICATION: If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

ADDRESS OF PROPERTY APPRAISED: Bel Air Drive (AKA Bayfront Park Drive), Daphne, Alabama 36526

| | |
|--|--|
| APPRAISER: | SUPERVISORY APPRAISER (only if required): |
| Signature:  | Signature: _____ |
| Name: <u>S. K. Smith, III</u> | Name: _____ |
| Date Signed: <u>November 13, 2006</u> | Date Signed: _____ |
| State Certification #: <u>R00336</u> | State Certification #: _____ |
| or State License #: _____ | or State License #: _____ |
| State: <u>AL</u> | State: _____ |
| Expiration Date of Certification or License: <u>9/30/07</u> | Expiration Date of Certification or License: _____ |
| | <input type="checkbox"/> Did <input type="checkbox"/> Did Not Inspect Property |

PHOTOGRAPH ADDENDUM

Borrower or Owner: **N/A-Owner, Irvine Properties Inc., etal**
Property Address: **Bel Air Drive(AKA Bayfront Park Drive)**
City: **Daphne** County: **Baldwin** State: **Alabama** Zip Code: **36526**
Lender or Client: **City Of Daphne**



**FRONT VIEW OF
SUBJECT PROPERTY**



**REAR VIEW OF
SUBJECT PROPERTY**



**STREET SCENE OF
SUBJECT PROPERTY**

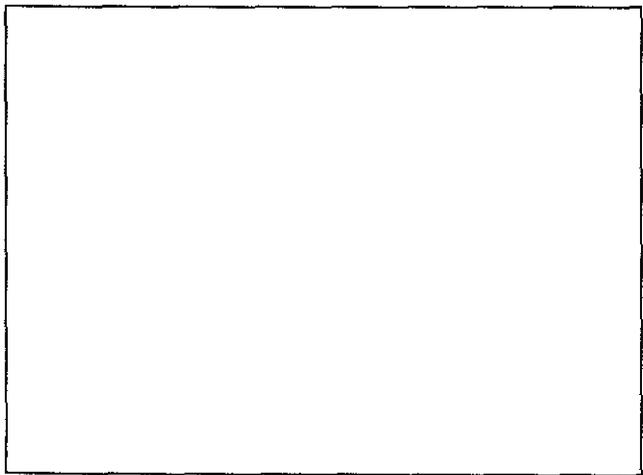
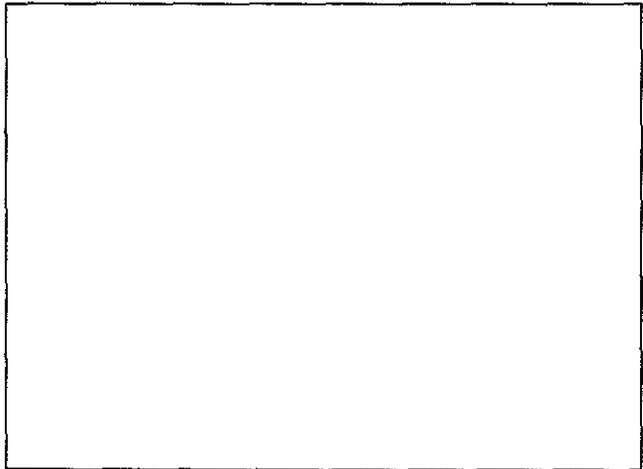
Courtney & Morris Appraisals, Inc.

PHOTOGRAPH ADDENDUM

Borrower or Owner N/A-Owner Irvine Properties Inc., etal
Property Address Bel Air Drive(AKA Bayfront Park Drive)
City Daphne County Baldwin State Alabama Zip Code 36526
Lender or Client City Of Daphne

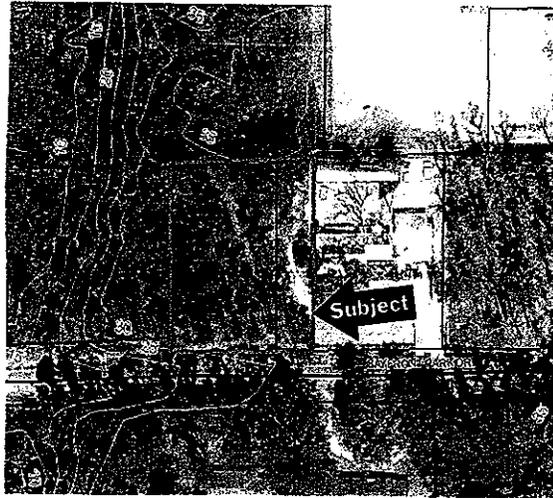


Bel Air Drive(AKA Bayfront Park Drive)
Improvements adjacent and east



AERIAL TOPO MAP

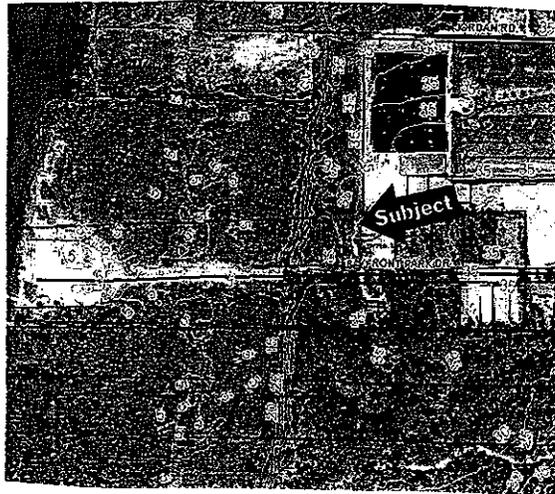
Borrower or Owner *N/A-Owner Irvine Properties Inc., etal*
 Property Address *Bel Air Drive(AKA Bayfront Park Drive)*
 City *Daphne* County *Baldwin* State *Alabama* Zip Code *36526*
 Lender or Client *City Of Daphne*



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records. Baldwin County assumes no responsibility for the content of this map.

Parcel PIN:33341

| <i>PID</i> | <i>Owner Name</i> | <i>Owner Address</i> |
|---------------------------|---|----------------------|
| 05-43-03-71-0-007-026.000 | IRVINE PROPERTIES INC (85% INT) ETAL IRV | P O BOX 2497 |

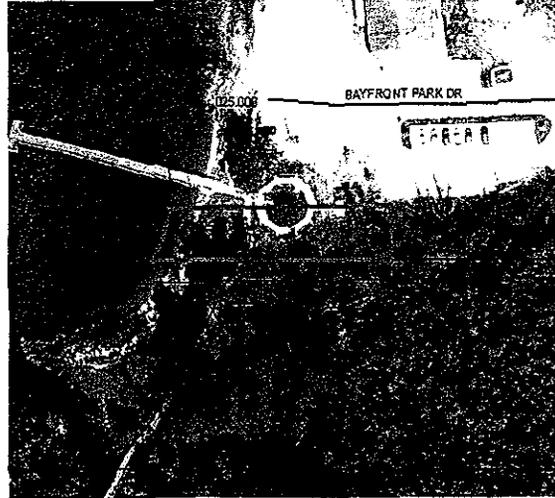


Courtney & Morris Appraisals, Inc.

BALDWIN COUNTY

Proximity Report Results

The selection distance was 200



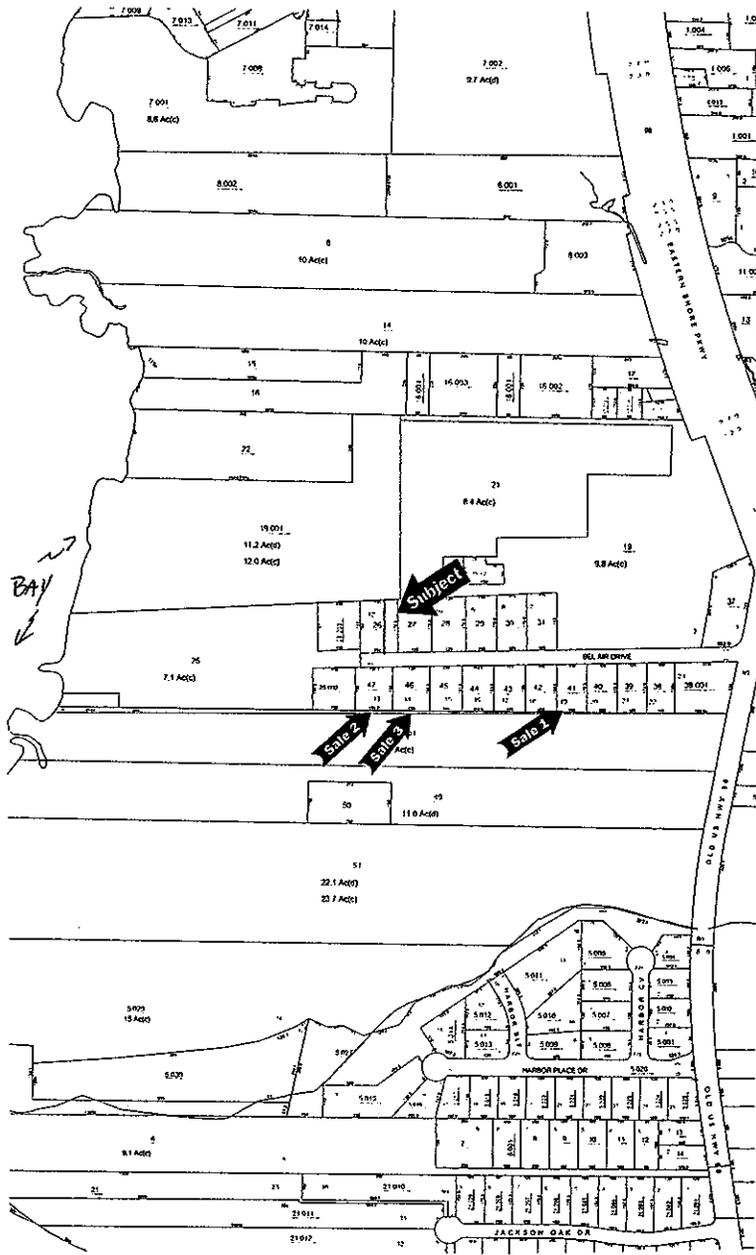
This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records. Baldwin County assumes no responsibility for the content of this map.

Parcel PIN: 110149

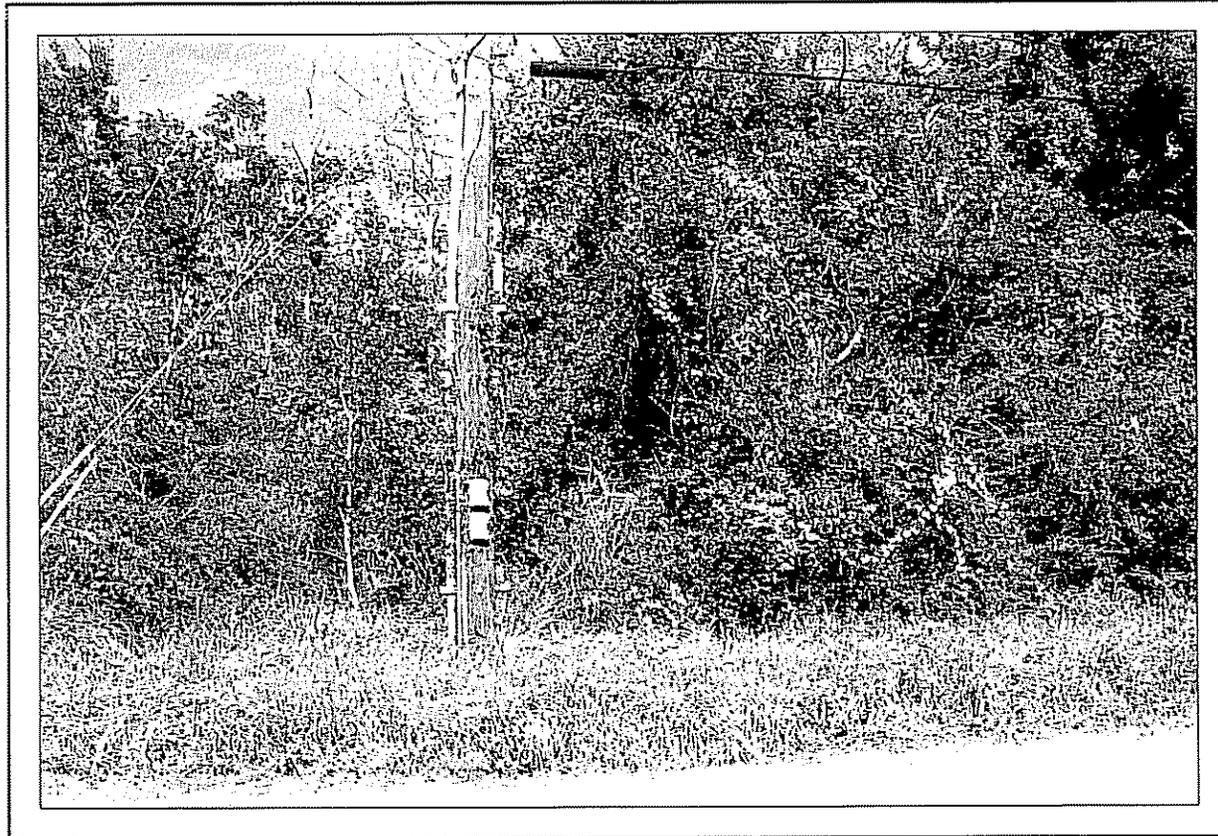
| PID | Owner Name | Owner Address |
|---------------------------|---|---|
| 05-43-03-71-0-007-025.004 | PROPERTY OWNERS OF EDGEWATER HEIGHTS | C/O SARAH CARNDALL DAPHNE , AL 36526 |

SITE PLAN

Borrower or Owner **N/A-Owner Irvine Properties Inc., etal**
 Property Address **Bel Air Drive(AKA Bayfront Park Drive)**
 City **Daphne** County **Baldwin** State **Alabama** Zip Code **36526**
 Lender or Client **City Of Daphne**



Courtney & Morris Appraisals, Inc.



SUMMARY APPRAISAL REPORT

OF THE REAL PROPERTY LOCATED AT

Bel Air Drive(AKA Bayfront Park Drive)
Daphne, Alabama 36526

Complete Appraisal Analysis - Summary Appraisal Report

LAND APPRAISAL REPORT

File No. 6882

IDENTIFICATION

Borrower N/A-Owner The City of Daphne, Alabama Census Tract 107.02 Map Reference RP 676, PG 952
 Property Address Bel Air Drive(AKA Bayfront Park Drive)
 City Daphne County Baldwin State Alabama Zip Code 36526
 Legal Description A metes and bounds legal description was not provided for this assignment. See additional Comments.....
 Sale Price \$N/A Date of Sale N/A Loan Term N/A yrs Property Rights Appraised Fee Leasehold De Minimis PUD
 Actual Real Estate Taxes Exempt (yr) Loan charges to be paid by seller \$N/A Other sales concessions N/A
 Lender/Cient City Of Daphne Address Co: Mayor Fred Small, P.O. Box 400, Daphne, Alabama, 36526
 Occupant Unimproved Appraiser S.K. Smith, III Instructions to Appraiser Market Value

NEIGHBORHOOD

Location Urban Suburban Rural
 Build Up Over 75% 25% to 75% Under 25%
 Growth Rate Fully Dev Rapid Steady Slow
 Property Values Increasing Stable Declining
 Demand/Supply Shortage In Balance Over Supply
 Marketing Time Under 3 Mos. 4-6 Mos. Over 6 Mos.
 Present Land Use % 1 Family % 2-4 Fam % Apts % Condo 20 % Commercial
 % Industrial 28 % Vacant
 Change in Present Land Use Not Likely Likely (*) Taking Place (*)
 (*) From Vacant To Single Family/Comm.
 Predominant Occupancy Owner Tenant % Vacant
 Single Family Price Range \$ 100,000 to \$ 500,000+ Predominant Value \$ 250,000+
 Single Family Age New yrs to 150+ yrs. Predominant Age 20-50 yrs.
 Employment Stability Good Avg Fair Poor
 Convenience to Employment
 Convenience to Shopping
 Convenience to Schools
 Adequacy of Public Transportation
 Recreational Facilities
 Adequacy of Utilities
 Property Compatibility
 Protection from Deventral Conditions
 Police and Fire Protection
 General Appearance of Properties
 Appeal to Market

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks schools noise) The subject is located on the north side of Bel Air Drive(Bayfront Park Drive) about 1500 feet west of North Main Street and 725 feet east of Mobile Bay In the northern sector of Daphne, Alabama. Primary land usage in the immediate area varies widely from single family dwellings, apartments, condos, and commercial pursuits to the City of Daphne Bay Front Park. *** See Additional Comments ***

SITE

Dimensions 150 x 167 +/- = 25,050+-SF Corner Lot
 Zoning Classification B-2, General Business Present Improvements do do not conform to zoning regulations
 Highest and best use: Present use Other (specify)
 Public Other (Describe) OFF SITE IMPROVEMENTS Topo Basically Level
 Elec Street Access: Public Private Size 25,050+-SF
 Gas Surface Asphalt Shape Rectangular
 Water Maintenance: Public Private View Woods/Commercial/Distant View of Bay
 San. Sewer Available Storm Sewer Curb/Gutter Drainage Appears Low/Wet Lands
 Sidewalk Street Lights Is the property located in a HUD identified Special Flood Hazard Area? No Yes
 Underground Elect. & Tel.

Comments (favorable or unfavorable including any apparent adverse easements, encroachments or other adverse conditions) A survey and legal was not provided for this assignment; The estimated value is based on the assumption no adverse conditions exists that would affect marketability. The subject consists of an approximate 150 x 167 foot site that based on the attached Aerial Photos appears to less than 5 foot above sea level and in a Flood Zones VE 14 and 15. *** See Additional Comments ***

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment, reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to, or more favorable than, the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to, or less favorable than, the subject property, a plus (+) adjustment is made, thus increasing the indicated value of the subject.

MARKET DATA ANALYSIS

| ITEM | Subject Property | COMPARABLE NO 1 | COMPARABLE NO 2 | COMPARABLE NO 3 |
|----------------------------------|----------------------------|---|---|--|
| Address | Bayfront Park Drive Daphne | 4 75 Ac Sec 30, T4S.R2E Spanish Fort, Alabama | Lots 160&161 Whispering Pines Daphne, Alabama | Lot 24, Unit 18, Lake Forest Daphne, Alabama |
| Proximity to Subj. | | 2.5+-Miles North | 1.2+-Miles Southeast | 2+-Miles Northeast |
| Sales Price | \$ N/A | \$ 185,000 | \$ 28,000 | \$ 8,500 |
| Price | | \$ 89/SF | \$ 54/SF | \$ 71/SF |
| Data Source | Inspection | Instrument#988914/MLS | MLS# 59229 | MLS# 104157 |
| Date of Sale and Time Adjustment | N/A | 7/21/2006 | 4/27/2006 | 11/9/2006 |
| Location | Average | Similar | Similar | Similar |
| Site/View | Commercial/Woods | Similar | Residential/Woods | Residential/Woods |
| Site Area | 25,050+-SF | 206.910 | 52,272+-SF | 12,000+-SF |
| Utilities | Available | Similar | Similar | Similar |
| Zoning | B-2 | Residential | Residential | Residential |
| Topo | Low/Wet Lands | Mostly low wet | Steep slope/wet | Steep slope/wet |
| Sales or Financing Concessions | N/A | Cash | Vendors Lien | Cash |
| | | No Concessions | No Concessions | No Concessions |
| Net Adj. (Total) | | Plus X Minus \$ -162,000 | Plus X Minus \$ -14,500 | X Plus Minus \$ 8,000 |
| Indicated Value of Subject | | Gross 87.6% Net -87.6% \$ 23,000 | Gross 51.8% Net -51.8% \$ 13,500 | Gross 105.9% Net 105.9% \$ 17,500 |

Comments on Market Data: The above transactions are recent site sales in the competitive market that have wetlands and/or steep slope issues. These sales support a range in value from a low of \$13,500 to a high of \$23,000. It is my opinion the subjects value should fall within this range, say, \$18,000. *** See additional Comments****

Comments and Conditions of Appraisal: This assignment was made subject to the rules and regulations of the State of Alabama Real Estate Appraisers Board. The undersigned State Licensed Appraiser has met the requirements of the board that allow this report to be regarded as a Certified Appraisal. This is a Complete Appraisal according to Standards Rule 1 and the communication to the client is a Summary Appraisal Report in accordance with Standards Rule 2-2(b).

Final Reconciliation: The cost and income approaches to value are not applicable in valuing vacant sites. The most weight is placed on the Sales Analysis. This approach compares and weighs the subject to other vacant building sites in the area and tends to best measure the actions of Buyers and Sellers.

RECONCILIATION

ESTIMATE THE MARKET VALUE OF SUBJECT PROPERTY AS OF November 13, 2006 to be \$18,000
 Appraiser(s) S.K. Smith, III Review Appraiser (if applicable) Did Did Not Physically Inspect Property
 Signature [Signature] Signature _____
 Name S K, Smith, III Date 11/14/2006 Name _____ Date _____
 State AL License Certification # R00386 State _____ License Certification # _____

Courtney & Morris Appraisals, Inc

ADDITIONAL COMMENTS

| | | | | | | | |
|-------------------|--|--------|---------|-------|---------|----------|-------|
| Borrower or Owner | N/A-Owner The City of Daphne, Alabama | | | | | | |
| Property Address | Bel Air Drive(AKA Bayfront Park Drive) | | | | | | |
| City | Daphne | County | Baldwin | State | Alabama | Zip Code | 36526 |
| Lender or Client | City Of Daphne | | | | | | |

The subject site is to be described by a metes and bounds description and will consists of the eastern most 150 feet of the city owned property that lies on the North side of Bayfront Park Drive(aka Bel Air Drive) According to the appraiser reviewing the Baldwin County Revenue Commissioner Brief Legal on the subjects Parent Tract it appears the depth along the east line is 167 feet and the appraiser was instructed to estimate the value with 150 feet of road frontage. Therefore, for the purpose of this report I have estimated the subjects site size to be 150' x 167'+/- or say 25,050 square feet. Should a survey prove otherwise the appraiser reserves the right to amend the estimated value

Neighborhood

The subject is a part an approximate 7.2 acre tract that is known as the City of Daphne Bay Front Park. This Tract has about 325 feet of water frontage along the eastern shore of Mobile Bay and is improved with a pier, gazebo, and The Richard Scardamalia Pavilion which is an approximate 7,800 square foot facility that is rented for community gatherings

Site

The tract is heavily wooded and according to the Baldwin County Soil Maps the primary soil type is Wet Loamy Alluvial Land. This land type is saturated by seepage water, and is subject to frequent overflow. In places water stands on the surface most of the year. The slope is between 0 to 2 percent. Because of it's poor drainage and hazard of frequent flooding these soils are considered as Wet Lands and subject to numerous Regulatory Restrictions. For the purpose of this report the estimated value is based on the hypothetical condition that a portion of the site could be Developed. If this hypothetical condition proves to be incorrect by a wetland delineation the appraiser reserves the right to amend the estimated value.

Comments on Market Data

Comp 1 is a recent sale that had frontage along US Highway 98/90(The Causeway) at the foot of Spanish Fort Estates. This sale was mostly wetlands except for an area that went up the bluff towards Danner Circle. It was purchased by the adjacent property owner. Comp 2 is a steep sloping double lot in the Whispering pines subdivision. A creek bottom is in the northern sector of the site. Comp 3 is a steep sloping site with a creek bottom in the southern sector. The sales chosen for the analysis are all building sites in the area that had wetland/topo issues and sold from a low of \$ 54 to a high of \$.89 per square foot. I have estimated the subjects value at \$18,000 which equates to a value on a per square foot basis of about \$.72 per square foot

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concessions but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor he or she makes no guarantees express or implied regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. The separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable and has assumed that there are no such conditions and makes no guarantees or warranties express or implied regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower, the mortgagee or its successors and assigns, the mortgage insurer, consultants, professional appraisal organizations, any state or federally approved financial institution, or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news sales, or other media.

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property I have made a negative adjustment to reduce the adjusted sales price of the comparable and if a significant item in a comparable property is inferior to, or less favorable than the subject property I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions and conclusions which are subject only to the contingent and limiting conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal with the exception of the departure provision of those Standards which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements on the subject site or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report I will take no responsibility for it.

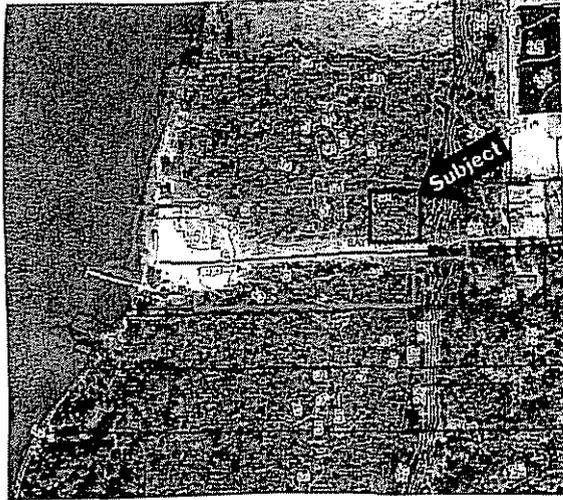
SUPERVISORY APPRAISER'S CERTIFICATION: If a supervisory appraiser signed the appraisal report he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

ADDRESS OF PROPERTY APPRAISED: Bel Air Drive (AKA Bayfront Park Drive), Daphne, Alabama, 36526

| | |
|---|---|
| <p>APPRAISER: <u><i>S. K. Smith, III</i></u></p> <p>Signature: _____ Name: <u>S. K. Smith, III</u> Date Signed: <u>November 14, 2006</u> State Certification #: <u>R00386</u> or State License #: _____ State: <u>AL</u> Expiration Date of Certification or License: <u>9/30/07</u></p> | <p>SUPERVISORY APPRAISER (only if required):</p> <p>Signature: _____ Name: _____ Date Signed: _____ State Certification #: _____ or State License #: _____ State: _____ Expiration Date of Certification or License: _____ <input type="checkbox"/> Did <input type="checkbox"/> Did Not Inspect Property</p> |
|---|---|

AERIAL PHOTO AND TOPO MAPS

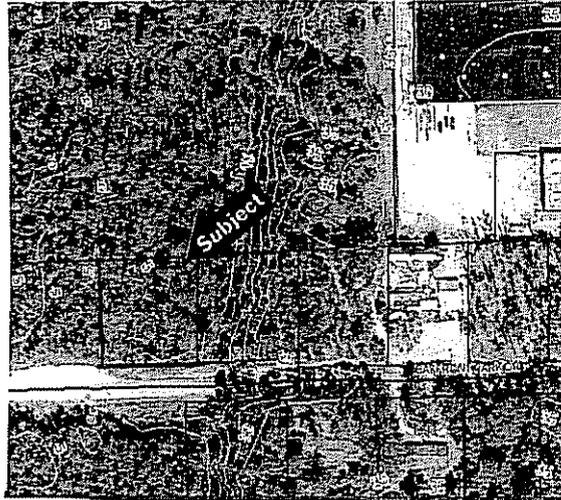
Borrower or Owner N/A-Owner The City of Daphne, Alabama
 Property Address Bel Air Drive(AKA Bayfront Park Drive)
 City Daphne County Baldwin State Alabama Zip Code 36526
 Lender or Client City Of Daphne



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records. Baldwin County assumes no responsibility for the content of this map.

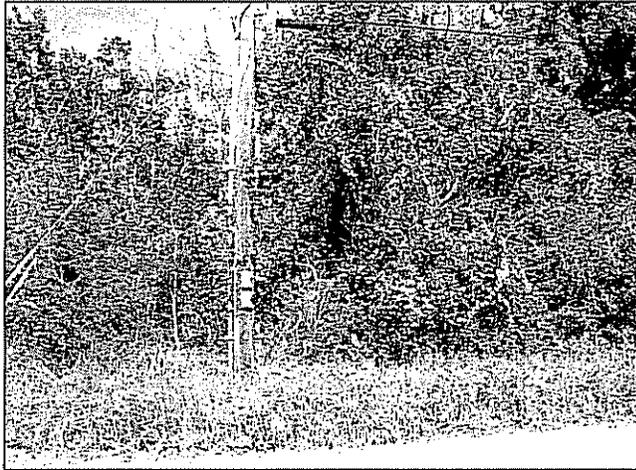
Parcel PIN:12166

| <i>PID</i> | <i>Owner Name</i> | <i>Owner Address</i> |
|---------------------------|-----------------------------|----------------------|
| 05-43-03-71-0-007-025.000 | DAPHNE ALABAMA, THE CITY OF | P O BOX 2550 |



PHOTOGRAPH ADDENDUM

Borrower or Owner N/A-Owner The City of Daphne, Alabama
Property Address Bel Air Drive(AKA Bayfront Park Drive)
City Daphne County Baldwin State Alabama Zip Code 36526
Lender or Client City Of Daphne



**FRONT VIEW OF
SUBJECT PROPERTY**



**STREET SCENE LOOKING
WEST**



**STREET SCENE LOOKING
EAST**

Courtney & Morris Appraisals, Inc

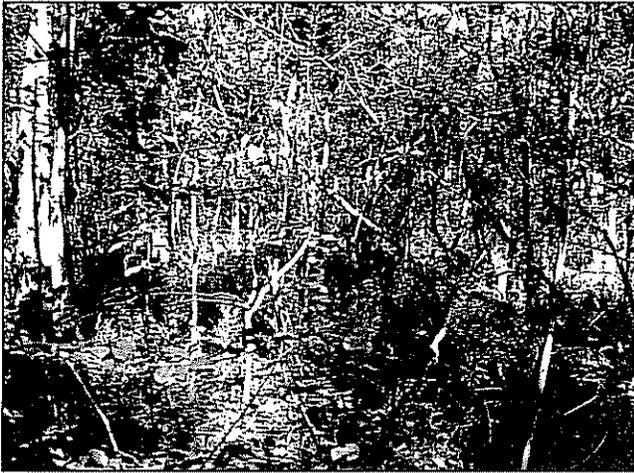
PHOTOGRAPH ADDENDUM

Borrower or Owner **N/A-Owner The City of Daphne, Alabama**

Property Address **Bel Air Drive(AKA Bayfront Park Drive)**

City **Daphne** County **Baldwin** State **Alabama** Zip Code **36526**

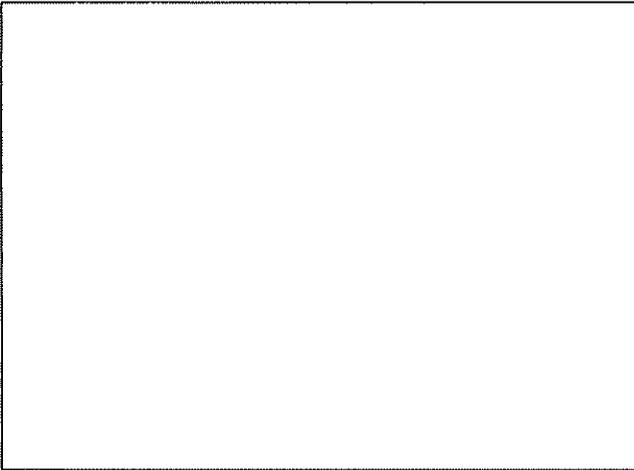
Lender or Client **City Of Daphne**



Bel Air Drive(AKA Bayfront Park Drive)
INTERIOR VIEW-WETLANDS

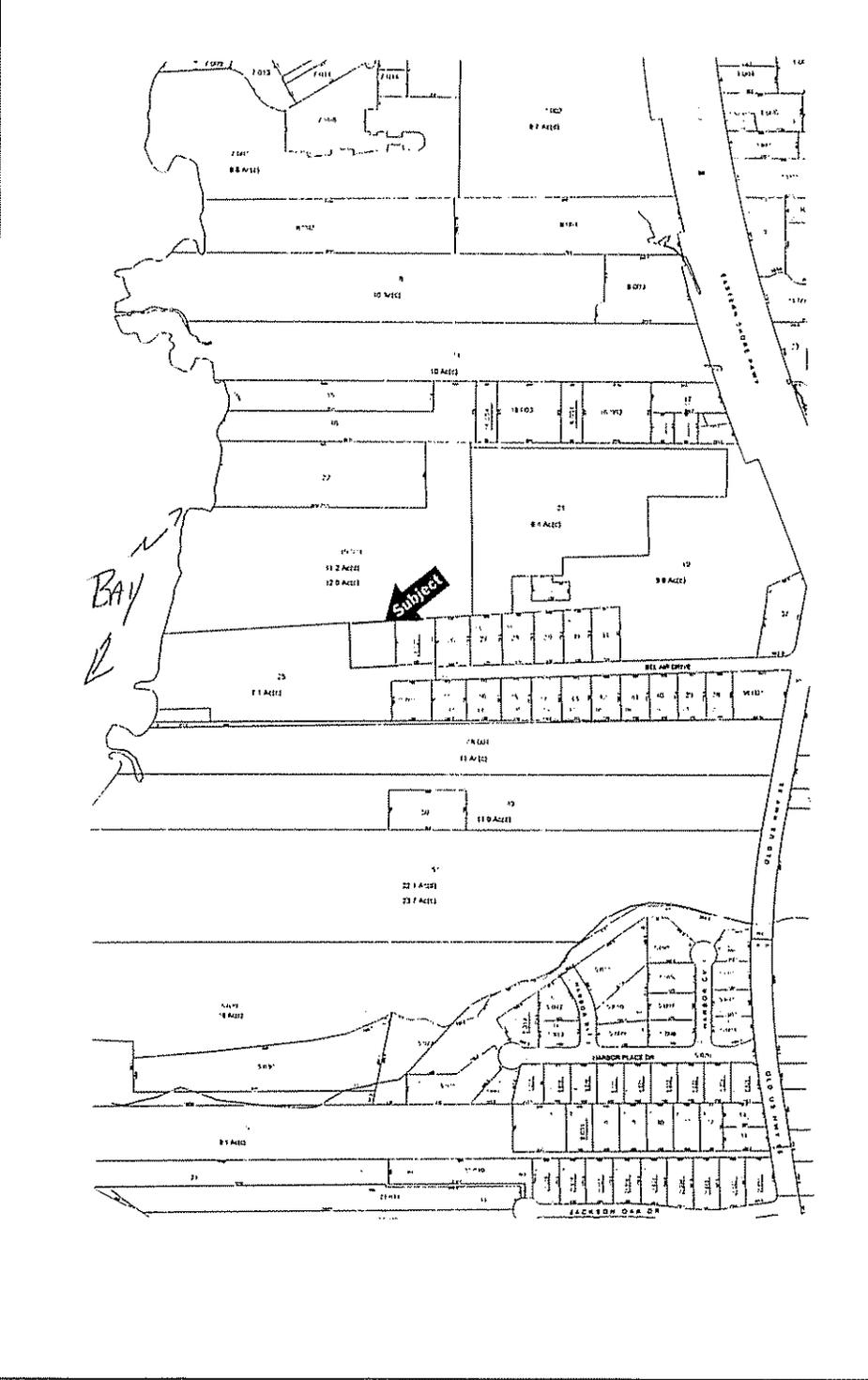


Bel Air Drive(AKA Bayfront Park Drive)
INTERIOR VIEW-WETLANDS



SITE PLAN

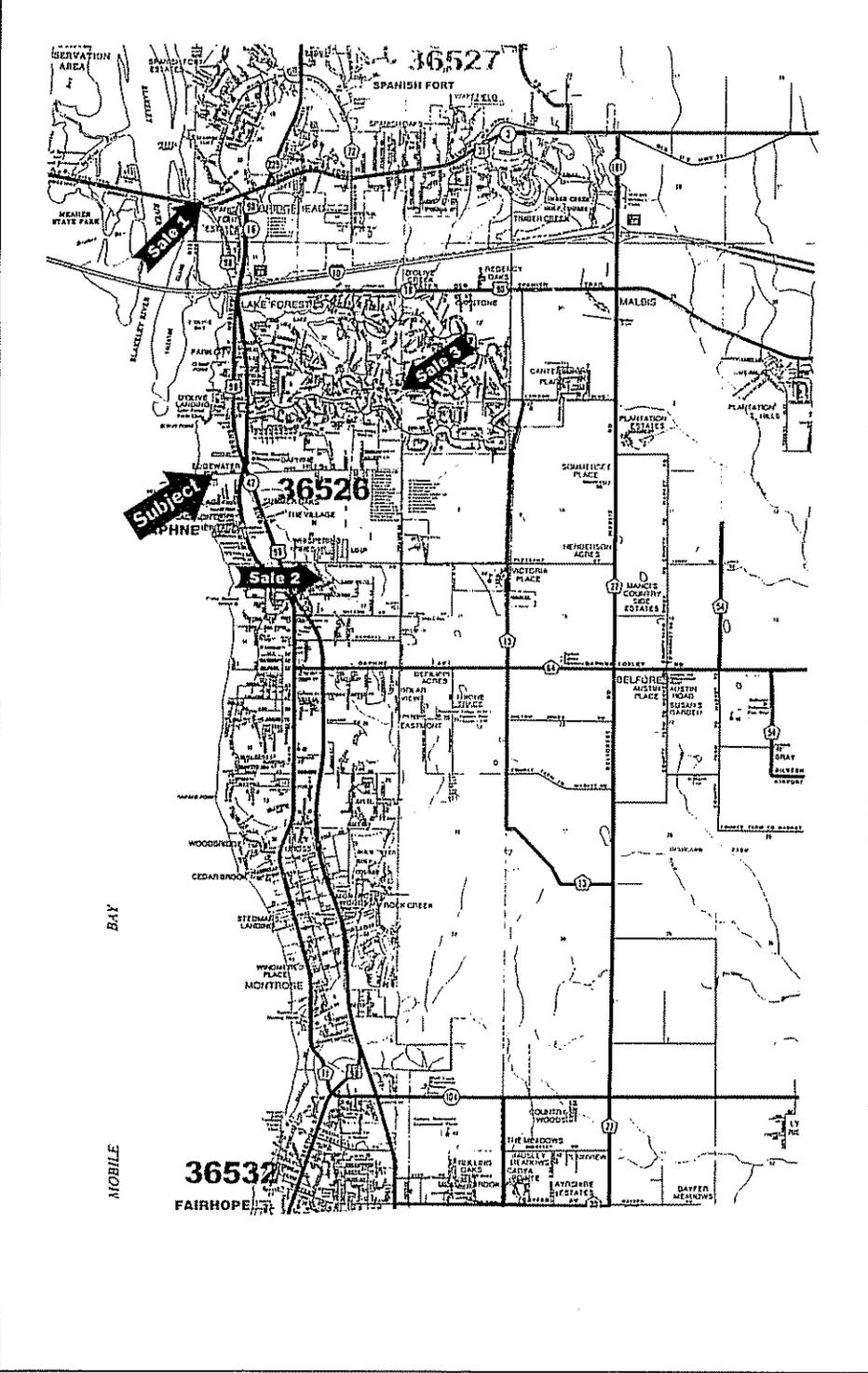
Borrower or Owner N/A-Owner The City of Daphne, Alabama
Property Address Bel Air Drive(AKA Bayfront Park Drive)
City Daphne County Baldwin State Alabama Zip Code 36526
Lender or Client City Of Daphne



Courtney & Morris Appraisals, Inc

LOCATION MAP

Borrower or Owner **N/A-Owner The City of Daphne, Alabama**
 Property Address **Bel Air Drive(AKA Bayfront Park Drive)**
 City **Daphne** County **Baldwin** State **Alabama** Zip Code **36526**
 Lender or Client **City Of Daphne**



Courtney & Morris Appraisals, Inc.

FLOOD MAP

Borrower or Owner *N/A-Owner The City of Daphne, Alabama*

Property Address *Bel Air Drive(AKA Bayfront Park Drive)*

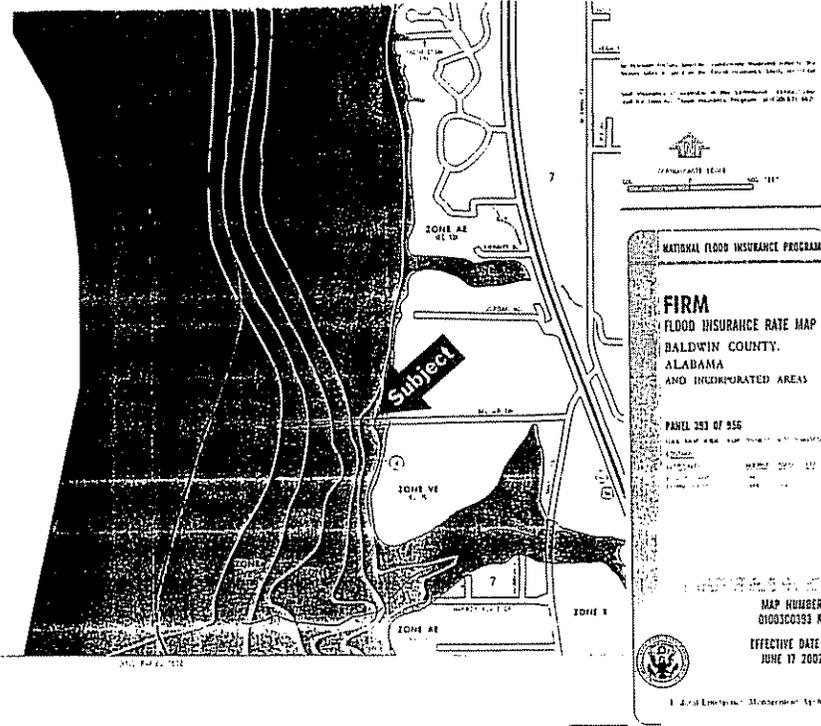
City *Daphne*

County *Baldwin*

State *Alabama*

Zip Code *36526*

Lender or Client *City Of Daphne*



Courtney & Morris Appraisals, Inc

City of Daphne

Permit Activity Report

Thursday, November 30, 2006

Permit Code: BL BUILDING PERMIT

Residential - NEW - R3 BL Permits

| Txpld - Loc# | Contractor Name / Location Name | Permit # / Project | Master Permit # | Job Location Address | Paid | Status | Issue Date | App Date | Job Value/Cost | Permit Fee |
|--------------|---------------------------------|--------------------|-----------------|-----------------------------|------|--------|--|------------|----------------|------------|
| 5214-1 | LARRY A BROOKS | 06-1613 | | 306 RIDGEWOOD DR | Yes | A | 11/29/2006 | 11/29/2006 | \$106,800.00 | \$550.00 |
| | LARRY A BROOKS | 06-AVK | | DAPHNE, AL 36526 | | | | | | |
| 3046-1 | MCVAY CONSTRUCTION CO. INC. | 06-1607 | | 100 TIMBERLINE DR | Yes | A | 11/28/2006 | 11/28/2006 | \$110,760.00 | \$570.00 |
| | MCVAY CONSTRUCTION CO. INC. | 06-AVJ | | DAPHNE, AL 36526 | | | | | | |
| 1144-1 | CRAIG SINCLAIR BUILDER, INC. | 06-1576 | | 8094 PINE RUN | Yes | A | 11/16/2006 | 11/16/2006 | \$245,370.00 | \$1,245.00 |
| | CRAIG SINCLAIR BUILDER, INC. | 06-AVI | | DAPHNE, AL 36526 | | | | | | |
| 2434-1 | JOHN ECKENSTALER BUILDERS | 06-1563 | | 7901 CREEKBANK DR | Yes | A | 11/13/2006 | 11/13/2006 | \$162,990.00 | \$830.00 |
| | JOHN ECKENSTALER BUILDERS | 06-AVH | | DAPHNE, AL 36526 | | | | | | |
| 3100-1 | MICHAEL MANAGEMENT, INC. | 06-1540 | | 26157 VIA DEL SAN FRANCESCO | Yes | A | 11/07/2006 | 11/07/2006 | \$133,200.00 | \$685.00 |
| | MICHAEL MANAGEMENT, INC. | 06-AVG | | DAPHNE, AL 36526 | | | | | | |
| 481-1 | BENCHMARK BUILDING CONTRAC | 06-1519 | | 27228 ELISE COURT | Yes | A | 11/03/2006 | 11/03/2006 | \$113,520.00 | \$585.00 |
| | BENCHMARK BUILDING CONTRAC | 06-AVE | | DAPHNE, AL 36526 | | | | | | |
| 838-1 | CECIL PARMER | 06-1514 | | 29510 ACORN KNOLL DRIVE | Yes | A | 11/01/2006 | 11/01/2006 | \$226,170.00 | \$1,150.00 |
| | CECIL PARMER | 06-AVD | | DAPHNE, AL 36526 | | | | | | |
| | | | | | | | Total Residential - NEW - R3 BL Permit(s) | 7 | \$1,098,810.00 | \$5,615.00 |
| | | | | | | | Total Residential - NEW BL Permit(s) | 7 | \$1,098,810.00 | \$5,615.00 |
| | | | | | | | Total Residential BL Permit(s) | 7 | \$1,098,810.00 | \$5,615.00 |

Non Residential - NEW - B2 BL Permits

| Txpld - Loc# | Contractor Name / Location Name | Permit # / Project | Master Permit # | Job Location Address | Paid | Status | Issue Date | App Date | Job Value/Cost | Permit Fee |
|--------------|---------------------------------|--------------------|-----------------|-----------------------|------|--------|--|------------|----------------|-------------|
| 5082-1 | CLARK CONSTRUCTION | 06-1523 | | 29683 FREDERICK BLVD. | Yes | A | 11/06/2006 | 11/06/2006 | \$7,737,000.00 | \$46,422.00 |
| | CLARK CONSTRUCTION | 06-AVF | | DAPHNE, AL 36526 | | | | | | |
| | | | | | | | Total Non Residential - NEW - B2 BL Permit(s) | 1 | \$7,737,000.00 | \$46,422.00 |
| | | | | | | | Total Non Residential - NEW BL Permit(s) | 1 | \$7,737,000.00 | \$46,422.00 |
| | | | | | | | Total Non Residential BL Permit(s) | 1 | \$7,737,000.00 | \$46,422.00 |
| | | | | | | | Total BL Permit(s) | 8 | \$8,835,810.00 | \$52,037.00 |
| | | | | | | | Grand Totals | 8 | \$8,835,810.00 | \$52,037.00 |

Revenue Summary Report By Type and Code

12/1/2006

Transaction Date Between: 11/01/2006 And 11/30/2006

| Type | Code | Code Description | Gross Revenue | Remitted Disc. | Net Revenue |
|----------------------------|------|-------------------|--------------------|----------------|--------------------|
| Permit | BL | BUILDING PERMIT | \$56,211.00 | \$0.00 | \$56,211.00 |
| | EL | ELECTRICAL PERMIT | \$12,465.00 | \$0.00 | \$12,465.00 |
| | ME | MECHANICAL PERMIT | \$4,275.00 | \$0.00 | \$4,275.00 |
| | PL | PLUMBING PERMIT | \$7,590.00 | \$0.00 | \$7,590.00 |
| Total For Permit(s) | | | \$80,541.00 | \$0.00 | \$80,541.00 |
| Grand Total | | | \$80,541.00 | \$0.00 | \$80,541.00 |

City of Daphne

Periodic Report of Permits Issued by Improvement

12/01/2006

| | | Code | Permit Count | Valuation | Permit Fee |
|--------------------------------|----|------|--------------|-----------------------|--------------------|
| BUILDING PERMIT | | | | | |
| Residential | | | | | |
| DECK | R3 | BL | 3 | \$30,835.00 | \$200.00 |
| SCREEN PORCH | R3 | BL | 1 | \$5,000.00 | \$40.00 |
| NEW | R3 | BL | 7 | \$1,098,810.00 | \$5,615.00 |
| REPAIR | R3 | BL | 2 | \$400.00 | \$40.00 |
| REMODEL | R3 | BL | 1 | \$74,000.00 | \$385.00 |
| RE-ROOF | R3 | BL | 1 | \$6,200.00 | \$50.00 |
| FENCE | R3 | BL | 4 | \$15,925.00 | \$140.00 |
| ADDITION | R3 | BL | 6 | \$142,500.00 | \$805.00 |
| POOL | R3 | BL | 1 | \$34,350.00 | \$190.00 |
| VINYL SIDING | R3 | BL | 1 | \$5,710.00 | \$45.00 |
| MISCELLANEOUS | R3 | BL | 3 | \$44,000.00 | \$270.00 |
| DEMOLITION | R3 | BL | 1 | | \$50.00 |
| Non-Residential | | | | | |
| REINSPECTION FEE | B2 | BL | 1 | | \$50.00 |
| NEW | B2 | BL | 1 | \$7,737,000.00 | \$46,422.00 |
| REMODEL | B2 | BL | 4 | \$165,500.00 | \$1,034.00 |
| MISCELLANEOUS | B2 | BL | 1 | | \$50.00 |
| Total - BUILDING PERMIT | | | 38 | \$9,360,230.00 | \$55,386.00 |
| Grand Total | | | 38 | \$9,360,230.00 | \$55,386.00 |

Permit Inspection Listing

Thursday, November 30, 2006 3:52:11

| Permit # | Job Address | Issue Date | Contractor | Inspection | Date | Approved | Owner |
|----------------------|------------------------------|------------|------------------------------|------------|------------|----------|------------------------------|
| 05-1184 | 8676 TUPELO CT | 09/12/2005 | MADISON HOMES | FINAL | 11/1/2006 | Yes | MADISON HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 05-1633 | 305 WOODBRIDGE CIR | 11/21/2005 | HOMES BY DESIGN, LLC | FINAL | 11/1/2006 | Yes | FAVRET |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-88 | 7222 PARK DR | 01/23/2006 | INFINITY HOMES | FINAL | 11/2/2006 | Yes | INFINITY HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-580 | 8110 PINE RUN | 04/19/2006 | CRAIG SINCLAIR BUILDER, INC. | FINAL | 11/2/2006 | Yes | CRAIG SINCLAIR BUILDERS |
| Proposed Use: | NEW RESIDENTIAL CONSTRUCTION | | | | | | |
| 06-171 | 8299 PINE RUN | 02/03/2006 | BAZOR CONSTRUCTION | FINAL | 11/6/2006 | No | BAZOR CONSTRUCTION |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 05-1395 | 29935 ST. BARBARA ST | 10/25/2005 | WILLIAM BOULTON | FINAL | 11/7/2006 | No | BOULTON & ASSOCIATES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 0401549 | 8228 PINE RUN | 12/30/2004 | J. A. MACLAY, JR. | FINAL | 11/7/2006 | Yes | J.A. MACLAY, JR. |
| 06-523 | 26100 VIA DEL SAN FRANCESCO | 04/05/2006 | HOME OWNER | FINAL | 11/8/2006 | No | TERESA CROFT |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-171 | 8299 PINE RUN | 02/03/2006 | BAZOR CONSTRUCTION | FINAL | 11/9/2006 | Yes | BAZOR CONSTRUCTION |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-523 | 26100 VIA DEL SAN FRANCESCO | 04/05/2006 | HOME OWNER | FINAL | 11/9/2006 | Yes | TERESA CROFT |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-844 | 7101 HWY 90 3RD FLOOR | 06/12/2006 | STEVEN LANIER CONSTRUCTION | FINAL | 11/13/2006 | No | MOBILE INFIRMARY EASTERN SHO |
| Proposed Use: | REMODEL | | | | | | |
| 06-176 | 30058 PERSIMMON DRIVE | 02/06/2006 | COPELAND CUSTOM HOMES | FINAL | 11/13/2006 | No | COPELAND CUSTOM HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-1423 | 115 LANCASTER WAY | 10/12/2006 | OWNER | FINAL | 11/14/2006 | Yes | DON MAC DONALD |
| Proposed Use: | VINYL SIDING | | | | | | |
| 06-1066 | 7742 AVERY LANE | 07/28/2006 | BENCHMARK HOMES, INC. | FINAL | 11/14/2006 | Yes | BENCHMARK HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-344 | 9492 MARCHAND AVE | 03/07/2006 | DELTA BUILDERS | FINAL | 11/14/2006 | Yes | DELTA BUILDERS |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 05-1427 | 170 FAIRWAY DRIVE | 11/01/2005 | BEAU CHATEAU BUILDERS. LLC | FINAL | 11/15/2006 | Yes | DEBORAH HUNTER |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 05-1520 | 27536 HOBBY HORSE LANE | 11/19/2005 | MITCHELL HOMES | FINAL | 11/15/2006 | No | MITCHELL HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 0500488 | 8165 PECAN CT | 04/13/2005 | LIPSCOMB HOMES LLC | FINAL | 11/16/2006 | No | LIPSCOMB HOMES |
| 05-1312 | 8757 RAND AVE | 10/10/2005 | LANGENBACH CONSTRUCTION | FINAL | 11/16/2006 | Yes | LANGENBACH CONSTRUCTION |
| Proposed Use: | NEW COMMERCIAL | | | | | | |

| Permit # | Job Address | Issue Date | Contractor | Inspection | Date | Approved | Owner |
|----------------------|----------------------------|------------|-----------------------------|------------|------------|----------|----------------------------|
| 05-1357 | 8195 PECAN CT | 10/18/2005 | LIPSCOMB HOMES LLC | FINAL | 11/16/2006 | No | LIPSCOMB HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 05-1168 | 8249 PECAN CT | 09/08/2005 | LIPSCOMB HOMES LLC | FINAL | 11/16/2006 | No | LIPSCOMB HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-176 | 30058 PERSIMMON DRIVE | 02/06/2006 | COPELAND CUSTOM HOMES | FINAL | 11/17/2006 | No | COPELAND CUSTOM HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-1045 | 8053 DEERWOOD DR | 07/24/2006 | ADAMS HOMES, LLC | FINAL | 11/17/2006 | Yes | ADAMS HOMES, LLC |
| Proposed Use: | NEW RESIDENTIAL | | | | | | |
| 06-825 | 1011 DOGWOOD AVE W | 06/06/2006 | SOUTHERN HERITAGE BUILDERS | FINAL | 11/17/2006 | No | MIKE REYNOLDS |
| Proposed Use: | NEW RESIDENTIAL | | | | | | |
| 06-566 | 8034 BROOKSIDE LANE | 04/17/2006 | ADAMS HOMES, LLC | FINAL | 11/17/2006 | Yes | ADAMS HOMES LLC |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-564 | 8086 BROOKSIDE LANE | 04/17/2006 | ADAMS HOMES, LLC | FINAL | 11/17/2006 | Yes | ADAMS HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-1383 | 7772 CHARLESTON OAKS DRIVE | 10/03/2006 | HOME OWNER | FINAL | 11/20/2006 | Yes | GARY AND ANKE LEE |
| Proposed Use: | 8 X 10 STORAGE BUILDING | | | | | | |
| 06-1541 | 309 BAYHILL DR | 11/08/2006 | HORIZON SUNROOMS OF ALABAMA | FINAL | 11/20/2006 | Yes | PAM LUKER |
| Proposed Use: | DECK ATTACHED TO HOUSE | | | | | | |
| 06-1148 | 29958 ST. HELEN ST. | 08/15/2006 | MITCHELL HOMES | FINAL | 11/21/2006 | No | MITCHELL HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-176 | 30058 PERSIMMON DRIVE | 02/06/2006 | COPELAND CUSTOM HOMES | FINAL | 11/21/2006 | Yes | COPELAND CUSTOM HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-1150 | 29960 ST. HELEN ST. | 08/15/2006 | MITCHELL HOMES | FINAL | 11/21/2006 | No | MITCHELL HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-81 | 9595 BELLA DRIVE | 01/20/2006 | LIPPINCOTT CUSTOM BUILDERS | FINAL | 11/22/2006 | Yes | LIPPINCOTT CUSTOM BUILDERS |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 05-1191 | 7907 PINE RUN | 09/13/2005 | CHRIS LEIGH HOMES, INC. | FINAL | 11/27/2006 | No | CHRIS LEIGH HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-1148 | 29958 ST. HELEN ST. | 08/15/2006 | MITCHELL HOMES | FINAL | 11/28/2006 | Yes | MITCHELL HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-1131 | 106 TIMBERLINE CT | 08/14/2006 | MCVAY CONSTRUCTION CO. INC. | FINAL | 11/28/2006 | No | MCVAY CONSTRUCTION |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-538 | 8087 PINE RUN | 04/10/2006 | HYMAN HOMES, INC. | FINAL | 11/28/2006 | Yes | HYMAN HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-1284 | 27978 OAKACHOY LOOP | 09/13/2006 | MCVAY CONSTRUCTION CO. INC. | FINAL | 11/28/2006 | No | MCVAY CONSTRUCTION |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-875 | 28003 OAKACHOY LOOP | 06/19/2006 | MCVAY CONSTRUCTION CO. INC. | FINAL | 11/28/2006 | No | MCVAY CONSTRUCTION |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |

| | | | | | | | | | | | | | |
|----|------------|------|---|------------------------|------------|------------|--------|--------|--------|--------|--------|------------|----|
| BL | 11/29/2006 | 5214 | 1 | LARRY A BROOKS | 11/29/2006 | \$625.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$625.00 | No |
| BL | 11/30/2006 | 4420 | 1 | TOM BIERSTER FINE HO | 11/30/2006 | \$410.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$410.00 | No |
| EL | 11/01/2006 | 5206 | 1 | J G ELECTRIC | 11/01/2006 | \$40.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$40.00 | No |
| EL | 11/01/2006 | 2067 | 1 | HILLCREST ELECTRIC, IN | 11/01/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/02/2006 | 2067 | 1 | HILLCREST ELECTRIC, IN | 11/02/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/03/2006 | 3725 | 1 | RICHARDSON ELECTRIC | 11/03/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/03/2006 | 3725 | 1 | RICHARDSON ELECTRIC | 11/03/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/03/2006 | 3725 | 1 | RICHARDSON ELECTRIC | 11/03/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/06/2006 | 2724 | 1 | LANGLEY ELECTRIC | 11/06/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/06/2006 | 3840 | 1 | RON HODGES ELECTRIC, | 11/06/2006 | \$30.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$30.00 | No |
| EL | 11/06/2006 | 4623 | 1 | WALLEY ELECTRIC | 11/06/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/06/2006 | 5082 | 1 | CLARK CONSTRUCTION | 11/06/2006 | \$9,870.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$9,870.00 | No |
| EL | 11/07/2006 | 3858 | 1 | ROSHER ELECTRIC CO. I | 11/07/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| EL | 11/09/2006 | 4293 | 1 | TATE ELECTRIC | 11/09/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/09/2006 | 3970 | 1 | SERVICE AIR EASTERN S | 11/09/2006 | \$30.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$30.00 | No |
| EL | 11/09/2006 | 4293 | 1 | TATE ELECTRIC | 11/09/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/09/2006 | 2724 | 1 | LANGLEY ELECTRIC | 11/09/2006 | \$25.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$25.00 | No |
| EL | 11/13/2006 | 1207 | 1 | D'S ELECTRICAL CONTR | 11/13/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/14/2006 | 4293 | 1 | TATE ELECTRIC | 11/14/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/15/2006 | 4067 | 1 | SOUTH ALABAMA ELECT | 11/15/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| EL | 11/17/2006 | 1704 | 1 | FULTON ELECTRICAL CO | 11/17/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/17/2006 | 1704 | 1 | FULTON ELECTRICAL CO | 11/17/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/17/2006 | 3167 | 1 | MINTO ELECTRIC | 11/17/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/21/2006 | 1445 | 1 | EAGLE ELECTRICAL SER | 11/21/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| EL | 11/21/2006 | 1445 | 1 | EAGLE ELECTRICAL SER | 11/21/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| EL | 11/28/2006 | 176 | 1 | ALL-PRO POWER, INC. | 11/27/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/27/2006 | 4912 | 1 | OWNER | 11/27/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/28/2006 | 3333 | 1 | OSTIES ELECTRICAL SE | 11/28/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/28/2006 | 3333 | 1 | OSTIES ELECTRICAL SE | 11/28/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/28/2006 | 2724 | 1 | LANGLEY ELECTRIC | 11/28/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| EL | 11/29/2006 | 4879 | 1 | GULF STATES ELECTRIC | 11/29/2006 | \$150.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$150.00 | No |
| EL | 11/30/2006 | 2067 | 1 | HILLCREST ELECTRIC, IN | 11/30/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| EL | 11/30/2006 | 107 | 1 | AFFORDABLE ELECTRIC | 11/30/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| EL | 11/30/2006 | 107 | 1 | AFFORDABLE ELECTRIC | 11/30/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/02/2006 | 30 | 1 | A-C CONTRACTING CO. I | 11/02/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/06/2006 | 5082 | 1 | CLARK CONSTRUCTION | 11/06/2006 | \$2,085.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$2,085.00 | No |
| ME | 11/08/2006 | 370 | 1 | BALDWIN HEATING & AIR | 11/08/2006 | \$230.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$230.00 | No |
| ME | 11/08/2006 | 3519 | 1 | PORT CITY HEATING & C | 11/08/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/08/2006 | 2020 | 1 | HEAD'S HEATING & AIR C | 11/08/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/08/2006 | 30 | 1 | A-C CONTRACTING CO. I | 11/08/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/13/2006 | 1557 | 1 | ESTES HEATING & AIR C | 11/13/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/13/2006 | 668 | 1 | BRUNSON AIR CONDITIO | 11/13/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |

| Permit # | Job Address | Issue Date | Contractor | Inspection | Date | Approved | Owner |
|----------------------|------------------------|------------|-----------------------------|------------|------------|----------|--------------------|
| 06-1150 | 29960 ST. HELEN ST. | 08/15/2006 | MITCHELL HOMES | FINAL | 11/28/2006 | Yes | MITCHELL HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 05-1191 | 7907 PINE RUN | 09/13/2005 | CHRIS LEIGH HOMES, INC. | FINAL | 11/29/2006 | Yes | CHRIS LEIGH HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-485 | 30102 LOBLOLLY CIRCLE | 03/29/2006 | DAVID STAPLETON BUILDERS | FINAL | 11/29/2006 | No | DAVID STAPLETON |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-1131 | 106 TIMBERLINE CT | 08/14/2006 | MCVAY CONSTRUCTION CO. INC. | FINAL | 11/29/2006 | Yes | MCVAY CONSTRUCTION |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 05-1520 | 27536 HOBBY HORSE LANE | 11/19/2005 | MITCHELL HOMES | FINAL | 11/30/2006 | No | MITCHELL HOMES |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |
| 06-389 | 30820 PINE CT | 03/14/2006 | COASTAL CARPENTRY | FINAL | 11/30/2006 | No | COASTAL CARPENTRY |
| Proposed Use: | NEW RESIDENTIAL HOME | | | | | | |

Revenue Detail Report

12/01/2006

Transaction Date Between: 11/01/2006 And 11/30/2006

Transaction Type: **Permit**

| 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 | 11/01/2006 | 838 | 1 | CECIL PARMER | 11/01/2006 | \$1,225.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,225.00 | No |
| BL | 11/01/2006 | 4996 | 1 | BAYSIDE ROOFING | 11/01/2006 | \$50.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$50.00 | No |
| BL | 11/02/2006 | 4912 | 1 | OWNER | 11/02/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| BL | 11/03/2006 | 481 | 1 | BENCHMARK BUILDING C | 11/03/2006 | \$660.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$660.00 | No |
| BL | 11/06/2006 | 4846 | 1 | HOME OWNER | 11/06/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| BL | 11/06/2006 | 5082 | 1 | CLARK CONSTRUCTION | 11/06/2006 | \$46,522.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$46,522.00 | No |
| BL | 11/06/2006 | 5082 | 1 | CLARK CONSTRUCTION | 11/06/2006 | \$50.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$50.00 | No |
| BL | 11/06/2006 | 564 | 1 | BLUE HAVEN POOLS ON | 11/06/2006 | \$190.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$190.00 | No |
| BL | 11/06/2006 | 4912 | 1 | OWNER | 11/06/2006 | \$50.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$50.00 | No |
| BL | 11/06/2006 | 3209 | 1 | MORGAN DECK & FENCE | 11/06/2006 | \$130.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$130.00 | No |
| BL | 11/06/2006 | 4846 | 1 | HOME OWNER | 11/06/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| BL | 11/07/2006 | 3100 | 1 | MICHAEL MANAGEMENT, | 11/07/2006 | \$760.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$760.00 | No |
| BL | 11/08/2006 | 3586 | 1 | QUALITY SIDING | 11/08/2006 | \$45.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$45.00 | No |
| BL | 11/08/2006 | 5191 | 1 | MCLEOD CONSTRUCTIO | 11/08/2006 | \$1,000.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,000.00 | No |
| BL | 11/08/2006 | 4912 | 1 | OWNER | 11/08/2006 | \$60.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$60.00 | No |
| BL | 11/08/2006 | 4888 | 1 | HORIZON SUNROOMS OF | 11/08/2006 | \$50.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$50.00 | No |
| BL | 11/13/2006 | 5208 | 1 | ALLFLOW GUTTERS | 11/13/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| BL | 11/13/2006 | 2434 | 1 | JOHN ECKENSTALER BUI | 11/13/2006 | \$905.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$905.00 | No |
| BL | 11/14/2006 | 5210 | 1 | JOHN LOCKLIER | 11/14/2006 | \$190.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$190.00 | No |
| BL | 11/14/2006 | 4901 | 1 | JERRY SMITH HOME BUI | 11/14/2006 | \$35.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$35.00 | No |
| BL | 11/14/2006 | 419 | 1 | BAY AREA HOME IMPRO | 11/14/2006 | \$165.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$165.00 | No |
| BL | 11/14/2006 | 4912 | 1 | OWNER | 11/14/2006 | \$85.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$85.00 | No |
| BL | 11/15/2006 | 4846 | 1 | HOME OWNER | 11/15/2006 | \$65.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$65.00 | No |
| BL | 11/15/2006 | 4912 | 1 | OWNER | 11/15/2006 | \$30.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$30.00 | No |
| BL | 11/16/2006 | 1144 | 1 | CRAIG SINCLAIR BUILDE | 11/16/2006 | \$1,320.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,320.00 | No |
| BL | 11/16/2006 | 4846 | 1 | HOME OWNER | 11/16/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| BL | 11/16/2006 | 418 | 1 | BAY AREA CUSTOM HOM | 11/16/2006 | \$190.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$190.00 | No |
| BL | 11/20/2006 | 4912 | 1 | OWNER | 11/20/2006 | \$48.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$48.00 | No |
| BL | 11/20/2006 | 4846 | 1 | HOME OWNER | 11/20/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| BL | 11/21/2006 | 4181 | 1 | STEVEN LANIER CONSTR | 11/21/2006 | \$50.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$50.00 | No |
| BL | 11/27/2006 | 4888 | 1 | HORIZON SUNROOMS OF | 11/22/2006 | \$40.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$40.00 | No |
| BL | 11/27/2006 | 4912 | 1 | OWNER | 11/27/2006 | \$61.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$61.00 | No |
| BL | 11/27/2006 | 4912 | 1 | OWNER | 11/27/2006 | \$20.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$20.00 | No |
| BL | 11/28/2006 | 985 | 1 | COASTAL CONTRACTING | 11/28/2006 | \$25.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$25.00 | No |
| BL | 11/28/2006 | 3046 | 1 | MCVAY CONSTRUCTION | 11/28/2006 | \$645.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$645.00 | No |
| BL | 11/29/2006 | 3102 | 1 | MICHAEL PURVIS CONST | 11/29/2006 | \$390.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$390.00 | No |

| Account Number | Account Description | Amount |
|----------------|--------------------------------|--------------------|
| | Total For Session : 11/27/2006 | \$90.00 |
| | Total For Session : 11/28/2006 | \$220.00 |
| | Total For Session : 11/29/2006 | \$330.00 |
| | Total For Session : 11/30/2006 | \$110.00 |
| | Total Credits 41215 | \$4,275.00 |
| 41217 | PLUMBING PERMITS | |
| | Total For Session : 11/01/2006 | \$385.00 |
| | Total For Session : 11/02/2006 | \$110.00 |
| | Total For Session : 11/06/2006 | \$5,030.00 |
| | Total For Session : 11/07/2006 | \$30.00 |
| | Total For Session : 11/08/2006 | \$220.00 |
| | Total For Session : 11/09/2006 | \$220.00 |
| | Total For Session : 11/13/2006 | \$110.00 |
| | Total For Session : 11/14/2006 | \$110.00 |
| | Total For Session : 11/15/2006 | \$105.00 |
| | Total For Session : 11/16/2006 | \$375.00 |
| | Total For Session : 11/20/2006 | \$145.00 |
| | Total For Session : 11/21/2006 | \$110.00 |
| | Total For Session : 11/27/2006 | \$245.00 |
| | Total For Session : 11/28/2006 | \$175.00 |
| | Total For Session : 11/29/2006 | \$110.00 |
| | Total For Session : 11/30/2006 | \$110.00 |
| | Total Credits 41217 | \$7,590.00 |
| | Total Credits | \$80,541.00 |
| 110-0001 | CASH - GENERAL FUND | |
| | Total For Session : 11/01/2006 | \$1,810.00 |
| | Total For Session : 11/02/2006 | \$350.00 |
| | Total For Session : 11/03/2006 | \$990.00 |
| | Total For Session : 11/06/2006 | \$64,217.00 |
| | Total For Session : 11/07/2006 | \$810.00 |
| | Total For Session : 11/08/2006 | \$1,935.00 |
| | Total For Session : 11/09/2006 | \$495.00 |
| | Total For Session : 11/13/2006 | \$1,475.00 |
| | Total For Session : 11/14/2006 | \$805.00 |
| | Total For Session : 11/15/2006 | \$220.00 |
| | Total For Session : 11/16/2006 | \$1,905.00 |
| | Total For Session : 11/17/2006 | \$550.00 |
| | Total For Session : 11/20/2006 | \$323.00 |
| | Total For Session : 11/21/2006 | \$200.00 |
| | Total For Session : 11/27/2006 | \$566.00 |
| | Total For Session : 11/28/2006 | \$1,415.00 |
| | Total For Session : 11/29/2006 | \$1,605.00 |
| | Total For Session : 11/30/2006 | \$870.00 |
| | Total Debits 110-0001 | \$80,541.00 |
| | Total Debits | \$80,541.00 |

General Ledger Account Proof Report Summary By Account

Paid Date Between 11/01/2006 And 11/30/2006

11/30/2006

| Account Number | Account Description | Amount |
|----------------|--------------------------------|-------------|
| 41210 | BUILDING PERMITS | |
| | Total For Session : 11/01/2006 | \$1,275.00 |
| | Total For Session : 11/02/2006 | \$20.00 |
| | Total For Session : 11/03/2006 | \$660.00 |
| | Total For Session : 11/06/2006 | \$46,982.00 |
| | Total For Session : 11/07/2006 | \$760.00 |
| | Total For Session : 11/08/2006 | \$1,155.00 |
| | Total For Session : 11/13/2006 | \$925.00 |
| | Total For Session : 11/14/2006 | \$475.00 |
| | Total For Session : 11/15/2006 | \$95.00 |
| | Total For Session : 11/16/2006 | \$1,530.00 |
| | Total For Session : 11/20/2006 | \$68.00 |
| | Total For Session : 11/21/2006 | \$50.00 |
| | Total For Session : 11/27/2006 | \$121.00 |
| | Total For Session : 11/28/2006 | \$670.00 |
| | Total For Session : 11/29/2006 | \$1,015.00 |
| | Total For Session : 11/30/2006 | \$410.00 |
| | Total Credits 41210 | \$56,211.00 |
| 41214 | ELECTRICAL PERMITS | |
| | Total For Session : 11/01/2006 | \$150.00 |
| | Total For Session : 11/02/2006 | \$110.00 |
| | Total For Session : 11/03/2006 | \$330.00 |
| | Total For Session : 11/06/2006 | \$10,120.00 |
| | Total For Session : 11/07/2006 | \$20.00 |
| | Total For Session : 11/09/2006 | \$275.00 |
| | Total For Session : 11/13/2006 | \$110.00 |
| | Total For Session : 11/14/2006 | \$110.00 |
| | Total For Session : 11/15/2006 | \$20.00 |
| | Total For Session : 11/17/2006 | \$330.00 |
| | Total For Session : 11/21/2006 | \$40.00 |
| | Total For Session : 11/27/2006 | \$110.00 |
| | Total For Session : 11/28/2006 | \$350.00 |
| | Total For Session : 11/29/2006 | \$150.00 |
| | Total For Session : 11/30/2006 | \$240.00 |
| | Total Credits 41214 | \$12,465.00 |
| 41215 | MECHANICAL PERMITS | |
| | Total For Session : 11/02/2006 | \$110.00 |
| | Total For Session : 11/06/2006 | \$2,085.00 |
| | Total For Session : 11/08/2006 | \$560.00 |
| | Total For Session : 11/13/2006 | \$330.00 |
| | Total For Session : 11/14/2006 | \$110.00 |
| | Total For Session : 11/17/2006 | \$220.00 |
| | Total For Session : 11/20/2006 | \$110.00 |

| | | | | | | | | | | | | | |
|----|------------|------|---|------------------------|------------|------------|--------|--------|--------|--------|--------|------------|----|
| ME | 11/13/2006 | 1557 | 1 | ESTES HEATING & AIR C | 11/13/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/14/2006 | 4100 | 1 | SOUTHERN LIVING HOME | 11/14/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/17/2006 | 2020 | 1 | HEAD'S HEATING & AIR C | 11/17/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/17/2006 | 1557 | 1 | ESTES HEATING & AIR C | 11/17/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/20/2006 | 5212 | 1 | KEN AIR SERVICE INC | 11/20/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/27/2006 | 126 | 1 | AIR TEC HEATING & COO | 11/27/2006 | \$90.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$90.00 | No |
| ME | 11/28/2006 | 1758 | 1 | GATLIN HEATING & AIR C | 11/28/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/28/2006 | 1758 | 1 | GATLIN HEATING & AIR C | 11/28/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/29/2006 | 1557 | 1 | ESTES HEATING & AIR C | 11/29/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/29/2006 | 1557 | 1 | ESTES HEATING & AIR C | 11/29/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/29/2006 | 4846 | 1 | HOME OWNER | 11/29/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| ME | 11/30/2006 | 1541 | 1 | ENVIRONMENTAL CONTR | 11/30/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/01/2006 | 3292 | 1 | NORDMANN FRED J | 11/01/2006 | \$55.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$55.00 | No |
| PL | 11/01/2006 | 5021 | 1 | BEECH, THOMAS | 11/01/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/01/2006 | 226 | 1 | AMORE PLUMBING | 11/01/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/01/2006 | 226 | 1 | AMORE PLUMBING | 11/01/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/02/2006 | 1486 | 1 | ED DISMUKES PLUMBING | 11/02/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/06/2006 | 5082 | 1 | CLARK CONSTRUCTION | 11/06/2006 | \$4,965.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$4,965.00 | No |
| PL | 11/06/2006 | 1112 | 1 | DOWSEY, INC. | 11/06/2006 | \$40.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$40.00 | No |
| PL | 11/06/2006 | 4609 | 1 | WAGNER PLUMBING CO. | 11/06/2006 | \$25.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$25.00 | No |
| PL | 11/07/2006 | 1038 | 1 | CONSTRUCTION AFFILIA | 11/07/2006 | \$30.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$30.00 | No |
| PL | 11/08/2006 | 498 | 1 | BEST PLUMBING | 11/08/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/08/2006 | 226 | 1 | AMORE PLUMBING | 11/08/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/09/2006 | 2913 | 1 | MANLEY PLUMBING | 11/09/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/09/2006 | 4479 | 1 | TURNER PLUMBING | 11/09/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/13/2006 | 1486 | 1 | ED DISMUKES PLUMBING | 11/13/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/14/2006 | 5209 | 1 | HARTS ALL SERVICE | 11/14/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/15/2006 | 226 | 1 | AMORE PLUMBING | 11/15/2006 | \$75.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$75.00 | No |
| PL | 11/15/2006 | 4648 | 1 | WATSON & WATSON PLU | 11/15/2006 | \$30.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$30.00 | No |
| PL | 11/16/2006 | 2946 | 1 | MARSHALL TEW PLUMBI | 11/16/2006 | \$375.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$375.00 | No |
| PL | 11/20/2006 | 330 | 1 | B & M PLUMBING SERVIC | 11/20/2006 | \$120.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$120.00 | No |
| PL | 11/20/2006 | 102 | 1 | ADVANCED SERVICE PL | 11/20/2006 | \$25.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$25.00 | No |
| PL | 11/21/2006 | 3345 | 1 | P & G PLUMBING | 11/21/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/27/2006 | 113 | 1 | AFFORDABLE PLUMBING | 11/22/2006 | \$25.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$25.00 | No |
| PL | 11/27/2006 | 1972 | 1 | HALL PLUMBING | 11/27/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/27/2006 | 5185 | 1 | AAA CLIMATE CONTROL | 11/27/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/28/2006 | 4609 | 1 | WAGNER PLUMBING CO. | 11/28/2006 | \$150.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$150.00 | No |
| PL | 11/28/2006 | 2730 | 1 | HARDY, LARRY | 11/28/2006 | \$25.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$25.00 | No |
| PL | 11/29/2006 | 4103 | 1 | SOUTHERN PLUMBING & | 11/29/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |
| PL | 11/30/2006 | 3345 | 1 | P & G PLUMBING | 11/30/2006 | \$110.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$110.00 | No |

Total Net Revenue / Discount / Net Revenue For Permit(s) \$80,541.00 \$0.00 \$80,541.00

Grand Total Gross Revenue / Discount / Net Revenue \$80,541.00 \$0.00 \$80,541.00

PLANNING/ZONING/BUILDING DEVELOPMENT OUTLINE FOR NOVEMBER 2006

| SUBDIVISIONS CORPORATE LIMITS | NUMBER OF LOTS | NO. RESIDENTIAL AND COMMERCIAL PERMITS ISSUED |
|--------------------------------------|----------------------|---|
| ASHLEY PLACE, PHASE ONE | 20 | |
| AUSTIN PLACE, PHASE ONE | 14 | |
| AUSTIN PLACE, PHASE TWO | 9 | |
| BELLATON, PHASE ONE | 59 | |
| 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 | 1 |
| 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 | |
| HWY 64 COMMERCIAL PARK, PHASE ONE | 15 | |
| JACKSON SQUARE, PHASE ONE | 29 | |
| KAYLAR PLACE | | |
| KRYSTAL RIDGE, PHASE ONE | 10 | |
| LACASA DI SAN FRANCESCO, PHASE ONE | 24 | |

MAY 2002
CERTIFICATE OF OCCUPANCY

| OWNER | ADDRESS | SUBDIVISION | PERMIT# | DATE CLOSED |
|-----------------------------------|--|---------------------------|---------|-------------|
| BAZOR CONSTRUCTION | 8299 PINE RUN | TIMBERCREEK | 06-171 | 11/13/06 |
| JAMES RAY BUILDERS | 27468 WORLD CT. | DAPHNE COMMERCIAL PARK | 05-1163 | 11/09/06 |
| CRAIG SINCLAIR BUILDERS | 8110 PINE RUN | TIMBERCREEK | 06-580 | 11/02/06 |
| BETTY FERRELL | 7222 PARK DR. | | 06-88 | 11/02/06 |
| PAUL GILES | 8676 TUPELO CT. | TIMBERCREEK | 05-1184 | 11/01/06 |
| DR. BEAU FAVRET | 305 WOODBRIDGE CIR. | | 05-1167 | 11/02/06 |
| J.A. MACLAY, JR. | 8228 PINE RUN | TIMBERCREEK | 04-1549 | 11/04/06 |
| TERESA CROFT | 26100 VIA DEL SAN FRANCESCO | LA CASA | 06-523 | 11/09/06 |
| BENCHMARK HOMES | 7742 AVERY LN. | MADISON PLACE | 06-1066 | 11/14/06 |
| HARLEY-DAVIDSON | 7143 HWY 90 | | 05-1824 | 11/14/06 |
| MCVAY CONSTRUCTION | 28036 OAKACHOY LOOP | SEHOY | 05-1165 | 11/15/06 |
| DEBORAH HUNTER | 170 FAIRWAY DR. | LAKE FOREST | 05-1427 | 11/15/06 |
| ADAMS HOMES | 8086 BROOKSIDE LN. | BROOKSIDE | 06-564 | 11/17/06 |
| ADAMS HOMES | 8034 BROOKSIDE LN. | BROOKSIDE | 06-566 | 11/17/06 |
| ADAMS HOMES | 8053 DEERWOOD DR. | DEERWOOD SQ. | 06-1045 | 11/17/06 |
| COPELAND CUSTOM HOMES | 30058 PERSIMMON DR. | TIMBERCREEK | 06-176 | 11/21/06 |
| MOBILE INFIRMARY EASTERN SHORE | 7101 HWY 90 - 3 RD FLOOR | | 06-844 | 11/28/06 |
| MITCHELL HOMES | 29960 ST. HELEN ST. | HISTORIC MALBIS | 06-1150 | 11/28/06 |
| MITCHELL HOMES | 29958 ST. HELEN ST. | HISTORIC MALBIS | 06-1148 | 11/28/06 |
| LIPPINCOTT CUSTOM BUILDERS | 9595 BELLA DR. | BELLATON | 06-81 | 11/28/06 |
| HYMAN HOMES | 8087 PINE RUN | TIMBERCREEK | 06-538 | 11/28/06 |
| MCVAY CONSTRUCTION | 106 TIMBERLINE CT. | LAKE FOREST | 06-1131 | 11/29/06 |
| ED SEOANE | 7907 PINE RUN | TIMBERCREEK | 05-1191 | 11/29/06 |
| LANGENBACH CONSTRUCTION | 8757 RAND AVE. | AUSTIN PLACE | 05-1312 | 11/30/06 |

PLANNING/ZONING/BUILDING DEVELOPMENT OUTLINE FOR NOVEMBER 2006

| | | |
|------------------------------------|-----|---|
| LACASA DI SAN FRANCESCO, PHASE TWO | 13 | 1 |
| LAKE FOREST | | 2 |
| LAUREL PLACE, PHASE ONE | 15 | |
| MADISON PLACE, PHASE ONE | 67 | |
| MADISON PLACE, PHASE TWO | | 1 |
| OAK CREEK, PHASE ONE | 34 | 1 |
| OAKSTONE, PHASE ONE | 12 | |
| 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 | |
| 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 | |
| TIMBERCREEK, PHASE SIX | 85 | |
| TIMBERCREEK, PHASE SEVEN | 72 | |
| TIMBERCREEK, PHASE EIGHT | 52 | |
| TIMBERCREEK, PHASE NINE | 93 | 1 |
| TIMBERCREEK, PHASE TEN | 31 | |
| TRACE CROSSING, PHASE ONE | 14 | |
| VAN AVENUE, PHASE ONE | 8 | |
| VICTORIA SQUARE, PHASE ONE | | |

PLANNING/ZONING/BUILDING DEVELOPMENT OUTLINE FOR NOVEMBER 2006

| | | |
|--------------------------|----|--|
| WOOD FOREST, PHASE ONE | 26 | |
| YANCEY BRANCH, PHASE ONE | 28 | |

Ordinance Committee

*Tuesday December 5, 2006
City Hall Council Chambers
5:30 p.m.*

*Councilwoman Regina Landry, Chairperson
Councilman Greg Burnam
Councilman Gus Palumbo*

*City Attorney Jay Ross
Attorney Meredith Turpin
Code Enforcement Officer Ed Kirby*

I. CALL TO ORDER/MEMBERS PRESENT

Mrs. Landry called the meeting to order at 5:55 p.m.

MEMBERS PRESENT: Greg Burnam, Gus Palumbo.

Absent: Regina Landry.

Also Present: Rebecca Hayes, Jay Ross, Betsy Turner, Ashley Campbell, Capt. Scott Taylor, John Persson, Firefighter

Absent: David Cohen

II. PUBLIC PARTICIPATION

No one spoke.

III. APPROVAL OF MINUTES

MOTION BY Mr. Burnam to approve the November 7, 2006 minutes. Seconded by Mr. Palumbo.

MOTION CARRIED

IV. ORDINANCE REVIEW/DISCUSSION

a.) Clay and Sand Ordinance

Mrs. Campbell stated that the ordinance is for bluff repair. She said the ordinance prohibits using all clay in repairing bluffs. The mix should be 10% clay and 90% sand. She hopes the ordinance will stop the clay run off into the bay.

Mr. Ross stated that he amended Section VII under appeals adding a remedy in case the person is unhappy with the decision by the Building Official. The committee wanted to set a time frame of 60 days for Council to review the matter.

The committee discussed the ordinance and wanted a change to Section III under Applicability, they wanted it to apply to any fill activity instead of non-commercial. They also wanted Mr. Eady, the Planning Director, to review this ordinance.

The committee requested that Mr. Ross make the changes and e-mail the committee with the final version.

b.) Erosion and Sediment Control Ordinance

Mrs. Campbell stated that this will cover individual homes and land, and will stop and fix the erosion on the bay. She stated that ADEM requires a report on what is being done to fix run-off in the streams and they will look favorably at this ordinance.

MOTION BY Mr. Burnam to send this ordinance to Council with minor revisions by Mr. Ross to be put on the December 18, 2006 agenda. Seconded by Mr. Palumbo.

MOTION CARRIED

Mr. Palumbo asked Rebecca to e-mail the ordinance to the Council with a note that this came out of committee.

c.) Vacation Rollover Ordinance

Mrs. Hilburn stated that this is amending the previous resolution that gave firemen who work over 80 hours permission to rollover 108 hours of vacation time. There are several patrolmen that work over 80 hours and this resolution will give them permission to carry over more than 80 hours of vacation time.

The committee discussed the resolution and asked Mrs. Hilburn questions regarding the carryover.

MOTION BY Mr. Burnam to send this resolution to Council to be put on the December 18, 2006 agenda. Seconded by Mr. Palumbo.

MOTION CARRIED

d.) Adjustment to USERA (*Uniformed Services Employment Rights Act*) Resolution

Mrs. Hilburn stated that this resolution will do away with the wording in the Personnel manual and comply with Federal Guidelines for USERA as it changes. She said that these are Federal requirements and overrides any policy the city may have. John Persson explained how the pay works with the city and on the Federal level.

MOTION BY Mr. Burnam to send this resolution to Council to be put on the December 18, 2006 agenda.

MOTION CARRIED

e.) Pay Level for Re-hire of Former Employees Resolution

Mrs. Hilburn explained that the amendment changed the time period for an employee re-hire, from 90 days to one (1) year to receive same rate of pay. Also, she mentioned that the 90 day waiting period for health insurance benefits may be waived at the discretion of the Mayor.

The committee discussed the reinstatement of insurance benefits and felt that the re-hire should wait the 90 days before they receive insurance benefits.

MOTION BY Mr. Burnam to send this resolution to Council with the amendment deleting number five (5) under 10.6.6 – (b) Terms of Employment and Benefits for Former Employees. Seconded by Mr. Palumbo.

MOTION CARRIED

VI. ADJOURN

There being no further business to discuss Mrs. Landry adjourned the meeting at 7:00 p.m.

Respectfully submitted,

City of Daphne Ordinance Committee

Daphne Beautification Committee

Meeting Minutes

December 1, 2006

Meeting: General Membership Meeting

Location: City Hall, 1705 Main Street Daphne, AL

Invitees:

City Liaison: Marshall Parsons, Marjorie Bellue

Members:

| | | |
|-------------------------------|----------------------|---------------------|
| Chair: Carollee Grindel (4) | Jerry Guillott (4) | Audrey Rouire (6) |
| Vice Chair: Vincent Russo (2) | Tomasina Werner (4) | Jessia Prater (1) |
| Secretary: Anne Talton (7) | Dorothy Rankins (5) | Bea Wilson (2) |
| Frieda Romanchuk (7) | Patty Kearney (5) | Nancy Henderson (3) |
| Marilyn O'Connor Moore (2) | Dorothy Morrison (2) | Toni James (1) |
| Frances Harrell (1) | | |

- I. **Call to Order** - The meeting was called to order at 10:05 by the Vice President Vincent Russo in the absence of Carollee Grindel.

- II. **Roll Call** – The following people were present Vincent Russo, Anne Talton, Frieda Romanchuk, Marilyn O'Connor Moore, Frances Harrell, Jerry Guillott, Tomasina Werner, Patty Kearney, Dorothy Morrison, Audrey Rouire, Jessia Prater, Bea Wilson, Nancy Henderson, Toni James, Marshall Parsons and Marjorie Bellue.

- III. **Approval of Minutes** – The minutes of the November meeting were read and approved as read.

- IV. **Open Business**
 - a) Budget Request Update – Council vote to be this month! Contact your council member! There was no other information on this subject.

 - b) Riviera Company's work station at Johnson Rd. needs cleaning up and landscaping or hiding. Vincent suggested a stockade fence and we could put shrubs on the right of way. Marshall will contact the company first to see what can be done and it was suggested that the secretary write a letter if that fails. Marshall will try crepe myrtles and shrubs to hide the area.

 - c) The "Welcome to Daphne" sign is being installed by public works today, December 1, 2006. Tomasina will get photos and an article in the paper.

 - d) Dorothy Morrison reported that the tree at the Daphne Elementary school was finally removed.

V. New Business – Johnson Road and Main Street , a lot is being cleared to be sold.

Dorothy Morrison announced that the Daphne Museum will have Open House on December 3rd.

VI. Sub-Committee Reports

Arbor Day Subcommittee reported that they are working on their information and are on schedule.

Christmas Sub-Committee – Anne read a report on the decorating done at City Hall (inside and outside) and the Civic Center. Marshall reported that the up lighting on the Lott Park pear trees will need to have the electrical equipment up graded. The corner of Main and Daphne Ave. can have garland next year. There was a mishap at Centennial Park. The trees were not lit and they need more lights. The Mayor wants the park to have more lights for the children. Betsy the Angel needs to be rewired for next year. We definitely need to upgrade at Christmas to handle the extra drain on the electrical system.

Frieda had a news photo of Foley and Fairhope electric companies putting up Christmas and questioned their receiving coverage. Marshall informed us that Foley owns Riviera and they do most of the work.

Tomasina asked if anyone saw the article in the paper and Bea had a copy for her. Tomasina then said that we still need a historian to keep these things in a scrapbook. Frances Harrell volunteered and will be our new historian. Marjorie will get her a scrapbook and also get Nancy's photos printed.

VII. Public Works Report – Marshall asked the subcommittee on crepe myrtles to meet with him on Monday at 9:00 in his building.

He said that the Butterfly Garden will be laid out next week and he did not need to meet with that committee.

The Pine Tree Infestation Symposium only had 6 people so he will have that symposium again in January.

There were 260 tree removal permits issued. Village Point Park Reserve has been cleaned out and will be revegetated in January. They will have a big planting day and invite the boy scouts and the cub scouts. We may have a meeting there to visit the park.

Marshall has been elected as the President of the Alabama Urban Forestry Association. He is working on a meeting in October or November. We are all invited to join this group.

VIII. Adjournment – 10:55 a.m.

Sincerely Submitted,

Anne Talton, Secretary

**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 OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES DRAFT
REGULAR MEETING OF DECEMBER 7, 2006 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

The Chairman stated the number of members present constituted a quorum and the regular meeting of the Board of Zoning Adjustment was called to order at 6:03 p.m.

Call of Roll:

Members Present:

Walt Crimmins, Secretary
Barry Taylor
Jeri Hargiss
Frank Lamb

Members Absent

Glen Swaney, Chairman
Willie Robison
Billy Mayhand, Vice Chairman

Staff Present:

William H. Eady, Sr., Director of Community Development
Pat Houston, Recording Secretary
Tony Huffman, Attorney

Staff Absent:

Jerry Speegle, Attorney

The Secretary stated let us begin with the approval of the minutes from last month. The Secretary will entertain a motion to accept the minutes as written.

Approval of Minutes:

The minutes of the November 2, 2006 meeting were considered for approval.

A **Motion** was made by **Mr. Lamb** and **Seconded** by **Ms. Hargiss** to **approve the minutes as written.**

Upon roll call vote, **the Motion carried, unanimously.**

| | |
|---------------------|------------|
| Mr. Taylor | Aye |
| Mr. Crimmins | Aye |
| Mr. Lamb | Aye |
| Ms. Hargiss | Aye |

New Business:

Appeal #2006-08 - Helen Hall

The Secretary stated before we start with the new business, let me just explain the procedure a little bit. Normally, there are five members of the Board present to vote. To get a special exception you would need four of the five members to agree. We have a quorum tonight, so what that means is all four of us must present will have to agree tonight to grant the special exception. I am Walt Crimmins, and I am kind of subbing for the Board Chairman. I have been Board Chairman before, several years ago. If you have any comments I just ask you please, to make them to the Board. With that said, Mr. Eady, you are on.

Mr. Eady stated first I want to apologize for not having any pictures tonight, but I the bulb blew out when setting up. You have the same pictures in your packet. First, Ms. Helen Hall, who lives at 506 Pine Street, is requesting a special exception to operate a home daycare. She will keep children ranging in age from six weeks to 5 years old. A daycare is allowed in this zone with Board of Zoning Adjustment approval, which is R-1 single family residential zone in Daphmont. If you will turn over a few pages you will see a survey of the lot showing the relationship to the surrounding area. The next picture is the front of the residence, which is very nicely kept. Secondly, this is the driveway that leads to the rear of the residence. It is a rather long driveway, and the third picture shows you the property at the end of the driveway, and the property beyond the driveway. As you can see there are some parked vehicles, which may be, I do not know, her husband or somebody in the family does construction work of some type. The forth picture is a shot of the rear of the house, and this is another shot, which shows a fairly large concrete paved area in the back connecting to the carport. You can see the side area will be sufficient for turning around when dropping off children without having to park in the street. The last picture was taken a little late. They have been working on the fence that you see there. You can see the red dirt is where they are putting a fence along the carport. In fact, where they are working in there will be the playground area for the children.

The Secretary stated Mr. Eady, is this the only driveway unto the rear of the property?

Mr. Eady stated yes, sir.

The Secretary stated which side of the house is it on?

Mr. Eady stated the right hand side of the house.

Mr. Lamb stated the right side facing the house.

The Secretary stated I have one question to the Halls. You do know that all we do here is approve the land use? There are regulatory steps that you have to go through after you leave here.

Mr. Hall stated right. The State.

The Secretary stated okay. I just want to make sure that you understood where you are in the process. There are many other hurdles.

Ms. Hall stated yes, sir.

Mr. Lamb stated the question that I have is in this photograph in the back where these vehicles are. I always worry about vehicles when children are around. Are those abandoned? There is a vehicle way in the back, and then there are two cars. Are they functional? Or is one of them abandoned?

Mr. Hall stated they are operated in my business.

Mr. Lamb stated they are useful. I worry about children getting locked in those type vehicles and a tragedy occurring.

Mr. Hall stated I have another place to store those vehicles. They will not be there all the time.

The Secretary stated does the Board have any other questions or comments? If not, the Secretary will entertain a motion.

A Motion was made by Mr. Lamb and Seconded by Ms. Hargiss to approve Appeal #2006-08, Helen Hall, for a special exception to operate a home daycare at 506 Pine Street.

Upon roll call vote, **the Motion carried, unanimously.**

| | |
|---------------------|------------|
| Mr. Taylor | Aye |
| Mr. Crimmins | Aye |
| Mr. Lamb | Aye |
| Ms. Hargiss | Aye |

The Secretary stated the appeal is approved.

Mr. Eady stated the next appeal is from Mr. Joseph Harper, Gulfwide Properties, L.L.C., he is asking for special exception to place a church on Wilson Avenue. It is a vacant lot consisting of one point eighty-eight acres. It is an R-1 single family residential zone, therefore a church is allowed in this zone with the approval of the Board of Zoning Adjustment. You can see the proposed church on the lot with parking. The next two pages are half sheets of one page. It shows the wooded lot of where the church will go. The first picture shows how wooded the lot really is. I do not have a camera that will take a wide shot, so I have to do a bit of moving around. The second shot shows looking north from east of the property. The third shot is looking north from Wilson Avenue to the west side of the property. The fourth shot is looking west along Wilson Avenue from the center of the road in front of the property. Looking west along Wilson Avenue you can see the traffic pattern.

Mr. Eady stated the fifth shot is looking east along Wilson Avenue, which gives you somewhat of an idea of what the site distance is from

both directions. The sixth picture is a residence on the east side of the property. If you back up to picture number five you will see part of this driveway directly to the left, and that is the driveway for the home in picture number six. I did not take any pictures down in the property because it is so heavily wooded. I did not think it would be of much value anyway. It is a very nice piece of property, and it probably will be a good location for a church.

The Secretary stated I have one comment and one question. The comment. According to the list you supplied of adjacent property owners, I am surprised there is no one else here, tonight. Second, the question. Will the churches plan fit on that property without any variances on the setbacks or anything else like that?

Mr. Eady stated I do not have anything else except for what you see in your packet. I am going to say yes because we cannot accept anything other than what is in accordance with the Ordinance.

The Secretary stated okay.

Mr. Eady stated he is here if you want to ask him any questions.

Mr. Harper stated Mr. Crimmins, I am Joe Harper. My say is that the size of the sanctuary will be rather small. About forty-five hundred square feet is what we are anticipating on.

The Secretary stated I was thinking about the size its position and you coming back to the Board asking for variance.

Mr. Lamb stated are the trees primarily junk? I did not see any sufficient pine trees.

Mr. Harper stated scrubs.

Mr. Lamb stated okay. A lot of scrub stuff.

Mr. Eady stated we will probably ask for a tree survey on that property when we get the site plan. Of course, Pine trees are not significant, but if you that is all you have, well it is good to have a cluster of them. If there is some significant holly or cedar we try to preserve them.

The Secretary stated one other question, more of curiosity than anything else. Is this going to be a relocation of an existing congregation or is this an expansion?

Mr. Harper stated expansion.

Mr. Lamb stated where are you coming from?

Mr. Harper stated Fairhope.

Mr. Lamb stated it does not matter, but what congregation is this?

Mr. Harper stated Kingdom Hall of Jehovah Witness.

Mr. Lamb stated okay. The residence where the driveway is, Mr. Eady, does their backyard back up to this property since their house faces west?

Mr. Eady stated the house does face west. However, the front of the lot is facing Wilson Avenue.

Mr. Lamb stated so their back door faces this property.

Mr. Eady stated no. It is on the other side. The front door will face the church.

Mr. Lamb stated okay. Thank you.

The Secretary stated does the Board have any other questions or comments? If not, the Secretary will entertain a motion.

A Motion was made by Mr. Lamb and Seconded by Ms. Taylor to approve Appeal #2006-09, Joseph Harper, Gulfwide Property, LLC, for a special exception to operate a church of Wilson Avenue

Upon roll call vote, **the Motion carried, unanimously.**

| | |
|---------------------|------------|
| Mr. Taylor | Aye |
| Mr. Crimmins | Aye |
| Mr. Lamb | Aye |
| Ms. Hargiss | Aye |

The Secretary stated I believe they can pick up their appeal approvals first thing in the morning.

Ms. Houston stated that is correct.

The Secretary stated any other business before the Board. If not, the Secretary will entertain a motion to adjourn.

Adjournment:

A Motion was made by Mr. Lamb and Seconded by Mr. Taylor to adjourn. The Motion carried unanimously.

There being no further business the meeting was adjourned at 6:18 p.m.

Respectfully submitted by:

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF APRIL 6, 2006 - 6:00 P.M. DRAFT
COUNCIL CHAMBERS, CITY HALL

Pat Houston, Recording Secretary

APPROVED: February, 2007

Glen Swaney, Chairman

/ph

W. JOE TAYLOR, P.E.
Professional Environmental Engineer
AL License No. 22783
Taylor Engineering, L.L.C.

IDB

Resume

ADDRESS: P. O. Box 1875
Daphne, AL 36526
wjtaylor@birch.net

EDUCATION Alabama Licensed Professional Engineer, Environmental Engineering Exam, passed 1997
University of South Alabama, Center for Emergency Response Training, Hazardous Waste Site Worker (40 hr. Class & Site Supervisor Certification), Complies with OSHA's 29 CFR 1910.120, Alabama Risk Based Corrective Action Certification, UST Petroleum Release Sites, 1995
Advanced experimental mechanics Graduate Studies University of Alabama Huntsville, 1991-92
B.S. Mechanical Engineering, University of South Alabama, Mobile, AL, 1987
B.A. Philosophy - Spring Hill College, Mobile, AL, 1981
US Army Security Clearance: Secret (inactive status)

EXPERIENCE

- Mr. Taylor is a licensed professional engineer (Environmental AL License No. 22783) in Alabama.
- Mr. Taylor has performed ADEM UST closure assessments, Phase I/II/III Environmental Site Assessments, soil and groundwater investigations and remediation at hundreds of facilities. Mr. Taylor regularly supervises general contractors, remediation contractors, geotechnical/drilling firms, wetlands experts, professional hydrogeologic firms, and analytical laboratories to facilitate the environmental investigations and corrective action projects.
- Mr. Taylor performs NPDES permit preparation, comprehensive compliance inspections, and BMP plan development for residential subdivision and commercial developments. He is an outspoken proponent for improved pollution prevention planning, better spill prevention control & countermeasures planning, and "better" Construction Best Management Practices Plans (CBMPF).
- Mr. Taylor and his wife Rene' own and operate Taylor Engineering, L.L.C (AL Engineering Certification No. CA-2190-E), with 8 other employees. Mr. Taylor currently serves on the EPA Mobile Bay National Estuary Program Management Committee, Alabama Coastal Foundation Board of Directors, is a member of the Baldwin County Home Owners Association, & International Erosion Control Association.

Several Recent Projects:

- ❑ Fairhope Falls, Baldwin Co. (2006 & over 300 other construction sites) - NPDES Construction Best Management Practices Planning, Notice of Registration, Comprehensive Compliance Inspections
- ❑ Steel Processors, Inc. (2004) - Mobile Pulley Works Environmental Compliance Review, Site Clean-up, NPDES, Air, Haz Waste Inventory, Management, Permits
- ❑ Terry Cove Marina (2003) - Operations & Maintenance Plan, Phase I & Phase II Environmental Site Assessment, Construction Best Management Practices Plan, Spill Prevention Control & Countermeasures Plan
- ❑ Fisherman's Marine (2003) - Regulatory Compliance, Audit Phase I & Phase II Assessments
- ❑ Mobile Register's New Building (2003) - Spill Prevention Control & Countermeasures Plan
- ❑ Mobile's New Social Security Building Site (2001-2002) - Phase II Environmental Assessment, Underground Storage Tank (UST) Closure Assessment
- ❑ Coleanese Bucks Facility (2001-2002) - SO₂ Pond Closure Assessment (12,000 cubic yards), SO₂ Plant Closure Assessment (4,000 cubic yards), Hydro Plant Closure Assessment (9,000 cubic yards), Project Engineer & On-site direction of excavations & hazardous / non-hazardous waste disposal,
- ❑ Mobile's New FBI Building (2000) - Environmental Assessment, Corrective Action Planning, Regulatory Coordination for Site including ADEM approved Bioremediation of 2530 cubic yards of Petroleum Contaminated Soils & Groundwater (After treating all of the soil was used as top soil for the landscaping on site).

**Daphne Library Board
November 13, 2006
Meeting Minutes**

In Attendance:

Library Director Tonja Young, Board Members Cassandra Day, Gayle Robinson, Ernie Seckinger, Ron Allen, and Anita Rigas, Friends' Representative Don Parman, Capital Campaign Committee member Jan Blankenhorn, City Council Representative Gus Palumbo. Ernie Seckinger was unanimously elected Chairman.

Call to Order:

After a quorum was established, Board Chairman Ernie Seckinger called the meeting to order at 4:30pm, and welcomed new Board member Ron Allen.

Reading and Approval of Minutes:

The minutes of the October 9, 2006 meeting were reviewed and approved.

Monthly Reports:

The Monthly Report for October was presented to the Board and accepted. Ms Young reported a 12% increase in circulation over this time last year, with 19,780 in total circulation. She was asked to come up with a three year statistical graph for the Board to use in informing the Council and citizens about the need for an addition to the Library.

Public Participation:

None

Old Business:

In an update from the Capital Campaign Committee the need to open an account to handle money and donations was expressed. Tonja informed the Board that William Sculley , an active patron, is a lawyer and offered to help with the legal aspect of setting up the fund. She also indicated that the Mayor emailed her that an \$180,000 appropriation for engineering fees has been approved through Congressman Bonner's office and that a request for \$2,000,000 from Jeff Sessions' office has been made. Questions were asked again about how to access the \$1,000,000 earmarked by the City of Daphne for the addition. Mr. Palumbo advised that the money from the City has to be capital funds and can

only be used for actual construction. He suggested that Tonja talk to the City Clerk about grants, funds, etc. to apply for, with timetables and rules. He also suggested that the Committee ask architectural firms we might use to provide some preliminary information pro bono. Tonja informed the Board that Mrs. Maumenee, a Capital Campaign Committee member, has offered to put her in contact with the Fairhope Library architect Mac Walcott, to give general advice and commentary on the addition process. She indicated that Mr. Walcott would like Jeff Hudson, our original architect, to be present to answer questions about the building. The Board approved this as a preliminary meeting to be held before discussions with other architects we may use. Other Board members and committee members were invited to attend. Discussion followed on setting regular meeting dates for the Capital Campaign committee. It was decided that meetings would be two weeks after the regular Board meetings. The next meeting of the committee will be November 28 at 4:00pm.

New Business:

Ernie announced that he had received a letter from Anita Rigas resigning from the Board due to family concerns. The resignation was accepted, with thanks to Anita for her service. Motion was made by Gayle Robinson and seconded by Ron Allen to nominate William Scully to finish Anita's term on the Board. Motion carried. It was noted that Gayle Robinson's term is up and Anita moved that she be reappointed to the Board. Cassandra seconded the motion, which passed. Pending Mr. Scully's acceptance, both names will be sent to the next Council meeting for approval.

Mr. Palumbo informed the Board that the City is in negotiation with Faulkner and another university in Alabama to put a college presence in Daphne. This could be a good tool to use in our fundraising. More information will follow as things unfold. He indicated a letter of support from the Board and Friends would be helpful.

Library Issues and Updates:

Tonja reported that everyone is doing a good job, staff morale is high. She has several grants in progress and hopes to hear from some of them in the near future.

Her Dale Carnegie course is going well, she even received an award!

She reported that the City Council will soon vote on the Capital Budget and that we hope to get two new employees for the Library, one for the Front Desk and one to be a Children's Assistant. Ernie encouraged everyone to rotate going to the Council and City Committee meetings to be a presence when Library business comes up.

The new Policy Manual is in the process of being completed. Tonja and Deborah are also working on a Staff Procedure Manual, which will be brought to the Board for approval when finished.

A Movie License Fee would allow the Library to show almost any film, including new ones, at the Library. The company Movie Licensing USA covers 95% of all movies, old and new. If we participate, the Library could plan movie nights for children and adults, book clubs could show movies for discussion, and movies related to school subjects could also be shown. Motion was made by Ron and seconded by Gayle, that the Library pay the \$480 fee for one year of service. Motion carried.

Tonja presented the 2007 Holiday Schedule requests for the Library. Motion was made by Ron and seconded by Cassandra that the Board approve the Holiday schedule as presented by the Director. Motion carried. If the City approves the hiring of a new person for the Library we are getting closer to being able to be open for a few hours on Sunday afternoon.

It was noted that the Board needs a second in charge after the Chairman, so Ron Allen was unanimously elected Vice-Chairman. Tonja will take minutes of the meeting in the future.

Closing Comments:

Ernie encourages communication from everyone, questions or comments by email, phone, etc. He also expressed a desire to show appreciation to Glenn Swaney, past Chairman, for his years of service and work for the Library, and indicated that Glenn would be an excellent Project Manager for the new addition.

The meeting adjourned at 6:15pm.

Respectfully submitted by Anita Rigas

**Daphne Public Library Board
December 11, 2006
Meeting Minutes**

In Attendance:

Library Director Tonja Young; Board Members Cassandra Day and Gayle Robinson; Board Chairman Ernie Seckinger, and Vice Board Chairman Ron Allen; Friends' Representative Don Parman; Capital Campaign Committee member Jan Blankenhorn.

Call to Order:

After a quorum was established, Board Chairman Ernie Seckinger called the meeting to order at 4:30pm.

Reading and Approval of the Minutes:

The minutes of the November 13, 2006 meeting were not reviewed and approved. Minutes for November and December meeting are to be emailed to all Board members and will be voted on during the January, 2007 meeting.

Monthly Statistical Report:

The Monthly Report for November was presented to the Board and accepted. Ms. Young reported a 9.13% increase in circulation over this time last year, with 17,387 in total circulation. She also presented a five year statistical report for the Board to use in informing the Council and citizens about the need for an addition to the Library. Increases include: total circulation up 49.77%, Jr. book circulation up 22.31%, Adult book circulation up 30.97%, cassette and video use up an average of 20%, interlibrary loans up 97.58%, library users up 11.27%, reference up 11.17%, meeting room attendance up 27.42%, new books cataloged up 11.97%, new CDs, music CDs, and DVDs up 100%, new Jr. books cataloged up 33.5%, wireless computer use up 100%, and stationary computer use up 64.17%. The Board would like to see the monthly report printed such that it is not all caps. The Board would like to see the percentage of items checked out on any particular days added to the monthly report.

Public Participation:

None

Old Business of the Board:

The Board Chairman suggested that Board members have more participation in City Council meetings on the first and third Mondays of each month at 6:30 pm, except in the case of holidays falling on Mondays. City Council meetings schedules are posted on the city's website.

New Business of the Board:

The Board made plans to announce its appreciation for the service of Glen Swaney and Anita Rigas during the Annual Meeting of the FODL on January 19, 2007. Tonja will have plaques made and pay for them from the library budget.

The Board Chairman stated that the Library Board respects the role of the FODL and doesn't intend to rule or influence decisions or spending of the group.

A Board member requested that the FODL Board and Library Board have specialized Board Training.

Capital Campaign Foundation Committee

Jan reported that attendees of the December 4th Foundation meeting discussed ideas for the committee's plans and the need to make the presence of the library more conspicuous. The Board Chairman stated that the Foundation should get established, be autonomous, have the ability to receive funds, and plan fundraising activities. The history of previous funds was discussed. Bill agreed to handle the Foundation incorporation paperwork and Tonja agreed to continue soliciting fundraising consultants.

Tonja announced that she had posted the Foundation information to the Giving Institute website and had therefore heard from several companies including Carlton, NCDS, Jeffrey Byrne, Alford Group, American City Bureau, and Alexander Haas Martin & Partners. She has begun setting appointments for interviews to be conducted with Ron and Jan, with results reported to the Board.

Ron reported on the meeting he and Tonja had with Jeff Hudson. He expressed pleasant surprise and was very impressed with Jeff's positive and forthcoming attitude. He stated that Jeff brought plans and a model of the present building and discussed several ideas for expansion. He listened to the library's needs and ideas, and agreed to do some preliminary sketches.

At this point the Board requested that meetings be set up with other architects. Tonja agreed to set up and conduct meetings with Ron and Ernie (when possible).

The Board requested that deadlines for various activities be set and that a timeline be developed.

A Board member discussed previous problems with Jeff including the carpet and the decorator chosen. Board members stated that the architectural fees should not be part of bid process. Don stated that project management was a learning process. A Board member then stated that perhaps Jeff had been unfairly blamed for construction-related problems during the original construction since they had assumed he would act as project manager. Don asked whether the Foundation would have a project manager.

The Board discussed their disapproval of the funding ratio for the City and the library at the present 1/3:2/3 ratio.

The Board Chairman stated that there should be built-in communication and inspection points during the construction process. He stated that there should first be an estimate for the designs, and then control of operating funds would have to be addressed. He requested a meeting with Mayor Small, Kim Briley, and the Library Director. Tonja agreed to request a meeting.

Library Director:

No comment. Library news and updates for the month were attached to the agenda to save meeting time.

Closing Comments:

The Board Chairman stated that the next year would be critical and that plans should be in place by this time next year. One Board member stated that they were interested in seeing Jeff's architectural ideas, while another member stated they did not like the City choosing the architect for library projects.

The Board Chairman stated that the Board will make decisions about the project and that the Library Director should not serve as the project director.

Several Board members stated that the Daphne Library was one of the nicest libraries they had seen in a town the size of Daphne.

Don announced the staff recognition lunch presented by the FODL on Thursday, December 14 at 12:00 noon. He also announced the FODL Annual Meeting on January 19, 2007. The schedule will be: 5 - 5:30 pm for wine and cheese; 5:30 - 5:45 pm Annual Meeting; 6:00 pm presentation on Pompeii by Eleanor Kulin of the Gulf Coast Exploreum (open to the public).

Adjourn:

The meeting adjourned at 6:00pm.

Respectfully submitted by Tonja Young, Library Director
December 12, 2006

Library Director's Report for Directives of December 11, 2006 Board Meeting

1. Meeting requested for Board Chairman with Library Director, Mayor Small, and Kim Briley.

Kim said she would investigate and let the Director know how the funds would be handled.

No date was set for a meeting.

2. The Monthly Statistical Report:

Format will be changed (no longer printed in all caps).

An average daily result for circulation will be amended to the report.

3. Plaques for Glen Swaney and Anita Rigas:

Have been ordered for the January FODL Annual Meeting.

Invitations will be mailed to the two noted guests Jan. 2, 2007.

4. Appointments with Architects:

Jeff Hudson, Daphne: Met Dec. 7 at 10:00 am

Holmes & Holmes, Mobile: Dec. 18 at 9:00 am

Mac Walcott: Waiting for call to be returned

Kent H. Broom, Daphne:

James T. Pelfrey, Daphne:

Daniell Forrest & Associates, Daphne:

Beisell-Chatham, Fairhope:

Knodel Associates Architects, Fairhope:

Paul Carpenter Davis, Fairhope:

Tolar Lebatard Denmark, Fairhope:

5. Appointments with Fundraising Consultants:

Alford Group: Dec. 20, 2006 at 11:00 am

Alexander Haas Martin & Partners: Jan. 8, 2007 at 2:30 pm

American City Bureau: Dec. 15 at 10:30 am

Carlton & Company:

Jeffrey Byrne & Associates:

NCDS:

6. Tentative timeline/deadlines for Foundation Activities:

Challenge Grantwriting: Jan. 15, 2007

Other Grants: as they become available

Interview Architects: December, 2006

Interview Fundraising Consultants: December, 2006 and January, 2007

Hire Fundraising Consultant: February, 2007

Feasibility Study: February through July, 2007

Appoint Foundation Board with Ability to Give and Solicit Major Gifts: July, 2007

Approve Architectural Designs: August, 2007

Have Brochure/Case Statement Printed for Fundraising Activities: September, 2007

Private Fundraising/Major Giving: October, 2007 through 2010 (ongoing until project completed)

Public Fundraising Events Begin: March, 2009

Break Ground: January, 2010

Building Complete:

**THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF NOVEMBER 21, 2006
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.**

SUMMARIZATION OF MINUTES:

THIS DOCUMENT IS A SUMMARIZATION OF THE MINUTES OF CITY OF DAPHNE PLANNING COMMISSION MEETING AND IS TO BE USED FOR REVIEW PURPOSES ONLY. THE OFFICIAL MINUTES OF THIS MEETING MAY BE OBTAINED IN THE CITY CLERK'S OFFICE UPON APPROVAL.

CALL TO ORDER:

The Vice Chairman stated the number of members present constitutes a quorum and the regular meeting of the City of Daphne Planning Commission was called to order at 6:00 p.m.

CALL OF ROLL:

Members Present:

*Fred Small, Mayor
Victoria Phelps
DeLeon Thomas
Don Terry
Warren West, Vice Chairman
Larry Chason, Secretary
Cathy Barnette, Councilwoman
Ed Kirby

* Fred Small, Mayor arrived at 6:25 p.m.

Members Absent:

Jeff Carrico, Chairman

Staff Present:

William H. Eady, Sr., Director of Community Development
Jan Dickson, Planning Coordinator
Jay Ross, Attorney
Meredith Turpin, Associate Attorney
Nancy Anderson, GIS Technician

The Vice Chairman stated the first order of business is the call to order. Please let the record reflect that Mr. Carrico is not present and the Mayor will be late. The next order of business is approval of the minutes.

APPROVAL OF MINUTES:

The minutes of the October 26, 2006 regular meeting were considered for approval. A copy of the minutes was furnished to us previously. If there are no additions, deletions, or corrections at this time, the Chair will entertain a motion.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF NOVEMBER 21, 2006
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

SUMMARIZATION OF MINUTES:

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A **Motion** was made by Ms. Barnette and **Seconded** by Mr. Terry **to approve the minutes of the regular meeting. The Motion carried.**

Mr. Kirby, Mr. Thomas, and Mr. Chason abstained due to their absence at the meeting.

OLD BUSINESS:

The Chairman stated the first order of business under old business is site plan review under for Malbis Lube Center and Car Wash.

SITE PLAN REVIEW:

File S06-10: (REVISION)

Site: Malbis Lube Center & Car Wash

Location: Northeast Corner of U.S. Highway 90 and Alabama State Highway 181
Area: 3.16 Acres +
Owner: Spriggs Enterprises, Inc. - Kevin Spriggs
Engineer: Rester & Coleman Engineers - Buddy Bridges or Andy Bobe

An introductory presentation was given by Mr. Kevin Spriggs, the owner, requesting site plan review of an automobile lube, minor repair facility, and car wash located at the Northeast corner of U. S. Highway 90 and Alabama Highway 181. The architecture will be compatible with the existing business to the South, Malbis Shell. The plans will be reviewed and approved by Historic Malbis Plantation prior to the issuance of a building permit and the commencement of construction. The plans are to expand the carwash and lube center to the North and to replace the tunnel in order to reconfigure the old facility to make it a self service car wash. I will be happy to answer any questions you may have.

The Chairman stated do any of the Commissioners have any questions or comments.

Mr. West stated his comments had been addressed.

The Chairman stated do any of the Commissioners have any further questions or comments. If there is no objection, the Chair would entertain a motion.

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A **Motion** was made by Ms. Barnette and **Seconded** by Mr. Kirby **to approve the site plan for Malbis Lube Center & Car Wash. The Motion carried unanimously.**

The Chairman stated the next order of business is site plan review for La Quinta Inn.

File S04-23 : (REVISION)

Site: La Quinta Inn

Location: Northwest Corner of Interstate 10 and Alabama State Highway 181

Area: 1.97 Acres +

Owner: Jaivithala Hospitality, L.L.C.

Engineer: Rester & Coleman Engineers - Buddy Bridges or Andy Bobe

An introductory presentation was given by Mr. Joel Coleman, representing Rester & Coleman Engineers, requesting site plan review of a hotel facility located Northwest Corner of Interstate 10 and Alabama State Highway 181. The site plan for this facility is more than one year old and requires approval of the Planning Commission again in order to begin construction. As per the discussion at the site preview meeting, setbacks, parking, and revised drawings have been addressed. I will be happy to answer any questions you may have.

The Chairman stated do any of the Commissioners have any questions or comments. The items discussed at site preview have been addressed. If there is no objection, the Chair would entertain a motion.

A **Motion** was made by Ms. Barnette and **Seconded** by Mr. Kirby **to approve the site plan for La Quinta Inn. The Motion carried unanimously.**

The Chairman stated the next order of business is final plat plan review for Rolling Hills Subdivision.

FINAL PLAT REVIEW:

File SDF06-05:

Subdivision: Rolling Hill Place

Location: On Rolling Hills Drive between Hope Drive and Calverdale Circle

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Area: 6.66 Acres +, (23) lots
Owner: Friday Construction Company - Mike Commiskey
Engineer: Hutchinson, Moore & Rauch - Ray Moore

An introductory presentation was given by Mr. Ray Moore, representing Hutchinson, Moore & Rauch, requesting final plat review of a six-point sixty-six acre subdivision consisting of twenty-three lots located on Rolling Hills Drive between Hope Drive and Calverdale Circle. Corrections have been made to the detention pond to rectify the previous situation. I will be happy to answer any questions you may have.

The Chairman stated do any of the Commissioners have any questions or comments. If there is no objection, the Chair would entertain a motion.

A **Motion** was made by Ms. Barnette and **Seconded** by Mr. Terry **to approve the final plat for Rolling Hill Place. The Motion carried unanimously.**

The Vice Chairman stated the next order of business is preliminary/final plat review for Historic Malbis Subdivision, Phase III-B.

PRELIMINARY/FINAL PLAT REVIEW:

File SDPF06-06: (REVISION)

Subdivision: Historic Malbis, Phase Three-B
Location: South of Interstate 10, directly West of St. Barbara Street
Area: 1.2220 Acres +, (4) lots
Owner: Malbis Plantation, Inc. - Dave Taylor
Engineer: Rester & Coleman Engineers - Joel Coleman

An introductory presentation was given by Mr. Coleman, representing Rester & Coleman Engineers, requesting preliminary/final plat review of a one point two acre subdivision consisting of four lots located Northeast of the intersection of U.S. Highway 90 and Alabama Highway 181 on the West side of Saint Barbara Street. This is the final phase of Historic Malbis. Upon construction of the alley located to the West of the lots and the connection to sanitary sewer, it was felt by Mr. Eady that the subdivision should be reviewed and approved by the Commission again; therefore, we are asking for preliminary/final of this phase. I will be happy to answer any questions you may have.

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The Vice Chairman stated do any of the Commissioners or Mr. Eady have any further questions or comments. He opened the floor to public participation. With no adjacent property owners present, he closed public participation. If there is no objection, the Chair will entertain a motion.

Ms. Barnette stated a utility letter as been provided as requested by the Utilities Board of the City of Daphne.

A **Motion** was made by Mr. Kirby and **Seconded** by Ms. Barnette **to approve the preliminary/final plat for Historic Malbis Subdivision, Phase III-B. The Motion carried unanimously.**

NEW BUSINESS:

The Chairman stated the first order of business under new business is site plan review for the Public Works Road Site.

SITE PLAN REVIEW:

File S06-12:

Site: Public Works Road Site

Location: Public Works Road, West of County 13, North of County Road 64
Area: 2.04 Acres +
Owner: Jubilee Properties, L.L.C. - Spence Monroe
Engineer: Hutchinson, Moore & Rauch - Ray Moore

An introductory presentation was given by Mr. Moore, representing Hutchinson, Moore & Rauch, requesting site plan review of an office/warehouse facility located on Public Works Road. At a previous meeting, the owner of the property requested annexation into the City of Daphne with B-2, General Business, zoning. The utilities will be provided by the Belforest Water Authority and the Utilities Board of the City of Daphne. I will be happy to answer any questions you may have.

The Chairman stated do any of the Commissioners have any questions or comments.

The Commission questioned whether or not the site has received

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approval from the Utilities Board.

Mr. Danny Lyndall, Operations Manager/Utilities Board of the City of Daphne, stated that the engineer has satisfied all of the requirements of the Utilities Board.

The Chairman stated do any of the Commissioners have any further questions or comments. If there is no objection, the Chair would entertain a motion.

A Motion was made by Mr. Chason and **Seconded** by Mr. Kirby **to approve the site plan for the Public Works Road Site. The Motion carried unanimously.**

The Chairman stated the next order of business is site plan review for the Taylor Engineering Office Building.

File S06-13:

Site: Taylor Engineering Office Building

Location: Daphne Commercial Park Subdivision, Lot 5 - Whispering Pines and Pollard Roads

Area: 0.63 Acres +

Owner: Taylor Engineering

Engineer: S.E. Civil, L.L.C. - Larry Smith

An introductory presentation was given by Mr. Smith, representing, S.E. Civil, L.L.C., requesting site plan review of an office/warehouse facility located on Daphne Commercial Park Subdivision, Lot 5, Northwest of the intersection of Whispering Pines and Pollard Roads. The facility will be utilized as an office facility for an engineering firm. I will be happy to answer any questions you may have.

The Chairman stated do any of the Commissioners have any questions or comments. If there is no objection, the Chair would entertain a motion.

A Motion was made by Ms. Barnette and **Seconded** by Mr. Terry **to approve the site plan for the Taylor Engineering Office Building. The Motion carried unanimously.**

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The Chairman stated the next order of business is site plan review for the Daphne Express Carwash.

File S06-14:

Site: Daphne Express Carwash

Location: East side of U.S. Highway 98, approximately three hundred feet North of County Road 64

Area: 1.87 Acres +

Owner: MS Development, L.L.C.

Engineer: Hutchinson, Moore & Rauch - Ray Moore

An introductory presentation was given by Mr. Moore, representing Hutchinson, Moore & Rauch, requesting site plan review of a fully automated car wash facility located on the East side of U.S. Highway 98, approximately three hundred feet North of County Road 64. The car wash will consist of a two-stage operation which will recycle the water for reuse.

Mr. Moore stated an application has been presented to the Alabama Department of Transportation for a request for the installation of a deceleration lane. I will be happy to answer any questions you may have.

The Chairman stated do any of the Commissioners have any questions or comments.

Mr. Chason expressed his concerns regarding the placement of an underground drainage system on this site and the potential for flooding at the intersection of U. S. Highway 98 and County Road 64. He asked if the owner would consider the relocation of the building on the site to accommodate a detention pond on the front of the site.

Mr. Moore stated the owner located the building on the front of the site in order to accommodate future development.

Ms. Barnette questioned how the system would be maintained.

Ms. Phelps questioned whether or not the owner would consider moving the building to the rear of the lot to accommodate drainage and ingress/egress to the site.

Mr. Joe Asarisi, representing Hutchinson, Moore & Rauch, addressed the concerns of the Planning Commission regarding detention and maintenance.

The Commission questioned whether or not the Utilities Board had been

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satisfied.

Mr. Danny Lyndall, Operations Manager/Utilities Board of the City of Daphne, stated he had not seen the details for the grease trap and would like a set for review.

The Chairman stated do any of the Commissioners have any questions or comments. If there is no objection, the Chair would entertain a motion.

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Terry **to approve the site plan for the Daphne Express Carwash.**

An **Amended Motion** was made by Mr. Kirby and **Seconded** by Mr. Terry **to approve the site plan for the Daphne Express Carwash, subject to compliance with the Utilities Board of the City of Daphne specifications. The Motion carried. Ms. Phelps opposed.**

The Vice Chairman stated the next order of business is zoning amendment review for the Eastern Shore Knights of Association.

PETITIONS:

ZONING AMENDMENT REVIEW:

File Z06-12: Eastern Shore Knights of Association

Location: Ryan Avenue East of Knights of Columbus and West of Mazda
Area: 0.57 Acres +
Owner: Eastern Shore Knights of Columbus Association
Agent: Irvine Co., Inc. - Starke Irvine

Present Zoning: R-1 Proposed Zoning: B-2

Mr. Chason stated Mr. Chairman if you would not mind Mr. Thomas and I have questioned ourselves as to whether or not we should abstain. Could we have five minutes to consult with Mr. Ross as to whether or not Mr. Thomas and I should vote?

Mr. Ross asked do you want to go into recess for a minute.

The Vice Chairman stated the Planning Commission shall convene for a

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five minute break at 6:42 p.m.

The meeting was reconvened at 6:47 p.m.

An introductory presentation was given by Mr. Irvine, representing the Irvine Co., Inc., requesting the rezoning of parcel located on Ryan Avenue East of Knights of Columbus and West of Mazda from R-1, Low Density Single Family Residential, to a B-2, General Business, zone. We are asking for the rezoning of this parcel which is contiguous to B-2 for the construction of office space and a cabinet shop for a home builder. He will not have any more than three to four employees at one time. They do not work daily. They only work when he has a project to build. The drawing that I handed out shows the style and location of the building. He is going to place the building as far back on the property as he can. A six-foot privacy fence will be placed along the street and a natural buffer along the front.

Mr. Irvine stated I will be happy to answer any questions you may have.

The Vice Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments.

Mr. Chason asked how can you ensure this layout if the property is sold.

Mr. Irvine stated only that the owner said that is what he will do.

Mr. Chason stated if he sold the property a year from now, it would be imperative that we knew the improvements would remain.

Mr. Irvine stated that is an essential item. The only way that you could accomplish that is you would have to create an easement for a green belt. The owner is here to ask any questions in this regard.

Ms. Barnette stated we have a legal opinion from the attorney and at the work session we talked about what constitutes spot zoning. It is a difficult decision because in residential you can go from an R-2, Medium Density Single Family Residential, to an R-3, High Density Single Family Residential, zone and it is not spot zoning. Yet in this instance, we cannot go from a B-2, General Business, to a B-1, Local Business, zone. I am not really comfortable with that. I think we need to research that a little further. I do not see it being consistent with the neighborhood across the street because once we rezone it, then it is forever B-2. I would like to figure out a way to rezone the property to a B-3, Professional Business, or B-1, Local Business,

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zone.

An adjacent property owner asked why does it have to be B-2 forever.

Mr. Irvine stated I think you have to be and I do not want to use the word fair. I think that we have to recognize that this property was brought into the City of Daphne along with a lot of other properties a long time ago as R-1, Low Density Single Family Residential. The corner of Ryan Avenue and U. S. Highway 98 is a B-2 use, the Mazda dealership, and always will be. The use for this property, if it is legal, the owner has agreed to a self-imposed restriction. If the property were to be sold, he would sell it as a B-3, Professional Business, use. To be quite honest, Mr. Eady is not in favor of that. I think that is an area you have to decide on. This property is currently not an R-1 use. I cannot help what is located across the street. There is a lot of commercial property across the street from residential property in the City of Daphne. That is just the way it is. When you have one thorough fare going to another, you are going to have mixed uses in an area. I hope you will consider the B-2 zoning. If you will, then he will do a self-imposed restriction on the property of B-3 when he goes to resell the property.

Mr. Eady stated Mr. Chairman I believe that an arrangement like that constitutes contract zoning and that is illegal.

Mr. Ross stated moreover I think if you are going to B-2 you cannot agree to B-3 without the Planning Commission's approval.

The Vice Chairman stated so you are saying that it is illegal to do that.

Mr. Eady stated yes sir.

The Vice Chairman asked Mr. Ross do you agree.

Mr. Ross stated I do because it is contract zoning. That is the problem.

Mr. Irvine has a good idea, but it would not legally stand up.

Ms. Barnette stated I have definition of spot zoning that might help. She read, "The rezoning of a lot or parcel to benefit an owner for a use that is incompatible with surrounding land uses and that does not further the comprehensive zoning plan." This is what the City Council adopted in the City of Daphne Land Use and Development Ordinance.

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The Vice Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments. He opened the floor to public participation.

The adjacent property owners addressed the Commission to express her concerns regarding the proposed development and how it would impact her property. The main concerns were encroachment and vulnerability to further commercial development, noise, traffic, character of parcel appears to be residential in nature, and affect on property values in adjacent subdivisions.

A member of the Knights of Columbus commented on the use of the land for commercial or rental property rather than residential. He commented that the Knights had given the right-of-way several years back for the connection from Ryan Avenue to U.S. Highway 98 and at that time, the developer chose to place the subdivision in this location. If at anytime we chose to rezone the remainder of the property, the petition would have to be approved by this board.

A member or the Knights of Columbus and an adjacent property owner requested further research of the zoning regulations in order to find a way to approve the application since Mr. Irvine's request was minimally evasive to the neighborhood. Could a new zoning designation be created to solve the problem?

The Commission addressed the concerns of the adjacent property owner and discussed at length its possible effect on the adjacent property.

The Vice Chairman stated do any of the Commissioners have any questions or comments. He closed public participation. It appears to me that if this project gets rezoned that the type of zone is the major issue. If we could get a better answer to the zoning question, and we had more time may be we could come up with a solution that is acceptable. We do not decide the zoning. We make a recommendation to the City Council and they make the decision. Tonight at best we may need to table it or get on with it.

Mr. Eady stated you only have three choices and they are B-1, Local Business, B-2, General Business, or B-3, Professional Business.

Mr. Chason stated a cabinet shop is permitted by right in B-2.

Mr. Irvine stated I was just speaking with my client and he would

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consider deed-restricting the parcel. If he deed-restricted the front part of the property to remain in a natural state that would address what they brought up earlier.

The Vice Chairman stated that sounded like an improvement.

Ms. Barnette stated I would like for us to come up with the fact that a B-2 has so many inherent uses, but are subject to the review of this Commission. If he sells in order to move to another location, then the property would be forever B-2. All of the effort they are willing to put forward would be lost, and that is my problem with this project.

The Vice Chairman stated do any of the Commissioners have any questions or comments. I think we are at a point where we need to make a decision. Do we want to take this and study it further to try to find an answer that is more compatible or are we ready to proceed? We should keep in mind that whatever we vote on here is not the end of it. It still goes to the City Council with a recommendation.

Mr. Chason stated are our options to favorably recommend, unfavorable to recommend, or do we have a third option to recommend something other than this.

Mr. Eady stated I suppose.

Mr. Ross stated you could table it and come by with an idea of different another way to handle it.

Ms. Barnette stated if we did that would not we have to do something to for the Commission to consider regarding the use.

Mr. Ross stated you would have to come up with a concept which would limit the uses in B-2.

Mr. Kirby stated if we do not make a decision, then the zoning would be automatically approved in thirty days.

Mr. Ross stated you have to vote it up, down, or table it. I not suggested it. If you table it to come up with a solution, they need to consent to waive the thirty-day requirement.

Mr. Kirby stated if it is denied, then you cannot come back.

Mr. Ross stated they cannot come back for twelve months or one year.

The Vice Chairman stated if you wish for us to table it tonight, then we would not vote on it.

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Mr. Ross stated or you could withdraw it.

Mr. Irvine stated I do not see any reason to withdraw it given that we have given you everything.

Mr. Chason stated I disagree that this was denied by the Planning Commission so B-3 is not longer an option.

Mr. Irvine stated it only helps if you wish to sell the property to someone else. It does not benefit the gentleman which wants to buy it now. Is it fair to the Knights of Columbus who were denied? The suggestion was offered to be to do a PUD.

The Vice Chairman stated do any of the Commissioners have any further questions or comments.

Mayor Small stated we could create a more restrictive B-2 zone. We have a problem with B-2 because we have so many uses available in that zone.

Mr. Chason stated I think we need to do something. I do not see it quite that defined. I can see for myself that we need to move this forward. I hear that you could not sell it residential for years because you have a car dealership next to it, and I can understand that. We can offer to resolve this for everybody, but if they do not want to do that, then we need to vote. We cannot table it without them agreeing to a thirty-day extension.

The Vice Chairman stated if there is no objection, the Chair would entertain a motion. Do you agree to waive the thirty days if we table it?

Mr. Irvine asked what would take more than thirty days.

Mr. Chason stated if we table it and something happens like we do not have a meeting during Christmas, then it would not be automatically approved. This would give us a chance to work out some type of solution that would be in accord with the neighbors.

Mr. Eady stated the December meeting will be on December 28, 2006 so it will be more than thirty days.

Mr. Irvine stated I think if it is going to be tabled to work out B-3. Let me ask this question. If the new owner's business does not qualify

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for B-3 is he entitled to go to the Board of Zoning Adjustment for a variance.

Mr. Eady stated he cannot go to the Board.

Mr. Ross stated I do not think you can go to the Board of Zoning Adjustment.

Mr. Irvine stated now you are taking the proposed owner out of the equation. I do want to interject something. If the Knights sell this property, then they will no longer have to rent out the hall. There have been some parties which have been better suited to have been held somewhere else. Another thing in the making is a request to extend the Olde Towne District to encompass the Judge Roy Bean's property. We are at the same time working on architectural design standards for Olde Towne Daphne.

A Motion was made by Mr. Kirby and Seconded by Ms. Barnette for the negative recommendation by the Planning Commission to the City Council of Daphne for the rezoning for the Eastern Shore Knights of Association property located on Ryan Avenue East of Knights of Columbus and West of Mazda from R-1, Low Density Single Family Residential, to a B-2, General Business, zone.

Upon roll call vote, the Motion was carried.

| | |
|--------------|-----------|
| Mayor Small | Aye |
| Ms. Phelps | Aye |
| Mr. Thomas | Abstained |
| Mr. Terry | Nay |
| Mr. West | Nay |
| Mr. Chason | Aye |
| Ms. Barnette | Aye |
| Mr. Kirby | Aye |

The Chairman stated the next order of business is an administrative presentation for Cambron Subdivision.

ADMINISTRATIVE PRESENTATION:

An introductory presentation was given by Mr. Eady, Director of Community Development, requesting final plat approval for Cambron Subdivision. The minutes of the County Commission meeting are in letter form in your packet. Baldwin County has stated they do not want

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to place both names on the performance bond. They want the bond to be issued to Baldwin County; based on the information presented this Department recommends approval.

The Vice Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments. If there is no objection, the Chair will entertain a motion.

A Motion was made by Mr. Kirby and *Seconded* by Mayor Small *to approve the final plat for Cambron Subdivision. The Motion carried unanimously.*

The Chairman stated the next order of business is an administrative presentation for the Renaissance Center.

An introductory presentation was given by Ray Moore, representing Hutchinson, Moore & Rauch, on behalf of the owner of the Renaissance Center located near Interstate 10 and U.S. Highway 90 to mow and mulch the underbrush on state property along Interstate 10. The site is approximately sixty acres. The owner is requesting approval for a basic clearing along Interstate 10 for which a permit is pending with the Alabama Department of Transportation.

The Chairman stated do any of the Commissioners or Mr. Eady have any questions or comments.

Mr. Moore requested to remove the item from the agenda. We will discuss it during the presentation of the subdivision next month.

The Chairman stated the next order of business is an administrative presentation for the Threadgill Estate Subdivision.

An introductory presentation was given by Mr. Eady, Director of Community Development, on behalf of Richard Davis, Attorney, of a division of land on the West side of Main Street known as the Threadgill Estate Subdivision.

The Chairman stated do any of the Commissioners, Mr. Eady, or Mr. Ross have any questions or comments. If there is no objection, the Chair will entertain a motion.

Mr. Ross stated everything is in order.

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REGULAR MEETING OF NOVEMBER 21, 2006
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

SUMMARIZATION OF MINUTES:

THIS DOCUMENT IS A SUMMARIZATION OF THE MINUTES OF CITY OF DAPHNE PLANNING COMMISSION MEETING AND IS TO BE USED FOR REVIEW PURPOSES ONLY. THE OFFICIAL MINUTES OF THIS MEETING MAY BE OBTAINED IN THE CITY CLERK'S OFFICE UPON APPROVAL.

A **Motion** was made by Ms. Barnette and **Seconded** by Mr. Kirby **to approve the division of land on the West side of Main Street known as the Threadgill Estate Subdivision. The Motion carried unanimously.**

The Chairman stated the next order of business is an administrative presentation for the creation of District 10 in Baldwin County.

An introductory presentation was given by Mr. Eady, the Director of Community Development, with regard to the creation of District 10 in Baldwin County. Baldwin County has proposed a zoning district for the area located North of Interstate 10 which is represented by the map given to you. They have requested, if the Commission so desires, for the City of Daphne to designate a representative to sit on the committee. I have distributed this letter for your consideration.

The Commission stated they had no interest in a member sitting on the committee.

A **Motion** was made by Ms. Barnette and **Seconded** by Mr. Kirby **to not appoint a member to the advisory committee for Baldwin County District 10. The Motion carried unanimously.**

The next order of business is the attorney's report.

ATTORNEY'S REPORT:

Mr. Ross stated no report.

ADJOURNMENT:

The Vice Chairman stated do any of the Commissioners or Mr. Eady have any further questions or comments. If there is no objection, the Chair will entertain a motion to adjourn.

A **Motion** was made and **Seconded to adjourn. The Motion carried unanimously.**

There being no further business, the meeting was adjourned at 7:50 p.m.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF NOVEMBER 21, 2006
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

SUMMARIZATION OF MINUTES:

THIS DOCUMENT IS A SUMMARIZATION OF THE MINUTES OF CITY OF DAPHNE PLANNING COMMISSION MEETING AND IS TO BE USED FOR REVIEW PURPOSES ONLY. THE OFFICIAL MINUTES OF THIS MEETING MAY BE OBTAINED IN THE CITY CLERK'S OFFICE UPON APPROVAL.

Respectfully submitted by:

Jan Dickson, Planning Coordinator

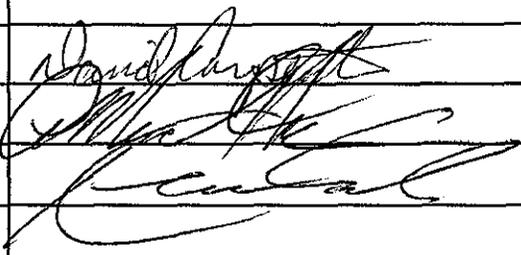
APPROVED: December 28, 2006

Warren West, Vice Chairman

**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

CITY OF DAPHNE PARADE PERMIT

| | |
|--|--|
| ORGANIZATION: | <i>Shadow Barons</i> |
| CONTACT PERSON: | <i>Damon Henderson</i> |
| ADDRESS: | <i>P. O. Box 2770 Daphne, AL 36526</i> |
| PHONE NUMBER (HOME): | <i>990-9268</i> |
| PHONE NUMBER (BUSINESS): | <i>990-0538 Cell# 533-4263</i> |
| TYPE OF PARADE: | <i>Mardi Gras</i> |
| DATE OF PARADE: | <i>February 17, 2007 Rain Date February 18, 2007 / Afternoon</i> |
| ROUTE TO BE TRAVELED: | <i>From Daphne Civic Center down Main St. Turn around @College Ave. to 6th St. and back to Civic Center</i> |
| APPROXIMATE # OF PEOPLE & CARS: | <i>365 People / 13 Cars / 8 Floats / 6 Bands</i> |
| START TIME: | <i>6:45 P.M.</i> |
| STOP TIME: | <i>8:00 P.M.</i> |
| ASSEMBLY AREA/STREET: | <i>Civic Center</i> |
| ASSEMBLY TIME: | <i>4:30 P.M.</i> |
| APPROVAL | |
| POLICE: <i>Chief David Carpenter:</i> |  |
| FIRE: <i>Chief Mund Hanson</i> | |
| PUBLIC WORKS: <i>Ken Eslava</i> | |
| CITY COUNCIL: | |
| SPECIAL INSTRUCTIONS: | |
| DATE ROUTED: | <i>November 28, 2006</i> |
| NOTIFICATION: | |
| Received Proof of Insurance: | <i>November 29, 2006</i> |
| Received Parade Permit Fee: | <i>November 28, 2006</i> |

CITY ATTORNEY'S REPORT

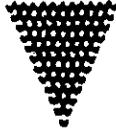
NOTES:

DEPARTMENT HEAD'S COMMENTS

CC. Kim
B's Property Comm



Lake Forest
Yacht and Country Club



May 8, 2006

Mayor Fred Small
City of Daphne
Post Office Box 400
Daphne, AL 36526

Dear Mayor Small,

As discussed, the Lake Forest Property Owners Association (LFPOA) has three lots in its inventory that are unmarketable due to location, erosion and modification to permit completion of flood control measures undertaken several years ago. A legal description is provided in the copy of the enclosed Quit Claim Deed.

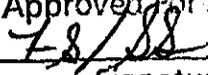
The Board of Directors of the LFPOA has reviewed and believes the best possible use of the this property is for the City of Daphne to assume ownership as part of the city's overall drainage, storm water runoff and flood control program.

By copy of this letter we request you start action to transfer ownership at no cost and any liability thereto at the earliest possible date with only one stipulation. That stipulation being should the city in the unlikely event attempt to sell the property as public property we may want the property to revert back to the LFPOA. Patrick B. Collins, our board attorney is aware and authorized to act in our behalf should the need for legal representation arise.

Please contact me if you have any questions.

Sincerely


Henry Lawson
President, Lake Forest POA

Approved For Agenda

Signature
6-12-06
Date

STATE OF ALABAMA)
COUNTY OF BALDWIN)

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS THAT GREGORY S. STANLEY, the Grantor, for and in consideration of the sum of ONE THOUSAND and NO/100 (\$1000.00) DOLLARS, and other good and valuable consideration, hereby acknowledged to have been paid to the said Grantor by LAKE FOREST PROPERTY OWNERS ASSOCIATION, INC, a corporation, the Grantee, does hereby REMISE, RELEASE, QUIT CLAIM and CONVEY unto the said Grantee, subject to the provisions hereinafter contained, all that real property in the County of Baldwin, State of Alabama, described as follows:

966725

Lot 102, Lake Forest, Unit 12, according to the plat thereof recorded in Map Book 7, Page 118, in the records of the office of the Judge of Probate of Baldwin County, Alabama.

Lot 103, Lake Forest, Unit 12, according to the plat thereof recorded in Map Book 7, Page 118, in the records of the office of the Judge of Probate of Baldwin County, Alabama.

Lot 104, Lake Forest, Unit 12, according to the plat thereof recorded in Map Book 7, Page 118, in the records of the office of the Judge of Probate of Baldwin County, Alabama.

~~TOGETHER with all and singular the rights, privileges, tenements,~~
hereditaments and appurtenances thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the same unto the said Grantee, its heirs and assigns, forever.

This conveyance is made subject to any and all restrictive covenants, easements, reservations, minerals reservations, conveyance of minerals, and rights of way applicable to said property of record in the said Probate Court records.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal

this the 20TH day of MARCH,
2006.



GREGORY S. STANLEY, Grantor

MISSISSIPPI
STATE OF ~~ALABAMA~~)
COUNTY OF HARRISON)

I, the undersigned Notary Public, in and for said State and County, hereby certify that **GREGORY S. STANLEY**, the Grantor, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date that, being informed of the content of said conveyance, executed the same on the day same bears date.

Given under my hand and seal this the 20TH day of MARCH,
2006.



NOTARY PUBLIC
Commission Expires: JULY 28, 2009

GRANTEE'S ADDRESS:
LAKE FOREST PROPERTY OWNERS ASSOCIATION, INC.

The within instrument prepared by:
JAY M. ROSS
ROSS & JORDAN, P.C.
Attorneys at Law
Post Office Box 210
1111 Dauphin Street
Mobile, Alabama 36601
(251) 432-5400



State of Alabama, Baldwin County
this instrument was filed
taxes collected on:
April - 6 12: PM
Instrument Number 966725 Pages 2
6.00 Mortgage
1.00 Min Tax
DP 5.00
I. Johns, Judge of Probate

STATE OF ALABAMA)
COUNTY OF BALDWIN)

DRAFT

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of **TEN & 00/100 (\$10.00) DOLLARS**, and other good and valuable consideration in hand paid to the undersigned, the receipt thereof is hereby acknowledged, the undersigned, **LAKE FOREST PROPERTY OWNERS' ASSOCIATION, INC., an Alabama Corporation**, the Grantor, hereby **REMISES, RELEASES, QUIT CLAIMS and CONVEYS** to **CITY OF DAPHNE, ALABAMA, an Alabama Municipal Corporation**, the Grantee, all its rights, title, interest and claim in or to the following described real estate, in fee simple, situated in Baldwin County, Alabama, to-wit:

Lot 102, Lake Forest, Unit 12, according to the plat thereof recorded in Map Book 7, Page 118, in the records of the Office of the Judge of Probate of Baldwin County, Alabama.

AND

Lot 103, Lake Forest, Unit 12, according to the plat thereof recorded in Map Book 7, Page 118, in the records of the Office of the Judge of Probate of Baldwin County, Alabama.

AND

Lot 104, Lake Forest, Unit 12, according to the plat thereof recorded in Map Book 7, Page 118, in the records of the Office of the Judge of Probate of Baldwin County, Alabama.

SUBJECT TO:

1. Any and all restrictive covenants, easements, rights-of-way, by-laws and home owner association covenants of record in the Office of the Judge of Probate of Baldwin County, Alabama.

TOGETHER with all and singular the rights, privileges, tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the same unto the said Grantee, its heirs and assigns, forever.

This conveyance is made subject to any and all restrictive covenants, easements, reservations, minerals reservations, conveyance of minerals, rights of way, by-laws and covenants of the Lake Forest Property Owners Association, Inc. applicable to said property of record in the said Probate Court records. However, the Grantor hereby expressly warrants that the Grantee will not be subject any association dues, whether monthly assessments or special assessments, now or for so long as the Grantee owns the subject property.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal this the _____ day of _____, 2006.

LAKE FOREST PROPERTY OWNERS ASSOCIATION, INC.

BY: _____ **(SEAL)**

AS ITS: _____

STATE OF ALABAMA)

COUNTY OF BALDWIN)

I, the undersigned, a Notary Public, in and for said county in said state, do hereby certify that _____, as _____ of **LAKE FOREST PROPERTY OWNERS ASSOCIATION, INC.**, an Alabama Corporation, has signed the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of said conveyance, he as such Officer and with full authority executed the same voluntarily and as an act of the Corporation.

Given under my hand and official seal this _____ day of _____, 2006.

NOTARY PUBLIC:
My Commission Expires:

GRANTEE'S ADDRESS:
City of Daphne, Alabama
Post Office Box 400
Daphne, Alabama 36526

THIS INSTRUMENT PREPARED BY:
Missty C. Gray
ROSS & JORDAN, P.C.
Post Office Box 210
Mobile, Alabama 36601-0210
(251) 432-5400

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

NOTES:

RECOMMENDATIONS

COUNCIL COMMENTS:

**CITY OF DAPHNE
RESOLUTION NO.: 2006-102**

**A RESOLUTION TO AMEND CERTAIN
PERSONNEL POLICIES AND PROCEDURES
RELATED TO ENTRY LEVEL PAY and BENEFITS FOR FORMER EMPLOYEE**

WHEREAS, the City Council of the City of Daphne, Alabama, did heretofore adopt Resolution 1994-39 “The Personnel Policies and Procedures Manual” and subsequent revisions thereto; and

WHEREAS, Resolution 1995-13 did heretofore establish the entry level pay for former employees; and

WHEREAS, the City Council of the City of Daphne, Alabama, has determined that it is in the best interest of the City to amend this policy and extend the time period for employees to return at the same relative position in the pay range of the job they vacated; and

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

SECTION ONE: Section 10.6.6.: “ENTRY LEVEL PAY FOR FORMER EMPLOYEES” is hereby repealed in its entirety and replaced by the following:

10.6.6. Entry Level Pay for Former Employees.

- (a) Entry Level Pay for Former Employees. Former unclassified, classified, or part time employees who leave the City in good standing and are rehired to vacant positions in the unclassified, classified, or part-time service shall have their entry level pay established the same as other newly hired employees. However, if an employee’s break in service is less than 1 year, the Department Manager may request to the Mayor that the pay of the employee be established at the same relative rate in the pay range of the pay grade level for the job as it was before the employees break in service.
- (b) Terms of Employment and Benefits for Former Employees. Former employees who leave the City in good standing and are rehired within 1 year shall return under the following employment terms and with these benefits:
 - (1) Rehired employees shall serve a 6 month probationary period (Personnel Handbook 3.2. and 3.3.).
 - (2) Vacation accrual shall be at same rate as when the employee left and will be available to the employee at the end of the 6 month’s probation.
 - (3) Sick leave accrued at resignation shall be reinstated after the probationary period (Personnel Handbook 9.4.3.2.).

- (4) The employee's anniversary date shall be adjusted to the new hire date (Personnel Handbook 10.5.2.).
- (5) All insurance benefits are subject to a 90 day waiting period.

SECTION TWO: SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by a 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 Resolutions or parts thereof in conflict with the provisions of this Resolution, to the extent they conflict, shall be and are hereby repealed.

SECTION FOUR: EFFECTIVE DATE

This Resolution 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 _____, 2006.

CITY OF DAPHNE,
An Alabama Municipal Corporation

GREG BURNAM
COUNCIL PRESIDENT
Date and time signed _____

FRED SMALL
MAYOR
Date and time signed _____

ATTEST:

DAVID COHEN,
CITY CLERK, MMC

**RESOLUTION 2006-103
PREPAID TRAVEL**

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

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

***Ken Royal, Library Computer Services Tech, Alabama Public Library System –
Conversational Spanish for Library Workers, Montgomery, AL, January 11-12,
2007 - \$70 each***

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

**APPROVED AND ADOPTED BY THE CITY COUNCIL, CITY OF DAPHNE, ALABAMA on
this ____-__ day of _____, 2006.**

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk, MMC

**CITY OF DAPHNE
RESOLUTION NO.: 2006-104**

**A RESOLUTION TO AMEND CERTAIN
PERSONNEL POLICIES AND PROCEDURES
RELATED TO VACATION CARRY OVER**

WHEREAS, the City Council of the City of Daphne, Alabama, did heretofore adopt Resolution 1994-39 “The Personnel Policies and Procedures Manual” and subsequent revisions thereto; and

WHEREAS, the City Council of the City of Daphne, Alabama, has determined that it is in the best interest of the City to amend such Personnel Policies and Procedures Manual for the purpose of increasing the amount of vacation leave time employees may carry-over from year to year.

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

Section 9.4.2.5 entitled “CARRY OVER OF VACATION LEAVE” is hereby repealed and replaced in its entirety as follows:

9.4.2.5. **Carry Over of Vacation Leave.** The City of Daphne expects that all employees use their earned vacation days each year. The City recognizes, however, that some employees may wish to carry over their unused leave so they can use it the next year. Therefore, any employee who wishes to carry forward such unused leave will be allowed to carry over up to eighty (80) hours of unused vacation leave into the next leave year. Any unused vacation leave that exceeds this amount at the end of the leave year will be forfeited by the employee. It shall be the responsibility of each employee to keep up with their leave balance so that leave is not lost at the end of the leave year. It is also the responsibility of the supervisor to ensure employees are given ample opportunity to schedule their leave so that work operations are not affected and leave time is used.

9.4.2.5. (a) **Carry Over of Vacation Leave for Fire Fighters.** Due to the differences in work hours and the nature of the shifts worked by Fire Fighters, accrual rates are calculated differently. Vacation carry over will reflect these differences. Any Fire Fighter who wishes to carry forward unused leave will be allowed to carry over up to one hundred eight (108) hours of unused vacation leave into the next leave year. Any unused vacation leave that exceeds this amount at the end of the leave year will be forfeited by the Fire Fighter. It shall be the responsibility of each Fire Fighter to keep up with their leave balance so that leave is not lost at the end of the leave year. It is also the responsibility of the supervisor to ensure employees are

given ample opportunity to schedule their leave so that work operations are not affected and leave time is used.

9.4.2.5. (b)

Carry Over of Vacation Leave for Police Officers and Corrections Officers Who Work an 84 Hour Work Schedule. Due to the differences in work hours and the nature of the shifts worked by these employees, accrual rates are calculated differently. Vacation carry over will reflect these differences. Any Police Officer or Corrections Officer who works an 84 hour work schedule who wishes to carry forward unused leave will be allowed to carry over up to eighty four (84) hours of unused vacation leave into the next leave year. Any unused vacation leave that exceeds this amount at the end of the leave year will be forfeited by these employees. It shall be the responsibility of each of these employees to keep up with their leave balance so that leave is not lost at the end of the leave year. It is also the responsibility of the supervisor to ensure employees are given ample opportunity to schedule their leave so that work operations are not affected and leave time is used.

This Resolution 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 _____, 2006.

CITY OF DAPHNE,
AN ALABAMA MUNICIPAL CORPORATION

GREG BURNAM
COUNCIL PRESIDENT
Date & Time Signed: _____

FRED SMALL
MAYOR
Date and Time Signed: _____

ATTEST:

DAVID COHEN,
City Clerk, MMC

**CITY OF DAPHNE
RESOLUTION NO: 2006-105**

**A RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE
ADOPTION OF CERTAIN TECHNICAL CODES BY REFERENCE**

WHEREAS, the City of Daphne shall heretofore by Ordinance adopt the 2006 Edition of the International Building Code, 2006 Edition of the International Residential Code, 2006 Edition of the International Fuel Gas Code, 2006 Edition of the International Mechanical Code, 2006 Edition of the International Plumbing Code, and the 2005 Edition of the National Electric Code; and

WHEREAS, the International Code Council Incorporated has published the 2006 Edition of the International Building Code, 2006 Edition of the International Residential Code, 2006 Edition of the International Fuel Gas Code, 2006 Edition of the International Mechanical Code, and the 2006 Edition of the International Plumbing Code, and the National Fire Prevention Association has published the 2005 Edition of the National Electric Code; and

WHEREAS, Section 11-45-8(c) provides for the adoption of codes in book form upon compliance with the requirements of such Section; and,

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

1. That a public hearing shall be held on **January 16, 2007**, concerning the adoption of an Ordinance for the 2006 Edition of the International Building Code, 2006 Edition of the International Residential Code, 2006 Edition of the International Fuel Gas Code, 2006 Edition of the International Mechanical Code, 2006 Edition of the International Plumbing Code, and the 2005 Edition of the National Electric Code and all amendments thereto.
2. Said Ordinance shall provide for the amendment, deletion, and changes to the International Residential Code, edition 2006, as follows:
 - (a). The following section of the International Residential Code, edition 2006, is hereby revised in its entirety to read as follows:

905.2.6 Attachment. Asphalt shingles shall have the minimum numbers of fasteners required by the manufacturer. For normal application, asphalt shingles shall be secured to the roof with not less than six fasteners per strip shingle or two fasteners per individual shingle. Where the roof slope exceeds twenty (20) units horizontal (167% slope), special methods of fastening are required.

- b.) The following sections of the International Residential Code, edition 2006, are hereby deleted in their entirety:

301.1.3 Engineered Design,

301.2.1 Wind Limitations, and

301.2.1.1 Design Criteria.

- 2. That this Resolution be published once a week for two consecutive weeks prior to said hearing.
- 3. That three copies of said Codes shall be filed for not less than fifteen (15) days prior to the holding of public hearing for use and examination by the public in the Office of the City Clerk.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this ___ day of _____, 2006.

GREG BURNAM
COUNCIL PRESIDENT
 DATE/TIME SIGNED: _____

FRED SMALL, MAYOR
 DATE/TIME SIGNED: _____

ATTEST:

DAVID L. COHEN,
CITY CLERK, MMC

**RESOLUTION NO. 2006-106
2007-C-FD/EXTRACATION EQUIPMENT**

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 EXTRACATION EQUIPMENT will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the FD/EXTRACATION EQUIPMENT and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the FD/EXTRACATION EQUIPMENT be awarded to NAFECO, Inc.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of NAFECO, Inc. for unit cost listed as attached herein and made a part hereof (total unit cost of \$22,914.00) as specified in BID SPECIFICATION NO: 2007-C-FD/EXTRACATION EQUIPMENT.

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

Greg Burnam,
Council President
Date & Time Signed:_____

Fred Small,
Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen,
City Clerk, MMC

ORDINANCE NO. 2006-80

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

Arthur Keller Property

(Property located on the Southeast corner of Whispering Pine Road and Pollard Road)

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

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

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

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

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne on October 26, 2006 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned R-4, High Density Multi-Family**; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on December 4, 2006 concerning the petition for annexation; and,

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

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

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

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

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

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

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

“Exhibit A”

LEGAL DESCRIPTION:

Commencing at the Northwest Corner of Section 16, Township 5 South, Range 2 East, Baldwin County, Alabama; run thence South 89 degrees 58 minutes 24 seconds East, 40.42 feet; thence run South 00 degrees 03 minutes 13 seconds East, 30.28 feet to a capped steel rod at the intersection of the South Right-of-Way line of Pleasant Road, (60.0 foot Right-of-Way, paved) and the East Right-of-Way line of Pollard Road, (80.0 foot Right-of-Way, paved) for the Point of Beginning; thence run South 89 degrees 58 minutes 24 seconds East, 603.0 feet along said South Right-of-Way line of Pleasant Road to a capped steel rod; thence run South 00 degrees 03 minutes 13 seconds East, 738.71 feet to a capped steel rod; thence run South 89 degrees 58 minutes 47 seconds West, 603.0 feet to a capped steel rod on the East Right-of-Way line of Pollard Road; thence run North 00 degrees 03 minutes 13 seconds West, 739.20 feet along said East Right-of-Way line to the Point of Beginning, containing 10.23 acres more or less.

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

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

ARTHUR KELLER JR & JOANNE D. KELLER
ANNEXATION

EXHIBIT "A"

LEGAL DESCRIPTION:

Commencing at the Northwest Corner of Section 16, Township 5 South, Range 2 East, Baldwin County, Alabama; run thence South 89 degrees 58 minutes 24 seconds East, 40.42 feet; thence run South 00 degrees 03 minutes 13 seconds East, 30.28 feet to a capped steel rod at the intersection of the South Right-of-Way line of Pleasant Road, (60.0 foot Right-of-Way, paved) and the East Right-of-Way line of Pollard Road, (80.0 foot Right-of-Way, paved) for the Point of Beginning; thence run South 89 degrees 58 minutes 24 seconds East, 603.0 feet along said South Right-of-Way line of Pleasant Road to a capped steel rod; thence run South 00 degrees 03 minutes 13 seconds East, 738.71 feet to a capped steel rod; thence run South 89 degrees 58 minutes 47 seconds West, 603.0 feet to a capped steel rod on the East Right-of-Way line of Pollard Road; thence run North 00 degrees 03 minutes 13 seconds West, 739.20 feet along said East Right-of-Way line to the Point of Beginning, containing 10.23 acres more or less.

CITY OF DAPHNE ORDINANCE NO. 2006-82

AN ORDINANCE REGULATING EROSION AND SEDIMENT CONTROL FOR RESIDENTIAL DWELLINGS AND NON-COMMERCIAL LAND DISTURBANCE

WHEREAS, the City Council of the City of Daphne, Alabama deems it to be in the best interest of public health, safety, general welfare and for the benefit of its citizens to establish regulations for erosion and sedimentation control; and,

WHEREAS, it is in the best interest of the City of Daphne and the continued development of the area to implement satisfactory controls for sedimentation and erosion for non-commercial and residential dwellings within the City of Daphne; and

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

SECTION I: PURPOSE

This ordinance is adopted to provide minimum standards to ensure effective storm water management, drainage management, and erosion and sediment control measures for either residential dwellings or any other non-commercial, land disturbing activity.

SECTION II: DEFINITIONS

For the purposes of this ordinance, the following words and phrases shall have the meaning respectively ascribed to them by this section unless taken specific exception to elsewhere in this ordinance:

- 1). ***best management practices*** means a wide range of methods and procedures to control the addition of pollutants in the environment and to effectively control the quality and/or quantity of storm water runoff and which are implemented and maintained in accordance with established industry standards, good engineering practices, and the Alabama Handbook for Erosion Control, Sediment Control, and Storm Water Management on Construction Sites and Urban Areas (www.swcc.state.al.us).

- 2). **city** means the City of Daphne, Alabama
- 3). **city planner** means the city planner of the City, or his or her designee
- 4). **contractor** means a person or his designee who is responsible for construction or any other type of land disturbing activities
- 5). **erosion** means the process by which land surface is worn away by the action of wind, water, ice and/or gravity
- 6). **erosion and sediment control plan** means a plan for the control of soil erosion and sediment resulting from a land disturbing activity
- 7). **land disturbing activity** means any activity that results in a change to the existing storm water drainage characteristics of land
- 8). **permittee** means any person who the Land Disturbance Permit is issued to
- 9). **sedimentation** means the process by which eroded material is transported and deposited by the action of wind, water, ice and/or gravity
- 10). **stabilize** means installing structural measures or soil cover to reduce soil erosion by storm water runoff, wind, ice, gravity or mechanical activity
- 11). **storm water management** means all natural and man-made elements used to convey storm water from the first point of impact with the construction site to a suitable outlet location.

SECTION III: APPLICABILITY; EXCEPTIONS

This ordinance shall apply to residential dwelling and any non-commercial, land disturbing activity undertaken by any person on any land within the City of Daphne's city limits except for the following:

- 1). such minor land-disturbing activities as home gardens and individual home landscaping, maintenance, repairs, fences and other related activities which result in minor soil erosion
- 2). construction or maintenance projects undertaken by the City of Daphne
- 3). construction or maintenance of above ground public utilities

- 4). residential accessory structures such as outbuildings, pools, and the like
- 5). emergency repairs,
- 6). agricultural and silvicultural operations
- 7). any land disturbance which requires a Right of Way Permit from the Public Works Department of the City of Daphne
- 8). any land disturbance activity which has a Land Disturbance Permit from the City of Daphne Planning and Zoning Department

SECTION IV: EROSION AND SEDIMENT CONTROL; MINIMUM REQUIREMENTS

- 1). Best Management Practices shall be required for all land disturbing activities. The contractor shall promptly implement effective Best Management Practices in accordance with the contractor's building permit and submitted Construction Best Management Practices Plan prior to commencing the land disturbing activity. The contractor shall be responsible for ensuring that all Best Management Practices are implemented and maintained for the entire duration of the land disturbing activity. The contractor shall also be responsible for ensuring that the Best Management Practices are in accordance with established industry standards, good engineering practices, and all standards as set out in the Alabama Handbook for Erosion Control, Sediment Control, and Storm Water Management on Construction Sites and Urban Areas (www.swcc.state.al.us).
- 2). In the event the Best Management Practices are found to be in need of maintenance or improvements, the contractor shall commence and implement all necessary maintenance to the Best Management Practices Plan within 48 hours of notice or as soon as practical as conditions may allow.

That in addition to implementing all necessary maintenance or improvements to the Best Management Practices Plan, the contractor shall clean up any sedimentation which results from erosion relating to the construction.

- 4). The contractor shall stabilize any roadside ditches or embankments in right-of-ways to prevent erosion caused by their land disturbing activity.

- 5). The contractor shall provide the necessary measures to ensure that drainage structures important to overall storm water management and control are not adversely affected by clearing, grading, or any other land disturbing activities.
- 6). The contractor shall ensure proper implementation, regular inspection and continual maintenance of effective Best Management Practices to protect the physical, chemical and biological integrity of groundwater and surface waters.
- 7). The contractor shall design, implement and regularly maintain Best Management Practices in order to provide effective treatment of discharges of pollutants in storm water resulting from runoff generated by storm events during the land disturbing activity.

**SECTION V: CONSTRUCTION SITE SOLID WASTE MANAGEMENT;
MINIMUM REQUIREMENTS**

The contractor shall ensure proper onsite containment and disposal of all construction site trash, debris and any other solid waste, including concrete and brick mortar, in any way resulting from the land disturbing activity.

SECTION VI: PERMIT REQUIRED; APPLICATION

- 1). A permit for any non-commercial or residential dwellings land disturbing activity shall be required. No person, business or corporation shall engage in any land disturbing activity prior to obtaining a land disturbance permit from the City of Daphne. For new construction and remodels, the land disturbance permit is incorporated into the building permit and the building permit must be obtained prior to land disturbance.
- 2). A permit shall be issued to either the title owner of the real property or the general contractor charged with the contractual obligation of the construction activity.
- 3). A fee of fifty dollars shall be charged and collected by the City for the land disturbing permit fee.
- 4). When constructing a residential single-family dwelling, all applications for land disturbing permits shall be accompanied by a Best Management Practices Plan. It

is not required that the Best Management Practices Plan be prepared by an

engineer, but the plan shall meet all minimum requirements set out in the Alabama Handbook for Erosion and Sediment Control.

SECTION VII: ENFORCEMENT

- 1). Failure or refusal to implement and maintain Best Management Practices shall be sufficient cause for the City of Daphne, through either a site containment inspector or code enforcement officer, to issue an order suspending all work on the land disturbing site until satisfactory measures are taken to comply with the city code.
- 2). Penalties: Any person found to be in violation of any provision of this ordinance shall be punished by a fine of not less than fifty dollars, but not more than five hundred dollars, or imprisonment not to exceed one-hundred and eighty days, or both.
- 3). This ordinance may also be subject to enforcement by the issuance of a summons and complaint pursuant to Ordinance No. 1993-02, as amended from time to time.

SECTION VIII: INJUNCTIVE RELIEF

In addition to the other remedies so provided herein, the city retains the right to bring an action for injunctive relief to require the payment of damages for, and/or removal from the City or its police jurisdiction, all sediment which has migrated off-site as a result of erosion due to land disturbing activities or has the potential to migrate off-site.

SECTION IX: SEVERABILITY

Should any section or provision of this article be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this ordinance.

SECTION X: EFFECTIVE DATE.

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

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

**GREG BURNAM,
CITY COUNCIL PRESIDENT**

Date & Time Signed: _____

**FRED SMALL,
MAYOR**

Date & Time Signed: _____

ATTEST:

**DAVID COHEN,
CITY CLERK, MMC**

2007 Proposed Capital Budget

| Page # | Department | Item and Description | Quantity | Cost | Total Cost | Subtotal |
|-----------------|------------|---------------------------------|----------|-------------|--------------|--|
| A-1 | LG | EMI | 1.00 | \$2,000.00 | \$2,000.00 | |
| A-5 | LG | LF Yatch Club | 1.00 | \$2,000.00 | \$2,000.00 | |
| A-9 | LG | American Red Cross | 1.00 | \$4,500.00 | \$0.00 | |
| A-59 | LG | Branding | 1.00 | \$15,000.00 | \$15,000.00 | Opportunity For Community |
| A-7 | LG | BRAG | 1.00 | \$20,000.00 | \$12,000.00 | |
| Total LG | | | | | | \$31,000.00 |
| A-62 | HR | Computerized Time Keeping | 1.00 | \$45,000.00 | \$45,000.00 | \$45,000.00 |
| P-2 | Fire | Firefighters | 3.00 | \$37,311.00 | \$111,933.00 | Note: We need a total of (6) but can get by with (3) |
| A-12 | Fire | Turn Out Gear for new personnel | 3.00 | \$7,966.00 | \$23,898.00 | |
| A-12 | Fire | Lieutenants. | 6.00 | \$5,000.00 | \$30,000.00 | Note: Will promote (6) Firefighters- no additional employees. |

2007 Proposed Capital Budget

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|--------------------------|-------------|--------------------------------|------|-------------|-------------|---|
| P-1 | Fire | Office Asst. | 0.00 | \$29,467.00 | \$0.00 | |
| A-13 | Fire | ALS Equip. | 1.00 | \$20,000.00 | \$20,000.00 | |
| A-12 | Fire | EMS Vehicle | 0.00 | \$52,000.00 | \$0.00 | Note: Volunteers are looking at buying this for the City |
| | | | | | | \$185,831.00 |
| P-7 | Inspections | Site Containment Inspector | 1.00 | \$41,000.00 | \$41,000.00 | |
| A-16 | Inspections | Equipment for Inspector | 1.00 | \$26,025.00 | \$26,025.00 | |
| Total Inspections | | | | | | \$67,025.00 |
| A-18 | Patrol | Replacement cars and equipment | 2.00 | \$29,404.50 | \$58,809.00 | |
| A-19 | Patrol | lap top computers and mounts | 4.00 | \$1,898.00 | \$7,592.00 | |
| Total Patrol | | | | | | \$66,401.00 |
| A-21 | Detectives | Replacement cars and equipment | 1.00 | \$27,358.00 | \$27,358.00 | |
| Total Detectives | | | | | | \$27,358.00 |

2007 Proposed Capital Budget

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|--------------------------------|----------------|-------------------------|------|--------------|--------------|--|
| A-25 | Communications | Computer System Upgrade | 1.00 | \$114,640.00 | \$114,640.00 | |
| Total Communications | | | | | | \$114,640.00 |
| A-28 | Police Admin | Master Plan | 1.00 | \$20,000.00 | \$0.00 | \$0.00 |
| Total PD | | | | | | \$208,399.00 |
| Total for Public Safety | | | | | | \$394,230.00 |
| A-38 | Infrastructure | Paving | 1.00 | \$500,000.00 | \$500,000.00 | |
| | Infrastructure | Sidewalks | 1.00 | \$30,000.00 | \$30,000.00 | Note: Includes connecting all of Dauphine Acres |
| | Infrastructure | Sidewalk & Bridge | 0.00 | \$50,000.00 | \$0.00 | Note: To connect Jubilee Square and Gator Alley |

2007 Proposed Capital Budget

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|-----------------------------|--|--|--|--|---------------------|
| Total Infrastructure | | | | | \$530,000.00 |
|-----------------------------|--|--|--|--|---------------------|

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|------|--------------------------|-----------------------------------|------|--------------|--------------|
| A-33 | Street Department | 14' Flat Bed Truck With Dump Body | 1.00 | \$43,000.00 | \$43,000.00 |
| P-32 | Mowing | PSW SR | 1.00 | \$35,726.00 | \$35,726.00 |
| A-47 | Garbage | Garbage Truck (Automated) | 1.00 | \$180,000.00 | \$180,000.00 |
| A-63 | Grounds | Beautification Committee Request | 1.00 | \$30,000.00 | \$30,000.00 |

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|---------------------------|--|--|--|--|---------------------|
| Total Public Works | | | | | \$288,726.00 |
|---------------------------|--|--|--|--|---------------------|

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|------|-----------------------|------------------------------------|------|-------------|-------------|---|
| A-52 | Parks - Sports | #1545 John Deere Front Deck Mowers | 3.00 | \$17,500.00 | \$52,500.00 | To replace Reel Mowers where lease is up. (There is 1 Reel Mower that we will buy out at end of lease "July"). |
| A-54 | Parks - Sports | Trailer 8'x12' | 1.00 | \$1,750.00 | \$1,750.00 | |
| | Parks - Sports | PSW SR | 2.00 | \$35,726.00 | \$71,452.00 | |

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|-----------------------------|--|--|--|--|---------------------|
| Total Parks - Sports | | | | | \$125,702.00 |
|-----------------------------|--|--|--|--|---------------------|

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|--|-------------------|-----------------------|------|-------------|-------------|---------------------|
| | Recreation | Boundless Play Ground | 1.00 | \$30,000.00 | \$30,000.00 | For Centennial Park |
|--|-------------------|-----------------------|------|-------------|-------------|---------------------|

2007 Proposed Capital Budget

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|------|------------------------------------|--------------------------------------|------|-------------|-----------------------|-----------------------|--|
| | Recreation | | | | \$0.00 | \$30,000.00 | |
| | Library | SVCS Tech. | 2.00 | \$31,637.00 | \$63,274.00 | \$63,274.00 | |
| A-57 | Civic Center | Dance Floor | 1.00 | \$47,230.00 | \$47,230.00 | | |
| A-57 | Civic Center | Door Bell and Surveillance System | 0.00 | \$10,000.00 | \$0.00 | | |
| | Civic Center | Additional Money for Electronic Sign | 1.00 | \$35,000.00 | \$15,000.00 | | |
| | Civic Center | 40 x 40 tent | 1.00 | \$6,296.94 | \$6,296.94 | | These Tents will be used between all departments |
| P-35 | Civic Center | Events Svcs Sypervisor | 1.00 | \$33,806.00 | \$33,806.00 | | |
| | Total Civic Center | | | | | | \$102,332.94 |
| | GRAND TOTAL | | | | \$1,677,289.94 | \$1,677,289.94 | |
| | Available for Appropriation | | | | \$1,694,463.00 | \$17,173.06 | (Over) / Under Budget |