

**CITY COUNCIL BUSINESS MEETING AGENDA
BUSINESS MEETING
1705 MAIN STREET, DAPHNE, AL
MARCH 19, 2012
6:30 P.M.**

1. CALL TO ORDER

2. ROLL CALL/INVOCATION / PLEDGE OF ALLEGIANCE

- 3. APPROVE MINUTES:** Council meeting minutes / March 5, 2012
Council Work Session Minutes / March 12, 2012

PRESENTATION: Present a Copy of the book Images of America: "Daphne" to the City / Ms. Harriet Outlaw & Ms. Penny Taylor

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE / Boulware

Review Finance Minutes / March 12th

1.) Ordinances:

- a.) Appropriation of Funds: City Hall Roof Repair / Preparation of Plans/Specifications / **Ordinance 2012-22**
- b.) Appropriation of Funds: Civic Center Kitchen Hood Suppression System / **Ordinance 2012-23**
- c.) Appropriation of Funds: Legislative Phone/Internet Budget / **Ordinance 2012-24**
- d.) Appropriation of Funds: Recreation / Youth Spring Soccer Program / **Ordinance 2012-25**

2.) Resolutions:

- a.) Santa Rosa Avenue Drainage Improvements / **Resolution 2012-21**
- b.) Sales Tax Holiday / **Resolution 2012-22**
- c.) Bid Award: Asphalt Hotbox Reclaimer Trailer Unit / Truck & Equipment Sales, Inc. / **Resolution 2012-23**
- d.) Bid Award: PW/Truck: 8-10 Yard Dump Truck / Empire Truck Sales, LLC / **Resolution 2012-24**
- e.) Bid Award: PW/Roller Compactor – Tow Behind / Thompson Tractor Co. / **Resolution 2012-25**
- f.) Declare Property Surplus for Donation / **Resolution 2012-26**
- g.) Declare Property Surplus / **Resolution 2012-27**

3.) MOTIONS:

Motion to go out to bid: City Hall Roof Repair

4.) Financial Reports:

- a.) Treasurers Report / February, 2012
- b.) Sales & Use Tax Collections / January 2012
- c.) Lodging Tax Collections / 2012

B. BUILDINGS & PROPERTY COMMITTEE - Lake

Review minutes / March 5th

C. PUBLIC SAFETY COMMITTEE – Boulware

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Reese

Review minutes / March 14th

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Conaway

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

- A. Board of Zoning Adjustments – Jones**
- B. Downtown Redevelopment Authority – Barnette**
- C. Industrial Development Board – Conaway**

D. Library Board – Lake

- Review minutes / January 6th
- Review minutes / February 2nd

E. Planning Commission – Barnette

F. Recreation Board – Reese

G. Utility Board - Scott

- Review minutes / January 25th

6. REPORTS OF OFFICERS:

A. Mayor’s Report

- a.) Parade Permit / Daphne United Methodist Church / April 7, 2012
- b.) **MOTION:** Voting Delegate / AL League of Municipalities Convention / May 19-11, 2012
- c.) **MOTION:** Authorize going out for bid on road projects

B. City Attorney’s Report

C. Department Head Comments

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) Hazardous Mitigation Grant / Santa Rosa Avenue Drainage Improvements. /Resolution 2012-21
- b.) Sales Tax Holiday. /Resolution 2012-22
- c.) Bid Award: Asphalt Hotbox Reclaimer Trailer Unit /Resolution 2012-23
- d.) Bid Award: PW/Truck: 8-10 Yard Dump Truck. /Resolution 2012-24
- e.) Bid Award: PW/Roller Compactor / Tow Behind. /Resolution 2012-25
- f.) Declaring Certain Property Surplus / Donation. /Resolution 2012-26
- g.) Declaring Certain Property Surplus. /Resolution 2012-27

ORDINANCES:

2nd READ

- a.) Amendment to the Land Use & Development Ordinance /
Revisions to Zoning Map. /Ordinance 2012-19
- b.) Annexation: Woodrow Lane Right-of-Way. /Ordinance 2012-20

1ST READ

- c.) **Adopting the Rules of Procedure in All Instances for Meetings of the City Council. /Ordinance 2012-21**
- d.) **Appropriation of Funds: City Hall Roof Repair. /Ordinance 2012-22**
- e.) **Appropriation of Funds: Civic Center Kitchen Hood Fire Suppression System. /Ordinance 2012-23**
- f.) **Appropriation of Funds: Legislative Phone/Internet Budget. /Ordinance 2012-24**
- g.) **Appropriation of Funds: Youth Spring Soccer Program. /Ordinance 2012-25**

9. COUNCIL COMMENTS

10. ADJOURN

**CITY OF DAPHNE
CITY COUNCIL MEETING**

ROLL CALL

CITY COUNCIL:

CALL VOTES

COUNCILWOMAN CONAWAY	PRESENT__	ABSENT__	__
COUNCILWOMAN BARNETTE	PRESENT__	ABSENT__	
COUNCILMAN LAKE	PRESENT__	ABSENT__	__
COUNCILMAN REESE	PRESENT__	ABSENT__	__
COUNCILMAN SCOTT	PRESENT__	ABSENT__	__
COUNCILMAN BOULWARE	PRESENT__	ABSENT__	__
COUNCILMAN PALUMBO	PRESENT__	ABSENT__	__

MAYOR

MAYOR YELDING	PRESENT__	ABSENT__	__
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CITY CLERK:

DAVID L. COHEN	PRESENT__	ABSENT__	__
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CITY ATTORNEY:

CITY ATTORNEY JAY ROSS	PRESENT__	ABSENT	
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MINUTE NOTES:

**CITY COUNCIL MEETING
MINUTES**

NOTES:

COMMITTEE RECOMMENDATIONS

**MARCH 5, 2012
REGULAR CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER

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

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Councilwoman Conaway.

COUNCIL MEMBERS PRESENT: Tommie Conaway; Cathy Barnette; John Lake; Kelly Reese; Ron Scott; Derek Boulware; August Palumbo.

Also present: Mayor Yelding; David Cohen, City Clerk; Erick Bussey, Attorney; Adrienne Jones, Planning Director; Richard Johnson, Publics Works Director; Tonja Young, Library Director; Christine Ciancetta, Deputy Finance Director; David Carpenter, Police Chief; James White, Fire Chief; Margaret Thigpen, Civic Center Director; David McKelroy, Recreation Director Richard Merchant, Building Official; Vickie Hinman, Human Resources Director; Al Guarisco, Village Point Foundation; Bob Segalla, Utility Board.

Absent: Kim Briley, Finance Director; Jay Ross, City Attorney.

3. APPROVE MINUTES

**MOTION BY Councilman Boulware to adopt the February 20, 2012 Council meeting minutes.
*Seconded by Councilman Scott.***

AYE	ALL IN FAVOR	NAY	NONE OPPOSED	MOTION CARRIED
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PUBLIC HEARINGS:

1.) Amendment to the Land Use & Development Ordinance / Revisions to Zoning Map /
Ordinance 2012-19

Mrs. Adrienne Jones gave the presentation

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

No one spoke for or against the proposed revisions.

Council President Barnette closed the Public Hearing at 6:41 p.m.

2.) Annexation of Woodrow Lane Right-of-Way

Property Located: AL Highway 181 to the unimproved portion of Woodrow Lane

Recommendation: Unanimous Favorable

Ordinance 2012-20

**MARCH 5, 2012
REGULAR CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Mrs. Jones gave the presentation.

Council President Barnette opened the Public Hearing at 6:44 p.m.

Mr. David Chalk – 8719 Ash Court – representing TimberCreek Property Owners Association - spoke in favor of the proposed annexation.

Mr. Chester McConnell - Pine Run – spoke in favor of the proposed annexation.

Mr. Joe Davis – 30757 Pine Court – spoke in favor of the proposed annexation.

Council President Barnette closed the Public Hearing at 6:46 p.m.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE – Boulware

MOTION BY Councilman Boulware to authorize going out for bid: Daphne Sports “Complex, Phase I. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

B. BUILDINGS AND PROPERTY COMMITTEE – Lake

No report.

C. PUBLIC SAFETY COMMITTEE – Boulware

No report. The next meeting will be the 2nd Wednesday of March.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Boulware

No report. The next meeting will be the 2nd Wednesday of March.

E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY – Conaway

No report.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Adrienne Jones

No meeting in March.

B. Downtown Redevelopment Authority – Barnette

The minutes for the February 27th meeting are in the packet.

MARCH 5, 2012
REGULAR CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

C. Industrial Development Board – Conaway

The February 7th and February 27th minutes are in the packet. The board met on February 7th with a call center that was requesting assistance, and at that time they were not able to make a decision. On February 27th a motion was made to offer Fortitude Business Solutions to pay six (6) months rent @\$1,500 per month beginning March 1, 2012 with a follow-up meeting prior to the end of the six (6) months to discuss possible further assistance.

D. Library Board – Lake

No report.

E. Planning Commission – Barnette

MOTION BY Councilman Scott to Set a Public Hearing date for April 2, 2012 to consider rezoning:

Blacksher White-Spinner, etal

Location: Southwest of the intersection of U.S. Highway 90 and County Road

13Present Zoning: R-3, High Density Single Family Residential District

Proposed Zoning: B-1, Local Business

Recommendation: Failed to set forth a favorable recommendation / A super majority vote is needed for a favorable recommendation, and the vote was five (5) affirmative - one (1) dissenting

Seconded by Councilwoman Conaway.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

F. Recreation Board - Reese

No report.

G. Utility Board – Scott

The next meeting will be the last Wednesday of the month. The board has resurfaced Well Road all the Way to Public Works Road, and Public Works Road all the way to Austin Park has been resurfaced as well. There is a proposal that the board will discuss at a later time of extending Well Road all the way to County Road 13. This will help school traffic, as well as, the Recreation ball fields giving traffic another exit instead of all exiting on Whispering Pines Road. This is an example of the Utility Board and the city working together for a positive result.

6. REPORTS OF THE OFFICERS:

A. Mayor's Report

- a.) ABC License / Benedetto / 040 – Retail Beer (On or Off Premises / 060 – Retail Table Wine (On or Off Premises
- b.) ABC License / Bayside Academy / 140 Special Events Retail
- c.) ABC License / Southern Napa / 040 – Retail Beer (On or Off Premises / 060 – Retail Table Wine (On or Off Premises
- d.) ABC License / Pour Nelsons Pub / 010 – Lounge Retail Liquor – Class I

MOTION BY Councilman Boulware to approve the ABC License for Benedetto / 040 – Retail Beer (On or Off Premises / 060 – Retail Table Wine (On or Off Premises. *Seconded by Councilman Palumbo.*

AYE Conaway, Lake, Reese, Boulware, Palumbo, Barnette ABSTAIN Scott

NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Boulware to approve the ABC License / Bayside Academy / 140 Special Events Retail. *Seconded by Councilman Palumbo.*

ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Boulware to approve the ABC License / Southern Napa / 040 – Retail Beer (On or Off Premises / 060 – Retail Table Wine (On or Off Premises. *Seconded by Councilman Palumbo.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Boulware to approve the ABC License / Pour Nelsons Pub / 010 – Lounge Retail Liquor – Class I. *Seconded by Councilman Palumbo.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

B. City Attorney Report
No report.

C. Department Head Comments:

James White – Fire Chief – reported that the Search and Rescue Squad have been involved with the recovery efforts for the missing Coast Guard crewman from the beginning and will continue until the search is suspended.

David McKelroy – Recreation Director – reported the girl’s softball and kickball, Dixie Boys baseball, lacrosse, soccer schedules. He also reported the tournament schedules. The Daphne Easter Egg Hunt will be March 31st starting at noon at Lott Park. He announced that the Sunday Sunset Series Concerts at Bay Front Park from 5:00 – 6:30 p.m. starts March 18th with City Rhythm, April 22nd with Baldwin Pops and May 20th with Mobile Big Band. The next Recreation Board meeting will be Wednesday March 14th at 6:30 p.m.

Margaret Thigpen – Civic Center Director - reported that voting at the Civic Center will be Tuesday March 13th, Civic Center Open House is March 15th 5:30 – 7:30 p.m., Ballroom Dance tickets go on sale March 20th, and the event is April 20th and Mobile Bottle Collectors will be at the Civic Center March 23-24, and is open to the public.

David Carpenter – Police Chief - reported that the roof repairs on the Justice Center were finished, and so far there have been no leaks. There are still some minor repairs that need to be addressed before final payment is made.

Tonja Young – Library Director - reported that there was a great turnout for all the Lincoln speaking events, and that patron comments indicated that the entire program had been an asset to the community.

Vickie Hinman – Human Resources Director – reported that there is a Library Aid position open.

Christine Ciancetta – Deputy Finance Director - gave an update on accepting credit cards.

7. PUBLIC PARTICIPATION

Mr. Doug Dugat 9391 Montpelier Place – thanked Council for approving the refinancing of the warrants. He feels this is a positive action to help develop the Recreation property behind Wal-Mart. He mentioned that the Daphne Bocce players will be set up at the Special Olympics in Fairhope on March 16h for any of the entrants that want to learn to play.

8. RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

RESOLUTIONS:

a.) **Acceptance of Streets / Brookhaven Subdivision, Unit Two, Part A /Resolution 2012-15**

- b.) Authorize the Mayor to Execute a Warrant Purchase Agreement Between the City and Gardnyr Michael Capital with Respect to the Series 2012 Warrants/Resolution 2012-16
- c.) Set Public Hearing for Codification of Ordinances /Resolution 2012-17
- d.) Prepaid Travel / Lake / Cohen / Conaway/Resolution 2012-18
- e.) Authorize to Apply for the AL Transportation & Improvement Program Grant/Resolution 2012-19
- f.) Authorize Sending out RFP's to Banks & Bond Companies for the Refinancing of the 2006 Series Warrants/Resolution 2012-20

MOTION BY Councilman Palumbo to waive the reading of Resolutions 2012-15, 2012-16, 2012-17, 2012-18, 2012-19 and 2012-20. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2012-15. *Seconded by Councilman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt of Resolution 2012-16. *Seconded by Councilman Lake.*

Council discussed the resolution.

Councilman Palumbo called for the question.

AYE Conaway, Lake, Scott, Barnette NAY Reese, Boulware, Palumbo

MOTION CARRIED

MOTION BY Councilman Palumbo to adopt Resolution 2012-17. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

1ST READ

- i.) Amendment to the Land Use & Development Ordinance /
Revisions to Zoning Map/Ordinance 2012-19
- j.) Annexation: Woodrow Lane Right-of-Way/Ordinance 2012-20

MOTION BY Councilman Palumbo to waive the reading of Ordinances 2012-11, 2012-12, 2012-13, 2012-14, 2012-15, 2012-16, 2012-17 and 2012-18. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Ordinance 2012-11. *Seconded by Councilman Palumbo.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Ordinance 2012-12 *Seconded by Councilwoman Conaway.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Palumbo to adopt Ordinance 2012-13. *Seconded by Councilwoman Conaway.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Ordinance 2012-14. *Seconded by Councilman Palumbo.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Palumbo to adopt Ordinance 2012-15. *Seconded by Councilman Boulware.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Ordinance 2012-16. *Seconded by Councilman Palumbo.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Boulware to adopt Ordinance 2012-17. *Seconded by Councilman Reese.*

AYE Reese, Boulware, Palumbo

NAY Conaway, Lake, Scott, Barnette

MOTION FAILED

MOTION BY Councilman Boulware to adopt Ordinance 2012-18. *Seconded by Councilman Reese.*

AYE Conaway, Reese, Scott, Boulware, Palumbo, Barnette

NAY Lake

MOTION CARRIED

Ordinances 2012-19, 2012-20 were made 1st Read.

8. COUNCIL COMMENTS

Mayor Yelding stated that the S.E.E.D.S Run was a great event for raising money for the schools.

Councilwoman Conaway thanked council for the opportunity to go to the National League of Cities Conference. She feels it will be beneficial.

Councilman Lake stated that they voted back on August 15, 2011 to go out for refinancing with Gardnry Michael Capital, because they looked at the city's bonding to see where money could be saved, and brought to council. If other bonding companies and banks want to look at the city's bonding to see where money could be saved the council will listen. He said he had some more to say on that when they voted on the resolution, but Mr. Palumbo called for the question

Councilman Palumbo clarified that at the January 3rd meeting when the question was called while he was speaking he made a point to mention that that had only happened once or twice in the eight years he has been on the council. He warned certain council members at that time that it would come back and be revisited.

Councilman Reese agreed with the mayor regarding the S.E.E.D.S. event. He said it was a very delightful event.

Councilman Scott said that the S.E.E.D.S. event promotes a great sense of community.

Councilman Boulware stated that there was a great turnout for the S.E.E.D.S. event, and that it was for a good cause, and they are proud of the work they have done.

**MARCH 5, 2012
REGULAR CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Council President Barnette stated that Mr. Lake was right when he said at the last council meeting that the council had been discussing the bond issue since August of last year. It was a motion by Mr. Boulware to authorize the Finance Director to work with Gardner Michael Capital and Hand Arendall to structure the refunding and take steps necessary to refund the 2006 Limited Liability Revenue Warrants. She said that they discussed it for a long time, and it has gotten convoluted for a variety of reasons, and hopefully, they can get back on track and create a process where there is no confusion in the future. She said that they have talked about, maybe, working with a financial advisor so they can have a set protocol and procedure in place for the future. Council President Barnette thanked Tracey Miller for her hard work on the application of the recycling grant.

9. ADJOURN

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

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

There being no further business to discuss the meeting adjourned at 7:34 p.m.

Respectfully submitted by,

David L. Cohen,
City Clerk, MMC

Certification by Presiding Officer:

Cathy S. Barnette,
Council President

MARCH 12, 2012
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

1

COUNCIL MEMBERS PRESENT: Kelly Reese; Ron Scott; Derek Boulware; August Palumbo.

ABSENT: Tommie Conaway; Cathy Barnette; John Lake.

Also present: Mayor Yelding; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; Christine Ciancetta, Deputy Finance Director; Richard Johnson, Public Works Director; David McKelroy, Recreation Director; Tonja Young, Library Director; Margaret Thigpen, Civic Center Director; Jason Crane, Attorney; Erick Bussey, Attorney.

Absent: David Cohen, City Clerk.

Council President Pro tem Boulware called the meeting to order at 6:35 p.m.

1. OLDS EASEMENT / JAY ROSS

Mr. Ross asked to postpone discussion, because they are not quite ready. He reported that they will close on the Scott Curtis matter this week.

2. AMENDING ORDINANCE 2009-21 / COUNCIL RULES OF PROCEDURE

Council discussed suspension of the rules, and whether it is unanimous or 2/3 vote. Council likes having two (2) reads on ordinances so as not to rush into anything.

Consensus of Council was to delete Section XXII and change the wording to Section XVII to say that a unanimous vote is required to suspend the rules.

Mr. Ross said that he would amend the ordinance and send it to Mrs. Hayes.

3. AMENDING ORDINANCE 1993-16 / REGULATING THE USE OF ALCOHOLIC BEVERAGES WITHIN THE CITY OF DAPHNE

Discussion of this ordinance came up due to a request from the Daphne Museum Board. They want to have a reception and serve wine at the museum. After review of the ordinance the City Attorney opinioned that they could not serve alcoholic beverages. Council discussed the ordinance and mentioned that according to the ordinance people could not have alcoholic beverages at block parties, because the streets are city property.

Consensus of council was to send the ordinance to the Ordinance Committee for review.

4. CAPITAL BUDGET

Mayor Yelding stated that he asked the Department Heads to send in their top three (3) capital budget priorities for this fiscal year. They may have to cut a lot, but this is the current list.

Christine presented the capital budget to council. (*Handout by Ms. Ciancetta is spread out upon these minutes*)

**MARCH 12, 2012
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

2

Council discussed the list and asked questions.

Council cannot make any decisions regarding the capital budget until they get the figures for what is in the reserves.

5. ROAD PROJECTS

Mr. Richard Johnson, Public Works Director, presented information regarding the ATRIP grant. If the city receives a grant it will be an 80/20 match. There will be three (3) phases of the grant. Submission deadline for the first phase is the end of March 2012, the second phase deadline is the end of October 2012 and the deadline for the third phase is March 2012. The roads to be submitted for each phase is presented in a handout by Mr. Johnson. (*Handout is spread out upon these minutes*)

6. DISCUSS WHATEVER ELSE IS DEEMED NECESSARY

Council did not have any other items to discuss.

7. ADJOURN

There being no further business to discuss the meeting adjourned at 7:55 p.m.

Respectfully submitted by,

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

Certification of Presiding Officer:

**Derek Boulware,
Council President Pro tem**

Proposed City of Daphne ATRIP Projects - 2012-2013

Order/ App Date	Project	Mileage	Construction	Engineering			Total	Cost Sharing	
				Survey & Design	Testing	CE&I		Federal 80%	City 20% + Eng/Design
1 March 2012	Project 2012-B - Main Street - Holy Cross to Bayfront (18,247 L.F. - 3.45 miles) - Mill and Overlay (1500 L.F. Base Repairs)	3.45	\$598,889.56	\$25,814.21	\$20,651.36	\$30,977.05	\$676,332.18	\$520,414.38	\$155,917.80
2 March 2012	Project 2012-C - Well Road Extension - Public Works Road to CR13 (1,400 L.F. - 0.265 miles) - New Road & Drainage	0.265	\$144,267.00	\$21,930.00	\$3,600.00	\$26,800.00	\$196,597.00	\$139,733.60	\$56,863.40
3 March 2012	Proposed Project 2012-D: Profit Drive Extension - Profit Drive to Johnson Road	0.275	\$251,923.63	\$20,153.89	\$7,557.71	\$15,115.42	\$294,750.64	\$219,677.40	\$75,073.24
4 March 2012	Proposed Project 2012-E: Johnson Road Extension to County Road 13 - Bottom Crossing with Bridge	1.74	\$1,413,105.30	\$98,210.00	\$30,000.00	\$111,000.00	\$1,652,315.30	\$1,243,284.24	\$409,031.06
5 October 2012	Proposed Project 2013-A: Intersection of CR13 and Cr 64 - Round-A-Bout	0.25	\$500,000.00	\$75,000.00	\$15,000.00	\$40,000.00	\$630,000.00	\$444,000.00	\$186,000.00
6 October 2012	Proposed Project 2013-B: Lake Forest - 1.1 Miles (Ridgewood Drive - North Route connecting 2a & 2b) & 0.1 Miles of Bay View Drive (1a to the bridge) Project includes base repairs, drainage, asphalt resurfacing, concrete valley gutter, median curbing & landscaping	1.2	\$1,232,727.28	\$86,290.91	\$24,654.55	\$86,290.91	\$1,429,963.64	\$1,074,938.18	\$355,025.46
7 October 2012	Proposed Project 2013-C: Johnson Road Extension - County Road 13 to State Road 181	1.1	\$798,000.00	\$79,800.00	\$23,940.00	\$63,840.00	\$965,580.00	\$708,624.00	\$256,956.00
8 March 2013	Proposed Project 2013-D: Lake Forest - 2.1 Miles (Bayview & Ridgewood Drives - South Route connecting 2a & 2b) Project includes base repairs, drainage, asphalt resurfacing, concrete valley gutter, median curbing & landscaping	2.1	\$2,157,272.73	\$151,009.09	\$43,145.45	\$151,009.09	\$2,502,436.37	\$1,881,141.82	\$621,294.55
9 March 2013	Proposed Project 2013-E: Lake Forest - Bridge Replacement on Bayview at Lake Forest Lake - Severely Limited Bridge	0.25	\$1,000,000.00	\$75,000.00	\$30,000.00	\$65,000.00	\$1,170,000.00	\$876,000.00	\$294,000.00
Totals:		8.28	Miles				\$9,517,975.13	\$7,107,813.63	\$2,410,161.50

Cost per Mile: \$1,149,513.90

Proposed City of Daphne Street Improvements - Fiscal Year 2012 Summary

Order	Project	Mileage	Construction	Engineering			Total
				Survey & Design	Testing	CE&I	
1	Project 2012-A - Intersection of Whispering Pines Rd and US Hwy 98 (Additional Turn Lanes and Signalization Upgrade)	0.37	\$400,000.00	\$0.00	\$24,000.00	\$40,000.00	\$464,000.00
2	Project 2012-B - Main Street - Holy Cross to Bayfront (18,247 L.F. - 3.45 miles) - Mill and Overlay (1500 L.F. Base Repairs)	3.45	\$598,889.56	\$25,814.21	\$20,651.36	\$30,977.05	\$676,332.18
3	Project 2012-C - Well Road Extension - Public Works Road to CR13 (1,400 L.F. - 0.265 miles) - New Road & Drainage	0.265	\$144,267.00	\$21,930.00	\$3,600.00	\$26,800.00	\$196,597.00
4	Proposed Project: Profit Drive Extension - Profit Drive to Johnson Road	0.275	\$251,923.63	\$20,153.89	\$7,557.71	\$15,115.42	\$294,750.64
5	Proposed Project: Lake Forest - 1.1 Miles (Ridgewood Drive - North Route connecting 2a & 2b) Project includes base repairs, drainage, asphalt resurfacing, concrete valley gutter, median curbing & landscaping	1.1	\$1,130,000.00	\$79,100.00	\$22,600.00	\$79,100.00	\$1,310,800.00
6	Proposed Project: Resurfacing of Pinehill Road - 7th Street to south of Roper Ln	0.475	\$84,302.00	\$0.00	\$2,530.00	\$0.00	\$86,832.00
7	Proposed Project: Resurfacing of Douglas Road - US Hwy 90 to End of Pavement	0.25	\$20,882.00	\$0.00	\$627.00	\$0.00	\$21,509.00
Totals:		6.19	Miles				\$3,050,820.82

Cost per Mile:	\$493,261.25
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**CITY COUNCIL MEETING
STANDING COMMITTEE RECOMMENDATIONS:**

FINANCE COMMITTEE REPORT

BUILDINGS & PROPERTY COMMITTEE REPORT

PLANNING/ZONING/CODE ENFORCEMENT COMMITTEE REPORT

PUBLIC SAFETY/ORDINANCE COMMITTEE REPORT

PUBLIC WORKS/BEAUTIFICATION/MUSEUM COMMITTEE REPORT

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
March 12, 2012
4:00 P.M.

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:02 pm. Present were Chairman Derek Boulware, Councilman Ron Scott, Deputy Finance Director Christine Ciancetta, and Senior Accountant Suz anne Henson.

Councilman Tommie Conaway was away at the NLC Conference. Finance Director Kim Briley was absent.

Also in attendance were Mayor Bailey Yelding, Human Resources Benefits Coordinator, Sherree Hilburn, Public Works Director Richard Johnson, Civic Center Director Margaret Thigpen, Recreation Director David McKelroy, Library Director Tonja Young, Revenue Officer Heather Gywnn, and Building Maintenance Supervisor Frank Barnett.

II. PUBLIC PARTICIPATION

III. HUMAN RESOURCES BUSINESS

Update on Human Resources Department Activity

Ms. Sherree Hilburn presented the Human Resources activity update. Replacement positions filled in February include FT Firefighter (2) and PT Firefighter (3). Open position includes PT Library Aide.

The Safety Committee reported that new hard hats were issued with face shields and ear protection in the Street department, and the Administration staff in Public Works had "How to Use Fire Extinguisher" training. The Public works administrative assistant is reviewing location and dates for flagging certification training for mowing and grounds department. The next Safety Committee meeting will be March 28, 2012, at 10:00 a.m.

Ms. Hilburn reported on the following HR department projects:

Organizing Work Room

Auditing Personnel Files

Employee Service Award Luncheon – March 21, 2012

Relay for Life Fundraiser – TV Raffle \$1 ea or 6 for \$5, Strawberry Sale in April

Notice of Short Term Disability changes posted March 1 – May 1, 2012 – Reduction from 26 weeks to 13 weeks - Discussed in November 2011 Finance Committee meeting.

Mr. Scott asked about the change in Short Term Disability coverage. Ms. Hilburn explained that the current coverage of 26 weeks is being reduced to 13 weeks. She noted that over the last two years, less than 7% of employees have used Short Term Disability, with only four or five using the full 26 weeks.

IV. CURRENT BUSINESS

A. Financial Reports

1. Treasurer's Report: February 29, 2012

The Treasurer's Report totaling \$20,976,966.01 was presented. Ms. Henson noted that the Capital Reserve balance has decreased significantly due to ongoing road projects. Ms. Henson stated that the \$500,000 transfer approved in the Budget has been transferred from the General Fund to Capital Reserve for road projects. Ms. Henson noted that reimbursement monies from ALDOT are pending on the US 98 & Hwy 64 grant project.

Motion by Mr. Scott to accept the Treasurer's Report as of February 29, 2012, in the amount of \$20,976,966.01. Seconded by Mr. Boulware. Motion carried.

2. Sales and Use Taxes: January 31, 2012

Ms. Henson reviewed the Sales Tax reports and noted that while the collections for January were under budget for the month the YTD collections were still over in the amount of \$54,852. Ms. Henson also referred to the Budget to Actual Comparison Graph and noted the lines were almost identical showing the collections were very close to Ms. Briley's FY2012 budget projections:

Sales and Use Tax Collected for January 2012	- \$809,785
Sales and Use Tax Budgeted for January 2012	- <u>\$834,336</u>
Under Budget (for January)	- (\$ 24,551)

YTD Budget Collections Variance – Over Budget - \$54,852

3. Lodging Tax Collections, January 2012

The Lodging Tax Collections report shows \$41,917 collected for January, 2012. Discussion continued that while the collections were lower than last year it was noted that last years was most likely higher than usual due to the BP Oil Spill hotel personnel lodging.

4. Report: New Business Licenses – February 2012

The list of new businesses (82), and businesses closed (2), in February was presented.

5. Bills Paid Reports – February 2012

The February Bills Paid Report for FY 2012 was reviewed.

B. Appropriation Request

1. City Hall Roof-Preparation of Plans/Specifications- \$1,500

Mr. Barnett reviewed the request for \$1,500 to prepare specifications for City Hall Roof repair. He noted this is for the roof on the old section of City Hall.

Motion by Mr. Scott to recommend Council adopt an ordinance appropriating \$1,500 for engineering costs to prepare specifications for Option A and Option B to restore the 1990 Roof Section of City Hall. Seconded by Mr. Boulware. Motion carried.

2. Civic Center Kitchen Hood Fire Suppression System - \$2,859

It was discussed that renovations and upgrades are needed on the kitchen hood fire suppression system at the Civic Center. Ms. Thigpen noted there was a recall on the current system so parts cannot be ordered for it. Minutes from the Building & Properties Committee showed discussion that this part of the kitchen would be shut down at the next inspection if the hood was not upgraded. Ms. Thigpen recommended the lowest bid of \$2,859 from Hiller Systems Inc be accepted.

Motion by Mr. Scott to recommend Council adopt an ordinance appropriating \$2,859 for renovations and upgrades needed to the Civic Center Hood Suppression System. Seconded by Mr. Boulware. Motion carried.

3. Legislative Phone Budget – Additional Internet Service from Mediacom - \$1,000

Ms. Henson noted that internet service from Mediacom was installed directly to the City Clerk's office in order to obtain greater bandwidth to allow a faster upload of the Council packets.

Motion by Mr. Scott to recommend Council adopt an ordinance appropriating \$1,000 to the Legislative phone budget for additional internet service. Seconded by Mr. Boulware. Motion carried.

4. Recreation – Youth Spring Soccer Program - \$9,750

Mr. McKelroy submitted a memo detailing the cost for the new youth spring soccer program. Mr. McKelroy noted that the cost for this program would be \$9,750 and that current fees collected total \$11,272.50 thus offsetting the \$9,750 cost of this new program.

Motion by Mr. Scott to recommend Council adopt an ordinance appropriating \$9,750 for the cost of Youth Spring Soccer. Seconded by Mr. Boulware. Motion carried.

5. Santa Rosa Avenue Drainage Improvements –apply for AEMA Hazard Mitigation Grant - \$74,994

Mr. Johnson discussed drainage issues in this area. He noted the City may not be awarded this grant but monies are available so applying would be proactive. He noted the AEMA/FEMA Grant is a 25/75 grant, so the cost to the City for an estimated \$299,972.50 project is minimal at \$74,994.

Motion by Mr. Scott to recommend Council adopt an ordinance appropriating \$74,994 for the City's 25% match for Santa Rosa Avenue Drainage Improvements, contingent upon grant approval, and authorizing the Mayor to apply for the Hazardous Mitigation Grant for the Santa Rosa Avenue Drainage Improvements project. Seconded by Mr. Boulware. Motion carried.

C. Sales Tax Holiday

Ms. Gwynn noted this is an annual event that occurs in August right before school begins. School purchases are exempt during this weekend

Motion by Mr. Scott to recommend Council adopt a resolution for the 2012 Sales Tax Holiday. Seconded by Mr. Boulware. Motion carried.

D. Request to go out to Bid: City Hall Roof Repair

Mr. Barnett and Mr. Johnson reviewed the need to make repairs to the old section of the City Hall roof and requested Council's approval for the City to solicit bids for the project.

Motion by Mr. Scott to recommend Council allow staff to bid the City Hall Roof Repair. Seconded by Mr. Boulware. Motion carried.

E. Declare City Property Surplus:

1. Police Prisoner Transport Cages/Dividers for Vehicles

Ms. Henson reviewed the Prisoner Transport Cages/Dividers that the Police Department was requesting be donated to another law enforcement agency. Ms. Henson noted Captain Bell had advised that Daphne Police no longer needed these Cages/Dividers but some other law enforcement agencies could use them.

Motion by Mr. Scott to recommend Council adopt a resolution declaring the listed property surplus and authorizing the Mayor to donate the Prisoner Transport Cages/Dividers for Vehicles to another law enforcement agency. Seconded by Mr. Boulware. Motion carried.

2. The following equipment was presented for surplus:

Dept	Tag/Veh#	Description	Vin# / Serial #
Grounds	97	1998 FORD PU F150	1FTZF1765WNA73818
Parks	109	1999 GMC SIERRA Crew Cab (Chassis Only)	1GDKC3J4XF025927
Parks	1262	Bush Hog Tiller	892770
Street	21	1989 GMC 8 YARD DUMP TRUCK	1GDL7D1E1KV504469
Street	705	1999 STERLING SC 8000 ST SWEEPER	49H6WFAA1XHF42238
Grounds	93	1998 FORD PU F150	1FTZF1767WNA73819
Grounds	97	1998 FORD PU F150	1FTZF1765WNA73818
Recycling		Baler, International – LD60CCHD	601057
Recycling		2001 Baler, International – CY48180	201005
PW		Canon 3200 copier (needs drum)	
PD		Cameras: 35 mm(20)/ Flash(4)/ Lens(4)/ Cases (2)	

Motion by Mr. Scott to recommend Council adopt a resolution declaring the listed property surplus and authorizing the Mayor to dispose of such property. Seconded by Mr. Boulware. Motion carried.

V. Old Business

➤ BIDS:

Mr. Johnson discussed the pending bid awards for Public Works (listed below) and requested the bids be awarded due to bids having a limited timeframe for award. Discussion continued that these bids were discussed at the February Finance meeting then tabled to a Council Work Session for further discussion on Capital Request. Ms. Henson noted that generally the bid award letter is not sent out until monies are appropriated but an award letter could be sent, if Council awarded the bids, stating the purchase of the equipment would be pending the appropriation of funds.

- Bid: 2012-D-ASPHALT HOTBOX RECLAIMER TRAILER UNIT
- Bid: 2012-E-PW/TRUCK: 8-10 YARD DUMP TRUCK
- Bid: 2012-F-PW/ROLLER COMPACTOR – TOW BEHIND

Motion by Mr. Scott to recommend Council adopt a resolution awarding the following bids to the following vendors:

- 1) 2012-D-ASPHALT HOTBOX RECLAIMER TRAILER UNIT - \$33,645 to Truck Equipment Sales-
- 2) 2012-E-PW/TRUCK: 8-10 YARD DUMP TRUCK - \$85,998 to Empire Truck Sales, LLC
- 3) 2012-F-PW/ROLLER COMPACTOR – TOW BEHIND - \$20,030 to Thompson Tractor Company

and for the Award letter to note that all purchases are pending the appropriation of funds. Seconded by Mr. Boulware. Motion carried.

VI. ADJOURN

The meeting was adjourned at 4:35 p.m.



Fred Small
Mayor

Vickie Hinman
Human Resources Director

Sherree Hilburn
Payroll and Benefits Coordinator

Michele Hanson
Human Resources Assistant

The Jubilee City
the jubilee city

March 8, 2012

HUMAN RESOURCES DEPARTMENT
ACTIVITY REPORT

Positions

Status

PT Library Aide
FT Firefighter (2)
PT Firefighter (3)

Open - Posting: 2/24-3/9
DOH: Feb. 9, 2012
DOH: Feb. 9, 2012

Safety Committee Meeting was held on February 29, 2012:

In the Street department, new hard hats were issued with face shields and ear protection. The Administration staff in Public Works had "How to use fire extinguisher" training. Public Works administrative assistant is reviewing location and dates for flagging certification training for mowing and grounds department.

Next safety committee meeting will be March 28 2012 at 10:00 a.m..

Human Resources Project:

- Organizing Work Room
- Auditing Personnel Files
- Employee Service Award Luncheon – March 21, 2012
- Relay for Life team fundraiser – TV raffle \$1 ea. or 6 for \$5, Strawberry sale in April
- Notice of Short Term Disability changes posted March 1 -May 1, 2012. Reduction from 26 weeks to 13 weeks. Discussed in November 2011 Finance Committee meeting.

Human Resources Department
P.O. Box 400 Daphne, Alabama 36526
Phone: (251) 621-3075²⁵ Fax: (251) 621-4506

TREASURER'S REPORT

As of February 29, 2012

TO: FINANCE COMMITTEE

FROM: KIMBERLY BRILEY, FINANCE DIRECTOR/TREASURER

<u>ACCT TITLE</u>	<u>BANK</u>	<u>BALANCE</u>
GENERAL FUND & ENTERPRISE FUNDS		
MMA ACCT	COMPASS	\$10,011,529.78
OPERATING ACCT	COMPASS	(\$648,390.89)
PAYROLL ACCT	COMPASS	\$0.00
		<u>\$9,363,138.89</u>
INVESTMENT FUND		
	RAYMOND JAMES	\$5,125,181.13
	(investment \$4,828,875.15)	
AGENCY FUNDS		
MUNICIPAL COURT	COMPASS	\$382,827.87
SPECIAL REVENUE FUNDS		
SAIL SITE	RBC BANK	\$6,537.02
4 CENT GAS TAX	RBC BANK	\$378,274.00
7 CENT GAS TAX	RBC BANK	\$329,497.52
		<u>\$714,308.54</u>
CAPITAL PROJECT FUNDS		
CAPITAL RESERVE	WACHOVIA	\$619,883.95
2006 CONSTRUCTION	WACHOVIA	\$705,821.85
		<u>\$1,325,705.80</u>
DEBT SERVICE FUNDS		
DEBT SERVICE	WACHOVIA	\$2,607,127.99
2006 DEBT SERVICE	RBC BANK	\$1,458,675.79
		<u>\$4,065,803.78</u>
		<u>\$20,976,966.01</u>

PRIOR YEAR BALANCE February 28, 2011

\$23,877,135.84

SALES & USE TAXES

ACTUAL COLLECTIONS

	2004	2005	2006	2007	2008	2009	2010	2011	2012	Actual - 2012	Budget	Monthly Variance	YTD Variance	% of Budget
October	697,830.58	833,700.71	932,634.66	944,542.36	867,190.18	806,503.85	764,641.13	800,512.03	864,730.85	864,730.85	817,268	47,462.71	47,462.71	5.81%
November	710,788.74	814,666.03	901,512.38	918,837.95	915,890.97	801,075.91	761,955.37	819,834.09	845,163.53	845,163.53	836,995	8,168.89	8,168.89	0.98%
December	941,151.87	1,091,073.78	1,168,443.68	1,182,584.39	1,120,005.09	1,078,330.45	1,004,037.20	1,121,383.45	1,168,626.69	1,168,626.69	1,144,856	23,770.74	23,770.74	2.08%
January	697,063.68	771,837.83	878,123.66	914,876.33	822,020.87	755,541.41	723,504.28	817,230.14	809,785.59	809,785.59	834,336	(24,550.60)	(24,550.60)	-2.94%
February	688,421.54	788,825.08	878,123.66	877,975.60	865,625.83	748,620.87	733,335.60	840,768.01	840,768.01	840,768.01	858,367	-17,598.99	-17,598.99	-2.09%
March	848,156.86	917,832.17	1,081,774.83	1,071,598.38	998,616.04	863,535.78	916,657.55	976,181.39	976,181.39	976,181.39	996,615	-19,433.61	-19,433.61	-1.98%
April	752,039.55	863,144.81	968,760.72	960,140.54	963,691.85	823,173.33	809,588.73	916,536.59	916,536.59	916,536.59	935,721	-19,184.41	-19,184.41	-2.09%
May	757,610.49	867,446.44	1,000,424.48	1,021,498.14	957,167.20	829,099.81	862,254.54	889,945.33	889,945.33	889,945.33	908,573	-18,627.67	-18,627.67	-2.10%
June	818,209.20	982,863.46	1,024,091.07	1,066,433.92	997,274.15	868,309.52	887,262.68	948,355.76	948,355.76	948,355.76	966,165	-17,809.24	-17,809.24	-1.88%
July	803,051.14	908,576.13	941,407.68	993,216.66	888,690.34	808,113.93	839,192.33	901,772.80	901,772.80	901,772.80	897,527	2,245.28	2,245.28	0.25%
August	745,320.33	869,818.11	950,539.01	954,421.57	964,626.26	831,984.35	790,713.80	888,624.95	888,624.95	888,624.95	848,627	39,997.98	39,997.98	4.50%
September	830,260.80	998,476.08	967,616.16	965,107.35	918,551.15	825,257.74	841,035.40	863,510.67	863,510.67	863,510.67	899,386	-35,875.33	-35,875.33	-4.15%
Totals	9,289,924.78	10,708,260.63	11,702,796.44	11,871,233.19	11,279,349.93	10,039,546.95	9,934,178.61	10,782,655.21	3,688,306.66	3,688,306.66	10,944,435	54,851.74	54,851.74	0.50%

FY 2012 BUDGET/ACTUAL COMPARISONS

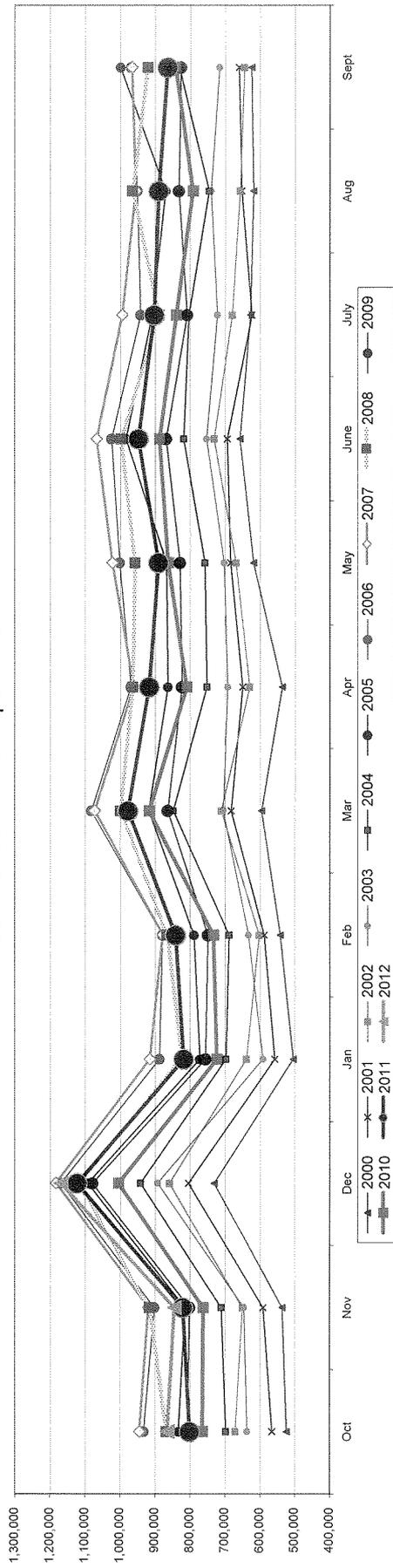
FISCAL YEAR COMPARISONS

	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	Percent Change
October	135,870.13	98,933.95	11,907.70	(77,352.18)	(60,686.33)	(41,862.72)	35,870.90	64,218.82	October	11.87%
November	103,877.29	86,846.35	17,325.57	(2,946.98)	(114,815.06)	(39,120.54)	57,878.72	25,329.44	November	10.66%
December	149,921.91	77,369.90	14,140.71	(62,579.30)	(41,674.64)	(74,293.25)	117,346.25	47,243.24	December	7.09%
January	74,754.15	115,630.28	27,408.22	(92,855.46)	(66,479.46)	(32,037.13)	93,725.86	(7,444.55)	January	14.98%
February	100,403.54	89,298.58	(148.06)	(12,349.77)	(117,004.96)	(15,285.27)	107,432.41	-	February	11.32%
March	69,675.31	163,942.66	(10,176.45)	(72,982.34)	(135,080.26)	53,121.77	59,523.84	-	March	17.86%
April	111,105.26	105,615.91	(8,620.18)	3,551.31	(140,518.52)	(13,584.60)	106,947.86	-	April	12.24%
May	109,835.95	132,978.04	21,073.66	(64,330.94)	(128,067.39)	33,154.73	27,690.79	-	May	15.33%
June	164,654.26	41,227.61	42,342.85	(69,159.77)	(128,964.63)	18,953.16	59,093.08	-	June	4.19%
July	105,524.99	32,831.55	51,808.98	(104,526.32)	(80,576.41)	31,078.40	62,580.47	-	July	3.61%
August	124,497.78	80,720.90	3,882.56	10,204.69	(132,641.91)	(41,270.55)	97,911.15	-	August	9.28%
September	168,215.28	(30,859.92)	(2,508.81)	(46,556.20)	(93,293.41)	15,777.66	-	-	September	-3.09%
Annual \$ Change	1,418,335.85	994,535.81	168,436.75	(591,883.26)	(1,239,802.98)	(105,368.34)	826,001.33	129,346.95	Annual % Change	9.29%
Totals	1,418,335.85	994,535.81	168,436.75	(591,883.26)	(1,239,802.98)	(105,368.34)	826,001.33	129,346.95	Annual % Change	9.29%

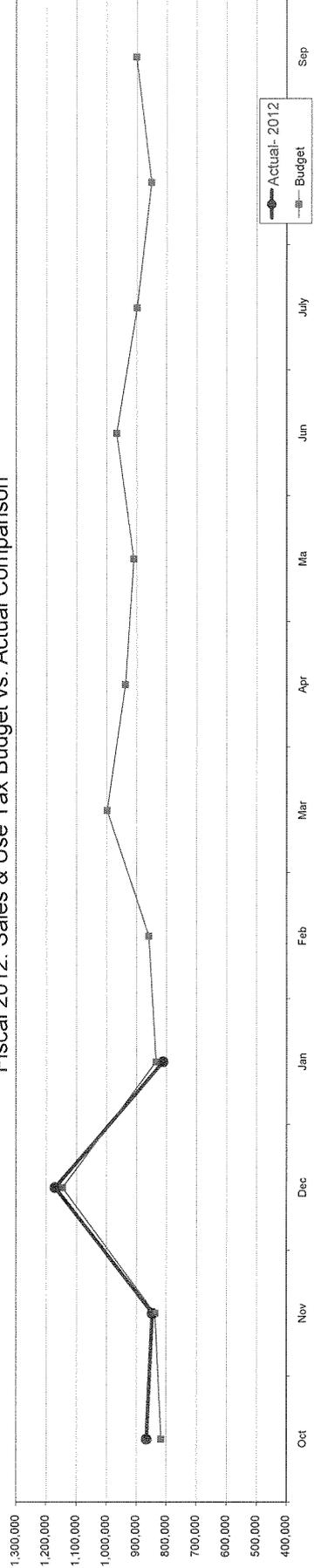
TOTAL collections: FY 11	10,782,655
TOTAL est. bdgt col: FY 12	10,944,435
Actual Coll-(-)Budget, 9-30-12	54,852
% Over/(Under) Budget, 9-30-12	1.51%

TOTAL collections: FY 11	10,782,655
TOTAL est. bdgt col: FY 12	10,944,435
Budgeted Dollar Variance 11 & 12	161,780
Budgeted Percent Variance 11 & 12	1.50%

Sales & Use Tax Comparisons

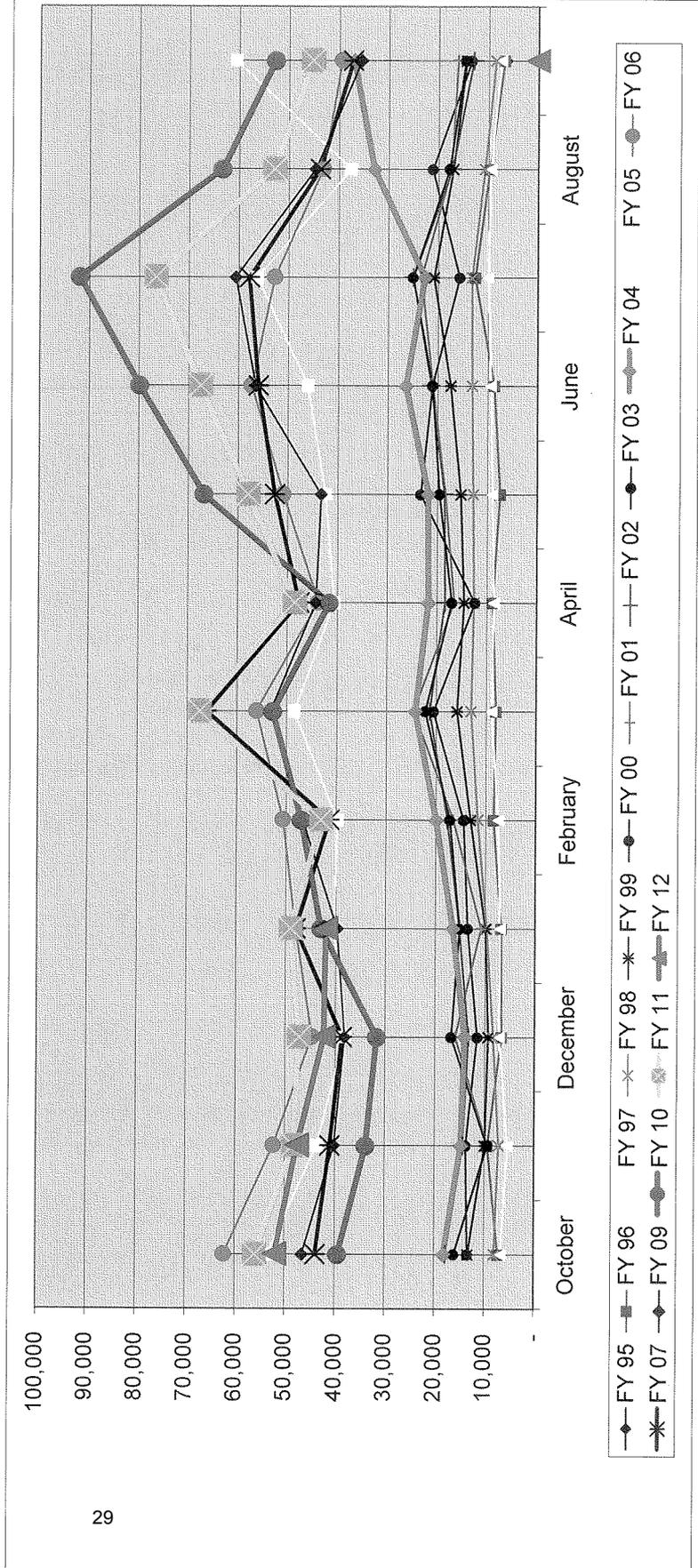


Fiscal 2012: Sales & Use Tax Budget vs. Actual Comparison



Monthly Lodging Tax Collections

FY 01	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12
16,021.98	17,757.16	16,103.81	18,110.90	53,490.95	62,191.49	43,874.01	46,360.47	46,543.20	39,405.56	56,001.39	52,002.53
9,378.73	14,346.00	9,488.82	14,652.46	43,652.17	52,326.23	41,028.15	42,599.84	40,178.69	33,763.37	48,329.73	47,568.08
15,885.37	13,257.40	16,693.64	13,940.92	38,197.96	44,694.55	38,605.47	31,081.14	38,144.69	31,571.38	47,210.56	42,279.22
10,802.39	15,150.55	15,089.26	16,416.20	40,334.81	48,014.80	48,012.19	45,607.80	39,706.04	42,883.70	49,006.12	41,917.34
16,482.91	17,680.30	17,174.37	19,952.91	39,797.68	50,684.11	41,381.78	47,340.33	46,699.01	46,998.32	43,052.68	
24,601.77	21,371.61	22,248.25	24,206.01	48,474.92	56,076.62	66,060.49	53,123.15	53,230.85	52,771.52	67,422.43	
16,532.24	18,354.06	16,974.57	21,626.29	40,666.33	43,813.91	47,594.84	46,736.02	44,277.75	41,531.05	48,487.83	
18,386.51	18,526.24	19,610.83	21,785.09	42,479.97	50,871.74	52,564.61	46,145.12	43,293.74	66,820.96	57,880.48	
20,948.57	21,322.07	21,031.35	26,336.81	46,037.59	57,338.25	55,924.22	64,626.19	56,494.11	79,822.84	67,544.77	
23,389.72	25,013.71	25,026.81	22,654.15	56,266.23	52,752.31	57,842.80	62,035.23	60,619.78	91,906.47	76,631.86	
17,432.39	17,223.03	17,749.12	32,788.35	37,501.21	43,139.77	43,701.41	55,792.89	44,636.82	63,323.58	52,820.33	
16,116.04	12,997.60	14,563.86	36,847.13	60,635.33	39,398.90	37,180.99	49,698.91	35,430.62	52,662.79	45,216.75	
205,978.62	212,999.73	211,754.69	269,317.22	547,535.15	601,302.68	573,770.96	591,147.09	549,255.30	643,461.54	659,604.93	183,767.17



NEW BUSINESSES

February-12

CITY LIMITS		CONTRACTORS	
RETAILERS		DAVIS CONSTRUCTION	1
UNITED CELLULAR INC	1	PRIMARY BUILDERS LLC	1
NFL BUILDING CENTER	1	CK LAWN CARE	1
SOUTHERN NAPA	1	OLIVER'S LANDSCAPING	1
BRIDGETS BY THE BAY	1	BRUCE JONES	1
ALL OTHER		STOKES PAINTING	1
GULF COAST TELECO	1	LAWN DOCTOR OF MOBILE	1
WENDY WILSON PHOTOGRAPHY	1	TIM SPENCER HEATING & AIR	1
SOUTHERN SOUNDS LLC	1	INSURANCE COMPANIES	
DIRTY HAIRY DOG WASH	1	VANLINER INS CO	1
THE EXCEPTIONAL FOUNDATION	1	TITAN INDEMNITY CO	1
RICHARD HAYDEN FAISON	1	NATIONWIDE AGRIBUSINESS INS	1
ALLISON CARR	1	SCOTTSDALE INDEMNITY CO	1
MICHAEL S MCGLOTHREN	1	NATIONWIDE AFFINITY INS CO	1
GATOR GRAPHICS	1	STAR INSURANCE CO	1
SMITH MEDIA & PHOTOGRAPHY	1	PRIVILEGE UNDERWRITERS	1
YOU CALL, WE CLEAN	1	MOUNT VERNON FIRE INS CO	1
BOULWARE GROUP LLC	1	ACADIA INS CO	1
DAPHNE BUILDINGS	1	UNIMERICA INS CO	1
DAPHNE AUCTION HOUSE	1	GMAC INS CO	1
MORTGAGE SOUTH LLC	1	HALLMARK INS CO	1
KATHRYN NEY	1	TOTAL CONTRACTORS AND INSURANCE	20
PROFORMA COASTAL BUSINESS	1	TOTAL NEW BUSINESSES IN DAPHNE	
RAYMOND PETERSON	1	82	
I LOVE IT WHEN YOU READ TO ME!	1	CLOSED BUSINESSES IN DAPHNE	
KARIN MARRERO	1	CLUB 44	1
PREBLE-RISH LLC	1	MARBLE SLAB CREAMERY	1
CYNTHIA WULFF	1	TOTAL CLOSED BUSINESSES IN DAPHNE	2
CHARLES CARR	1		
VICTORIA BECKMAN	1		
CYNTHIA HARBAUGH	1		
DOGGETT ENTERPRISES	1		
TOTAL CITY LIMITS	30		
OUTSIDE CITY LIMITS			
VEND LEASE CO INC	1		
SAAD ENTERPRISES	1		
WASTE PRO OF FLORIDA	1		
PENNSLYVANIA TOOL SALES	1		
PURETALK HOLDINGS LLC	1		
THE NAVIGATORS	1		
DORSETT PRODUCTIONS	1		
BLESSINGS UNLIMITED LLC	1		
CROCS RETAIL INC	1		
J M SMITH CORP	1		
PROFESSIONAL COMPUTER CTR	1		
SYNERON INC	1		
DYSON DIRECT	1		
BASS SECURITY SERVICES	1		
ORR SAFETY CORP	1		
RANDOM HOUSE DIGITAL INC	1		
GULF COAST SENIOR CARE	1		
MUNRO PRODUCTS	1		
LOU'S SEAFOOD	1		
ROWE SURVEYING & ENGINEERING	1		
ELECTRONIC TRACKING SYSTEMS	1		
THE GLASS GURU OF MOBILE	1		
BARRETTE OUTDOOR LIVING	1		
L.I.F.E.	1		
TERRA BIOTECH LLC	1		
TERRACON CONSULTANTS INC	1		
READY MIX USA LLC	1		
THOMAS HONEA	1		
PET SUPPLY & MORE	1		
PANORAMIC RENTAL CORP	1		
SNAP FITNESS	1		
ENTRIGUE MUZIK GROUP	1		
TOTAL OUTSIDE CITY LIMITS	32		

Buildings & Property Committee Meeting
Monday, March 5, 2012 5:30 PM
Daphne City Hall

Committee

Councilman John Lake
Councilman Derek Boulware
Mayor Bailey Yelding, Jr.
Richard Merchant, Building Official
Frank Barnett, Maintenance Supervisor
Margaret Thigpen, Civic Center Director

Committee Minutes (Summary)

Present: Margaret Thigpen, Frank Barnett, John Lake, Derek Boulware, Bailey Yelding, Jr., Richard Johnson.

A.) Minutes from January Meeting: Motion made to approve minutes from January Meeting. Approved.

B.) Civic Center Suppression Hood System – In October 2011 we were advised by Hiller Systems, Inc. that our hood suppression system over the stove in the kitchen was outdated and would have to be replaced within the next year at the cost of roughly \$5000.00. February 23 we were informed that come inspection time in March if the hood system is not replaced, it would be red tagged and shut down for use. Hiller Systems, Inc. also informed me that the original quote of \$5000.00 was high due to the technician pricing a dry system, not a wet system which is what we have. I have received 3 revised quotes: **Hiller - \$2859.00**; Skelton - \$2,900 plus we would have to install automatic gas shut off valve; SimplexGrinnell - \$4294.25. Lake asked if system was functional and I said yes. The point was it was out dated and if red tagged this part of the kitchen would be shut down. **Boulware made the motion to move this lowest bid from Hiller \$2859 to Finance Committee. So moved by all.**

C.) City Hall Roof Repairs – Frank presented roof survey. Lake asked if roof was failing and according to Barnett, 2 slight leaks and sealant is starting to peel off cutting down the life of the roof. Barnett recommends the 15 year. Barnett asking for a motion to go out for bid and for **\$3000** to be appropriated for bid specs to be drawn up. **Motion was made by Boulware to go to Finance Committee, So Moved by All.**

Barnett reported that the Fire Alarm System/HVAC issue has been taken care of.

Booth Property Update – Johnson recapped the current request from Dr. Booth and the fact that the question has been raised to legal, Can the city legally do a property swap of such. Initial response from legal is no, not without the swap providing an economic development value to the city. Jay is still investigating. Boulware made a motion that Jay Ross renders a definitive legal opinion to include an opinion of lease and/or land swap. So moved by all.

Civic Center & Bayfront Report -

Hiller Systems, Inc.

3751 Joy Springs Drive (36693)
 Post Office Box 91508
 Mobile, AL 36691-1854
 Phone: (251) 661-1275
 Fax: (251) 661-6043

Service Work Agreement

HSI Ref # 997-0212-010	Date: 02-27-12
Daphne Civic Center	Job Site: Kitchen
2603 US Hwy. 98	Contact: John Williams
Daphne, AL 36526	Phone: (251) 626-5300
Attention: John Williams	Email: ccoperations@daphneal.com

Subject: Hood Renovations.

Reference: Hood Suppression Inspection.

Dear John,

Hiller Systems, Inc. is pleased to provide the following cost proposal for the renovations needed on the hood fire suppression system at your facility. These repairs will include the upgrade of the existing system from a Kitchen Knight I system to a Kitchen Knight II. Also Hiller Systems will be correcting nozzle coverage issues and replacing nozzles to conform to manufacturer's specifications.

 **The cost of the work listed above will be: \$2,859.00** 

Notations and Clarifications

1. This Agreement is void if not signed and returned within thirty (30) days of date proposed.
2. Pricing is based upon ready access to all areas affected by this Scope of Work. Once a project begins, any delays will be subject to a billable change order.
3. All work to be accomplished during Hiller Systems, Inc. normal working hours unless otherwise noted.
4. All lifting equipment (including man lifts & cranes) is the responsibility of the customer.

Thank you for giving Hiller Systems, Inc., the opportunity to present you with this estimate and we look forward to working with you on the referenced project and are committed to providing quality first. If you should have any questions or require any additional information, please do not hesitate to call.

Presented By: Hiller Systems, Inc.

Accepted By:

 Frankie Martin
 Service Sales

 Date

 Authorized Signature

 Date

 Title



Skelton's Fire Equipment, Inc.

P.O. Box 715
Saraland, AL 36571
251-675-1221

February 28, 2011

Daphne Civic Center
2603 US Hwy 98
Daphne, AL 36526

Attn: John Williams

Re: Kitchen Hood Fire Suppression System



We are submitting a quote of \$2,900.00 to provide labor, tools and materials to install an Ansul R102 4.5 gallon fire suppression system in the kitchen hood at your facility. This price includes all system related components, acceptance tests as required by Daphne Fire Department.

While we will provide the automatic gas shut off valve, you will be responsible for installing it and removing the old valve. Also, you may have to have an electrician to connect any alarms and electrical connections to the new system.

If you need any additional information, please call me at 675-1221 or 234-8919.

Thank you,

Wendell Cartee
As Its Commercial Planner

SimplexGrinnell
BE SAFE.

SimplexGrinnell®
 869 Butler Drive
 Mobile, AL 36693
 Tel: (251)370-1900 Option 3
 Fax: (251)666-7079
 License number: 104557
www.simplexgrinnell.com

PROPOSAL AND Service Agreement

SimplexGrinnell Contract #	Salesperson: Carla Bradford	Date: 02/29/2012
	License No. 104557	
Customer: City of Daphne PO Box 400 Daphne, AL 36526	Job Location: Daphne Civic Center 2603 US Hwy 98 Daphne, AL 36526	Customer P.O. #
Invoice To (if different from Customer):		

SimplexGrinnell LP ("Company"), for and in consideration of the prices herein named, proposes to furnish the work, and/or materials hereinafter described, subject to the terms and conditions of this Agreement.

SCOPE OF WORK:

Note: Price does not include tax if applicable.

SimplexGrinnell will provide all parts and labor required to:

SimplexGrinnell will replace the existing kitchen hood suppression system in the kitchen of the Daphne Civic Center with an Ansul R102 kitchen hood suppression system to meet current code requirements. This proposal includes all suppression system equipment, miscellaneous materials, standard working hours labor, design and permit to complete this project.

Payment	NET 10 <input type="checkbox"/>	NET 30 <input checked="" type="checkbox"/>	C.O.D. <input type="checkbox"/>	 \$ 4,294.25	DEPOSIT: \$ _____
Time and Material	<input type="checkbox"/>	Price Not to Exceed \$	Fixed Price of \$ 4,294.25	BALANCE DUE: \$	

CUSTOMER ACCEPTANCE

In accepting this Agreement, Customer agrees to the terms and conditions contained herein including those on the following page(s) of this Agreement and any attachments or riders attached hereto that contain additional terms and conditions. It is understood that these terms and conditions shall prevail over any variation in terms and conditions on any purchase order or other document that the Customer may issue. Any changes in the system requested by the Customer after the execution of this Agreement shall be paid for by the Customer and such changes shall be authorized in writing. **ATTENTION IS DIRECTED TO THE LIMITATION OF LIABILITY, WARRANTY, INDEMNITY AND OTHER CONDITIONS CONTAINED IN THIS AGREEMENT.** This offer shall be void if not accepted in writing within thirty (30) days from the date first set forth above.

SIMPLEXGRINNELL LP

Customer

By: _____
 Name:
 Title:

By: _____
 Name: Carla Bradford
 Title: System Integrity Representative

Suzanne

From: Frank Barnett [bldgmaintspvr@daphneal.com]
Sent: Thursday, March 08, 2012 3:16 PM
To: 'Suzanne Henson'
Subject: RE: City Hall Roof



Yes, the correct request is lower than expected at \$1500.00 for the specifications for the \$85,000.00 option.
Thanks.

From: Suzanne Henson [mailto:financesenioraccountant@daphneal.com]
Sent: Thursday, March 08, 2012 2:54 PM
To: 'Frank Barnett'
Subject: City Hall Roof

Frank

Jane gave me the roof proposal for backup info and I see 3 options \$10,100 / \$85,000 / & \$160,000. Jane also sent me the minutes for the meeting but they reference going out to bid & for \$3,000 to be appropriated for specs to be drawn up.

Just want to make sure I list the info on the agenda correctly.... I only need to list an appropriation request for \$3,000 right now and motion to go out to bid??? is that correct???

B4 Property

City Hall Old Section

Roof repair

3-Options

City of Daphne

City Hall

Roof Survey
1990 Roof Section

Thursday, February 02, 2012

City of Daphne
26435 Public Works Road
Daphne, AL. 36526

Attention: Frank Barnett
Facilities Supervisor

The Garland Company, Inc.
186 Williams Street
Mobile, AL. 36606
251-401-6533



Solution Options

Client: Daphne City of

Facility: City Hall

Roof Section: 1990 Roof Section

Inspection Options

Solution Option:	Inspection	Action Year:	2012
Section Square Footage:	10,100	Expected Life (Years):	-
Estimated Cost:	-		
Scope of Work:	-		

Restore Options

Solution Option:	Restore	Action Year:	2011
Section Square Footage:	10,100	Expected Life (Years):	5
Estimated Cost:	\$30,000.00		
Scope of Work:	<u>Restoration: No Warranty, Aluminum Finish</u> 1. Pressure wash to remove any existing peeled coating. 2. Ponding Areas Only. Prime, apply SBS coating reinforced with polyester mesh in all ponding locations. 3. Remainder of Roof: a. Apply GarlaBrite at 1/2 gal per sq per coat at a two coat pass. NOTE: This will not correct ponding conditions.		

Solution Option:	Restore <input checked="" type="radio"/>	Action Year:	2012
Section Square Footage:	10,100	Expected Life (Years):	15
Estimated Cost:	\$85,000.00		
Scope of Work:	<u>Restoration: 5+5 Watertightness Warranty, White (Energy Star) Finish</u> 1. Pressure wash to remove any existing peeled coating. 2. Ponding Areas Only: a. Prime, apply Millenium Coal Tar Membrane in Greenloc. b. Apply All-Knight primer/bleedblocker. c. Apply White Knight coating reinforced with polyester mesh. 3. Remainder of Roof: a. Apply GarlaShield at 3 gallons per square base coat. b. Immediately imbed continuous Polyester reinforcement. c. Apply GarlaShield at 3 gallons per square top coat. d. Allow 2 days cure, then Pyramic White at 1 gal per sq per coat at a two coat pass. NOTE: This will not correct ponding conditions, however the ponding water will not be a warranty exclusion.		

Replace Options

Solution Option: Replace

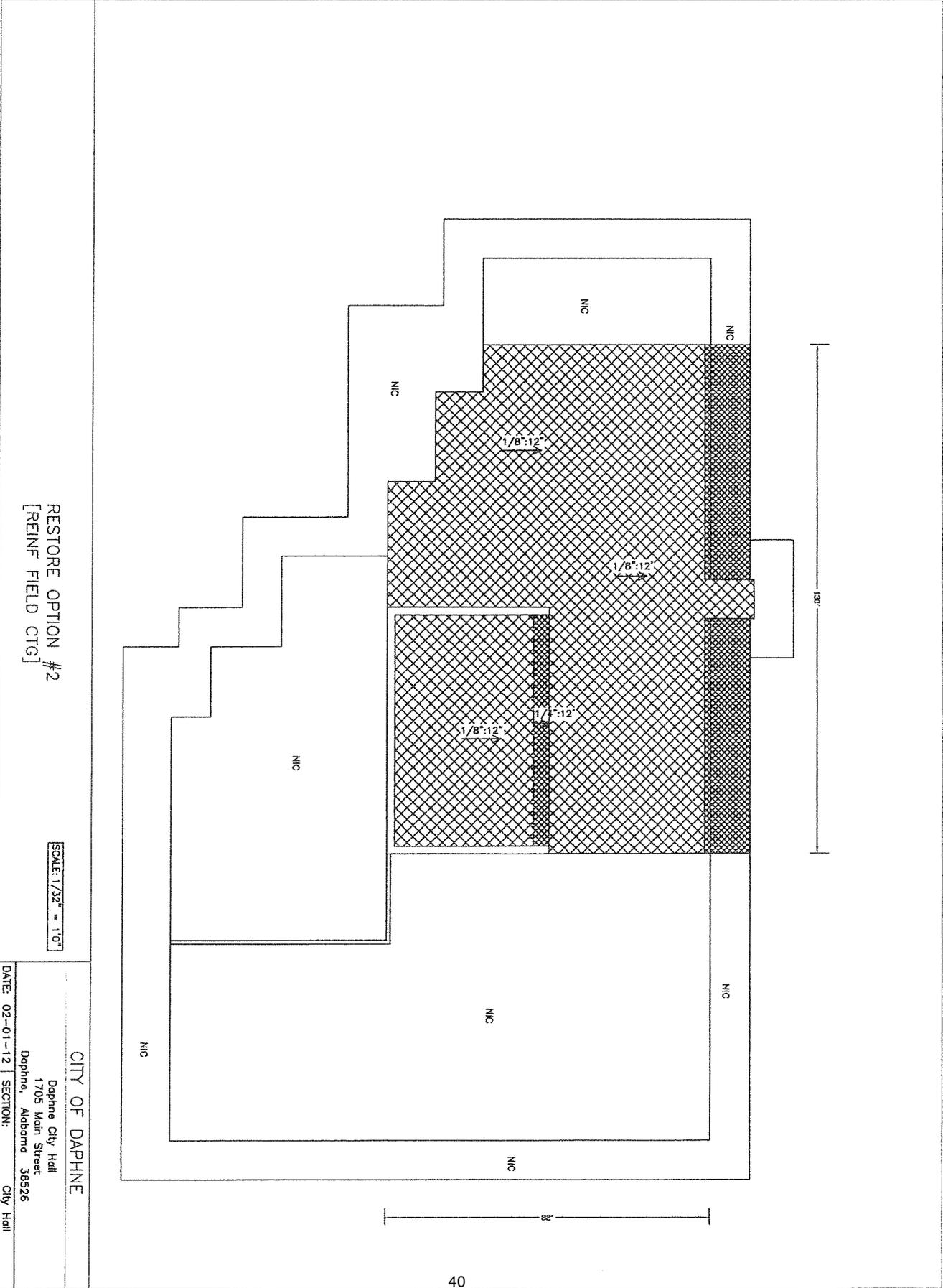
Action Year: 2012

Section Square Footage: 10,100

Expected Life (Years): 30

Estimated Cost: \$160,000.00

- Scope of Work:**
1. Remove existing roof, repair defective deck per Line item price.
 2. Mechanically fasten base sheet per ASCE 7-05.
 3. Solidly adhere 1/2" Densdeck Prime insulation.
 4. Solidly adhere 2ply Glasfelt, followed by 1ply Modified Membrane.
 5. Install 2ply Stressply "E" flashing system.
 6. Install new curb detail to close in the existing gutter.
 7. Install eight new drains with associated plumbing, connecting to new Leaderhead and matching Downspout.
 8. Upper Level: install tapered edge detail to eliminate ponding at roof edge.
 9. Install perimeter, wall, and penetration flashing details.
 10. 30 year Partnership Pledge warranty, with 3 days per work site visit.
-

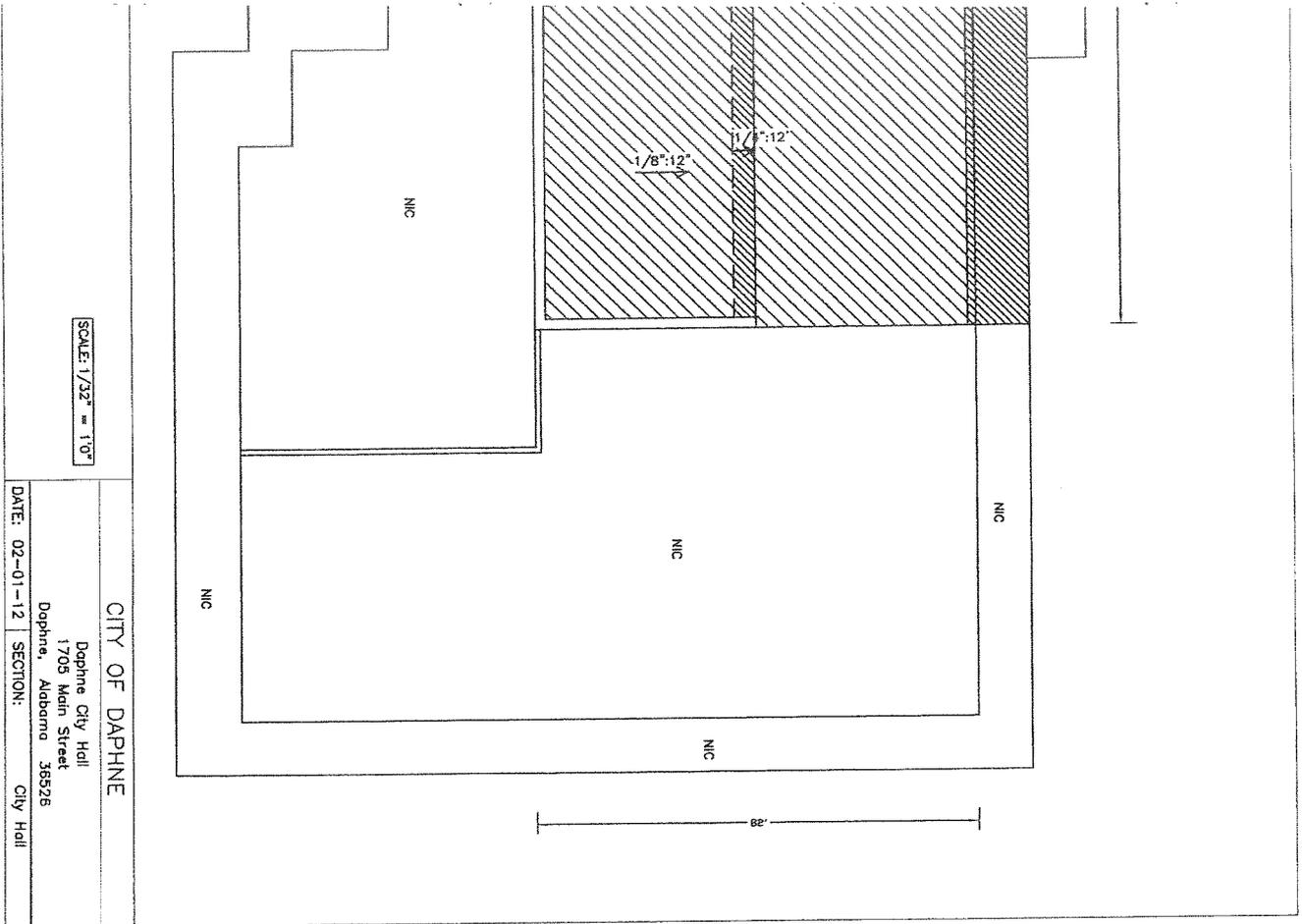


RESTORE OPTION #2
 [REINF FIELD CTG]

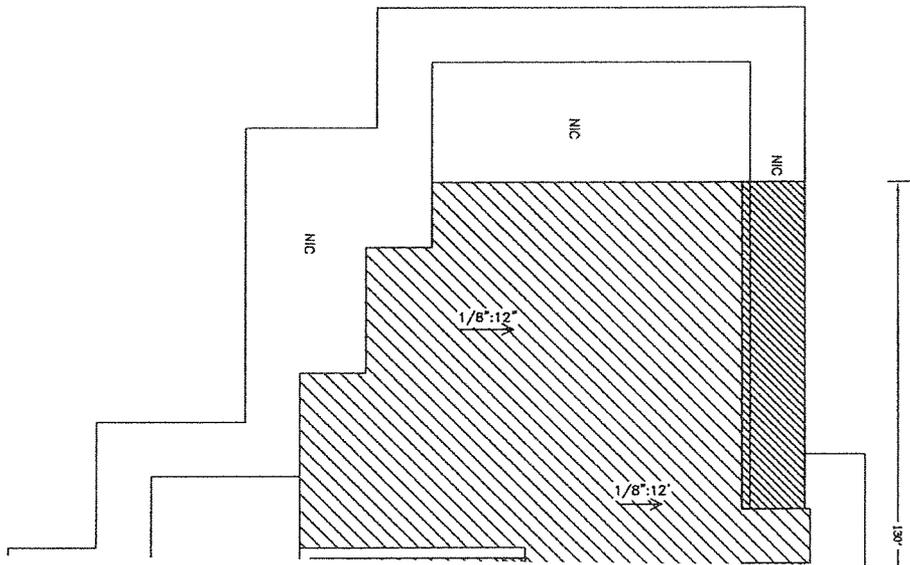
SCALE: 1/32" = 1'0"

CITY OF DAPHNE
 Daphne City Hall
 1705 Main Street
 Daphne, Alabama 36526

DATE: 02-01-12 SECTION: City Hall



RESTORE OPTION #1
[UNREINF FIELD CTG]



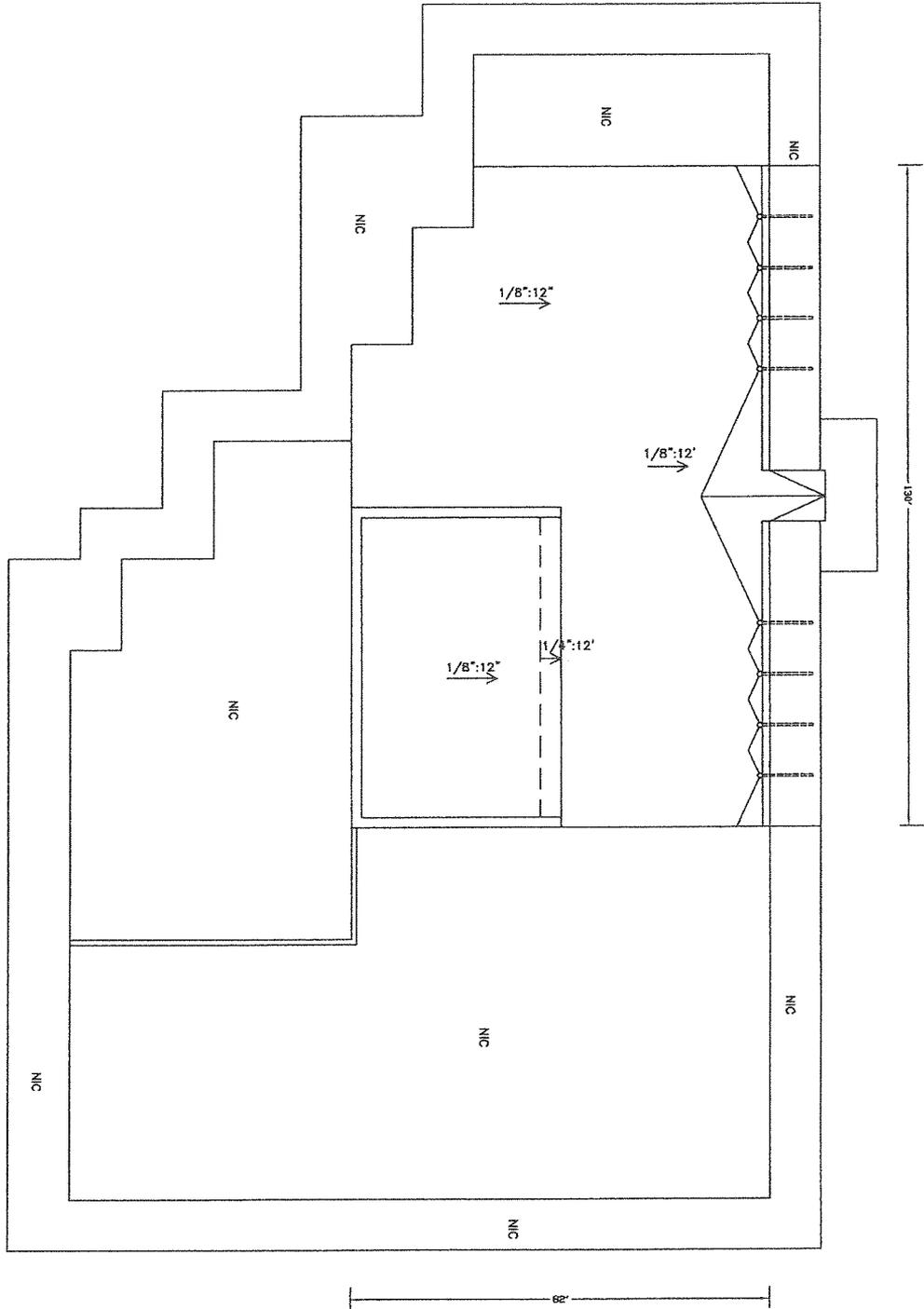
REPLACE OPTION #1
NEW DRAINAGE]

SCALE: 1/32" = 1'-0"

CITY OF DAPHNE

Daphne City Hall
1705 Main Street
Daphne, Alabama 36526

DATE: 02-01-12 SECTION: City Hall





Construction Details

Client: Daphne City of

Facility: City Hall

Roof Section: 1990 Roof Section

Roof Info

Year Installed: 1990	Square Footage: 10,100
Slope Dimension: 1/8"-0" per foot	Roof Height: 15'
Roof Access: Penthouse	System Type: Modified Bitumen

Roof Assembly

Roof #	Layer Type	Description	Attachment	Insulation R-Value	Insulation Thickness
1	Deck	Lightweight concrete	Poured - in - place	-	-
1	Base Sheet	1 ply base sheet	Mechanically attached	-	-
1	System	Modified BUR	Torch applied	-	-
1	Surfacing	Aluminum coating	Brush applied	-	-

Details

Perimeter Detail:	Parapet Wall, Wall Flashing
Flashing Material:	Modified Membrane
Drain System:	Gutter System
Parapet Wall:	Metal Framed Wall
Coping Cap:	Tile



Inspection Report

Client: Daphne City of

Facility: City Hall

Report Date: 02/02/2012

Roof Section: 1990 Roof Section

Inspection Information

Inspection Date:	02/02/2012	Core Data:	No
Inspection Type:	Visual Inspection	Leakage:	No
Deck Conditions:	Good		

Flashing Conditions

Perimeter:	Fair	Wall:	Good
Projections:	Fair	Counterflashing:	Good

Miscellaneous Details

Reglets:	N/A	Debris:	Yes
Control/Expansion Joints:	N/A	Ponding Water:	Substantial
Parapet Wall:	Good	Coping Joints:	N/A

Perimeter

Rating: Fair

Condition: 1. Coating is peeling at draining edges where standing water is present.

Field

Rating: Fair

Condition: 1. Peeling coating occurring in various locations throughout.
2. Membrane lap seams are more likely to experience leakage in standing water locations.

Drainage

Rating: Fair

Condition: 1. Roof Field; good slope.
2. Roof Perimeter; standing water along all roof edges.
3. Gutters; difficult access for cleaning.

Other

Rating: N/A

Condition:

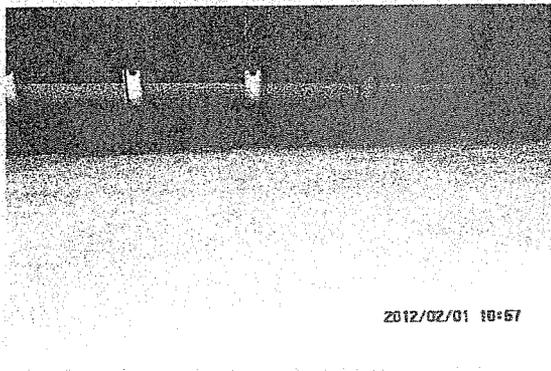
Overall

Rating: Fair

Condition: Roof coating will continue to degrade more quickly in the ponding water areas at perimeter. Perimeter is also the most likely to develop leakage.



A curb detail to close in the hidden gutter will eliminate the need for gutter maintenance.



Ponding water is present throughout this edge, short of gutters.



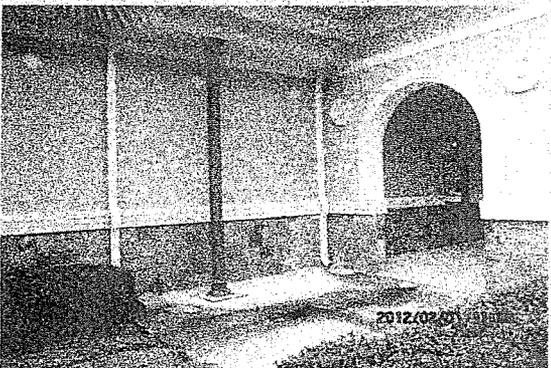
Aluminum coating is peeling in various locations throughout.



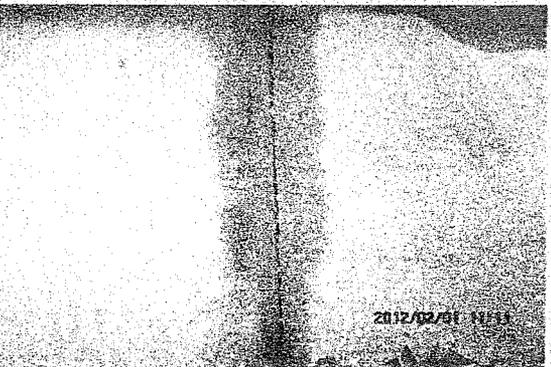
Ponding water location for Upper Level Section.



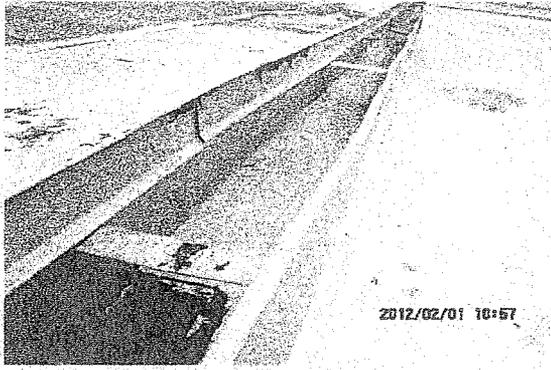
Close-up of previous ponding photo showing peeling coating and membrane cracking.



Existing downspout profile, present on all downspouts.



Sidewalk joint sealant missing, possibly from continuous washing from corner downspout.



Gutter straps 36" oc.

Suzanne

From: Christine Ciancetta [financedeputydirector@daphneal.com]
Sent: Wednesday, February 22, 2012 1:51 PM
To: David Cohen; Becky; Becky Hayes; Suzanne Henson; Kim Briley
Subject: Media Com - Budget Adjustment
Attachments: Memo - Clerk Budget Adjustment (2.16.2012).pdf

David,

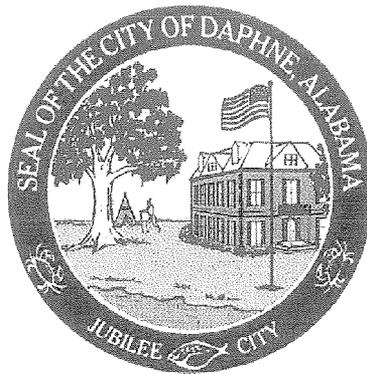
I received your Memo (attached) dated 2/16/2012 in reference to additional monies needed to cover the new Media Com service. Please complete and submit a budget line item transfer request form to reallocate the funds from 120200-53353 (Jubilee Fest) to the appropriate account that the new Media Com invoice should be paid from. When the budget is revised later in the year, the additional \$1,000 expense will be allocated from the general fund at that time in order to bring both account back in line.

Please let me know if you have any questions.

Thank you,
Christine

--

Christine M. Ciancetta
Deputy Finance Director
City of Daphne, AL
1705 Main Street
P.O. Box 400
Daphne, AL 36526
Phone: (251) 621-9000 ext.128
Fax: (251) 626-3008



BAILEY YELDING, JR.
MAYOR

DAVID L. COHEN, MMC
CITY CLERK

KIMBERLY M. BRILEY
FINANCE DIRECTOR/TREASURER

DAVID CARPENTER II
CHIEF OF POLICE

JAMES "BO" WHITE
FIRE CHIEF

COUNCIL MEMBERS
TOMMIE B. CONAWAY
DISTRICT 1
CATHY BARNETTE
DISTRICT 2
JOHN L. LAKE
DISTRICT 3
KELLY D. REESE
DISTRICT 4
RON SCOTT
DISTRICT 5
DEREK BOULWARE
DISTRICT 6
AUGUST A. PALUMBO
DISTRICT 7

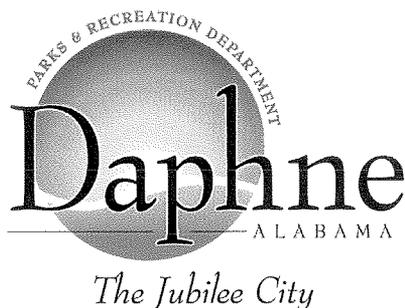
MEMO

TO: Christine Ciancetta, Deputy Finance Director
FROM: David Cohen, City Clerk
SUBJECT: Adjustment to the Budget
DATE: February 16, 2012

We recently had to go with another internet company, Media Com, due to the large amount of data that is connected to posting the agenda on the website. I am requesting that the budget be revised to reflect this added cost of \$1,000. I will temporarily use funds from the Jubilee Festival account (120200 / 53353) which should be shifted back upon the revised budget approval. I will add this to the budget next year.

Thank you for your assistance.

Bailey Yelding
Mayor
David McKelroy
Parks & Recreation
Director



Chris Bradford
Parks Maintenance Supervisor
Mary Jensen
Seniors Program Coordinator

Recreation Programs Coordinator

Charlie McDavid
Athletic Coordinator

MEMO

TO: Daphne Finance Committee
FROM: David McKelroy, Parks & Recreation Director
RE: Additional Budget Request – Spring Soccer
DATE: February 29, 2012

New for 2012 is Youth Spring Soccer. The final decision for spring soccer was made after the FY2012 budget was approved. To date, we have 236 participants with total receipts of \$11,272.50. We request an additional \$9750.00 to cover the cost of this additional program. Account numbers for this request is as follows:

182075 53422 67	Referees	\$ 5000.00
182075 551101 67	Uniforms	3500.00
182075 55410 67	Supplies/Trophies	1250.00

Thanks you for this consideration.

APPLICATION and CERTIFICATE for PAYMENT

ESTIMATE No. 2

DATE: February 28, 2012

PO# 01200352-00

Attach Schedule of Values

TO OWNER: City of Daphne Police Dept. PO Box 400 Daphne, AL 36526	PROJECT: Reroofing Daphne Justice Center Daphne, Alabama
FROM CONTRACTOR: Acme Roofing & Sheet Metal Co., Inc. 37 Banner St. Dothan, AL 36303 FEIN <u>63-0568283</u>	Construction Manager Tremco, Inc. 3735 Green Rd Greenwood, OH 44122

TOTAL ORIGINAL CONTRACT	\$	584,500.00
CHANGE ORDER (S) Numbers _____ through _____	\$	-
TOTAL CONTRACT TO DATE.....	\$	584,500.00
<hr/>		
1. Brought Forward: TOTAL CONTRACT TO DATE.....	\$	584,500.00
AMOUNT COMPLETE (attached Schedule Of Values)	\$	577,600.00
<u>99.76%</u>		
2. Stored Materials: (Attach list or Form ABC-C-SM, Inventory of Stored Materials)		\$0.00
3. Total Completed Work and Stored Materials.....	\$	577,600.00
4. Less Retainage.....	\$	(28,880.00)
5. Total Completed Work and Stored Materials, less Retainage.....	\$	548,720.00
8. Less Total Previous Payments to Contractor.....	\$	495,045.00
7. Balance Due This Estimate.....	\$	53,675.00

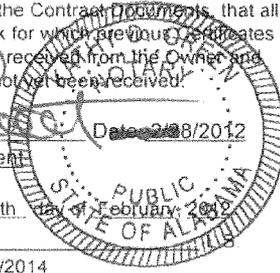
CONTRACTOR'S CERTIFICATION

The undersigned Contractor certifies that to the best of his knowledge, information, and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by him for Work for which previous Certificates for Payments were issued and payments received from the Owner and that current payment shown herein has not yet been received.

By James T. Burkett Date 2/28/2012
 (Title) Vice President

Sworn and subscribed before me the 28th day of February, 2012

Notary Public Notary Expires 8/2/2014



CONSTRUCTION MANAGER CERTIFICATION

In accordance with the Contract Documents, the Construction Manager certifies to the Owner that, to the best of the Construction Manager's knowledge and belief, the Work has progressed to the point indicated herein, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the amount approved.

By Patrick Williamson
 Construction Manager

By _____
 Date _____

APPROVALS

Approved _____ Date _____
 (Owner) Signature

Approved _____ Date _____
 (Owner) Signature

Schedule of Values

ESTIMATE No. 2

DATE: February 28, 2012

BC # 01200352-00

TO OWNER: City of Daphne Police Dept. PO Box 400 Daphne, AL 36526	PROJECT: Reroofing Daphne Justice Center Daphne, Alabama
FROM CONTRACTOR: Acme Roofing & Sheet Metal Co., Inc. 37 Banner St. Dothan, AL 36303 FEIN <u>63-0568283</u>	ARCHITECT/ENGINEER: Tremco, Inc. 3735 Green Rd Greenwood, OH 44122

Item No.	Description of Work Item	Scheduled Value	% Compl.	Amount Complete
1.	Bonds, Permits, etc.	\$ 17,750.00	100.00%	\$ 17,750.00
2.	Inspections	\$ 19,500.00	100.00%	\$ 19,500.00
3.	Set Up & Demobilization	\$ 31,400.00	95.54%	\$ 30,000.00
4.	Tear-Off	\$ 41,000.00	100.00%	\$ 41,000.00
5.	Insulation	\$ 164,517.00	100.00%	\$ 164,517.00
6.	Tremco Modified Base	\$ 138,013.00	100.00%	\$ 138,013.00
7.	Tremco Capsheet	\$ 68,100.00	100.00%	\$ 68,100.00
8.	Flashings, Drains, Scuppers, etc.	\$ 98,720.00	100.00%	\$ 98,720.00
9.				
10.				
11.				
12.				
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22.				
23.				
24.				
25.				
26.				
27.				
28.				
29.				
TOTAL ORIGINAL CONTRACT		\$ 579,000.00	99.76%	\$ 577,600.00
CHANGE ORDER(S) No's ___ through ___		\$ -	0.00%	\$ -
TOTAL CONTRACT TO DATE		\$ 579,000.00	99.76%	\$ 577,600.00

RESOLUTION 2012-

A Resolution Authorizing Application for
State of Alabama Hazardous Mitigation Grant for:
Santa Rosa Avenue Drainage Improvements

WHEREAS, the State of Alabama Emergency Management Agency has a Hazardous Mitigation program through Federal Emergency Management Agency (FEMA) wherein eligible municipalities may receive funds for projects which reduce the risk of damage and suffering as a result of future natural disasters; and

WHEREAS, the City wishes to apply to the State of Alabama for Hazard Mitigation Grant funds for the Santa Rosa Avenue Drainage Improvements project; and

WHEREAS, as part of its funding consideration for the project, the State of Alabama requires a local commitment of matching funds equivalent to 25% of the project cost; and

WHEREAS, the cost estimate of the Santa Rosa Avenue Drainage Improvements project is not expected to exceed \$299,973 and the City's match is estimated not to exceed \$74,994; and

WHEREAS, the Daphne City Council wishes to proceed with the application for the Hazardous Mitigation Grant.

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

- 1- The Mayor is hereby authorized to execute all documents required for the Hazardous Mitigation Grant application for the Santa Rosa Avenue Drainage Improvements project; and
- 2- \$74,994 is hereby appropriated, contingent upon grant approval, from the fund balance of the General Fund as the City's matching portion of said grant.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2012.

Bailey Yelding, Jr., Mayor

ATTEST:

David Cohen, City Clerk, CMC

Suzanne

Subject: FW: Santa Rosa Grant Appl

-----Original Message-----

From: Richard Johnson [mailto:directorpw@daphneal.com]
Sent: Saturday, February 25, 2012 1:51 PM
To: Suzanne Henson
Subject: Re: Santa Rosa Grant Appl

This is a 25/75 match with the city on the 25% hook (see page 8/16). It needs to be moved forward. This has been pushed by Councilwoman Barnette - due to the extreme required Benefit to cost ratio. The drainage problem in the area is not severe.

RDJ

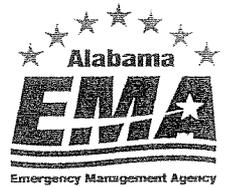
Sent from my iPhone1

On Feb 24, 2012, at 6:43 PM, "Suzanne Henson" <financesenioraccountant@daphneal.com> wrote:

>
> Richard do you want me to create a Resolution for Council to authorize
> Mayor to sign grant application?
>
> Is there NO match on this grant?
> <20120224175615206.pdf>



**ALABAMA EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANT PROGRAM**



PROJECT APPLICATION

Applicant City of Daphne, Alabama
(Must be a State or Local government, Federally recognized Indian tribe, or certain PNP)

Project Location Santa Rosa Avenue, Daphne, Baldwin County, Alabama
(Street, city, county, and state)

Project Title (descriptive) Santa Rosa Avenue Drainage Improvements

Estimated Project Cost (total) \$ 299,972.50

Please submit the original application and one (1) copy.

THIS SECTION FOR STATE USE ONLY

- Standard HMGP or
- HMGP 5% Initiative
- FMA
- Other _____

- Initial Submission *or*
- Resubmission

- Completeness Checklist
- State 409 Plan
- Eligible Applicant
- B/C Analysis

- Project Type(s)**
- Acquisition/Demolition
 - Acquisition/Relocation
 - Elevation
 - Drainage
 - Wind Retrofit
 - Tornado
 - Seismic Retrofit
 - Other _____

- Community NFIP Status:**
- Participating Community
ID #: _____
 - CRS Participant
 - In Good Standing
 - Sanctioned
 - Regulatory Floodway
 - Coastal V-Zone

State Application ID _____
 Date Received _____
 State Reviewer _____

Reviewer Phone # _____
 Reviewer Fax # _____
 Reviewer Email: _____

This application is for all Federal Emergency Management Agency (FEMA Region IV) Hazard Mitigation Grant Program (HMGP) proposals. Please complete ALL sections and provide the documents requested. If you require technical assistance with this application, please contact Alabama Emergency Management Mitigation Division at (205) 280-2476.

A. To Fill Out This Application: complete all sections of the main application AND the following worksheets, if applicable:

- **Safe Room Worksheet:** one per site
- **Acquisition Worksheet:** Acquisition Projects only – one per structure; owners’ names required
- **Elevation Guidelines/Worksheet:** Elevation Projects only – one per structure
- **Drainage Worksheet:** Drainage Projects only
- **Wind Retrofit Worksheet:** Wind Retrofit Projects only – one per structure
- **Alert and Notification Systems Worksheet:** one per site (see also III-B-5 below)
- **Generator Worksheet:** one per site (see also III-B-5 below)
- **Generator Data Sheet:** one per site (see also III-B-5 below)

B. Applicant Information

1. **Applicant (Organization)** City of Daphne, Alabama

2. **Applicant Type**

State or Local Government Recognized Indian Tribe Private Non-Profit

3. County / Counties Baldwin

4. State Legislative district(s): H:96 S:32 Congressional District(s) 1

5. Tax I.D. Number FIPS Code DUNS Number

6. **Point of Contact**

Mr. Ms. Mrs. First Name: Richard Last Name: Johnson

Title Public Works Director, City of Daphne

Street Address 26453 Public Works Road, P.O. Box 400

City Daphne State AL Zip Code 36526

Telephone (251) 621-3182 Fax (251) 621-3189

Email Address: DirectorPW@daphneal.com

7. **Application Prepared by**

Mr. Ms. Mrs. First Name James Last Name Robertson

Title Project Engineer

Telephone (251) 626-2626 Fax (251) 626-6934

Email Address jaye@hmreengineers.com

8. **Authorized Applicant Agent**

Ms. Mr. Mrs. First Name Last Name

Title Telephone () - Fax () -

Street Address

City State Zip Code

Email Address (if available)

Date Signature

NOTE: If your project is approved, work must begin within 90 days of the obligation of funds

I. Planning Requirement

For all disasters declared after November 1, 2004, a community must have a FEMA approved Local Hazard Mitigation Plan in order to be eligible for HMGP.

Date of Plan Approval: February 2, 2005

Section and Page in Plan Where Project is Included: NA

Describe how project is consistent with the risk assessment, goals and actions in plan: NA

Please include copy of page where project is included, not the entire plan

II. History of Hazards / Damages in the Area to be Protected*

In this section describe all past damages from hazardous events (include name of storms if applicable) in the project area. Include Presidentially declared disasters as well as events that did not result in a Presidential declaration. Do not list county-wide or community-wide damages. Damages described must be site specific.

A. Overview of Past Damages

Provide a detailed past history of damages in the project area, including direct and indirect costs. Include information for as many past incidents as possible. Attach any supporting documents, i.e. proofs of loss, PW's, force account logs. Direct costs should include damages to structures and infrastructure in the project area as a result of the hazard. Indirect costs should include the cost to the local government to respond to victims of the hazard in the project area, any interruption to local businesses, and losses of public services.

*** For Acquisitions and Elevations, provide an overview in this section and specific damages to each property in the Individual Property Worksheets.**

Date	Level of Event	Damages	Indirect costs (describe)
12/5/2009	25 year flood	Water in the garage at 403 Santa Rosa Avenue.	

III. Project Description

A. Project Description / Protection Provided

Describe, in detail, the proposed project. Also, explain how the proposed project will solve the problem(s) and provide the level(s) of protection described in Section B. If any other projects are underway or proposed in the project area, please describe. Also describe any planned, future development in the project area. Please include building code requirements for new development and substantial improvements in the community (use additional page, if necessary)

Due to the water flowing off of the Daphne Elementary School into the ditch on the south side of Santa Rosa Avenue, it can cause these small ditches and side drain pipes to become overwhelmed and cross the road and down the driveway of 403 Santa Rosa Avenue. Also, due to the inconsistent grade of the ditches and undersized storm drain this further compounds the issues. The proposed repairs involves widening and re-grading the existing ditch on the south side of the road, and replacing the storm-drain down Old County Road that leads to the outfall point in Bryant Gully.

B. Hazards to be Mitigated / Level of Protection

1. Select the type of hazards the proposed project will mitigate:

Flood Wind Seismic Other (or list) _____

2. Fill in the level of protection the proposed project will provide (e.g. 23 structures protected against the 100-year (1%) flood. List data in Flood Levels (10,25, 50, 100...) mph winds or Mercalli Scale Earthquake (1-12)

7 structures protected against the 50 year flood

_____ structures protected against the _____

_____ structures protected against the _____

_____ structures protected against the _____

3. Engineered Projects Only (e.g. Drainage Improvements)

Include (attach to this page) **ALL** engineering calculations used to determine the above level of protection.

The following documents are attached:
Overall Plan Sheets, Stormwater Calculations

4. Useful life of the project

Proposed project will provide protection against the hazard(s) above for 25 years.

5. Alert and Notification/Generator Projects

Alert and Notification (Siren) projects require a specification sheet for each site, and Generator projects require a generator data sheet per each system on site.

IV. Project Location (If project is involving multiple locations, provide project location information for each site on worksheet). Fully describe the location of the proposed project.

A. Site

1. Physical Location

Describe the area and/or population affected/protected by this project, include the location (street number/name, city, county, zip codes, latitude/longitude in decimal format). **Please specify whether the site is in incorporated limits or unincorporated county.**

This site lies in the incorporated city limits of Daphne, Alabama. The site lies approximately 700 Linear Feet West of U.S. Highway 98 on Santa Rosa Avenue. The physical address is 403 Santa Rosa Avenue, Daphne Alabama, 36526

2. Population Affected

Provide the number for each type of structure (listed below) in the project area. Include **all** structures in project area.

- 5 residential properties
- 0 businesses / commercial properties
- 0 public buildings
- 2 schools / hospitals / houses of worship
- 12 residents

B. Legible Copy of Flood Insurance Rate Map (FIRM) showing Project Site. Please provide either Letter (8.5" x 11") or Legal (8.5" x 14") size maps.

Attach a copy of the panel(s) from the FIRM, and, if available, the Floodway Map, (along With the appropriate flood profile and discharge tables from the community FIS) with the project site and structures marked on the map (FIRMs are typically available from your local floodplain administrator who may be located in the planning, zoning, or engineering office. Maps can also be ordered from the Map Service Center at 1-800-358-9616. For more information about FIRMs, contact your local agencies or visit the FIRM site on the FEMA WebPage at <http://msc.fema.gov>).

Using the FIRM, determine the flood zone(s) of the project site (Check all zones in the project area).

- VE or V 1-30
- AE or A 1-30
- AO or AH
- A (no base flood elevation given)
- B or X (shaded)
- C or X (unshaded)
- Floodway
- Coastal Barrier Resource Act (CBRA) Zone (Federal regulations strictly limit Federal funding for projects in this Zone; please coordinate with your state agency before submitting an application for a CBRA Zone project)

- If the **FIRM** for your area is not published, please attach a copy of the Flood Hazard Boundary Map (FHBM) for your area, with the project site and structures marked on the map

Project Location Continued

C. City or County Map with Project Site and Photographs (All Maps Are Mandatory)

Please provide either Letter (8.5" x 11") or Legal (8.5" x 14") size maps.

- Attach a copy of a city or county scale map (large enough to show the entire project area) with the project site and structures marked on the map.
- USGS 1:24,000 topo map with project site marked on the map.
- For **acquisition** or **elevation** projects, include a copy of the Parcel Map (Tax Map, Property Identification Map, etc.) with each property in the project clearly marked on the map. Use SAME ID number as in the property worksheet.
- Attach project area photographs from at least two different angles (2 copies each). The photographs should include relevant streams, creeks, rivers, etc. and drainage areas which affect the project site or will be affected by the project.

Attach 2 copies of each site photograph here

Clearly label the back of each photo

Notes:

V. Scope of Work / Budget

In this section, provide the details of all costs of the project. As this information is used for the Benefit-Cost Analysis, reasonable cost estimates are essential. List all items and costs in line item fashion. Please note if the line item is to be funded by cash or provided by in-kind resources by marking the C (for cash) or I (for in-kind) column as applicable. **Do not include contingency costs in the budget. Management costs can be included up to 6% of the total budget.**

ITEM #	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
1	CLEARING (TREE/STUMP REMOVAL) (201-C)	LS	1		\$ 15,000.00
2	CONCRETE DRIVEWAY REMOVAL (206-C)	SY	25	\$ 4.00	\$ 100.00
3	ASPHALT REMOVAL (206-C)	SY	100	\$ 3.50	\$ 350.00
4	REMOVAL OF STORM PIPE (206-D)	LF	900	\$ 8.00	\$ 7,200.00
5	INLET REMOVAL (206-D)	EA	6	\$ 500.00	\$ 3,000.00
6	HEADWALL REMOVAL (206-D)	EA	6	\$ 200.00	\$ 1,200.00
7	UNCLASSIFIED EXCAVATION (210-A)	CY	800	\$ 6.50	\$ 5,200.00
8	BORROW EXCAVATION, SELECT FILL (A3 OR BETTER) (210-D)	CY (TBM)	1,300	\$ 11.00	\$ 14,300.00
9	FOUNDATION BACKFILL, COMMERCIAL (#57 STONE) (214-B)	CY	75	\$ 45.00	\$ 3,375.00
10	CRUSHED AGGREGATE BASE, TYPE B, PLANT MIXED, 6" COMPACTED THICKNESS (301-B)	SY	100	\$ 15.00	\$ 1,500.00
11	TACK COAT (405-A)	GAL	5	\$ 4.50	\$ 22.50
12	BITUMINOUS CONCRETE WEARING SURFACE, 1.5" COMPACTED THICKNESS (165#/SY)(424-A)	TON	15	\$ 75.00	\$ 1,125.00
13	BITUMINOUS CONCRETE BINDER LAYER, 1.5" COMPACTED THICKNESS (165#/SY) (424-B)	TON	15	\$ 75.00	\$ 1,125.00
14	24" RCP (530-A)	LF	400	\$ 65.00	\$ 19,500.00
15	36" RCP (530-A)	LF	520	\$ 100.00	\$ 52,000.00
16	42" RCP (530-A)	LF	520	\$ 125.00	\$ 65,000.00
17	MOBILIZATION (600-A)	LS	1		\$ 15,000.00
18	CONCRETE DRIVEWAY (6") THICK (618-B)	SY	25	\$ 50.00	\$ 1,250.00
19	3:1 SLOPE PAVED HEADWALLS (24" RCP) (619-A)	EA	5	\$ 800.00	\$ 4,000.00
20	3:1 SLOPE PAVED HEADWALLS (36" RCP) (619-A)	EA	1	\$ 850.00	\$ 850.00
21	INLET/JUNCTION BOX (621-A)	EA ⁶²	10	\$ 3,500.00	\$ 35,000.00

ALABAMA EMERGENCY MANAGEMENT AGENCY • HAZARD MITIGATION GRANT PROGRAM • REQUIRED DATA

22	REMOVE/REPLACE EX CONCRETE CURB (623-B)	LF	650	\$ 20.00	\$ 13,000.00
23	UTILITY ADJUSTMENTS (640)	LS	1		\$ 12,000.00
24	TOPSOIL, 3" COMPACTED THICKNESS (650-A)	CY	300	\$ 15.00	\$ 4,500.00
25	SEEDING (652-A)	ACRE	0.50	\$ 750.00	\$ 375.00
26	SOLID SODDING (654-A)	SY	2,800	\$ 4.50	\$ 12,600.00
27	MULCHING (656-A)	ACRE	0.50	\$ 750.00	\$ 375.00
28	POLYETHYLENE SHEETING (665-E)	SY	400	\$ 2.00	\$ 800.00
29	SAND BAGS (665-G)	EA	100	\$ 2.50	\$ 250.00
30	SILT FENCE, TYPE A (665-J)	LF	500	\$ 4.50	\$ 2,250.00
31	WATTLES (665-Q)	LF	150	\$ 8.00	\$ 1,200.00
32	CONSTRUCTION FENCE (674-A)	LF	250	\$ 3.00	\$ 750.00
33	CONSTRUCTION SIGNS (740-B)	SF	100	\$ 12.00	\$ 1,200.00
34	CHANNELIZING DRUMS (740-D)	EA	40	\$ 25.00	\$ 1,000.00
35	CONES (36" HIGH) (740-E)	EA	25	\$ 10.00	\$ 250.00
36	BARRICADES, TYPE III (740-F)	EA	4	\$ 500.00	\$ 2,000.00
37	WARNING LIGHTS, TYPE B (DETACHABLE HEAD) (740-I)	EA	8	\$ 200.00	\$ 1,600.00
38	BALLAST FOR CONES (740-M)	EA	25	\$ 5.00	\$ 125.00
39	ENGINEERING CONTROLS	LS	1		\$ 2,000.00
TOTAL CONSTRUCTION COST: BASE					\$ 299,972.50

Total Project Cost:



Total In-Kind Cost:



D. Funding Sources (round figures to the nearest dollar) The maximum FEMA share for HMGP projects is 75%. The other 25% can be made up of State and Local funds as well as in-kind services. HMGP funds may be packaged with other Federal funds, but other Federal funds (except for Federal funds which lose their Federal identity at the State level – such as CDBG, ARC, HOME) may not be used for the State or Local match.

Estimated FEMA Share \$224,979.38 75 % of Total

Non-Federal Share

Estimated Local Share \$74,993.12 25 % of Total
 (Include In-Kind Value)

List Funding Sources _____

Estimated State Share \$0 0 % of Total

List Funding Sources _____

Estimated Other Agency Share \$0 0 % of Total

Identify Other Non-Federal Agency _____

Other Non-FEMA Federal Funds \$0 **Do Not Include In Total**

Identify Other Federal Agency _____

Scope of Work/ Budget Continued

E. Project Milestones List the major milestones in this project. Itemize each completion phase of project. For example, Ordering of Materials for Elevation – 60 days; Elevation of Structure – 90 days, etc.

Milestone	Number of Days to Complete
Description: <u>BMP Installation</u>	Timeframe: <u>1 day</u>
Description: <u>Stormdrain Installation</u>	Timeframe: <u>45 Days</u>
Description: <u>Re-grade Ditch</u>	Timeframe: <u>15 Days</u>
Description: <u>Site Stabilization</u>	Timeframe: <u>4 days</u>
Description: _____	Timeframe: _____
Total Days:	<u>65 WorkingDays</u>

F. Benefit Cost Ratio: See Attached

Attach Copy of Benefit Cost Analysis Report and All Supporting Documentation. Not Required for Initiative Projects. For help or information on obtaining FEMA’s BCA software, please go to <http://www.bchelpline.com/>.

VI. Alternative Actions

This application cannot be reviewed if this section is incomplete.

List **two feasible** alternative projects to mitigate the hazards faced in the project area. One alternative is the "No Action Alternative" (section A).

A. No Action Alternative. Note: As of July 2006, this is all that is required for Alert and Notification and Generator Projects in the Alternative Actions section.

Discuss the impacts on the project area if no action is taken.
Flooding will periodically continue.

B. Other Feasible Alternative

Discuss a feasible alternative to the proposed project. This could be an entirely different mitigation method or a significant modification to the design of the current proposed project. Please include scope of work, engineering details (if applicable), estimated budget and the impacts of this alternative. **NA**

1. Other Feasible Project Description and Scope of Work

Describe, in detail, the alternative project. Also, explain how the alternative project will solve the problem(s) / provide protection from the hazard(s).

2. Other Feasible Project Location

- Attach a map or diagram showing the alternative site in relation to the proposed project site.
- Attach two Photographs of alternative site(s)

Attach 2 copies of each photograph here

Clearly label the back of each photo.

Alternative Actions Continued

C. Funding Sources (round figures to the nearest dollar) The maximum FEMA share for HMGP projects is 75%. The other 25% can be made up of State and Local funds as well as in-kind services. HMGP funds may be packaged with other Federal funds, but other Federal funds (except for Federal funds which lose their Federal identity at the State level – such as CDBG, ARS, HOME,) may not be used for the State or Local match.

Estimated FEMA Share \$0 0 % of Total

Non-Federal Share

Estimated Local Share \$0 0 % of
 (Include In-Kind Value) Total

List Funding Sources _____

Estimated State Share \$0 0 % of Total

List Funding Sources _____

Estimated Other Agency Share \$0 0 % of Total

List Other Non-Federal Agency _____

Other Non-FEMA Federal Funds \$0 **Do Not Include In Total**

List Other Federal Agency _____

D. Impacts of Other Feasible Alternative Project

Discuss the impact of this alternative on the project area. Include comments on these issues: Environmental Justice; Endangered Species; Wetlands; Hydrology (Upstream and Downstream Impacts); Floodplain/ Floodway; Historic Issues; Hazardous Materials.

VI. Environmental Documents

The applicant **must** provide the following environmental documentation to FEMA before starting construction activity **or** jeopardize project funding.

**The Following Types of Projects
Do Not Require Environmental Documentation:**

- Development of Mitigation Plans
- Inspection and monitoring activities
- Studies involving only staff time and funding
- Training activities using existing facilities

Other projects require certain environmental documentation depending upon the project type and its potential effects on the physical, biological and built environment. The various types of projects and their required environmental documentation follow: (x=required)

	Engineering Plans/Tech Specs	ADEM Concurrence	US Fish and Wildlife	US Army Corps of Engineers	US Dept. of Agriculture (NRCS)	National Marine Fisheries Service (NMFS)	State Historic Preservation Officer (SHPO)
Retrofits	X						X
Elevation	X						X
Acquisitions with demolition		X	X	X			X
Drainage	X	X	X	X	X	X	X
Construction on previously disturbed land	X	X					X
Construction on previously undisturbed land	X	X	X	X	X	X	X
Fixed Generators		X					X
Portable Generators							
Sirens	X	X					X

Warning Systems, Shutters, And Communication Projects

- Coordination from the State Historic Preservation Officer (SHPO) regarding cultural resources (archeological and historical). **Provide the SHPO with:**
 - a description of the project referencing structure/site addresses
 - a map of sufficient scale and detail that shows the project site and surrounding project area (Area of Potential Effects)
 - several original photographs of the project site and adjacent area/structures
- * See also - additional documentation section

Acquisition/Relocation Projects (Residential Only) And Stormwater Management Projects (Road/Bridge/Culvert Repair, Detention Ponds and Drainage)

Coordination from the following Federal and State agencies:

- State Historic Preservation Officer (SHPO) regarding cultural resources (archeological and historical). **Provide the SHPO with:**
 - several original photographs of the project site and adjacent area/structures
- Alabama Department of Environmental Management regarding required permits for erosion and sediment control, stormwater management, water and air quality
- Alabama Department of Environmental Management regarding hazardous and toxic materials
- U.S. Army Corp of Engineers District regarding Individual (404 Wetlands) Permit or approval under an existing Nationwide Permit
- U.S. Fish and Wildlife Service regarding Federal Threatened and Endangered Species
- Alabama Department of Conservation and Natural Resources regarding fish and wildlife
- Alabama Department of Conservation and Natural Resources regarding Threatened and Endangered Species

Provide the following documentation to each agency listed above:

- a description of the project referencing structure/site addresses
- a map of sufficient scale and detail that shows the project site and surrounding project area (Area of Potential Effects)

* See also - additional documentation section

Additional Documentation

- *If the project involves five or more acres of land* – provide a NPDES permit from the U.S. Environmental Protection Agency
- *If the project is located outside of town/city limits* - provide documentation from the USDA National Resource Conservation Service (Prime, Unique or other Important Farmlands).
- *If the project is located in a coastal area* - provide letters from the:
 - Alabama Department of Environmental Management (Coastal Unit)
 - U.S. Fish and Wildlife Service (Coastal Barrier Resources Act and Coastal Barrier Improvement Act)
 - U.S. Dept. of Commerce National Marine Fisheries Service (Commercial fishing and breeding grounds)
- *If the project will affect any low-income or minority groups in the project area* – provide applicable Environmental Justice information (census, economics, housing and employment).

VIII. MAINTENANCE AGREEMENT

All applicants whose proposed project involves the retrofit or modification of existing public property or whose proposed project would result in the public ownership or management of property, structures, or facilities, must first sign the following agreement prior to submitting their application to FEMA.

(NOTE: those applicants whose project only involves the retrofitting, elevation, or other modification to private property where the ownership will remain private after project completion DO NOT have to complete this form.)

The City (City, Town, County) of Daphne, State of Alabama, hereby agrees that if it receives any Federal aid as a result of the attached project application, it will accept responsibility, at its own expense if necessary, for the **routine** maintenance of any real property, structures, or facilities acquired or constructed as a result of such Federal aid. Routine maintenance shall include, but not be limited to, such responsibilities as keeping vacant land clear of debris, garbage, and vermin; keeping stream channels, culverts, and storm drains clear of obstructions and debris; and keeping detention ponds free of debris, trees, and woody growth.

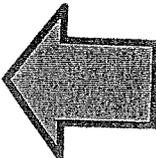
The purpose of this agreement is to make clear the Subgrantee's maintenance responsibilities following project award and to show the Subgrantee's acceptance of these responsibilities. It does not replace, supercede, or add to any other maintenance responsibilities imposed by Federal law or regulation and which are in force on the date of project award.

Signed by **Bailey Yelding, Jr.** (printed or typed name of signing official) the duly authorized

Mayor (title) of **City of Daphne** (name of applicant),

this ____ (day) of ____ (month), ____ (year).

Signature _____



IX. Applicants Certification

Each applicant whose proposed project involves elevation of one or more residential structures or relocation or acquisition and demolition of such structures shall sign the following certification: each owner must also provide "Model Acknowledgement of Conditions for Mitigation of Property in a Special Flood Hazard Area with FEMA Grant Funds" to ensure the property is insured in the National Flood Insurance Program (NFIP). For additional information, contact your State Hazard Mitigation Officer (SHMO).

I, Bailey Yelding, Jr., Mayor, of _____ of _____
 _____ (print name) _____ (title)
City of Daphne certify that that all owners of property listed in this _____ (town, city, or county organization)
 have been contacted and have voluntarily expressed a willingness to participate in the proposed project. Any
 structures elevated or retrofitted shall be covered by flood insurance for the life of the structure.

Additionally, the City of Daphne understands that any and all (town, city, or county organization)
 property acquired under the Hazard Mitigation Grant Program will be maintained by the applicant as openspace.
 All property acquired in this project will be governed by the following guidelines from the Code of Federal
 Regulations, Section 206.434(d):

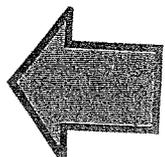
(d) Property acquisition and relocation requirements. A project involving property acquisition or the
 relocation of structures and individuals is eligible for assistance only if the applicant enters an
 agreement with the FEMA Regional Director that provides assurances that:

1. The following restrictive covenants shall be conveyed in the deed to any property acquired,
 accepted, or from which structures are removed (hereafter called in section (d) the
 property):
 - (i) The property shall be dedicated and maintained in perpetuity for uses compatible
 with open space, recreational, or wetlands management practices; and
 - (ii) No new structure(s) will be built on the property except as indicated below:
 - (A) A public facility that is open on all sides and functionally related to a
 designated open space or recreational use;
 - (B) A rest room; or
 - (C) A structure that is compatible with open space, recreational, or wetlands
 management usage and proper floodplain management policies and
 practices, which the Director approves in writing before the construction of
 the structure begins.
 - (iii) After completion of the project, no application for additional disaster assistance
 will be made for any purpose with respect to the property to any Federal entity or
 source, and no Federal entity or source will provide such assistance.
2. In general, allowable open space, recreational, and wetland management uses include parks
 for outdoor recreational activities, nature reserves, cultivation, grazing, camping (except
 where adequate warning time is not available to allow evacuation), temporary storage in the
 open of wheeled vehicles which are easily movable (except mobile homes), unimproved,
 previous (sic; should read "pervious") parking lots, and buffer zones.
3. Any structures built on the property according to paragraph (d)(1) of this section, shall be
 floodproofed or elevated to the Base Flood Elevation plus one foot of freeboard.

Any other use of acquired structures or properties must be approved by both the State and Federal Emergency
 Management Agencies' Directors. (Please contact your State Hazard Mitigation Officer for further details)

Certified this _____ day of _____, _____.
 _____ (day) _____ (month) _____ (year)

By _____
 _____ (signature of responsible official)



2012 Sales Tax Holiday

August 3-5, 2012

The 2012 Sales Tax Holiday begins at 12:01 a.m. on Friday, August 3, 2012, and ends at twelve midnight on Sunday, August 5, 2012. As required by Sales Tax Holiday Rule 810-6-3-.65, a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the Sales Tax Holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue before July 3, 2012. The Department will compile this information into a list of all counties and municipalities participating in the Sales Tax Holiday and issue a current publication of the list on its website at: www.revenue.alabama.gov/salestax/SalesTaxHol.htm. Notification of participation in the sales tax holiday may not be included in the published list if received after July 3, 2012.

Your taxpayers want to know if your locality will participate in the 2012 Sales Tax Holiday.

Please put it on your calendar to discuss and vote on this matter soon and notify the ADOR of the decision.

Participating? Send a certified copy of any resolution, ordinance, or amendment adopted by your locality.

Not Participating? It is important that you inform us of that fact, as well.

Taxpayers rely on the list provided by the Department of Revenue and the Department cannot post a locality's participation status based on assumption; notification of nonparticipation or copies of resolution/ordinance from the locality is required.

Notification can be faxed, mailed or emailed:

FAX: [334-353-7666](tel:334-353-7666)

MAIL: ALABAMA DEPARTMENT OF REV

Attention: Wanda Robbins, Room 4311

Sales, Use & Business Tax Division

Post Office Box 327900

Montgomery, Alabama 36132-7900

EMAIL: wanda.robbs@revenue.alabama.gov

QUESTIONS: [334-353-8044](tel:334-353-8044)

RESOLUTION NO. 2012-

**A RESOLUTION APPROVING THE CITY OF DAPHNE'S
PARTICIPATION IN THE STATE OF ALABAMA SALES
TAX HOLIDAY FOR THE YEAR 2012**

BE IT RESOLVED, by the City Council of the City of Daphne, Alabama as follows:

Section 1. Section 4 of Alabama Act No. 2006-574 grants municipal governments authority to provide for the exemption of certain covered items from the payment of municipal sales tax during a period commencing at 12:01 a.m. on the first Friday in August of each year and ending at twelve midnight the following Sunday under the same terms, conditions and definitions as provided for the state sales tax holiday.

Section 2. The City of Daphne grants approval for the exemption of certain covered items from the payment of municipal sales tax for the period commencing at 12:01 a.m. Friday, August 3, 2012 and ending at twelve midnight Sunday, August 5, 2012 under the same terms, conditions and definitions as provided for by Act No. 2006-574 and Alabama Department of Revenue Rule 810-6-3-.65.

Section 3. This Resolution shall become effective upon adoption.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this the _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk, MMC

RESOLUTION 2012 -

A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING DISPOSITION

WHEREAS, the Police Department of the City of Daphne has determined that there are some older Prisoner Transport Cages/Dividers for Vehicles that are no longer required for public or municipal purposes; and

WHEREAS, such Police Prisoner Transport Cages/Dividers listed below are no longer used in the new police vehicles; and

WHEREAS, the Police Department has been made aware that these Prisoner Transport Cages/Dividers can be utilized by another law enforcement agency; and

WHEREAS, this Prisoner Transport Cages/Dividers will be donated "AS IS" and without warranty of any kind, express, or implied, and recipient will release, acquit, and hold the City harmless for any and all claims for damages, causes of action, for any purpose;

WHEREAS, the Prisoner Transport Cages/Dividers are recommended for disposal;

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

- 1- The following property is hereby declared to be surplus:

PD Prisoner Transport Cages/Dividers for Vehicles

and

- 2- The Mayor is authorized to direct the disposition of the above listed property to another municipality.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk CMC

RESOLUTION 2012 -

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

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

WHEREAS, the items listed below are recommended for disposal.

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

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

DEPT	TAG/VEH#	DESCRIPTION	VIN # / SERIAL #
Grounds	97	1998 FORD PU F150	1FTZF1765WNA73818
Parks	109	1999 GMC SIERRA Crew Cab (Chassis Only)	1GDKC34J4XF025927
Parks	1262	Bush Hog Tiller	892770
Street	21	1989 GMC 8 YARD DUMP TRUCK	1GDL7D1E1KV504469
Street	705	1999 STERLING SC 8000 ST SWEEPER	49H6WFAA1XHF42238
Grounds	93	1998 FORD PU F150	1FTZF1767WNA73819
Grounds	97	1998 FORD PU F150	1FTZF1765WNA73818
Recycling		2001 Baler, International - CY48180 / w/conveyor-LD60CCHD / SN: 601057	201005
PW		Canon 3200 Copier (needs drum)	
PD		Cameras: 35 mm (20) / Flash (4) / Lens (4) / Cases (2)	

- 2- The Mayor is authorized to advertise and accept bids through Govdeals.com as contracted for the sale of such personal property, and
- 3- The Mayor is authorized to sell said property to the highest bidder and deposit any and all proceeds to the General Fund. The Mayor is further authorized to direct the disposition of any property which is not claimed by any bidder.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk CMC

**RESOLUTION NO. 2012-
2012-D-ASPHALT HOTBOX RECLAIMER TRAILER UNIT**

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

WHEREAS, The City of Daphne acknowledges that the cost for the ASPHALT HOTBOX RECLAIMER TRAILER UNIT will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the ASPHALT HOTBOX RECLAIMER TRAILER UNIT and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the ASPHALT HOTBOX RECLAIMER TRAILER UNIT be awarded to Truck Equipment Sales, Inc; and

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 \$33,645 (Demo) / \$36,586 (new) (*whichever Unit that is available upon appropriation of monies*) from Truck Equipment Sales, Inc. as specified in BID SPECIFICATION NO: 2012-D-ASPHALT HOTBOX RECLAIMER TRAILER UNIT.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

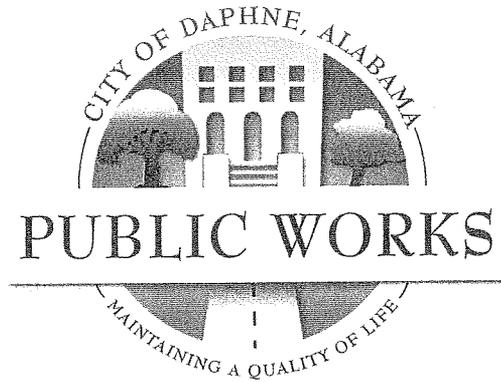
David L. Cohen, City Clerk CMC

Bailey Yelding
Mayor

David Cohen
City Clerk

Kimberly Briley
Finance Director/Treasurer

Richard D. Johnson, P.E.
Director of Public Works



Tommie Conaway
District 1

Cathy Barnette
District 2

John L. Lake
District 3

Kelly Reese
District 4

Ronald Scott
District 5

Derek Boulware
District 6

August Palumbo
District 7

To: Suzanne Henson
Senior Accountant

From: Richard D. Johnson
Public Works Director

Date: February 10, 2012

Re: 2012-D-ASPHALT HOTBOX RECLAIMER TRAILER UNIT

The Finance Department and Public Works sent out requests for bids for an asphalt hotbox reclaimer unit. Two (2) bids were received from Truck Equipment Sales, Inc. and Sansom Equipment Company. The low bidder was Truck Equipment Sales, Inc. at \$33,645.

I, therefore, recommend to this Committee that we award the City of Daphne BID 2012-D-Asphalt Hotbox Reclaimer Trailer Unit to Truck Equipment Sales, Inc.

Please contact me should you have any questions regarding this bid award.

RDJ:swc

CITY OF DAPHNE
2012-D-ASPHALT HOTBOX RECLAIMER TRAILER UNIT
FEBRUARY 8, 2012
11:30AM
CITY HALL

Those present were as follows:

Melvin McCarley	PW Superintendent
Suzanne Henson	Senior Accountant
Richard Johnson	PW Director

19 bid invitations were mailed/picked up, 6 sealed bids were received.
Melvin McCarley opened the bids presented and the bids were read aloud as follows:

<u>VENDOR</u>	<u>Description</u>	<u>AMOUNT</u>
Jerry Pate Turf & Irrigation, Inc.		No Bid
Coastal		No Bid
Thompson Tractor Co., Inc.		No Bid
Samson Equipment Co., Inc.	Basic Model TM 300 DH	\$ 38,949.00
	Diesel fired Model TM-DHDB	\$ 39,949.00
Truck Equipment Sales	4 Ton Falcon Asphalt Recycle	New- \$ 36,586.00
		Demo- \$ 33,645.00



Suzanne Henson, Senior Accountant

**RESOLUTION NO. 2012-
2012-E-PW/TRUCK: 8-10 YARD DUMP TRUCK**

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

WHEREAS, The City of Daphne acknowledges that the cost for the DUMP TRUCK: 8-10 YARDS will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the DUMP TRUCK: 8-10 YARDS and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the DUMP TRUCK: 8-10 YARDS be awarded to Empire Truck Sales, LLC; and

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 \$85,998 from Empire Truck Sales, LLC as specified in BID SPECIFICATION NO: 2012-E-PW/TRUCK: 8-10 YARD DUMP TRUCK.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

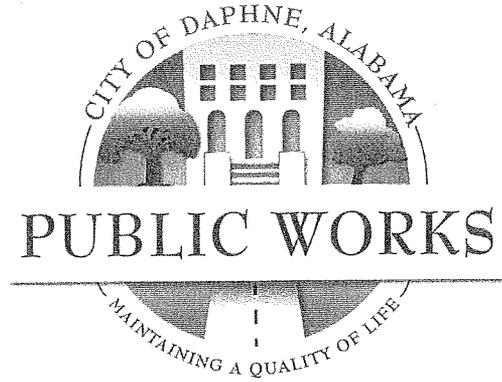
David L. Cohen, City Clerk CMC

Bailey Yelding
Mayor

David Cohen
City Clerk

Kimberly Briley
Finance Director/Treasurer

Richard D. Johnson, P.E.
Director of Public Works



Tommie Conaway.
District 1

Cathy Barnette
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John L. Lake
District 3

Kelly Reese
District 4

Ronald Scott
District 5

Derek Boulware
District 6

August Palumbo
District 7

To: Suzanne Henson
Senior Accountant

From: Richard D. Johnson
Public Works Director

Date: February 10, 2012

Re: 2012-E-PW TRUCK: 8-10 YARD DUMP TRUCK

The Finance Department and Public Works sent out requests for bids for an 8-10 Yard Dump Truck. Six (6) bids were received. The low bidder was Empire Truck Sales, LLC at \$85,998..

I, therefore, recommend to this Committee that we award the City of Daphne BID 2012-E-PW Truck: 8-10 Yard Dump Truck to Empire Truck Sales, LLC.

Please contact me should you have any questions regarding this bid award.

RDJ:swc

CITY OF DAPHNE
2012-E-PW/TRUCK: 8-10 YARD DUMP TRUCK
FEBRUARY 8, 2012
11:30AM
CITY HALL

Those present were as follows:

Melvin McCarley	PW Superintendent
Suzanne Henson	Senior Accountant
Richard Johnson	PW Director

19 bid invitations were mailed/picked up, 6 sealed bids were received.
Melvin McCarley opened the bids presented and the bids were read aloud as follows:

<u>VENDOR</u>	<u>Description</u>	<u>AMOUNT</u>
Gulf Coast Truck & Equipment	2013 Mack CXU612	\$ 104,509.00
Empire Truck	2013 114SD Freightliner	\$ 94,214.00
Empire Truck	2013 M2 Freightliner	\$ 85,998.00
Truck Equipment	2013 CXU602 Mack	\$104,999.00
Ward International	Int'l F-10 7400 <i>F-0-Dump Body</i>	\$ 88,000.32
Ward International	International 7400 <i>OX Stampede Dump Body</i>	\$ 99,575.32



Suzanne Henson, Senior Accountant

**RESOLUTION NO. 2012
2012-F-PW/ROLLER COMPACTOR – TOW BEHIND**

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

WHEREAS, The City of Daphne acknowledges that the cost for the ROLLER COMPACTOR - TOW BEHIND will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the ROLLER COMPACTOR - TOW BEHIND and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the ROLLER COMPACTOR - TOW BEHIND be awarded to Thompson Tractor Company (*Caterpillar*).

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 Thompson Tractor Company (*Caterpillar*) for a cost of \$20,030 as specified in BID SPECIFICATION NO: 2012-F-PW/ROLLER COMPACTOR - TOW BEHIND.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

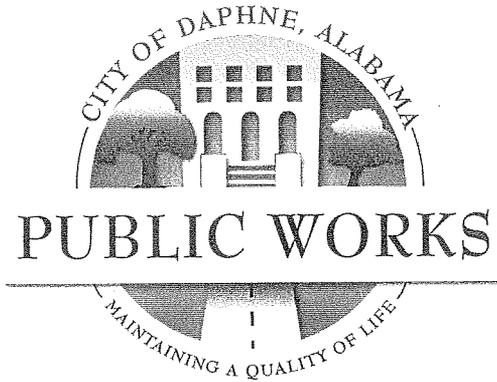
David L. Cohen, City Clerk CMC

Bailey Yelding
Mayor

David Cohen
City Clerk

Kimberly Briley
Finance Director/Treasurer

Richard D. Johnson, P.E.
Director of Public Works



Tommie Conaway.
District 1

Cathy Barnette
District 2

John L. Lake
District 3

Kelly Reese
District 4

Ronald Scott
District 5

Derek Boulware
District 6

August Palumbo
District 7

To: Suzanne Henson
Senior Accountant

From: Richard D. Johnson
Public Works Director

A handwritten signature in black ink that reads "Richard Johnson". The signature is written in a cursive style with a long horizontal line extending to the right.

Date: February 10, 2012

Re: 2012-F-PW/ROLLER COMPACTOR – TOW BEHIND

The Finance Department and Public Works sent out requests for bids for a Roller Compactor. One bid was received from Thompson Caterpillar in the amount of \$20,030 and one no bid was received from Coastal Machine Company.

I, therefore, recommend to this Committee that we award the City of Daphne BID 2012-F-PW/Roller Compactor – Tow Behind to Thompson Caterpillar.

Please contact me should you have any questions regarding this bid award.

RDJ:swc

CITY OF DAPHNE
2012-F-PW/ROLLER COMPACTOR-TOW BEHIND
FEBRUARY 8, 2012
11:30AM
CITY HALL

Those present were as follows:

Melvin McCarley	PW Superintendent
Suzanne Henson	Senior Accountant
Richard Johnson	PW Director

17 bid invitations were mailed/picked up, 2 sealed bids were received.
Melvin McCarley opened the bids presented and the bids were read aloud as follows:

<u>VENDOR</u>		<u>AMOUNT</u>
Thompson Tractor Co. (Caterpillar)	<i>Mauldin 1450</i>	\$ 20,030.00
Coastal Machinery, Co.		No Bid
Jerry Pate Turf & Irrigation, Inc.		No Bid



Suzanne Henson, Senior Accountant

Buildings & Property Committee Meeting
Monday, March 5, 2012 5:30 PM
Daphne City Hall

Committee

Councilman John Lake
Councilman Derek Boulware
Mayor Bailey Yelding, Jr.
Richard Merchant, Building Official
Frank Barnett, Maintenance Supervisor
Margaret Thigpen, Civic Center Director

Committee Minutes (Summary)

Present: Margaret Thigpen, Frank Barnett, John Lake, Derek Boulware, Bailey Yelding, Jr., Richard Johnson.

A.) Minutes from January Meeting: Motion made to approve minutes from January Meeting. Approved.

B.) Civic Center Suppression Hood System – In October 2011 we were advised by Hiller Systems, Inc. that our hood suppression system over the stove in the kitchen was outdated and would have to be replaced within the next year at the cost of roughly \$5000.00. February 23 we were informed that come inspection time in March if the hood system is not replaced, it would be red tagged and shut down for use. Hiller Systems, Inc. also informed me that the original quote of \$5000.00 was high due to the technician pricing a dry system, not a wet system which is what we have. I have received 3 revised quotes: **Hiller - \$2859.00**; Skelton - \$2,900 plus we would have to install automatic gas shut off valve; SimplexGrinnell - \$4294.25. Lake asked if system was functional and I said yes. The point was it was out dated and if red tagged this part of the kitchen would be shut down. **Boulware made the motion to move this lowest bid from Hiller \$2859 to Finance Committee. So moved by all.**

C.) City Hall Roof Repairs – Frank presented roof survey. Lake asked if roof was failing and according to Barnett, 2 slight leaks and sealant is starting to peel off cutting down the life of the roof. Barnett recommends the 15 year. Barnett asking for a motion to go out for bid and for **\$3000** to be appropriated for bid specs to be drawn up. **Motion was made by Boulware to go to Finance Committee, So Moved by All.**

- D.) Booth Property Update** – Johnson recapped the current request from Dr. Booth and the fact that the question has been raised to legal - Can the city legally do a property swap of such. Initial response from legal is no, not without the swap providing an economic development value to the city. Jay is still investigating. **Boulware made a motion that Jay Ross renders a definitive legal opinion to include an opinion of lease and/or land swap and report such opinion at the next Building & Property Meeting in April. So moved by all.**
- E.) Civic Center & Bayfront Report** - February and March numbers attached as well as revenue report. Open House at the Civic Center March 15th from 5:30-7:30pm. This is an effort to pull in the business community from Mobile and Baldwin Counties to show them what we have to offer for their meetings, etc... Bayfront Open house is April 10th from 5:30-7:30Pm. Ballroom Dance tickets go on sale March 20th and the event is April 20th. Bayfront room and insulation projects complete and the leak in the Civic Center roof have been repaired.
- F.)** No representation from Building inspection but reports for review are attached.
- G.) Library Roof Repairs** – Barnett presented a proposal from Garland Com. In regard to the rotunda leaks at the library. A leak test will cost \$1000 and will detect exactly where the leak is. Tonja Young, Library Director, has this in her Building Main. Budget. **Lake makes motion for Barnett to proceed with leak test using the funds from young's budget. So moved by all.**

Barnett reported that the **Fire Alarm System/HVAC** issue has been taken care of.

Boulware made a motion to adjourn at 6:22PM. So moved by all.

Note: Jane Ellis has sent minutes to Finance Committee and Jay Ross for actions.

Buildings and Property Committee Meeting

Tuesday, March 5, 2012

5:30 PM

City of Daphne

Executive Conference Room – City Hall

Committee

Councilman John Lake, Chairman

Councilman Derek Boulware

Mayor Bailey Yelding, Jr.

Richard Merchant, Buildings Inspector

Frank Barnett, Maintenance Supervisor

Margaret Thigpen, Civic Center Director

Agenda

- A. Approval of Minutes from January Meeting (No February Meeting)
- B. Civic Center Kitchen Hood System – Margaret Thigpen
- C. City Hall Roof Repairs (old section)
- D. Booth Property - Update
- E. Civic Center & Bayfront Report – Margaret Thigpen
- F. Building Inspection Monthly Reports – December, 2011 & January, 2012
– Richard Merchant
- G. Any other Buildings & Property business

TO: MAYOR YELDING
FROM: MARGARET THIGPEN, CIVIC CENTER DIRECTOR
SUBJECT: CIVIC CENTER HOOD SYSTEM IN THE KITCHEN
DATE: 2/23/2012

In October 2011 we were advised by Hiller Systems, Inc. that our hood suppression system over the stove in the kitchen was outdated and would have to be replaced within the next year at the cost of roughly \$5000.00. Today we were informed that come inspection time in March if the hood system is not replaced, it would be red tagged and shut down for use. Hiller Systems, Inc. also informed me that the original quote of \$5000.00 was high due to the technician pricing a dry system, not a wet system which is what we have. So I do look for a lower quote.

Mayor, if this happens then the Civic Center will have to refund rental dollars and possibly lose rental business. This of course is a capital improvement. Please advise.

enter (projected revenue)

009-2010 Revenue	2009-2010 w/out		2010-2011 w/out		2010-2011 Revenue	2011-2012		2012-2013	20
	COHP	COHP	COHP	COHP		Revenue	Revenue		
\$10,305.00	\$6,763.00	\$3,542.00	\$10,618.00	\$0.00	\$10,618.00	\$15,711.50	\$5,330.00		
\$11,633.00	\$8,100.00	\$3,533.00	\$4,727.00	\$895.00	\$4,727.00	\$13,538.00	\$4,070.00		
\$8,985.25	\$7,729.50	\$1,255.75	\$9,253.20	\$7,159.20	\$9,253.20	\$13,243.00	\$1,840.00		
\$15,499.50	\$7,295.00	\$8,204.50	\$7,423.20		\$7,423.20	\$6,643.00			
\$20,334.00	\$1,751.00	\$18,583.00	\$12,692.00		\$12,692.00	\$21,456.00	\$2,130.00		
\$18,268.00	\$6,479.00	\$11,789.00	\$16,778.95		\$16,778.95	\$11,065.00			
\$34,493.25	\$30,840.25	\$3,653.00	\$6,683.95	\$211.00	\$6,683.95	\$10,319.00	\$1,215.00		
\$16,572.78	\$6,263.75	\$10,309.03	\$9,381.45		\$9,381.45	\$7,690.00			
\$14,677.75	\$8,918.75	\$5,759.00	\$13,831.95	\$125.00	\$13,831.95	\$9,740.00	\$1,015.00		
\$21,709.23	\$15,717.23	\$5,992.00	\$19,481.00		\$19,481.00	\$7,020.00			
\$17,885.30	\$16,395.60	\$1,489.70	\$11,129.50	\$125.00	\$11,129.50	\$7,836.00	\$1,020.00		
\$10,008.00	\$3,558.00	\$6,450.00	\$12,693.00	\$205.00	\$12,693.00	\$12,587.95	\$10,890.00		
\$200,371.06	\$119,811.08	\$80,559.98	\$134,693.20	\$8,720.20	\$134,693.20	\$135,151.50	\$16,620.00		

it (projected revenue)

009-2010 Revenue	2010-2011 Revenue		2011-2012 Revenue		2012-2013		2013-2014	
	Revenue	Revenue	Revenue	Revenue	Revenue	Revenue	Revenue	Revenue
\$1,539.00	\$5,707.00	\$6,214.00	\$1,720.00					
\$2,395.00	\$2,347.00	\$3,204.00	\$1,135.00					
\$2,284.00	\$6,709.00	\$5,853.00	\$1,532.00					
\$495.00	\$2,635.00	\$3,422.00						
\$2,540.00	\$3,881.00	\$2,636.00						
\$3,164.00	\$3,088.00	\$3,328.00						
\$2,944.00	\$6,365.00	\$4,215.00				\$420.00		
\$5,931.00	\$4,786.00	\$3,299.00						
\$4,143.00	\$4,834.00	\$2,600.00						
\$6,004.00	\$6,733.00	\$1,969.00	\$ 530.00					
\$7,282.00	\$7,892.25	\$40.00						
\$6,263.99	\$6,258.00	\$1,800.00						
\$44,984.99	\$61,235.25	\$38,580.00	\$4,917.00			\$420.00		

Permit Code	Description	# Of Permits	Job Cost/Value	Permit Fee
BL	BUILDING PERMIT	24	\$1,026,843.00	\$5,996.00
EL	ELECTRICAL PERMIT	9	\$47,065.00	\$796.00
EL-NEW	ELECTRICAL - NEW	10	\$0.00	\$1,100.00
LD	LAND DISTURBANCE	1	\$0.00	\$50.00
ME	MECHANICAL PERMIT	4	\$33,288.00	\$463.07
ME-NEW	MECHANICAL - NEW	11	\$0.00	\$1,210.00
PL	PLUMBING PERMIT	6	\$32,700.00	\$559.00
PL-NEW	PLUMBING - NEW RESIDENTIAL	7	\$0.00	\$770.00
Grand Totals		72	\$1,139,896.00	\$10,944.07

Additional Misc. fees

450.00

11,394.07

[Signature]

Permit Code	Description	# Of Permits	Job Cost/Value	Permit Fee
BL	BUILDING PERMIT	36	\$3,505,462.00	21,963.00
EL	ELECTRICAL PERMIT	4	\$17,900.00	\$283.00
EL-NEW	ELECTRICAL - NEW	12	\$0.00	\$1,320.00
LD	LAND DISTURBANCE	10	\$0.00	\$500.00
ME	MECHANICAL PERMIT	3	\$14,300.00	\$187.50
ME-NEW	MECHANICAL - NEW	9	\$0.00	\$990.00
PL	PLUMBING PERMIT	5	\$6,875.00	\$137.00
PL-NEW	PLUMBING - NEW RESIDENTIAL	14	\$0.00	\$1,540.00
Grand Totals		93	\$3,544,537.00	26,920.50 JA

Ordinance Committee

Wednesday, January 11, 2012

City Hall Council Chambers

5:30 p.m.

Councilman Kelly Reese

Councilman Ron Scott

Councilman Derek Boulware

I. CALL TO ORDER/MEMBERS PRESENT

Members Present: Kelly Reese, Derek Boulware, Ron Scott.

Others Present: Rebecca Hayes

II. PUBLIC PARTICIPATION

III. ORDINANCE REVIEW/DISCUSSION

- a. Ordinance 1993-16 & 1993-21 / Regulating the Use of Alcoholic Beverages in the City of Daphne

The committee discussed adding a section regarding permitting the consumption of alcohol on city property with appropriate permitting. Also, they want to include coverage of block parties.

The committee will request the City Attorney to search for ordinances within the state that covers these issues.

IV. OTHER BUSINESS

Councilman Scott said at a future meeting they need to discuss the protocol for electing officers on the council.

Councilman Reese said it will be on the next agenda for discussion.

V. ADJOURN

The meeting adjourned at 5:30 p.m.

**CITY COUNCIL MEETING
REPORTS OF SPECIAL COMMITTEES**

NOTES:

BOARD OF ZONING ADJUSTMENTS REPORT:

DOWNTOWN REDEVELOPMENT AUTHORITY REPORT:

INDUSTRIAL DEVELOPMENT BOARD:

LIBRARY BOARD:

PLANNING COMMISSION REPORT:

RECREATION BOARD REPORT:

UTILITY BOARD REPORT:

**Daphne Public Library Board
January 6, 2012
Meeting Minutes**

In Attendance:

Library Director Tonja Young; Board Chair Jan Blankenhorn; Library Board Members Windrila Longmire, Andre LaPalme, and Jim Bodman; Friends President Jim Morris.

1) Call to Order:

After a quorum was established, Library Board Chairman Jan Blankenhorn called the meeting to order at 4:09 pm.

2) Reading and Approval of the Minutes:

The minutes of the December meeting were approved; motion made by Windrila and seconded by Jim. Motion passed.

3) Chairman's Report/Comments:

Jan stated that speaker Wayne Flynt on December 7th had been a great success.

4) Library Director's Report:

Tonja did not have the December statistical report due to staff illnesses. It will be presented next month. She did announce that the Daphne Public Library was shown by countywide statistics to be one of the busiest libraries for interlibrary and intra-library loans in Baldwin County! (see attached)

Tonja discussed upcoming children's events and the upcoming Lincoln grant events (beginning the following morning). Tonja also announced that the new library website is up, with small adjustments still being made through the vendor.

5) Public Participation

Jim Morris announced that the Friends had awarded Adele a \$500 scholarship for earning her MLIS, in accordance with the scholarships provided last year to Louise and Rhonda.

6) Other Business

None.

7) Adjourned

The meeting was adjourned by Jan at 5:05 pm.

Respectfully submitted by T. Young, January 31, 2012

**Daphne Public Library Board
February 2, 2012
Meeting Minutes**

In Attendance:

Library Director Tonja Young; Board Chair Jan Blankenhorn; Library Board Member Andre LaPalme; Friends President Jim Morris; Councilman Gus Palumbo.

1) Call to Order:

No quorum was established.

Respectfully submitted by T. Young, February 29, 2012



Daphne Utilities

APPROVED MINUTES

Utilities Board Meeting

City of Daphne Council Chambers ♦ January 25, 2012 ♦ 5:00 p.m.

I. Call to Order

The regular January 2012, Board meeting for the Utilities Board of the City of Daphne was held on January 25, 2012 and called to order by Chairman Robert Segalla, at 5:00 p.m.

II. Roll Call

Members Present: Robert Segalla, Chairman
Fenton E. Jenkins, Vice Chairman
Ron Scott, Secretary/Treasurer
Lon Johnston
Bailey Yelding, Mayor

Others Absent:

Others Present: Jerry Speegle – Board Attorney
Rob McElroy – General Manager
Danny Lyndall – Operations Manager
Teresa Logiotatos – Finance Manager
Deloris Brown – Human Resources Manager
Drew Klumpp – Administrative Services Manager
Lori May-Wilson – Executive Assistant
Melinda Immel – Volkert & Associates
Doug Bailey - HMR

Others Absent:

III. Pledge of Allegiance

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

IV. Approval of Minutes

a. Utilities Board Minutes from January 4, (December), 2012:

The Chairman inquired if there were any corrections noted for the submitted Minutes from the January 4, 2012, Utilities Board meeting. No corrections were made.

MOTION BY Ron Scott to approve the Minutes for January 4, (December), 2011; Seconded by Fenton Jenkins.

AYE: JENKINS, SCOTT, SEGALLA, YELDING

ABSENT:

ABSTAIN: JOHNSTON

MOTION CARRIED

V. Old Business

A. Items in Abeyance

1. **Gas Franchise Agreement** – No updated information was reported.
2. **Spanish Fort Sewer Franchise issues** – No updated information was reported.

VI. New Business

A. Resolution 2012-01 – Resolution to Amend and Restate Resolution 2011-01

Mrs. Logiotatos clarified the necessity for this Resolution to resolve a date timeline discrepancy. Mr. Speegle stated that he was made aware of the issues and advised that this Amendment will resolve the discrepancy.

MOTION BY Ron Scott to approve Resolution 2012-01 – Resolution to Amend and Restate Resolution 2011-01; Seconded by Lon Johnston.

AYE: JENKINS, JOHNSTON, SEGALLA, SCOTT, YELDING

ABSENT:

ABSTAIN:

MOTION CARRIED

VII. BOARD ATTORNEY’S REPORT

Mr. Speegle had nothing further to add to his report.

VIII. FINANCIAL REPORT

Teresa Logiotatos commented that there was nothing financially out of the ordinary for the month of January; she updated the Board on the progress of the audit. She notified the Board of her intention of moving monies allocated for Central Services. She answered various questions from the Board.

IX. GENERAL MANAGER’S REPORT

a. GM Report

Rob McElroy informed the Board of his presentation to the Mobile County Probate Court. Drew Klumpp briefed the Board of the upcoming process to address collection issues for the sewer only for apartment complexes. The Board discussed the procedure with Mr. Klumpp and Mr. Speegle.

Operations Report

Danny Lyndall updated the Board on the status of the Central Services facility. He also advised of the Stanton Road tank maintenance and rehabilitation.

Melinda Immel of Volkert & Associates had nothing further to add to her report. She commented, however, on the Sanitary Sewer Rehab for the Board.

Doug Bailey of HMR gave an updated review of his report for the Board.

X. PUBLIC PARTICIPATION – None.

XI. BOARD ACTION – None.

XII. BOARD COMMENTS – Mr. Jenkins recommended to the Board to conduct the regular Board meetings every other month but continue receiving the Board book every month and, if necessary, holding a conference call during the month there is no meeting. After discussing the proposal, the Board settled on postponing a decision until the February, 2012 meeting.

Mayor Yelding complimented Mr. McElroy’s representation at the Mobile Probate Court.

XIII. ADJOURNMENT –

MOTION BY Ron Scott to adjourn the meeting; Seconded by Fenton Jenkins.

AYE: JENKINS, JOHNSTON, SEGALLA, SCOTT, YELDING

ABSENT:

ABSTAIN:

MOTION CARRIED

The meeting adjourned at 5:31 pm.

**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

**CITY OF DAPHNE
PARADE PERMIT**

ORGANIZATION:	<i>Daphne United Methodist Church</i>
CONTACT PERSON:	<i>Neil Beasley</i>
ADDRESS:	<i>2401 Main Street Daphne, AL 36526</i>
PHONE NUMBER (HOME): PHONE NUMBER (BUSINESS): CELL NUMBER:	<i>709-1222 (Cell) 626-2722</i>
TYPE OF PARADE:	<i>5K & Fun Run</i>
DATE OF PARADE:	<i>April 7, 2012 Saturday</i>
ROUTE TO BE TRAVELED:	<i>See Attached Map</i>
APPROXIMATE # OF PEOPLE & CARS:	<i>150 1 Car</i>
START TIME:	<i>8:00 A.M.</i>
STOP TIME:	<i>9:15 A.M.</i>
ASSEMBLY AREA/STREET:	<i>Daphne United Methodist Church</i>
ASSEMBLY TIME:	<i>7:30</i>
SPECIAL INSTRUCTIONS:	<i>Would like a police car lead the run</i>
DATE APPLIED:	<i>February 13, 2012</i>
APPROVAL	
POLICE: Chief David Carpenter	<i>David Carpenter</i>
FIRE: Chief James White	<i>James White</i>
PUBLIC WORKS: Richard Johnson	<i>Richard Johnson</i>
RECREATION : David McKelroy	<i>David McKelroy</i>
CITY COUNCIL APPROVAL:	
SPECIAL INSTRUCTIONS:	
DATE ROUTED:	<i>February 15, 2012</i>
NOTIFICATION	

Gmaps Pedometer

Ads by Google [Running Pedometer](#) [Running Route](#)

[Real Google Maps](#) [Route Mileage](#) [Route Planning Maps](#)

Gmaps Pedometer

Recording...

Undo last point

english metric

Total Distance: 5.1203 km

automatically (for runners)

Draw route: automatically (for cyclists) manually (straight lines)

Turn off mile markers

Turn on calorie counter

Elevation: off small large

Complete there and back route

Saving...

Clear points and start over

Print map

Export as GPX (external link)

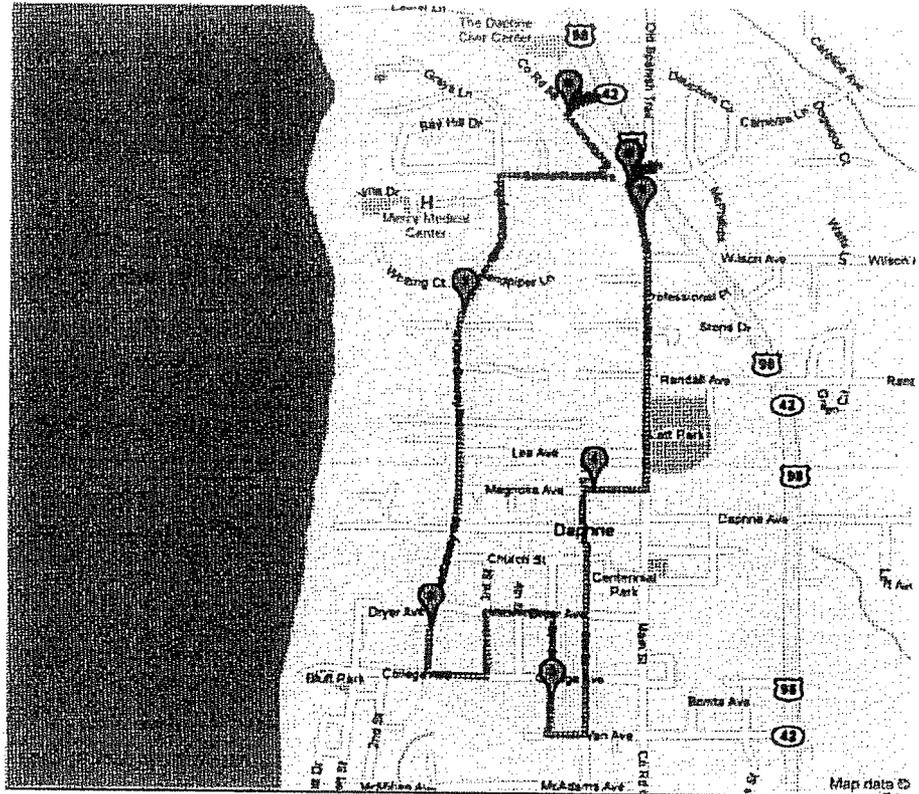
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NEW feature: Open Street Map overlay!
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*Saturday
 4-7-2012*

324



ALABAMA LEAGUE OF MUNICIPALITIES

P.O. Box 1270 • 535 ADAMS AVENUE • MONTGOMERY, AL 36102

334-262-2566 • FAX 334-263-0200

WWW.ALALM.ORG

KEN SMITH
Executive Director

COUNCILMEMBER THOMAS MOORE, DEMOPOLIS
President

March 9, 2012

TO: All Mayors and Clerks

FROM: Ken Smith 
Executive Director

SUBJECT: Voting Delegate, Annual Convention Business Meeting

ENCLOSURE: Voting Delegate Designation Form

The Annual Convention of the Alabama League of Municipalities will be held May 19 – 22, 2012, in Birmingham, at the Birmingham-Jefferson Convention Center. **The Annual Business Session will be held at 3:45 p.m. on Monday afternoon, May 21, 2012.**

The League Constitution contains the following provision pertaining to voting powers at the Annual Convention Business Session:

"Each member municipality shall have one vote in the Convention proceedings of the League, such vote to be cast by the delegate authorized by the governing body of such town or city. The League shall send to the mayor of each member municipality a form to be used by the municipal governing body to designate the municipality's voting delegate, first alternate voting delegate and second alternate voting delegate. In order for the municipality to be eligible to cast its vote during convention proceedings, the official delegate designation form must be returned to the League Headquarters not later than fifteen (15) days prior to the first day of the Annual Convention."

In accordance with the League Constitution, a copy of the official Voting Delegate Authorization Form, which should be used by your municipal governing body to designate the official voting delegate and alternates eligible to cast the municipality's vote during the business session of the convention, is being sent to each mayor. An additional copy is being sent to each clerk, but **only one completed form** should be returned by each League member municipality.

Please have the enclosed form completed and returned to the League by May 3, so that your city or town will be eligible to cast its vote at the convention.

We look forward to seeing a good delegation from your Municipality in Birmingham.

tl

VOTING DELEGATE AUTHORIZATION FORM

COPY

This form must be returned to
THE ALABAMA LEAGUE OF MUNICIPALITIES NO LATER THAN
May 3, 2012, in order for the Municipality named below to be eligible to have its
designee cast a vote at the **Official Business Session of the League on**
Monday Afternoon, May 21, 2012, at 3:45 p.m.

The following person(s) is authorized to cast the municipality's vote at the business
session of the Annual Convention of the Alabama League of Municipalities on
May 21, 2012:

Please print the requested information.

Voting Delegate:

Name/Title

**1st Alternate
Voting Delegate:**

Name/Title
(To vote only in absence of Voting Delegate)

**2nd Alternate
Voting Delegate:**

Name/Title
(To vote only in absence of Voting Delegate & 1st Alternate)

IMPORTANT NOTICE

*THE LEAGUE CONSTITUTION REQUIRES THAT VOTING
DELEGATES AND ALTERNATES BE ELECTED MUNICIPAL
OFFICIALS.*

Completed by:

(Please Print)

Title:

City/Town:

Date:

Return complete form to:
Alabama League of Municipalities, P. O. Box 1270, Montgomery, AL 36102
or by FAX:
(334) 263-0200

CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

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

NOTES:

RECOMMENDATIONS

COUNCIL COMMENTS:

RESOLUTION 2012- 21

A Resolution Authorizing Application for
State of Alabama Hazardous Mitigation Grant for:
Santa Rosa Avenue Drainage Improvements

WHEREAS, the State of Alabama Emergency Management Agency has a Hazardous Mitigation program through Federal Emergency Management Agency (FEMA) wherein eligible municipalities may receive funds for projects which reduce the risk of damage and suffering as a result of future natural disasters; and

WHEREAS, the City wishes to apply to the State of Alabama for Hazard Mitigation Grant funds for the Santa Rosa Avenue Drainage Improvements project; and

WHEREAS, as part of its funding consideration for the project, the State of Alabama requires a local commitment of matching funds equivalent to 25% of the project cost; and

WHEREAS, the cost estimate of the Santa Rosa Avenue Drainage Improvements project is not expected to exceed \$299,973 and the City’s match is estimated not to exceed \$74,994; and

WHEREAS, the Daphne City Council wishes to proceed with the application for the Hazardous Mitigation Grant.

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

- 1- The Mayor is hereby authorized to execute all documents required for the Hazardous Mitigation Grant application for the Santa Rosa Avenue Drainage Improvements project; and
- 2- \$74,994 is hereby appropriated, contingent upon grant approval, from the fund balance of the General Fund as the City’s matching portion of said grant.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David Cohen, City Clerk, MMC

RESOLUTION NO. 2012-22

**A RESOLUTION APPROVING THE CITY OF DAPHNE'S
PARTICIPATION IN THE STATE OF ALABAMA SALES
TAX HOLIDAY FOR THE YEAR 2012**

BE IT RESOLVED, by the City Council of the City of Daphne, Alabama as follows:

Section 1. Section 4 of Alabama Act No. 2006-574 grants municipal governments authority to provide for the exemption of certain covered items from the payment of municipal sales tax during a period commencing at 12:01 a.m. on the first Friday in August of each year and ending at twelve midnight the following Sunday under the same terms, conditions and definitions as provided for the state sales tax holiday.

Section 2. The City of Daphne grants approval for the exemption of certain covered items from the payment of municipal sales tax for the period commencing at 12:01 a.m. Friday, August 3, 2012 and ending at twelve midnight Sunday, August 5, 2012 under the same terms, conditions and definitions as provided for by Act No. 2006-574 and Alabama Department of Revenue Rule 810-6-3-.65.

Section 3. This Resolution shall become effective upon adoption.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this the _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk, MMC

RESOLUTION NO. 2012-23
2012-D-ASPHALT HOTBOX RECLAIMER TRAILER UNIT

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

WHEREAS, The City of Daphne acknowledges that the cost for the ASPHALT HOTBOX RECLAIMER TRAILER UNIT will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the ASPHALT HOTBOX RECLAIMER TRAILER UNIT and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the ASPHALT HOTBOX RECLAIMER TRAILER UNIT be awarded to Truck Equipment Sales, Inc; and

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 \$33,645 (Demo) / \$36,586 (new) (*whichever Unit that is available upon appropriation of monies*) from Truck Equipment Sales, Inc. as specified in BID SPECIFICATION NO: 2012-D-ASPHALT HOTBOX RECLAIMER TRAILER UNIT.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION NO. 2012-24
2012-E-PW/TRUCK: 8-10 YARD DUMP TRUCK

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

WHEREAS, The City of Daphne acknowledges that the cost for the DUMP TRUCK: 8-10 YARDS will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the DUMP TRUCK: 8-10 YARDS and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the DUMP TRUCK: 8-10 YARDS be awarded to Empire Truck Sales, LLC; and

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 \$85,998 from Empire Truck Sales, LLC as specified in BID SPECIFICATION NO: 2012-E-PW/TRUCK: 8-10 YARD DUMP TRUCK.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION NO. 2012-25
2012-F-PW/ROLLER COMPACTOR – TOW BEHIND

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

WHEREAS, The City of Daphne acknowledges that the cost for the ROLLER COMPACTOR - TOW BEHIND will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the ROLLER COMPACTOR - TOW BEHIND and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the ROLLER COMPACTOR - TOW BEHIND be awarded to Thompson Tractor Company (*Caterpillar*).

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 Thompson Tractor Company (*Caterpillar*) for a cost of \$20,030 as specified in BID SPECIFICATION NO: 2012-F-PW/ROLLER COMPACTOR - TOW BEHIND.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION 2012 - 26

A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING DISPOSITION

WHEREAS, the Police Department of the City of Daphne has determined that there are some older Prisoner Transport Cages/Dividers for Vehicles that are no longer required for public or municipal purposes; and

WHEREAS, such Police Prisoner Transport Cages/Dividers listed below are no longer used in the new police vehicles; and

WHEREAS, the Police Department has been made aware that these Prisoner Transport Cages/Dividers can be utilized by another law enforcement agency; and

WHEREAS, this Prisoner Transport Cages/Dividers will be donated "AS IS" and without warranty of any kind, express, or implied, and recipient will release, acquit, and hold the City harmless for any and all claims for damages, causes of action, for any purpose;

WHEREAS, the Prisoner Transport Cages/Dividers are recommended for disposal;

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

- 1- The following property is hereby declared to be surplus:

PD Prisoner Transport Cages/Dividers for Vehicles

and

- 2- The Mayor is authorized to direct the disposition of the above listed property to another municipality.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION 2012 - 27

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

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

WHEREAS, the items listed below are recommended for disposal.

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

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

DEPT	TAG/VEH#	DESCRIPTION	VIN # / SERIAL #
Grounds	97	1998 FORD PU F150	1FTZF1765WNA73818
Parks	109	1999 GMC SIERRA Crew Cab (Chassis Only)	1GDKC34J4XF025927
Parks	1262	Bush Hog Tiller	892770
Street	21	1989 GMC 8 YARD DUMP TRUCK	1GDL7D1E1KV504469
Street	705	1999 STERLING SC 8000 ST SWEEPER	49H6WFAA1XHF42238
Grounds	93	1998 FORD PU F150	1FTZF1767WNA73819
Grounds	97	1998 FORD PU F150	1FTZF1765WNA73818
Recycling		2001 Baler, International - CY48180 / w/conveyor-LD60CCHD / SN: 601057	201005
PW		Canon 3200 Copier (needs drum)	
PD		Cameras: 35 mm (20) / Flash (4) / Lens (4) / Cases (2)	

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

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

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk MMC

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2012 -19**

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

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on January 26, 2012, favorably recommended to the City Council of the City of Daphne certain amendments to the Zoning District Map approved and adopted by the Daphne Land Use and Development Ordinance No. 2011-54 and amended by Ordinance No. 2011-73; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance 2011-54 and Ordinance 2011-73; and

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

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on March 5, 2012; and

WHEREAS, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission believe it in the best interest of the health, safety and welfare of the citizens of the City of Daphne to amend said Zoning District Map as recommended; and

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

SECTION I: ZONING DISTRICT MAP

The Zoning District Map referenced hereto as Exhibit "A" shall be the official zoning map of the City of Daphne, Alabama and shall be further designated in Appendix H of Exhibit "A" of the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2011-54 and its amendments.

SECTION II: REPEALER

Ordinances No. 2011-20 is hereby repealed and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THE ____ DAY OF _____, 2012.

**CATHY S. BARNETTE,
COUNCIL PRESIDENT**

**BAILEY YELDING, JR.,
MAYOR**

ATTEST:

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

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2012-20**

**AN ORDINANCE TO ANNEX THE RIGHT OF WAYS OF WOODROW LANE
LOCATED ADJACENT TO INTERSTATE 10 AND WEST OF ALABAMA STATE
HIGHWAY 181**

WHEREAS, on the 6th day of January, 2012, the State of Alabama, being the owner of the real property herein described, did file with the City a letter containing the signature of Lee Reach, P.E., an authorized agent of the State of Alabama Department of Transportation, whereby the State of Alabama provided its consent to the annexation of said real property into the corporate limits of the City of Daphne, Alabama; and

WHEREAS, the City of Daphne, Alabama, desires to utilize said real property for the health, safety, and welfare purposes of roadway maintenance; and

WHEREAS, the Planning Commission of the City of Daphne, Alabama, at its regularly scheduled meeting of August 25, 2011, forwarded a favorable recommendation to the City Council of the City of Daphne, Alabama for annexation of the areas shown in Exhibit "A"; and

WHEREAS, after proper publication, a public hearing was held on March 5, 2012, 2012, by the City Council of the City of Daphne concerning said letter for annexation; and

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

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

SECTION I: ANNEXATION

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

NAME: Rights-of-Way of Woodrow Lane located adjacent to Interstate 10 and west of Alabama State Highway 181.

DESCRIPTION:

Said tract of land lying in Section 27, Township 4 South, Range 2 East, Baldwin County, Alabama and containing 12.55 acres, more or less. Being more particularly described as beginning at a point which is 250 feet Northwesterly of and at right angles to the centerline of project No. I-10-1(19) at station 568+52.44; thence N 0°-26'-24" W, a distance of 80.80 feet; thence N 81°-32'-36" E, a distance of 836.24 feet; thence N 84°-08'-45" E, a distance 1101.14 feet; thence N 77°-24'-50" E, a distance of 1027.70 feet; thence N 76°-54'-26" E, a distance of 486.48 feet; thence N 86°-01'-10" E, a distance of 1127.46 feet; thence N 63°-39'-11" E, a distance of 437.02 feet; thence N 31°- 55'-53.5" E, a distance of 170.17 feet; thence N 0°-12'-36" E, a distance of 530.72 feet; thence N 30°-12'-36" E, a distance of 290.00 feet; thence S 0°-12'-36" W, a distance of 160.00 feet; thence S 30°-12'-36" W, a distance of 130.00 feet; thence S 0°-12'-36" W, a distance of 580.23 feet; thence S 31° - 55' - 53.5" W, a distance of 170.17 feet; thence S 63° - 39' - 11" W, a distance of 476.48 feet; thence S 84°-40'-01" W, a distance of 1159.77 feet; thence S 79°-14'-20" W, a distance of 481.96 feet; thence S 78°-31'-40 W, a distance of 1026.45 feet; thence S 84°-08'-45" W, a distance of 1101.14 feet; thence S 81°-32'-36" W , a distance of 847.51 feet to the point of beginning.

NAME: Strip of real property 50 feet in width and 200 feet in length, to be used as a drainage ditch.

DESCRIPTION:

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less. Being more particularly described as beginning at a point which is 231.04 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 581+17; thence S 84°-08'-45" W, a distance of 27.47 feet; thence N 30°-21'-15" W, a distance of 200.00 feet; thence N 84°-08'-45" E, a distance of 54.94 feet; thence S 30°-21'-15" E, a distance of 200.00 feet; thence S 84°-08'-45" W , a distance of 27.47 feet to the point of beginning.

NAME: Strip of real property 50 feet in width and 200 feet in length, to be used as a drainage ditch.

DESCRIPTION:

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less. Being more particularly described as beginning at a point which is 323.92 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 596+03.34; thence S 77°-24'-50" W, a distance of 27.96 feet; thence N 14°-01'-40" E, a distance of 200.00 feet; thence N 77°-24'-50" E, a distance of 55.92 feet; thence S 14°-01'-40" W, a distance of 200.00 feet; thence S 77°-24'-50" W , a distance of 27.96 feet to the point of beginning.

NAME: Strip of real property 50 feet in width and 200 feet in length, to be used as a drainage ditch.

DESCRIPTION:

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less. Being more particularly described as beginning at a point which is 332.06 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 597+52.27; thence S 77°-24'-50" W, a distance of 26.16 feet; thence N 4°-31'-40" E, a distance of 200.00 feet; thence N 77°-24'-50" E, a distance of 52.32 feet; thence S 4°-31'-40" W, a distance of 200.00 feet; thence S 77°-24'-50" W , a distance of 26.16 feet to the point of beginning.

NAME: Strip of real property 50 feet in width and 200 feet in length, to be used as a drainage ditch.

DESCRIPTION:

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less. Being more particularly described as beginning at a point which is 356.51 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 602+59.27; thence S 76°-54'-26" W, a distance of 25.93 feet; thence N 2°-14'-29" E, a distance of 200.00 feet; thence N 76°-54'-26" E, a distance of 51.86 feet; thence S 2°-14'-29" W, a distance of 200.00 feet; thence S 76°-54'-26" W , a distance of 25.93 feet to the point of beginning.

Being contiguous to the Corporate Limits of the City of Daphne, Alabama.

SECTION II: PUBLICATION

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

SECTION III: SEVERABILITY

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

SECTION IV: EFFECTIVE DATE

This Ordinance shall become effective immediately and be in full force after final passage and publication as required by law.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE ____ DAY OF _____, 2012.

**CATHY S. BARNETTE,
COUNCIL PRESIDENT**

**BAILEY YELDING, Jr.,
MAYOR**

ATTEST:

**DAVID COHEN,
CITY CLERK, MMC**

**LEGAL DESCRIPTION FOR
WOODROW LANE RIGHT-OF-WAY**

NAME: Rights-of-Way of Woodrow Lane located adjacent to Interstate 10 and west of Alabama State Highway 181.

DESCRIPTION:

Said tract of land lying in Section 27, Township 4 South, Range 2 East, Baldwin County, Alabama and containing 12.55 acres, more or less. Being more particularly described as beginning at a point which is 250 feet Northwesterly of and at right angles to the centerline of project No. I-10-1(19) at station 568+52.44; thence N 0°-26'-24" W, a distance of 80.80 feet; thence N 81°-32'-36" E, a distance of 836.24 feet; thence N 84°-08'-45" E, a distance 1101.14 feet; thence N 77°-24'-50" E, a distance of 1027.70 feet; thence N 76°-54'-26" E, a distance of 486.48 feet; thence N 86°-01'-10" E, a distance of 1127.46 feet; thence N 63°-39'-11" E, a distance of 437.02 feet; thence N 31°- 55'-53.5" E, a distance of 170.17 feet; thence N 0°-12'-36" E, a distance of 530.72 feet; thence N 30°-12'-36" E, a distance of 290.00 feet; thence S 0°-12'-36" W, a distance of 160.00 feet; thence S 30°-12'-36" W, a distance of 130.00 feet; thence S 0°-12'-36" W, a distance of 580.23 feet; thence S 31° - 55' - 53.5" W, a distance of 170.17 feet; thence S 63° - 39' - 11" W, a distance of 476.48 feet; thence S 84°-40'-01" W, a distance of 1159.77 feet; thence S 79°-14'-20" W, a distance of 481.96 feet; thence S 78°-31'-40 W, a distance of 1026.45 feet; thence S 84°-08'-45" W, a distance of 1101.14 feet; thence S 81°-32'-36" W , a distance of 847.51 feet to the point of beginning.

NAME: Strip of real property 50 feet in width and 200 feet in length, to be used as a drainage ditch.

DESCRIPTION:

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less. Being more particularly described as beginning at a point which is 231.04 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 581+17; thence S 84°-08'-45" W, a distance of 27.47 feet; thence N 30°-21'-15" W, a distance of 200.00 feet; thence N 84°-08'-45" E, a distance of 54.94 feet; thence S 30°-21'-15" E, a distance of 200.00 feet; thence S 84°-08'-45" W , a distance of 27.47 feet to the point of beginning.

NAME: Strip of real property 50 feet in width and 200 feet in length, to be used as a drainage ditch.

DESCRIPTION:

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less. Being more particularly described as beginning at a point which is 323.92 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station

**LEGAL DESCRIPTION FOR
WOODROW LANE RIGHT-OF-WAY
PAGE 2**

596+03.34; thence S 77°-24'-50" W, a distance of 27.96 feet; thence N 14°-01'-40" E, a distance of 200.00 feet; thence N 77°-24'-50" E, a distance of 55.92 feet; thence S 14°-01'-40" W, a distance of 200.00 feet; thence S 77°-24'-50" W , a distance of 27.96 feet to the point of beginning.

NAME: Strip of real property 50 feet in width and 200 feet in length, to be used as a drainage ditch.

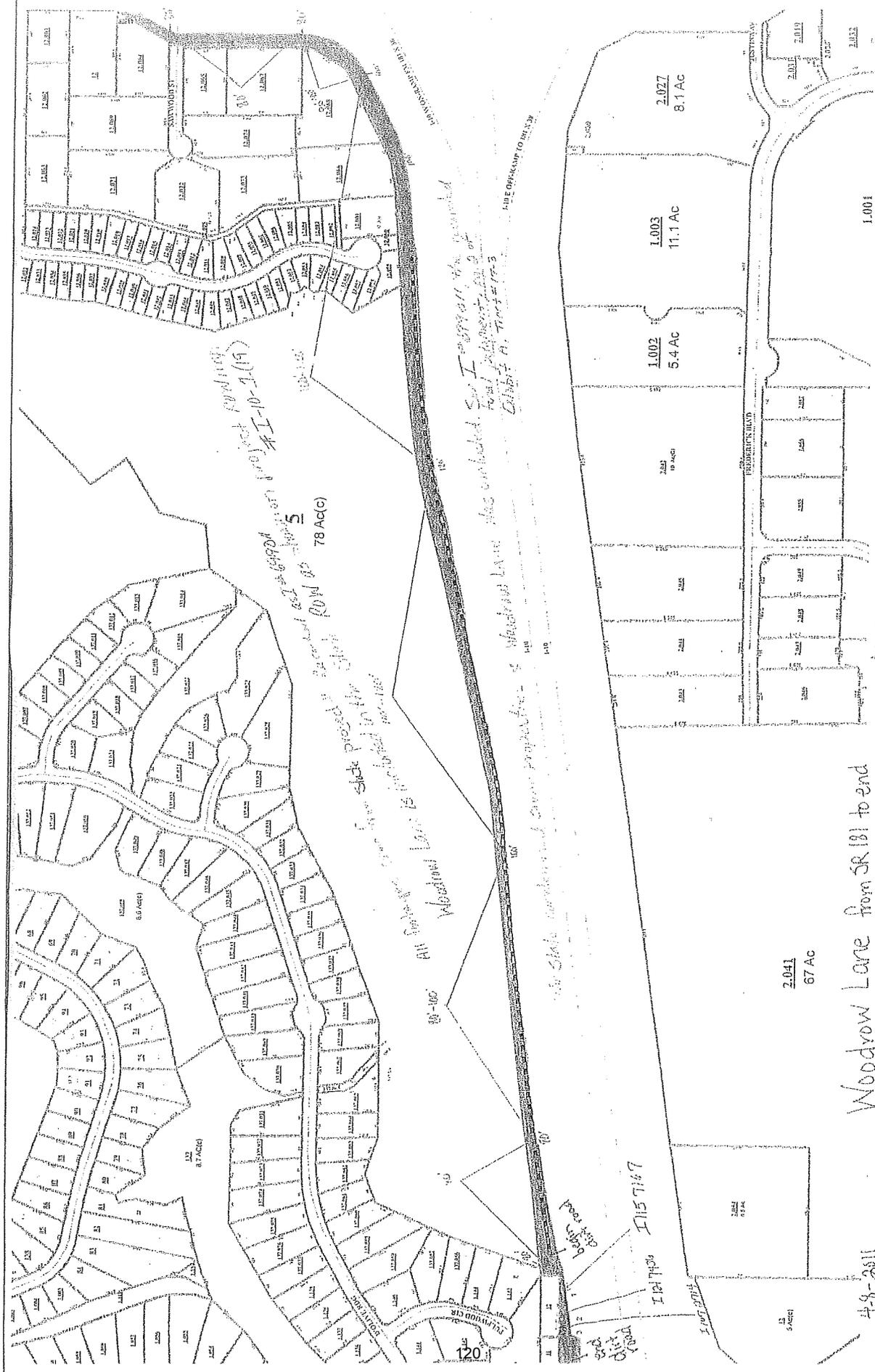
DESCRIPTION:

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less. Being more particularly described as beginning at a point which is 332.06 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 597+52.27; thence S 77°-24'-50" W, a distance of 26.16 feet; thence N 4°-31'-40" E, a distance of 200.00 feet; thence N 77°-24'-50" E, a distance of 52.32 feet; thence S 4°-31'-40" W, a distance of 200.00 feet; thence S 77°-24'-50" W , a distance of 26.16 feet to the point of beginning.

NAME: Strip of real property 50 feet in width and 200 feet in length, to be used as a drainage ditch.

DESCRIPTION:

Said strip of land lying in Section 27, Township 4 South, Range 2 East, and containing 0.230 acre more or less. Being more particularly described as beginning at a point which is 356.51 feet Northwesterly of and at right angles to the centerline of Project No. I-10-1(19) at Station 602+59.27; thence S 76°-54'-26" W, a distance of 25.93 feet; thence N 2°-14'-29" E, a distance of 200.00 feet; thence N 76°-54'-26" E, a distance of 51.86 feet; thence S 2°-14'-29" W, a distance of 200.00 feet; thence S 76°-54'-26" W , a distance of 25.93 feet to the point of beginning.



Project # I-10-1(19)
 78 AC(C)

All Subdivided Areas are included. See I-10-1(19) for details of
 Total Project Area of
 78 AC(C) ± 1.003
 11.1 AC ± 1.002
 8.1 AC ± 2.027

Woodrow Lane is included in the
 side project in the
 78 AC(C) area.

Area 100
 maintained
 0.78 mi. asphalt

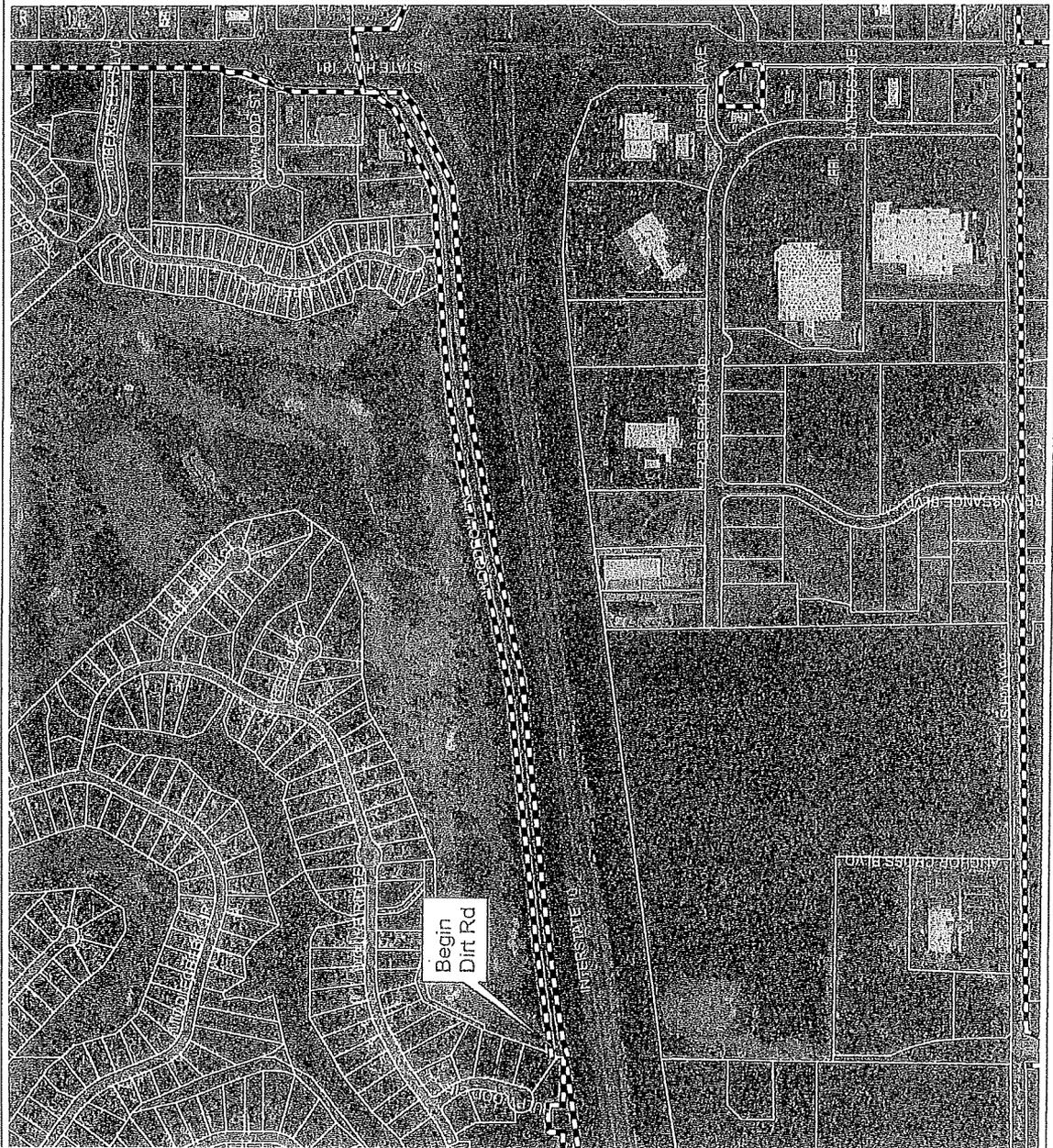
Woodrow Lane from SR 181 to end
 lying in sections 35+36, T5S-R SE sections 142, T5S-R3E

48-2011
 COPY

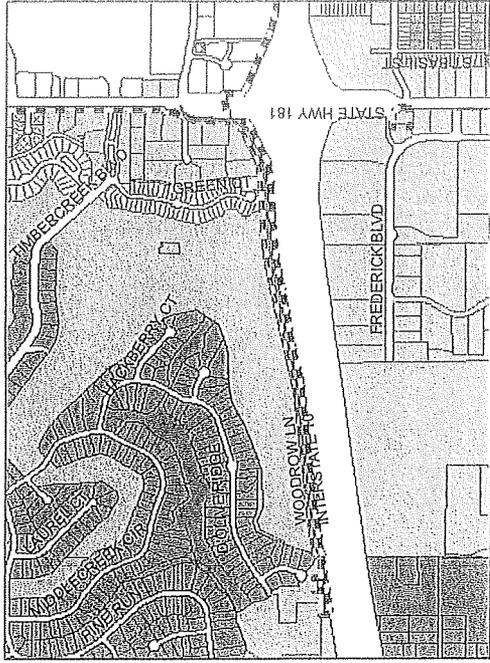
120

City of Daphne Community Development Administrative Presentation

August 25, 2011



WOODROW LANE Annexation



Legend

- CITY LIMITS
- R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL
- R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL
- R-3 HIGH DENSITY SINGLE FAMILY RESIDENTIAL
- R-4 HIGH DENSITY SINGLE & MULTI-FAMILY RESIDENTIAL
- R-5 MOBILE HOME RESIDENTIAL
- B-1 LOCAL BUSINESS
- B-2 GENERAL BUSINESS
- B-3 PROFESSIONAL BUSINESS
- CI COMMERCIAL/INDUSTRIAL
- MU MULTI-USE
- ET JURISDICTION

The information contained in the data distributed by the City of Daphne is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed. The City of Daphne makes no warranties, expressed, or implied as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of the information or data contained in or generated from the City Geographic Information System. Additionally, the City of Daphne or any agent, servant, or employee thereof assume no liability associated with the use of the data, and assume no responsibility to maintain it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Planning Department. Tel. # 251-821-3164



**CITY OF DAPHNE
ORDINANCE 2012-21**

**AN ORDINANCE ADOPTING THE RULES OF PROCEDURE IN ALL
INSTANCES FOR MEETINGS OF THE CITY COUNCIL**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the Order Procedure in All Instances for Meetings of the City Council shall be as follows:

SECTION I:

That the Rules of Procedure herein contained shall govern the deliberations and meetings of all of the Council of the City of Daphne, Alabama.

SECTION II:

That the regular meetings of the City Council shall be held on the first and third Mondays of each month, which meeting shall convene at 6:30 p.m. at the City Hall Council Chamber and all meetings, regular and special, shall be opened to the public, except when Council meets in executive session as authorized by State law. The regularly scheduled work session will be held on the Monday between the first and second council meeting at 6:30 p.m. at the City Hall Council Chambers. Items for the agenda must be turned in by 5:00 p.m. on the Wednesday before the work session.

SECTION III:

That special meetings may be held at the call of the presiding officer by serving notice on each member of the Council not less than twenty-four hours before the time set for such special called meeting. All special meetings may be held as provided by Section 11-43-50 Code of Alabama, 1975 (as amended). Furthermore, any two (2) Council members shall have the right to call for a special meeting. Notice of all special meetings shall be posted on a bulletin board and appropriate customary media notified, and is accessible to the public twenty-four hours prior to such scheduled meeting.

SECTION IV:

A Quorum shall be determined as provided by Section 11-43-40, Code of Alabama, 1975, (as amended).

SECTION V:

That the order of business of each council meeting shall be as follows:

1. Call to Order
2. Roll Call/Invocation/Pledge of Allegiance
3. Approval of the Minutes of the Previous Meeting(s)
4. Reports of Standing Committees:
 - Finance Committee
 - Building/Property Committee
 - Planning/Zoning Code Enforcement Committee
 - Public Safety/Ordinance Committee
 - Public Works/Solid Waste Committee
5. Reports of Special Boards and Commissions
 - Board of Zoning Adjustment
 - Downtown Redevelopment Authority
 - Industrial Development Board
 - Library Board
 - Planning Commission
 - Recreation Board
 - Utility Board
6. Report of Officers:
 - a. Mayors Report
 - b. City Attorney Report
 - c. Department Heads Report
7. Public Participation
8. Resolution Ordinances and Other Business
9. Council Comments
10. Adjournment

SECTION VI:

That any item including all background material to be placed on agenda must be turned in by 5:00 p.m. on the Wednesday before the council meeting to the City Clerk subject to the review of the Council President. The council packet will be sent to the full City Council by 12:00 p.m. Friday before the City Council Meeting.

SECTION VII:

That no member shall speak more than twice on the same subject without permission of the presiding officer, and after all other council members have had the opportunity to speak.

SECTION VIII:

That no individual who is not a member of the City Council or the Mayor shall be allowed to address the same while in session without permission of the presiding officer and for not more than three (3) minutes, unless approved by the presiding officer. No person shall be allowed to address the Council on any matter which shall be the subject of a public hearing scheduled by the Council until the meeting under which the public hearing on that matter is scheduled to be heard. An individual wishing to speak to the council will permission of the Council President will be allowed 5 minutes. The individual must provide in writing a synopsis of the topic to be discussed. This synopsis is to be delivered to the City Clerk by the Wednesday before the council meeting at 5:00 p.m.

SECTION IX:

That those motions to reconsider must be made by a council member who voted with the majority at the same or next succeeding meeting of the Council.

SECTION X:

That whenever it shall be required by one or more members the "ayes" and the "nays" shall be recorded and any member may call for a division on any question.

SECTION XI:

That all questions of order shall be decided by the presiding officer of the Council with the right of appeal to the Council.

Ordinance

SECTION XII:

That the presiding officer of the Council may, at his or her discretion, call any members to take the chair to allow him or her to address the Council or make a motion or discuss any other matter at issue.

SECTION XIII:

That motions to lay any matter on the table shall be first in order, and on all questions, the last amendment, the most distant day, and the largest sum shall be first put.

SECTION XVI:

That Council may meet in executive session only for purposes authorized by State law. When a council person makes a motion for executive session for an enumerated purpose, the presiding officer shall put the motion to vote. If the majority of the council shall vote in favor of the Motion for executive session the body shall then move into executive session for discussion of the matter for which executive session was called. No action may be taken in an executive session. When the discussion has been completed, the council shall resume its deliberations in public.

SECTION XV:

That a motion for adjournment shall always be in order.

SECTION XVI:

That the rules of the Council may be amended in the same manner as any other ordinance of general or permanent nature.

SECTION XVII:

That the rules of the Council may be temporarily suspended by unanimous vote of all members present.

SECTION XVIII:

That the chair of each respective committee, or the council member acting for him or her, shall submit and make report to the Council when so requested by the presiding officer or any member of the Council.

Ordinance

SECTION XIX:

That all ordinances, resolutions or propositions submitted to Council which require the expenditure of money will lie over until the next Council meeting; provided that such ordinance, resolution or propositions may be considered earlier by unanimous consent of the Council members present at such meeting by roll call vote and provided further that this rule shall not apply to the current expenses of, or contracts previously made with, or regular salaries of officers, or wages of employees of the City.

SECTION XX:

That all motions, resolutions, ordinances or other business required to be in writing shall be prepared and supplied to all Council members by twelve noon one full city work day before the Council meeting in which it is to be presented. (e.g. if City offices are not open, the Friday before the Monday council meeting, then the writings and documentation shall be supplied to each city council member by placing same in each member's mailbox at City Hall by noon Thursday.)

- a. It is desired that information be supplied to the City Clerk in time to be made part of the agenda packet.
- b. When a work session is called or scheduled between two council meetings, all motions, resolutions, ordinances or other business required to be in writing shall be presented in substantially the same form as that which is required for presentation at council meeting.
- c. Notwithstanding Sections a. and b., hereinabove, in the situation of an actual emergency sections a. and b., hereinabove, shall not apply. For purposes herein an actual emergency exist from failure to act will result in an immediate and irrefutable harm to the City or any of its citizens and or otherwise it was physically impossible to comply with notice requirements set forth herein as the same may be determined by the presiding officer of the Council.

SECTION XXI:

That the City Clerk, City Engineer, City Attorney, Chief of Police and Fire Chief and such other officers and employees shall, when requested, attend all meetings of the City Council, and shall otherwise remain in the Council Chamber for such length of time as the Council, presiding officer or Mayor may direct.

SECTION XXII:

That the City Council may have the ability to have a discussion on any motion.

SECTION XXIII:

That Roberts' Rules of Order be and is hereby adopted as the rules of procedure for this Council in those situations which cannot be resolved by the rules set forth in this Ordinance.

SECTION XXIV:

The City Council will set all public hearings by a majority vote. At all public hearings after the initial presentation all questions and comments are limited to three (3) minutes per speaker.

SECTION XXV:

All motions that come from committees must still be seconded.

SECTION XXVI:

That Ordinance 2009-21 be and is hereby repealed in its entirety and that other ordinance(s), parts of ordinance(s) or resolutions(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION XXVII:

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

SECTION XXVIII:

This Ordinance shall take effect and be enforced from and after approval by the City Council of the City of Daphne upon publication required by law.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this the ____ day of _____, 2012.

CITY OF DAPHNE, AN ALABAMA MUNICIPAL CORPORATION

**CATHY S. BARNETTE
COUNCIL PRESIDENT**

**BAILEY YELDING, JR.,
MAYOR**

ATTEST:

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

ORDINANCE 2012 - 22

City Hall Roof Repairs Appropriation

WHEREAS, Ordinance 2011-81 approved and adopted the Fiscal Year 2012 Budget on November 21, 2011; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2012 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2012 budget; and

WHEREAS, the Building Maintenance department has been monitoring the roof condition in the old section of the City Hall building, and

WHEREAS, certain improvements and repairs are needed at the City Hall to maintain and protect the existing roof structure and building.

WHEREAS, repair estimates have shown that plans are needed for this project to be bid, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$1,500 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2012 budget to prepare plans for the repair and maintenance of the City Hall Roof.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk MMC

ORDINANCE 2012-23

Civic Center Kitchen Hood Fire Suppression System Appropriation

WHEREAS, Ordinance 2011-81 approved and adopted the Fiscal Year 2012 Budget on November 21, 2011; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2012 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2012 budget; and

WHEREAS, the Civic Center's current Kitchen Hood Fire Suppression System is outdated and the unit has been recalled;

WHEREAS, the Civic Center was notified that if the unit was not replaced before the next inspection time this part of the kitchen would be shut down.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$2,859 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2012 budget for a new Kitchen Hood Fire Suppression System for the Civic Center.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this ____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk, MMC

ORDINANCE 2012 -24

Legislative Phone/Internet Budget Appropriation

WHEREAS, Ordinance 2011-81 approved and adopted the Fiscal Year 2012 Budget on November 21, 2011; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2012 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2012 budget; and

WHEREAS, the adopted budget does not include an appropriation for additional internet connection through Mediacom for the City Clerk’s office; and

WHEREAS, additional internet band width was required for the City Clerk to upload the Council packet to the City’s website and to e-mail the packet out.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$1,000 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2012 budget for additional internet services from Mediacom for the City Clerk’s office.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this ____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk, MMC

ORDINANCE 2012 - 25

Youth Spring Soccer Program Appropriation

WHEREAS, Ordinance 2011-81 approved and adopted the Fiscal Year 2012 Budget on November 21, 2011; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2012 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2012 budget; and

WHEREAS, the adopted budget does not include an appropriation for the Youth Spring Soccer Program; and

WHEREAS, the Recreation Department provides several athletic programs for the community and the interest in a Spring Soccer program has increased; and

WHEREAS, the number of participants currently signed up for the Spring Soccer Program is 236 and fees will be collected from these participants to later offset the cost.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$9,750 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2012 budget to fund the Spring Soccer Program.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this ____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr. , Mayor

ATTEST:

David L. Cohen, City Clerk, MMC