

CITY COUNCIL BUSINESS MEETING AGENDA
BUSINESS MEETING
1705 MAIN STREET, DAPHNE, AL
MAY 7, 2012
6:30 P.M.

- 1. CALL TO ORDER**
- 2. ROLL CALL/INVOCATION / PLEDGE OF ALLEGIANCE**
- 3. APPROVE MINUTES:** Council meeting minutes / April 16, 2012

RECOGNIZE: Bayside Academy Chess Team

PRESENTATION: March of Dimes / Jennifer Bitner

PRESENTATION: Huntingdon College / Candi Lake

PROCLAMATIONS: National Police Week / May 13-19, 2012
National Correctional Officer Week / May 7-12, 2012

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE / Boulware

1.) Ordinances:

- a.) Appropriation of Funds: Main Street Resurfacing / *Ordinance 2012 -32*
- b.) Appropriation of Funds: Well Road Extension to Hwy 13 / *Ordinance 2012-33*

2.) Resolutions:

- a.) Bid Award: Main Street Resurfacing / Hosea O. Weaver & Sons, Inc. / *Resolution 2012-34*
- b.) Bid Award: Well Road Extension to Hwy 13 / Asphalt Services, Inc. / *Resolution 2012-35*

B. BUILDINGS & PROPERTY COMMITTEE - Lake

Review minutes / April 2nd

C. PUBLIC SAFETY COMMITTEE – Boulware

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Reese

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Conaway

Review minutes / March 19th

Review Beautification minutes / April 6th

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Jones

Nomination: Larry Gilbert Cooke / Replacement for Tony Felts Position (*Supernumerary*)

B. Downtown Redevelopment Authority – Barnette

Review minutes / April 23rd

C. Industrial Development Board – Conaway

D. Library Board – Lake

E. Planning Commission – Barnette

Review minutes / March 22nd

Set a Public Hearing date for June 4, 2012 to consider:

Amending the Land Use and Development Ordinance:

- a.) Landscape Provisions / 19-8(b)
- b.) Communications Tower Provisions / Add Section 32-3(d)(3)(i)

F. Recreation Board – Reese

G. Utility Board - Scott

Review Special meeting minutes April 4th (*for March meeting*)

Review minutes April 24th

6. REPORTS OF OFFICERS:

A. Mayor’s Report

B. City Attorney’s Report

C. Department Head Comments

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) **Bid Award: Main Street Resurfacing /Resolution 2012-34**
- b.) **Bid Award: Well Road Extension to Hwy 13 /Resolution 2012-35**
- c.) **Set 2nd Public Hearing for 2012 International Building Codes /Resolution 2012-36**
- d.) **Set 2nd Public Hearing for 2012 International Fire Code /Resolution 2012-37**
- e.) **Authorize Application for Recreational Trails Grant /
Connect Westside of US Hwy 98 to Gator Alley. /Resolution 2012-38**

ORDINANCES:

2ND READ

- a.) **Appropriation of Funds: Assistance to Firefighters Grant Award. /Ordinance 2012-30**
- b.) **Appropriation of Funds: Profit Road Extension & Lake Forest:
Ridgewood Drive / Phase II: For Design & Engineering. /Ordinance 2012-31**

1ST READ

- c.) **Appropriation of Funds: Main Street Resurfacing. /Ordinance 2012-32**
- d.) **Appropriation of Funds: Well Road Extension to Hwy 13. /Ordinance 2012-33**

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

**APRIL 16, 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; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; Adrienne Jones, Planning Director; Richard Johnson, Public Works Director; Christine Ciancetta, Deputy Finance Director; James White, Fire Chief; Margaret Thigpen, Civic Center Director; David McKelroy, Recreation Director; Richard Merchant, Building Official; Vickie Hinman, Human Resources Director; Tonja Young, Library Director; Captain Scott Taylor, Police Department; Ashley Campbell, Environmental Programs Manager; Officer Kevin Willingham, Police Department; Dorothy Morrison, Beautification Committee; Willie Robison, BZA.

Absent: David Carpenter, Police Chief; Kim Briley, Finance Director.

3. APPROVE MINUTES

**MOTION BY Councilwoman Conaway to adopt the April 2, 2012 council meeting minutes.
*Seconded by Councilman Scott.***

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

**MOTION BY Councilman Lake to adopt the March 12, 2012 Council Work Session minutes.
*Seconded by Councilman Reese.***

Councilman Palumbo amended the minutes the change the rate of turnover mentioned by Mr. King from 4% to 10%.

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

NAY NONE OPPOSED MOTION CARRIED

Council President Barnette introduced Ms. Katherine Pearl who spoke to council regarding speeding traffic on McAdams Avenue. She related an incident where her lawn man was hit by a car coming around his parked truck as he was blowing leaves. She said that the speeding issue has been raised before, and it is still taking place. It is a rapid incline, and she thinks people gain a lot of speed coming up it, and basically fly through before they come to a stop sign, which is questionable whether the stop sign is run repeatedly at the top. In the middle of the two (2) stop signs that were

placed where McAdams and McMillan start where they form a Y basically, and then one at 6th Street and McAdams there is vast amount of speeding between the two (2) stop signs speeding to go uphill or gaining speed as they go downhill. The neighborhood would like some assistance in trying to alleviate the problem.

Council President Barnette said that they discussed this at the Public Works meeting, and Mr. Johnson suggested utilizing the thermoplasty strips in the short term much like they do at the traffic circle just to alert cars that there is a change in driving conditions, and Ms. Bishop has been called for Public Safety to further look at it, and utilize the Police Department for some D runs, and Ms. Pearl has offered the city her the use her driveway.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE – Boulware

The minutes for the April 9th meeting are in the packet.

MOTION BY Councilman Boulware to accept the Treasurers report as of March 31, 2012, in the amount of \$18,020,228.32. *Seconded by Councilman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Lodging Tax Collections / February 29, 2012

The Lodging Tax Collections report shows \$47,346.50 collected for February 29, 2012.

The next meeting will be May 14th at 4:00 p.m.

B. BUILDINGS AND PROPERTY COMMITTEE – Lake

The minutes for the last meeting will be in the next packet. The item that was forwarded to council will be on the next work session agenda.

C. PUBLIC SAFETY COMMITTEE – Boulware

The committee did not meet this month. The next meeting will be the 2nd Wednesday of May at 4:30 in the Executive Conference room.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Boulware

The committee did not meet this month, but will meet next month following the Public Safety meeting.

Councilman Scott requested the committee look at the charging a business license fee for vendors that come to the Jubilee Festival and other city events that are only a day or two long. The ordinance needs clarification in that does the city need to have a special events license for these folks, or does the

person putting the event on need a business license and all the other vendors fall under his license like in real estate.

E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY – Conaway
The committee met this afternoon and the minutes will be in the next packet.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Adrienne Jones
No report. The board will meet on May 3rd at 6:00 p.m. The board needs a replacement for Tony Felts position.

Councilman Boulware asked the City Clerk to check to see what district Mr. Felts was in.

B. Downtown Redevelopment Authority – Barnette
The next meeting will be Monday at 5:30 p.m.

C. Industrial Development Board – Conaway
No report.

D. Library Board – Lake
The board met last Thursday. Councilman Lake stated that the council has an author among them, and maybe Mr. Palumbo could donate a book to the Library.

E. Planning Commission – Barnette
The Site Review meeting is Wednesday at 10:00, and the regular Planning Commission meeting is next Thursday at 5:00 p.m.

F. Recreation Board - Reese
No report.

G. Utility Board – Scott
The minutes for the February 29th meeting are in the packet. Councilman Scott stated that Mr. McElroy announced to the Daphne Utilities Board members that Partners for Environmental Progress has awarded Daphne Utilities the 2012 Environmental Stewardship Award for the recent upgrades to the Wastewater Treatment Plant, and the benefits of this project were to double the capacity for bio-solid production enabling to make bio-solids that can be 100% used by golf courses and grass farms in the community. They have eliminated the burn smell that has been produced at the plant for almost 20 years. The upgrades have lowered the energy consumption by \$60,000 per year.

APRIL 16, 2012
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4

6. REPORTS OF THE OFFICERS:

A. Mayor's Report

- a.) ABC License / Namans Catering / 140 - Special Events Retail
- b.) Parade Permit / March of Dimes /5K & 1 Mile Fun Walk / May 5, 2012

MOTION BY Councilman Palumbo to approve the ABC License for Namans Catering / 140 – Special Events Retail and the Parade Permit for March of Dimes / 5K & 1Mile Fun Walk / May 5, 2012. *Seconded by Councilman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

B. City Attorney Report

No report.

C. Department Head Comments:

David McKelroy – Recreation Director – reported that on Thursday April 19th Brown Bag by the Bay @Centennial Park Delta Reign will be playing, and April 26th Roman Street. Sunday April 22nd is the Sunday Sunset Series @Bay Front Park from 5:00 – 6:30 p.m. Baldwin Pops will be playing. Saturday April 21st Trione Sports Complex will host the 2012 LAX Jamboree from 9:00 a.m. – 4:00 p.m. which will benefit the Coast Guard Foundation for the fallen Guardsmen. There will be teams from Tallahassee, FL, Destin, FL and Gulf Breeze. There will also be 18 teams from Ocean Springs, MS, Mobile, AL, North Shore, LA and LaFayette, LA.

Margaret Thigpen – Civic Center Director - reported they had the open house for Bay Front Park Pavilion on April 10th, and they are thinking of doing this once a quarter after hours for people who work. There was a two (2) day OB/GYN Conference at the Civic Center. The Ballroom Dance will be Saturday. The election will be Tuesday, April 24th. She also reported that there are only eight (8) Saturday's left in the year to rent Bay Front Park Pavilion, and only three (3) Saturday left to rent the Civic Center for the year.

Christine Ciancetta – Deputy Finance Director - reported that Mrs. Briley has been back to work and is focusing on closing FY11.

Councilman Palumbo asked for an update on the use of credit cards.

Ms. Ciancetta said that Mrs. Briley has directed her to focus on closing FY11 at this time.

7. PUBLIC PARTICIPATION

Mr. Kevin Spriggs – owner of the Eastern Shore Motel - spoke regarding adopting the 2012 International Building and Fire Codes.

8. RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

RESOLUTIONS:

- a.) Schedule Public Hearing to Consider the Adoption of the 2012 International Building codes as Amended by Reference...../Resolution 2012-29
- b.) Schedule Public Hearing to Consider the Adoption of the 2012 International Fire Code as Amended by Reference/Resolution 2012-30
- c.) Approve Application of U. S. Fish & Wildlife: Invasive Species Control Project: Village Point/Bay Front Park/Resolution 2012-31
- d.) Declaring Certain Property Surplus / Donation/Resolution 2012-32
- e.) Declaring Certain Property Surplus/Resolution 2012-33

MOTION BY Councilman Palumbo to wave the reading of Resolutions 2012-29, 2012-30, 2012-31, 2012-32 and 2012-33. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Palumbo to adopt Resolution 2012-29. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Palumbo to adopt Resolution 2012-30. *Seconded by Councilman Conaway.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Palumbo to adopt Resolution 2012-31. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Palumbo to adopt Resolutions 2012-32 and 2012-33. *Seconded by Councilman Scott.*

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

MOTION CARRIED

ORDINANCES:

2ND READ

- a.) Authorizing the Issuance of General Obligation Refunding and Improvement Warrants Series 2012/Ordinance 2012-26
- b.) Rezone: Blacksher White-Spunner, etal/Ordinance 2012-27
- c.) Codification of Ordinances/Ordinance 2012-28

1ST READ

- d.) Appropriation of Funds: Legislative / Purchase 2012 International Building & Fire Code Books (3 each)/Ordinance 2012-29
- e.) Appropriation of Funds: Assistance to Firefighters Grant Award/Ordinance 2012-30
- f.) Appropriation of Funds: Profit Road Extension & Lake Forest: Ridgewood Drive / Phase II: For Design & Engineering/Ordinance 2012-31

MOTION BY Councilman Scott to waive the reading of Ordinance 2012-26. *Seconded by Councilman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Ordinance 2012-26. *Seconded by Councilman Lake.*

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

MOTION CARRIED

MOTION BY Councilman Scott to waive the reading of Ordinance 2012-27. Seconded by Councilman Palumbo.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Ordinance 2012-27 Seconded by Councilwoman Conaway.

MOTION BY Councilman Lake to amend Ordinance 2012-27 to change the heading above the Description of Property to read Rezoned from R-3 to B-3. Seconded by Councilman Scott.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Ordinance 2012-27 as amended. Seconded by Councilman Conaway.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to waive the reading Ordinance 2012-28. Seconded by Councilwoman Lake.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Ordinance 2012-28. Seconded by Councilman Lake.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to suspend the rules to consider Ordinance 2012-29. Seconded by Councilman Lake.

ROLL CALL VOTE

Conaway	Aye	Boulware	Aye
Lake	Aye	Palumbo	Aye
Reese	Aye	Barnette	Aye
Scott	Aye		

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Lake to waive the reading of Ordinance 2012-29. Seconded by Councilman Scott.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Lake to adopt Ordinance 2012-29. Seconded by Councilman Scott.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Council discussed that the 2012 International Building and Fire Code Books would not be here three (3) weeks before the Public Hearing set for May 7th.

MOTION BY Councilman Scott to amend the Public Hearing date for Resolutions 2012-29 and 2012-30 from May 7, 2012 to May 21, 2012. Seconded by Councilman Lake.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Ordinances 2012-30 and 2012-31 were made 1st Read.

8. COUNCIL COMMENTS

Councilwoman Conaway thanked Mr. McKelroy for a well-run Easter Egg Hunt. She enjoyed it very much.

Councilman Lake stated that the Building and Fire Codes were common sense codes.

Councilman Boulware congratulated Mr. Reese on becoming a grandfather, and said that they were proud of Mr. Palumbo becoming an author.

Councilman Palumbo stated for the record that several months ago with one of the first meetings with the new Mayor they were promised that a priority would be made out of the city adhering to its own ordinance to use credit cards for payments to the city, and he asked the Mayor to re-double his efforts to keep that promise.

Council President Barnette stated that she has noticed, for Code Enforcement and the Mayor, that there is a proliferation of the vehicles parking in the medians again with the graphics on their vehicles on the weekends advertising their business. She thinks they are in the public right-of-way, and if they could look into that and get that back into shape she would appreciate it.

APRIL 16, 2012
REGULAR CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

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 7:12 p.m.

Respectfully submitted by,

David L. Cohen,
City Clerk, MMC

Certification by Presiding Officer:

Cathy S. Barnette,
Council President

City of Daphne

CONGRATULATIONS

*Bayside Academy State Championship Chess Team
and Coach Eric Nager*

WHEREAS, the Bayside Academy Chess Team won the Alabama Scholastic Championship held in Bessemer, Alabama on April 27, 2012; and

WHEREAS, the members of the team are Steve Chen, Blake Nelson, Wesley Dean, Scott Dahlke and Peyton Winstead; and

WHEREAS, there are no class divisions in chess, and Bayside Academy as a 3A school regularly competes with and defeats much larger schools; and

WHEREAS, this is the fourth State Championship the Bayside Academy Chess Team has won since 2002;

WHEREAS, the Bayside Jr. High Chess Team took 2nd place in their division, and the team members are Marissa Cazalas, Harrison Costantini, Philip Dobbins and Andrew Smith; and

WHEREAS, Steve Chen also won the title of Middle School State Champion in the individual tournament held April 28, 2012; and

WHEREAS, Sally Jane Kalaris serves as faculty advisor and gives of her time tirelessly;
and

WHEREAS, Eric Nager has been the Bayside Academy Chess Team coach for 12 years;
and

WHEREAS, under Eric's coaching Bayside Academy went from no chess program to winning a National title in the first five years of the program.

NOW THEREFORE, the Mayor and City Council of City of Daphne, Alabama do hereby extend sincere congratulations to these students and Coach Eric Nager, and wish them continued success in their future endeavors.

This certificate of Congratulations is presented by the City of Daphne, Alabama and affixed with the official seal this 7th day of May, 2012.



ATTEST:

Bailey Yelding, Jr.
Bailey Yelding, Jr., Mayor

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

City of Daphne, Alabama
Office of the Mayor

PROCLAMATION
National Police Week – May 13 – 19, 2012

Whereas, The Congress and President of the United States have designated May 13 as Peace Officers' Memorial Day, and the week in which May 13th falls as National Police week; and

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

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

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

Now, therefore, I, Mayor of the City of Daphne, call upon all citizens of Daphne and upon all patriotic, civic and educational organizations to observe the week of May 13-19, 2012, as Police Week and observe Sunday, May 13th, as Peace Officers' Memorial Day with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.



Bailey Yelding, Jr.
Bailey Yelding, Jr., Mayor

ATTEST:

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

**City of Daphne, Alabama
Office of Mayor**

PROCLAMATION

**NATIONAL CORRECTIONAL OFFICER WEEK
May 7, 2012 – May 12, 2012**

WHEREAS, on May 7, 2012 through May 12, 2012 will be celebrated across the United States as “*National Correctional Officer Week*,” and

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

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

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

Now, Therefore, the Mayor and City Council of the City of Daphne do hereby proclaim the week of May 7 through May 12, 2012 as:

NATIONAL CORRECTIONAL OFFICER WEEK

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



Bailey Yelding Jr.
Bailey Yelding Jr., Mayor

ATTEST:

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

**CITY COUNCIL MEETING
STANDING COMMITTEE RECOMMENDATIONS:**

FINANCE COMMITTEE REPORT

BUILDINGS & PROPERTY COMMITTEE REPORT

PLANNING/ZONING/CODE ENFORCEMENT COMMITTEE REPORT

PUBLIC SAFETY/ORDINANCE COMMITTEE REPORT

PUBLIC WORKS/BEAUTIFICATION/MUSEUM COMMITTEE REPORT

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
April 9, 2012
4:00 P.M.

- Main Street Resurfacing \$901,745.10 (transfer funds to Capital Fund) bid opened March 5, 2012
 - Appropriation of Funds - \$876,930.10
 - Bid Award - \$815,642.10

- Well Road Ext to Hwy 13 \$259,359.50 (transfer funds to Capital Fund) bid opened March 5, 2012
 - Appropriation of Funds - \$237,429.50
 - Bid Award - \$207,028.50

Mr. Johnson discussed the Main Street resurfacing and Well Road Extension road projects. He noted that they are both included in the City's ATRIP application under the GARVEE Grant, which would provide federal funding for 80% of the projects. The award date for the grant is May 15. Mr. Johnson noted that \$24,815 for engineering services on the Main Street Resurfacing project and \$21,930 for engineering services for the Well Road Ext project have previously been appropriated. He also agreed with HMR's low bid award recommendations - \$815,642.10 to Hosea O Weaver & Sons for Main Street Resurfacing, and \$207,028.50 to Asphalt Services, Inc. for Well Road Ext to Hwy 13. Discussion continued that the first read for appropriating the monies on the two projects and award of the bids should be at the May 7th meeting in order to allow time for a response on the ATRIP application. Mr. Johnson and Mr. Robertson, HMR noted that verbiage was added to each bid to allow additional time for the bid pricing to remain good in order to allow these projects to be considered as a project for the grant.

Motion by Ms. Conaway to recommend Council adopt an ordinance appropriating \$876,930.10 for Main Street Resurfacing (for a total project cost of \$901,745.10) and adopt a resolution awarding bid 2012-H-MAIN STREET RESURFACING to Hosea O weaver & Sons in the amount of \$815,642.10; and adopt an ordinance appropriating \$237,429.50 for Well Road Ext to Hwy 13 (for a total project cost of \$259,359.50) and adopt a resolution awarding bid 2012-I-WELL ROAD EXTENSION TO HWY 13 to Asphalt Services, Inc. in the amount of \$207,028.50. Seconded by Mr. Boulware. Motion carried.

**RESOLUTION 2012-
2012-I-WELL ROAD EXTENSION TO HIGHWAY 13**

WHEREAS, the City of Daphne is required under section 39-1-1(E) of the Code of Alabama to secure competitive bids for public works contracts in excess of \$ 50,000; and

WHEREAS, the City of Daphne acknowledges that WELL ROAD EXTENSION TO HIGHWAY 13 will exceed \$50,000; and

WHEREAS, the City of Daphne did receive and review bids for the WELL ROAD EXTENSION TO HIGHWAY 13 and has determined that the bid as presented is reasonable; and

WHEREAS, staff recommends the bid for WELL ROAD EXTENSION TO HIGHWAY 13 be awarded to Asphalt Services, Inc..

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid from Asphalt Services, Inc. in the amount of \$207,028.50 as specified in BID SPECIFICATION NO. 2012-I-WELL ROAD EXTENSION TO HIGHWAY 13.

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 CMC

ORDINANCE 2012-

Well Road Extension to Highway 13

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, Well Road needs to be extended from Public Works Road to County Road 13 (.265 miles) and the project was bid; and

WHEREAS, the City Council has determined it to be in the best interest of the City to obtain bids for this project and \$21,930 was previously approved for design engineering services; and

WHEREAS, the project was bid and the cost for construction is \$207,028.50 and additional engineering & testing is \$30,400 (*Total Project cost is \$259,359.50*).

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$237,429.50 (*includes additional engineering + bid cost*) from the General Fund are appropriated to be transferred to Capital Reserve made a part of the Fiscal Year 2012 budget for the Well Road Extension project.

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:

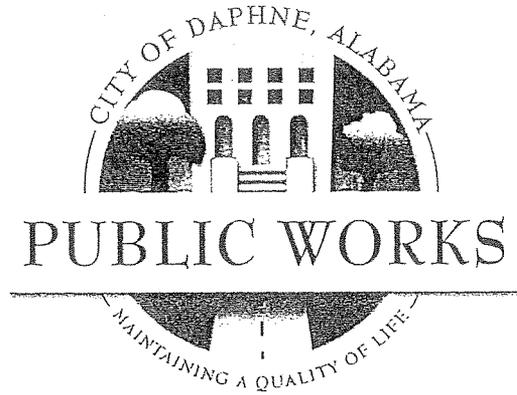
David L. Cohen, City Clerk MMC

Bailey Yelding, Jr.
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 D. Reese
District 4

Ronald Scott
District 5

Derek Boulware
District 6

August Palumbo
District 7

Memorandum

To: Councilman Derek Boulware; Chairman, Finance Committee

Thru: The Honorable Mayor Bailey Yelding, Jr.

From: Richard D. Johnson, P.E.; Public Works Director *Richard D. Johnson*

CC: Finance; HMR – Jaye Robertson, PE; File

Date: April 09, 2012

Re: Project 2012-C - Well Road Extension - Public Works Road to CR13 (1,400 L.F. - 0.265 miles) - New Road & Drainage Construction

Mr. Mayor:

Based upon the bid tabulations provided by our City Engineer, HMR Engineers, on April 9, 2012, it is my recommendation to award the Contract to *Asphalt Services, Inc. (ASI)* for the proposed construction of Well Road Extension. They are the qualifying low bidder.

I further recommend the following appropriations be made:

• Construction Cost – Roadway & Drainage:	\$207,028.50
• Survey, Engineering & Design Fees - (HMR):	\$ 0.00
• Material Testing - 1.70%:	\$ 3,600.00
• Construction Engineering Inspection – 13.0% (HMR):	\$ 26,800.00
<i>Total .</i>	<i>\$237,429.50</i>

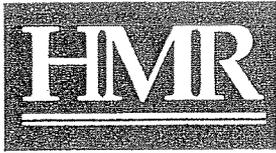
Yours,

RDJ

Ord already approved

Design \$ 21,930.00
Total project \$ 259,359.50

- \$1,000 - 1,400 incl in CE&E



HUTCHINSON, MOORE & RAUCH, LLC

Post Office Box 1127
Daphne, Alabama 36526

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

April 9, 2012

Mayor Bailey Yelding, Jr.
City of Daphne
Post Office 400
Daphne, Alabama 36526

RE: Bid Document No. 2012-I- Well Road Extension to Highway 13

Dear Mayor Yelding:

Enclosed is the Tabulation of Bids received April 5, 2012 for the subject project. We recommend that you award the Contract to Asphalt Services, Inc. at their submitted lowest bid of \$207,028.50.

Additional costs associated with this project are as follows:

Inspection	\$26,800.00
Materials Testing	\$5,000.00 - 1,400 incl in CE&I
	<u>31,800</u>

If you have any questions or need additional information, please contact me at 626-2626.

Sincerely,

HUTCHINSON, MOORE & RAUCH, LLC

Timothy D. Lawley, P.E.
Project Manager

\blg
02500\3720\12.078

CITY OF DAPHNE
 BID DOCUMENT NO.: 2012-I-WELL ROAD EXTENSION TO HIGHWAY 13
 APRIL 5, 2012

ITEM#	DESCRIPTION	UNIT	QTY	BIDDER #1 ASPHALT SERVICES		BIDDER #2 ROADS INC		BIDDER #3 AMMONS & BLACKMON	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	CLEARING AND GRUBBING (APPROX. 3.0 ACRES) (201-A)	LS	1		\$ 2,500.00		\$ 3,000.00		\$ 7,500.00
2	UNCLASSIFIED EXCAVATION (210-A)	CYP	5,350	\$ 2.00	\$ 10,700.00	\$ 2.50	\$ 13,375.00	\$ 3.50	\$ 18,725.00
3	BORROW EXCAVATION, 24" SAND CLAY (A-2-4 OR BETTER) (210-D)	CY (TBM)	5,050	\$ 5.00	\$ 25,250.00	\$ 7.25	\$ 36,612.50	\$ 5.86	\$ 29,593.00
4	BORROW EXCAVATION (SHOULDER MATERIAL) (A-2-4 OR BETTER) (210-D)	CY (TBM)	1,160	\$ 5.00	\$ 5,800.00	\$ 6.50	\$ 7,540.00	\$ 5.86	\$ 6,797.60
5	FOUNDATION BACKFILL, COMMERCIAL 6" THICK (#57 STONE) (214-B)	CY (TBM)	35	\$ 45.00	\$ 1,575.00	\$ 45.00	\$ 1,575.00	\$ 66.64	\$ 2,332.40
6	ROADBED PROCESSING (230-A)	RDBD STA	13.5	\$ 250.00	\$ 3,375.00	\$ 150.00	\$ 2,025.00	\$ 200.00	\$ 2,700.00
7	GRANULAR SOIL BASE, COURSE, UPPER LAYER, TYPE A, ROAD MIXED, 4"	SYCIP	3,625	\$ 1.25	\$ 4,531.25	\$ 1.75	\$ 6,343.75	\$ 2.12	\$ 7,685.00
8	COMPACTED THICKNESS (301-A) GRANULAR SOIL BASE, COURSE, LOWER LAYER, TYPE A, ROAD MIXED, 4"	SYCIP	3,625	\$ 1.30	\$ 4,712.50	\$ 1.75	\$ 6,343.75	\$ 2.12	\$ 7,685.00
9	COMPACTED THICKNESS (301-A) AGGREGATE SURFACING (3" THICK) (305-B)	TON	50	\$ 28.00	\$ 1,400.00	\$ 48.00	\$ 2,400.00	\$ 37.00	\$ 1,850.00
10	BITUMINOUS TREATMENT, TYPE A (401-A)	SY	3,625	\$ 1.25	\$ 4,531.25	\$ 1.10	\$ 3,987.50	\$ 1.00	\$ 3,625.00
11	TACK COAT (0.03 GAL/SY) (405-A)	GAL	110	\$ 1.00	\$ 110.00	\$ 4.50	\$ 495.00	\$ 5.00	\$ 550.00
12	BITUMINOUS BINDER LAYER, 220 LBS/SY (424-B)	TON	400	\$ 77.00	\$ 30,800.00	\$ 70.00	\$ 28,000.00	\$ 74.60	\$ 29,840.00
13	BITUMINOUS WEARING SURFACE, 165 LBS/SY (424-A)	TON	300	\$ 79.00	\$ 23,700.00	\$ 70.00	\$ 21,000.00	\$ 84.27	\$ 25,281.00
14	22"x13" RCAP, CLASS 3 (530-B)	LF	24	\$ 40.00	\$ 960.00	\$ 40.00	\$ 960.00	\$ 44.41	\$ 1,065.84
15	65"x40" RCAP, CLASS 3 (TRIPLE RUN) (530-B)	LF	72	\$ 397.00	\$ 28,584.00	\$ 170.00	\$ 12,240.00	\$ 352.11	\$ 25,351.92
16	MOBILIZATION (600-A)	LS	1	\$ 7,500.00	\$ 7,500.00		\$ 9,000.00		\$ 10,000.00
17	6" UNDERDRAIN, TYPE 10 (606-A)	LF	500	\$ 12.00	\$ 6,000.00	\$ 14.00	\$ 7,000.00	\$ 10.00	\$ 5,000.00
18	RIPPRAP, CLASS 2 (610-C)	TON	225	\$ 45.00	\$ 10,125.00	\$ 60.00	\$ 13,500.00	\$ 68.00	\$ 15,300.00
19	FILTER CLOTH, NON-WOVEN (610-D)	SY	225	\$ 3.00	\$ 675.00	\$ 2.75	\$ 618.75	\$ 3.00	\$ 675.00
20	CONCRETE SIDEWALK, 4" THICK, 6' WIDE (618-A)	SY	20	\$ 32.00	\$ 640.00	\$ 45.00	\$ 900.00	\$ 56.00	\$ 1,120.00
21	23"x13" PIPE END TREATMENT (619-B)	EA	2	\$ 300.00	\$ 600.00	\$ 600.00	\$ 1,200.00	\$ 475.00	\$ 950.00
22	SLOPE PAVED HEADWALL (TRIPLE 65"x40") (619-B)	EA	2	\$ 2,400.00	\$ 4,800.00	\$ 6,500.00	\$ 13,000.00	\$ 2,200.00	\$ 4,400.00
23	TOPSOIL FROM STOCKPILES (650-A)	CYIP	1,000	\$ 3.00	\$ 3,000.00	\$ 6.50	\$ 6,500.00	\$ 5.50	\$ 5,500.00

CITY OF DAPHNE
 BID DOCUMENT NO.: 2012-I-WELL ROAD EXTENSION TO HIGHWAY 13
 APRIL 5, 2012

ITEM#	DESCRIPTION	HUTCHINSON, MOORE & RAUCH, LLC Engineers & Surveyors & Land Planners			BIDDER #1 ASPHALT SERVICES			BIDDER #2 ROADS INC			BIDDER #3 AMMONS & BLACKMON		
		UNIT	QTY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT		
24	SEEDING (652-A)	ACRE	2.5	\$ 1,500.00	\$ 3,750.00	\$ 600.00	\$ 1,500.00	\$ 850.00	\$ 2,125.00				
25	MULCHING, CLASS A, TYPE 1 (656-A)	ACRE	2.5	\$ 800.00	\$ 2,000.00	\$ 600.00	\$ 1,500.00	\$ 850.00	\$ 2,125.00				
26	SOLID SODDING (654-A)	SY	2,500	\$ 4.50	\$ 11,250.00	\$ 2.75	\$ 6,875.00	\$ 3.50	\$ 8,750.00				
27	POLYETHYLENE SHEETING (665-E)	SY	500	\$ 1.00	\$ 500.00	\$ 1.00	\$ 500.00	\$ 1.00	\$ 500.00				
28	SAND BAGS (665-G)	EA	200	\$ 4.00	\$ 800.00	\$ 5.50	\$ 1,100.00	\$ 1.00	\$ 200.00				
29	SILT FENCE, TYPE A (665-J)	LF	550	\$ 4.50	\$ 2,475.00	\$ 3.00	\$ 1,650.00	\$ 5.00	\$ 2,750.00				
30	WATTLES (665-G)	LF	144	\$ 6.00	\$ 864.00	\$ 8.00	\$ 1,152.00	\$ 6.00	\$ 864.00				
31	SOLID WHITE STRIPE, CLASS 2, TYPE A, 4" WIDE, 0.09" THICK (701-A)	MI	0.53	\$ 1,500.00	\$ 795.00	\$ 4,650.00	\$ 2,464.50	\$ 3,300.00	\$ 1,749.00				
32	SOLID YELLOW STRIPE, CLASS 2, TYPE A, DOUBLE, 4" WIDE, 0.09" THICK (701-A)	LF	1,350	\$ 1.35	\$ 1,822.50	\$ 1.75	\$ 2,362.50	\$ 2.20	\$ 2,970.00				
33	TRAFFIC CONTROL MARKINGS, CLASS 2, TYPE A, CROSSWALK (0.09" THICK) (703-A)	SF	110	\$ 5.25	\$ 577.50	\$ 4.00	\$ 440.00	\$ 4.40	\$ 484.00				
34	TRAFFIC CONTROL MARKINGS, CLASS 2, TYPE A, 24" WIDE, STOP BAR (0.09" THICK) (703-A)	SF	22	\$ 5.25	\$ 115.50	\$ 4.00	\$ 88.00	\$ 8.80	\$ 193.60				
35	REFLECTIVE PAVEMENT MARKERS, CLASS A, H, TYPE 2-D (705-A)	EA	35	\$ 6.00	\$ 210.00	\$ 11.00	\$ 385.00	\$ 5.50	\$ 192.50				
36	FUEL COST ADJUSTMENT FOR PRODUCING HMA IN ACC WITH SEC 109.03(F) OF THE 2012 STD SPEC	PER DOLLAR											
37	BITUMINOUS MATERIAL PROCE ADJUSTMENT FOR PRODUCING HMA IN ACC WITH SEC 109.03(e) OF THE 2012 STD SPEC	PER DOLLAR											
TOTAL AMOUNT					\$ 207,028.50		\$ 217,633.25		\$ 236,429.86				

CITY OF DAPHNE
BID DOCUMENT NO.: 2012-I-WELL ROAD EXTENSION TO HIGHWAY 13
APRIL 5, 2012

ITEM#	DESCRIPTION	UNIT	QTY	BIDDER #4 JAMES BROTHERS		BIDDER #5 JOHN G. WALTON		BIDDER #6 SUMMIT INDUSTRIES		BIDDER #7 DELTA CIVIL	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	CLEARING AND GRUBBING (APPROX. 3.0 ACRES) (201-A)	LS	1		\$ 2,000.00		\$ 2,599.30		\$ 13,564.00		\$ 25,962.85
2	UNCLASSIFIED EXCAVATION (210-A)	CYIP	5,350	\$ 2.75	\$ 14,712.50	\$ 4.01	\$ 21,453.50	\$ 4.40	\$ 23,540.00	\$ 4.00	\$ 21,400.00
3	BORROW EXCAVATION, 24" SAND CLAY (A-2-4 OR BETTER) (210-D)	CY (TBM)	5,050	\$ 6.45	\$ 32,572.50	\$ 7.67	\$ 38,733.50	\$ 6.85	\$ 33,582.50	\$ 7.00	\$ 35,350.00
4	BORROW EXCAVATION (SHOULDER MATERIAL) (A-2-4 OR BETTER) (210-D)	CY (TBM)	1,160	\$ 6.45	\$ 7,482.00	\$ 7.42	\$ 8,607.20	\$ 1.00	\$ 1,160.00	\$ 7.00	\$ 8,120.00
5	FOUNDATION BACKFILL, COMMERCIAL 6" THICK (#57 STONE) (214-B)	CY (TBM)	35	\$ 80.00	\$ 2,800.00	\$ 62.04	\$ 2,171.40	\$ 86.55	\$ 3,029.25	\$ 79.44	\$ 2,780.40
6	ROADBED PROCESSING (230-A)	RDBD STA	13.5	\$ 95.00	\$ 1,282.50	\$ 201.16	\$ 2,715.66	\$ 418.40	\$ 5,648.40	\$ 100.00	\$ 1,350.00
7	GRANULAR SOIL BASE, COURSE, UPPER LAYER, TYPE A, ROAD MIXED, 4"	SYCIP	3,625	\$ 1.45	\$ 5,256.25	\$ 2.47	\$ 8,953.75	\$ 1.90	\$ 6,887.50	\$ 2.63	\$ 9,533.75
8	COMPACTED THICKNESS (301-A) GRANULAR SOIL BASE, COURSE, LOWER LAYER, TYPE A, ROAD MIXED, 4"	SYCIP	3,625	\$ 1.20	\$ 4,350.00	\$ 2.02	\$ 7,322.50	\$ 1.65	\$ 5,981.25	\$ 2.63	\$ 9,533.75
9	COMPACTED THICKNESS (301-A) AGGREGATE SURFACING (3" THICK) (305-B)	TON	50	\$ 48.00	\$ 2,400.00	\$ 45.38	\$ 2,269.00	\$ 34.90	\$ 1,745.00	\$ 30.17	\$ 1,508.50
10	BITUMINOUS TREATMENT, TYPE A (401-A)	SY	3,625	\$ 1.00	\$ 3,625.00	\$ 0.98	\$ 3,552.50	\$ 1.55	\$ 5,618.75	\$ 1.00	\$ 3,625.00
11	TACK COAT (0.03 GAL/SY) (405-A)	GAL	110	\$ 5.00	\$ 550.00	\$ 7.60	\$ 836.00	\$ 6.15	\$ 676.50	\$ 5.00	\$ 550.00
12	BITUMINOUS BINDER LAYER, 220 LBS/SY (424-B)	TON	400	\$ 79.00	\$ 31,600.00	\$ 63.70	\$ 25,480.00	\$ 94.20	\$ 37,680.00	\$ 82.00	\$ 32,800.00
13	BITUMINOUS WEARING SURFACE, 165 LBS/SY (424-A)	TON	300	\$ 79.00	\$ 23,700.00	\$ 77.92	\$ 23,376.00	\$ 98.20	\$ 29,460.00	\$ 82.00	\$ 24,600.00
14	22"x13" RCAP, CLASS 3 (530-B)	LF	24	\$ 34.20	\$ 820.80	\$ 47.12	\$ 1,130.88	\$ 77.95	\$ 1,870.80	\$ 33.14	\$ 795.36
15	65"x40" RCAP, CLASS 3 (TRIPLE RUN) (530-B)	LF	72	\$ 385.00	\$ 27,720.00	\$ 392.79	\$ 28,280.88	\$ 182.10	\$ 13,111.20	\$ 395.28	\$ 28,460.16
16	MOBILIZATION (600-A)	LS	1		\$ 15,000.00		\$ 7,473.75		\$ 4,684.00		\$ 3,750.00
17	6" UNDERDRAIN, TYPE 10 (606-A)	LF	500	\$ 9.00	\$ 4,500.00	\$ 11.24	\$ 5,620.00	\$ 6.50	\$ 3,250.00	\$ 0.10	\$ 50.00
18	RIPPRAP, CLASS 2 (610-C)	TON	225	\$ 75.00	\$ 16,875.00	\$ 56.29	\$ 12,665.25	\$ 65.75	\$ 14,793.75	\$ 48.51	\$ 10,914.75
19	FILTER CLOTH, NON-WOVEN (610-D)	SY	225	\$ 2.00	\$ 450.00	\$ 2.49	\$ 560.25	\$ 2.20	\$ 495.00	\$ 1.00	\$ 225.00
20	CONCRETE SIDEWALK, 4" THICK, 6' WIDE (618-A)	SY	20	\$ 25.00	\$ 500.00	\$ 90.76	\$ 1,815.20	\$ 50.70	\$ 1,014.00	\$ 75.00	\$ 1,500.00
21	23"x13" PIPE END TREATMENT (619-B)	EA	2	\$ 350.00	\$ 700.00	\$ 678.04	\$ 1,356.08	\$ 553.00	\$ 1,106.00	\$ 450.00	\$ 900.00
22	SLOPE PAVED HEADWALL (TRIPLE 65"x40") (619-B)	EA	2	\$ 1,500.00	\$ 3,000.00	\$ 3,244.46	\$ 6,488.92	\$ 2,428.00	\$ 4,856.00	\$ 2,800.00	\$ 5,600.00
23	TOPSOIL FROM STOCKPILES (650-A)	CYIP	1,000	\$ 5.00	\$ 5,000.00	\$ 7.08	\$ 7,080.00	\$ 7.80	\$ 7,800.00	\$ 4.00	\$ 4,000.00

CITY OF DAPHNE
 BID DOCUMENT NO.: 2012-I-WELL ROAD EXTENSION TO HIGHWAY 13
 APRIL 5, 2012

ITEM#	DESCRIPTION	UNIT	QTY	BIDDER #4 JAMES BROTHERS		BIDDER #5 JOHN G. WALTON		BIDDER #6 SUMMIT INDUSTRIES		BIDDER #7 DELTA CIVIL	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
24	SEEDING (652-A)	ACRE	2.5	\$ 1,500.00	\$ 3,750.00	\$ 1,358.62	\$ 3,396.55	\$ 1,249.00	\$ 3,122.50	\$ 1,000.00	\$ 2,500.00
25	MULCHING, CLASS A, TYPE 1 (656-A)	ACRE	2.5	\$ 1,000.00	\$ 2,500.00	\$ 789.21	\$ 1,973.03	\$ 484.40	\$ 1,211.00	\$ 1,000.00	\$ 2,500.00
26	SOLID SODDING (654-A)	SY	2,500	\$ 5.00	\$ 12,500.00	\$ 4.33	\$ 10,825.00	\$ 4.20	\$ 10,500.00	\$ 3.50	\$ 8,750.00
27	POLYETHYLENE SHEETING (665-E)	SY	500	\$ 2.50	\$ 1,250.00	\$ 1.01	\$ 505.00	\$ 2.00	\$ 1,000.00	\$ 0.50	\$ 250.00
28	SAND BAGS (665-G)	EA	200	\$ 4.50	\$ 900.00	\$ 5.67	\$ 1,134.00	\$ 4.15	\$ 830.00	\$ 1.00	\$ 200.00
29	SILT FENCE, TYPE A (665-J)	LF	550	\$ 6.00	\$ 3,300.00	\$ 3.49	\$ 1,919.50	\$ 4.10	\$ 2,255.00	\$ 3.50	\$ 1,925.00
30	WATTLES (665-Q)	LF	144	\$ 5.50	\$ 792.00	\$ 7.39	\$ 1,064.16	\$ 7.20	\$ 1,036.80	\$ 5.00	\$ 720.00
31	SOLID WHITE STRIPE, CLASS 2, TYPE A, 4" WIDE, 0.09" THICK (701-A)	MI	0.53	\$ 3,150.00	\$ 1,669.50	\$ 3,339.00	\$ 1,769.67	\$ 5,502.00	\$ 2,916.06	\$ 3,300.00	\$ 1,749.00
32	SOLID YELLOW STRIPE, CLASS 2, TYPE A, DOUBLE, 4" WIDE, 0.09" THICK (701-A)	LF	1,350	\$ 2.50	\$ 3,375.00	\$ 2.23	\$ 3,010.50	\$ 2.10	\$ 2,835.00	\$ 1.25	\$ 1,687.50
33	TRAFFIC CONTROL MARKINGS, CLASS 2, TYPE A; CROSSWALK (0.09" THICK) (703-A)	SF	110	\$ 4.50	\$ 495.00	\$ 4.45	\$ 489.50	\$ 4.60	\$ 506.00	\$ 5.00	\$ 550.00
34	TRAFFIC CONTROL MARKINGS, CLASS 2, TYPE A, 24" WIDE, STOP BAR (0.09" THICK) (703-A)	SF	22	\$ 8.50	\$ 187.00	\$ 8.90	\$ 195.80	\$ 4.60	\$ 101.20	\$ 5.00	\$ 110.00
35	REFLECTIVE PAVEMENT MARKERS, CLASS A, H, TYPE 2-D (705-A)	EA	35	\$ 5.50	\$ 192.50	\$ 5.57	\$ 194.95	\$ 12.25	\$ 428.75	\$ 5.50	\$ 192.50
36	FUEL COST ADJUSTMENT FOR PRODUCING HMA IN ACC WITH SEC 109.03(F) OF THE 2012 STD SPEC	PER DOLLAR									
37	BITUMINOUS MATERIAL PROCÉ ADJUSTMENT FOR PRODUCING HMA IN ACC WITH SEC 109.03(e) OF THE 2012 STD SPEC	PER DOLLAR									
TOTAL AMOUNT					\$ 237,807.55		\$ 247,018.18		\$ 248,296.21		\$ 254,443.52
											*254,477.77

CITY OF DAPHNE
 BID DOCUMENT NO.: 2012-I-WELL ROAD EXTENSION TO HIGHWAY 13
 APRIL 5, 2012

ITEM#	DESCRIPTION	UNIT	QTY	BIDDER #8 R&S PAVING		BIDDER #9 HOSEA WEAVER		BIDDER #10 GULF EQUIPMENT	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	CLEARING AND GRUBBING (APPROX. 3.0 ACRES) (201-A)	LS	1		\$ 5,000.00		\$ 3,312.47		\$ 3,231.09
2	UNCLASSIFIED EXCAVATION (210-A)	CYP	5,350	\$ 3.15	\$ 16,852.50	\$ 2.65	\$ 14,177.50	\$ 4.91	\$ 26,268.50
3	BORROW EXCAVATION, 24" SAND CLAY (A-2-4 OR BETTER) (210-D)	CY (TBM)	5,050	\$ 8.00	\$ 40,400.00	\$ 7.30	\$ 36,865.00	\$ 7.31	\$ 36,915.50
4	BORROW EXCAVATION (SHOULDER MATERIAL) (A-2-4 OR BETTER) (210-D)	CY (TBM)	1,160	\$ 8.00	\$ 9,280.00	\$ 6.31	\$ 7,319.60	\$ 1.98	\$ 2,296.80
5	FOUNDATION BACKFILL, COMMERCIAL 6" THICK (#57 STONE) (214-B)	CY	35	\$ 45.00	\$ 1,575.00	\$ 55.59	\$ 1,945.65	\$ 63.50	\$ 2,222.50
6	ROADBED PROCESSING (230-A)	RDBD STA	13.5	\$ 355.00	\$ 4,792.50	\$ 288.95	\$ 3,900.83	\$ 226.69	\$ 3,060.32
7	GRANULAR SOIL BASE, COURSE, UPPER LAYER, TYPE A, ROAD MIXED, 4"	SYCIP	3,625	\$ 2.00	\$ 7,250.00	\$ 1.83	\$ 6,633.75	\$ 2.36	\$ 8,555.00
8	COMPACTED THICKNESS (301-A) GRANULAR SOIL BASE, COURSE, LOWER LAYER, TYPE A, ROAD MIXED, 4"	SYCIP	3,625	\$ 2.00	\$ 7,250.00	\$ 1.83	\$ 6,633.75	\$ 2.05	\$ 7,431.25
9	COMPACTED THICKNESS (301-A) AGGREGATE SURFACING (3" THICK) (305-B)	TON	50	\$ 42.00	\$ 2,100.00	\$ 34.13	\$ 1,706.50	\$ 41.38	\$ 2,069.00
10	BITUMINOUS TREATMENT, TYPE A (401-A)	SY	3,625	\$ 1.25	\$ 4,531.25	\$ 0.96	\$ 3,480.00	\$ 1.08	\$ 3,915.00
11	TACK COAT (0.03 GAL/SY) (405-A)	GAL	110	\$ 4.50	\$ 495.00	\$ 3.52	\$ 387.20	\$ 4.00	\$ 440.00
12	BITUMINOUS BINDER LAYER, 220 LBS/SY (424-B)	TON	400	\$ 80.00	\$ 32,000.00	\$ 69.62	\$ 27,848.00	\$ 79.90	\$ 31,960.00
13	BITUMINOUS WEARING SURFACE, 165 LBS/SY (424-A)	TON	300	\$ 85.00	\$ 25,500.00	\$ 84.92	\$ 25,476.00	\$ 95.88	\$ 28,764.00
14	22"x13" RCAP, CLASS 3 (530-B)	LF	24	\$ 45.00	\$ 1,080.00	\$ 52.97	\$ 1,271.28	\$ 36.66	\$ 879.84
15	65"X40" RCAP, CLASS 3 (TRIPLE RUN) (530-B)	LF	72	\$ 155.00	\$ 11,160.00	\$ 570.26	\$ 41,068.72	\$ 396.73	\$ 28,564.56
16	MOBILIZATION (600-A)	LS	1		\$ 31,794.43		\$ 22,492.50		\$ 24,608.85
17	6" UNDERDRAIN, TYPE 10 (606-A)	LF	500	\$ 12.00	\$ 6,000.00	\$ 12.34	\$ 6,170.00	\$ 3.22	\$ 1,610.00
18	RIPRAP, CLASS 2 (610-C)	TON	225	\$ 61.00	\$ 13,725.00	\$ 53.15	\$ 11,958.75	\$ 59.70	\$ 13,432.50
19	FILTER CLOTH, NON-WOVEN (610-D)	SY	225	\$ 1.25	\$ 281.25	\$ 3.32	\$ 747.00	\$ 1.00	\$ 225.00
20	CONCRETE SIDEWALK, 4" THICK, 6' WIDE (618-A)	SY	20	\$ 40.00	\$ 800.00	\$ 52.44	\$ 1,048.80	\$ 52.14	\$ 1,042.80
21	23"x13" PIPE END TREATMENT (619-B)	EA	2	\$ 400.00	\$ 800.00	\$ 710.16	\$ 1,420.32	\$ 559.88	\$ 1,119.76
22	SLOPE PAVED HEADWALL (TRIPLE 65"X40") (619-B)	EA	2	\$ 2,000.00	\$ 4,000.00	\$ 2,403.63	\$ 4,807.26	\$ 4,565.72	\$ 9,131.44
23	TOPSOIL FROM STOCKPILES (650-A)	CYIP	1,000	\$ 6.50	\$ 6,500.00	\$ 5.51	\$ 5,510.00	\$ 7.72	\$ 7,720.00

CITY OF DAPHNE
 BID DOCUMENT NO.: 2012-I-WELL ROAD EXTENSION TO HIGHWAY 13
 APRIL 5, 2012

ITEM#	DESCRIPTION	UNIT	QTY	BIDDER #8 R&S PAVING		BIDDER #9 HOSEA WEAVER		BIDDER #10 GULF EQUIPMENT	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
24	SEEDING (662-A)	ACRE	2.5	\$ 1,350.00	\$ 3,375.00	\$ 1,488.44	\$ 3,596.10	\$ 1,546.29	\$ 3,865.73
25	MULCHING, CLASS A, TYPE 1 (666-A)	ACRE	2.5	\$ 1,350.00	\$ 3,375.00	\$ 758.47	\$ 1,896.18	\$ 885.78	\$ 2,214.45
26	SOLID SODDING (664-A)	SY	2,500	\$ 2.75	\$ 6,875.00	\$ 3.82	\$ 9,550.00	\$ 4.45	\$ 11,125.00
27	POLYETHYLENE SHEETING (665-E)	SY	500	\$ 1.00	\$ 500.00	\$ 0.78	\$ 390.00	\$ 1.60	\$ 800.00
28	SAND BAGS (665-G)	EA	200	\$ 6.00	\$ 1,200.00	\$ 2.27	\$ 454.00	\$ 1.75	\$ 350.00
29	SILT FENCE, TYPE A (665-J)	LF	550	\$ 3.50	\$ 1,925.00	\$ 3.17	\$ 1,743.50	\$ 2.82	\$ 1,551.00
30	WATTLES (665-Q)	LF	144	\$ 5.00	\$ 720.00	\$ 7.56	\$ 1,088.64	\$ 6.05	\$ 871.20
31	SOLID WHITE STRIPE, CLASS 2, TYPE A, 4" WIDE, 0.09" THICK (701-A)	MI	0.53	\$ 3,500.00	\$ 1,855.00	\$ 3,277.66	\$ 1,737.16	\$ 3,424.28	\$ 1,814.87
32	SOLID YELLOW STRIPE, CLASS 2, TYPE A, DOUBLE, 4" WIDE, 0.09" THICK (701-A)	LF	1,350	\$ 2.00	\$ 2,700.00	\$ 2.19	\$ 2,956.50	\$ 2.28	\$ 3,078.00
33	TRAFFIC CONTROL MARKINGS, CLASS 2, TYPE A, CROSSWALK (0.09" THICK) (703-A)	SF	110	\$ 5.00	\$ 550.00	\$ 4.37	\$ 480.70	\$ 4.57	\$ 502.70
34	TRAFFIC CONTROL MARKINGS, CLASS 2, TYPE A, 24" WIDE, STOP BAR (0.09" THICK) (703-A)	SF	22	\$ 6.00	\$ 132.00	\$ 8.74	\$ 192.28	\$ 9.13	\$ 200.86
35	REFLECTIVE PAVEMENT MARKERS, CLASS A-H, TYPE 2-D (705-A)	EA	35	\$ 7.00	\$ 245.00	\$ 5.46	\$ 191.10	\$ 5.71	\$ 199.85
36	FUEL COST ADJUSTMENT FOR PRODUCING HMA IN ACC WITH SEC 109.03(F) OF THE 2012 STD SPEC	PER DOLLAR							
37	BITUMINOUS MATERIAL PROCE ADJUSTMENT FOR PRODUCING HMA IN ACC WITH SEC 109.03(e) OF THE 2012 STD SPEC	PER DOLLAR							
TOTAL AMOUNT					\$ 256,618.93		\$ 260,447.03		\$ 272,037.36
					* 256,627.03		* 260,457.04		* 272,047.37

We hereby certify this to be a true and correct tabulation on the above named project.


 Timothy D. Lawley, PE
 Project Manager
 Hutchinson, Moore & Rauch, LLC

* Indicates an error in either the extension of the bid or the sum - error does not effect bidder's standing.

**RESOLUTION 2012-
2012-H-MAIN STREET RESURFACING: MCADAMS AVENUE TO BAYFRONT**

WHEREAS, the City of Daphne is required under section 39-1-1(E) of the Code of Alabama to secure competitive bids for public works contracts in excess of \$ 50,000; and

WHEREAS, the City of Daphne acknowledges that MAIN STREET: MCADAMS AVENUE TO BAYFRONT will exceed \$50,000; and

WHEREAS, the City of Daphne did receive and review bids for the MAIN STREET: MCADAMS AVENUE TO BAYFRONT and has determined that the bid as presented is reasonable; and

WHEREAS, staff recommends the bid for MAIN STREET: MCADAMS AVENUE TO BAYFRONT be awarded to Hosea O. Weaver & Sons, Inc..

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid from Hosea O. Weaver & Sons, Inc. in the amount of \$815,642.10 as specified in BID SPECIFICATION NO. 2012-H-MAIN STREET: MCADAMS AVENUE TO BAYFRONT.

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 CMC

ORDINANCE 2012 -

Main Street Resurfacing: McAdams to Bayfront - Mill & Overlay Road Project

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 City Council has determined it to be in the best interest of the City to obtain bids for this project and design engineering services in the amount of \$25,815 were previously approved.

WHEREAS, the Main Street – McAdams to Bayfront: Mill & Overlay Road project (2.54 miles) went out for bid; and

WHEREAS, an appropriation is needed for the cost of construction - \$815,642.10 and additional engineering fees - \$61,288 (*survey/testing/inspection...*). (*Total Project Cost - \$902,745.10*).

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$876,930.10 from the General Fund are appropriated to be transferred to Capital Reserve made a part of the Fiscal Year 2012 budget for the Main Street – McAdams to Bayfront: Mill & Overlay Road project.

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

Bailey Yelding, Jr.
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 D. Reese
District 4

Ronald Scott
District 5

Derek Boulware
District 6

August Palumbo
District 7

Memorandum

To: Councilman Derek Boulware; Chairman, Finance Committee

Thru: The Honorable Mayor Bailey Yelding, Jr.

From: Richard D. Johnson, P.E.; Public Works Director 

CC: Finance; HMR – Jaye Robertson, PE; File

Date: April 09, 2012

Re: FY2012 – Capital Road Improvement Projects – Project 2012-B - Main Street Paving - Holy Cross to Bayfront (18,247 L.F. - 3.45 miles) - Mill and Overlay

Mr. Mayor:

Based upon the bid tabulations provided by our City Engineer, HMR Engineers, on April 9, 2012, it is my recommendation to award the Contract to *Hosea O. Weaver and Sons, Inc.* for the proposed resurfacing of Main Street. They are the qualifying low bidder.

I further recommend the following appropriations be made:

	Base Bid (2.53 Mi.)	Add Alternative (0.92 Mi.)	
• Construction cost of the street resurfacing:	\$610,930.31 [†]	\$204,711.79	= 815,642.10
• Survey, Engineering & Design Fees - 4.3% (HMR):	\$ 9,580.00	\$ 0.00	} 61,288.00 (Eng'g)
• Material Testing - 2.0%:	\$ 12,219.00	\$ 4,094.00	
• Construction Engineering Inspection – 4.3% (HMR):	\$ 25,815.00	\$ 9,580.00	
Totals:	\$658,544.31	\$218,386.79	

Total \$876,930.10

Yours,

RDJ

Already Approved 24,815.00

Total Project: 901,745.10



HUTCHINSON, MOORE & RAUCH, LLC

Post Office Box 1127
Daphne, Alabama 36526

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

April 9, 2012

Mayor Bailey Yelding, Jr.
City of Daphne
Post Office 400
Daphne, Alabama 36526

RE: Bid Document No. 2012-H-Main Street Resurfacing

Dear Mayor Yelding:

Enclosed is the Tabulation of Bids received April 5, 2012 for the subject project. We recommend that you award the Contract to Hosea O. Weaver and Sons at their submitted lowest base bid of \$610,930.31 with an additive alternate bid of \$204,711.79.

Engineering costs associated with this project are as follows:

Design:

Base (McAdams to Bayview)
Additive Alternate #1 (Ryan to McAdams Avenue)

\$24,815.00
\$9,580.00 ✓

Already Appr by Ord

Inspection:

Base
Additive Alternate #1

\$25,815.00 ✓
\$9,580.00 ✓

Testing:

Base
Additive Alternate #1

\$12,219.00 ✓
\$4,094.00 ✓

If you have any questions or need additional information, please contact me at 626-2626.

Sincerely,

HUTCHINSON, MOORE & RAUCH, LLC

James H. Robertson, II, P.E.
Project Manager

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CITY OF DAPHNE
 BID DOCUMENT NO.: 2012-H-MAIN STREET RESURFACING
 APRIL 5, 2012

ITEM#	DESCRIPTION	UNIT	QTY	BIDDER #1 HOSEA WEAVER		BIDDER #2 JOHN G. WALTON		BIDDER #3 ROADS INC.		BIDDER #4 MOBILE ASPHALT	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
BASE BID: McADAMS AVENUE TO BAYFRONT DRIVE											
1	CONCRETE SIDEWALK REMOVAL (206-C)	SY	35	10.52	\$ 368.20	8.00	\$ 280.00	10.00	\$ 350.00	25.00	\$ 875.00
2	ASPHALT REMOVAL (3"-7" THICK) (206-C)	SY	1,650	3.42	\$ 5,643.00	5.09	\$ 8,398.50	4.50	\$ 7,425.00	12.15	\$ 20,047.50
3	CONCRETE CURB AND GUTTER REMOVAL (206-D)	LF	160	4.21	\$ 673.60	1.81	\$ 289.60	5.00	\$ 800.00	8.00	\$ 1,280.00
4	UNCLASSIFIED EXCAVATION (210-A)	CY	1,150	0.01	\$ 11.50	13.81	\$ 15,881.50	8.50	\$ 9,775.00	13.00	\$ 14,950.00
5	BORROW EXCAVATION, SELECT FILL (A3 OR BETTER) (210-D)	CY	2,000	0.01	\$ 20.00	13.55	\$ 27,100.00	9.50	\$ 19,000.00	15.00	\$ 30,000.00
6	ROADBED PROCESSING (230-A)	SY	1,650	2.21	\$ 3,646.50	2.12	\$ 3,498.00	3.90	\$ 6,435.00	6.00	\$ 9,900.00
7	SOIL STABILIZATION GEOGRID, TENSAR TRIAX TX 160 (243-A)	SY	1,650	5.23	\$ 8,629.50	7.10	\$ 11,715.00	6.25	\$ 10,312.50	6.00	\$ 9,900.00
8	CRUSHED AGGREGATE BASE, TYPE B, PLANT MIXED, 8" COMPACTED THICKNESS (301-A)	SY	825	18.42	\$ 15,196.50	22.09	\$ 18,224.25	22.00	\$ 18,150.00	35.00	\$ 28,875.00
9	CRUSHED AGGREGATE BASE, TYPE B, PLANT MIXED, 12" COMPACTED THICKNESS (301-A)	SY	825	27.81	\$ 22,943.25	30.95	\$ 25,533.75	28.00	\$ 23,100.00	45.00	\$ 37,125.00
10	AGGREGATE SURFACING (3" THICK) (305-B)	TON	150	34.26	\$ 5,139.00	37.93	\$ 5,689.50	42.00	\$ 6,300.00	60.00	\$ 9,000.00
11	TACK COAT (405-A)	GAL	2,000	3.39	\$ 6,780.00	3.48	\$ 6,960.00	4.10	\$ 8,200.00	4.00	\$ 8,000.00
12	MILLING/PLANING EXISTING PAVEMENT (1.5" - 2.5" DEEP) (408-A)	SY	37,500	0.96	\$ 36,000.00	0.54	\$ 20,250.00	1.50	\$ 56,250.00	1.70	\$ 63,750.00
13	BITUMINOUS LEVELING LAYER (424-C)	TON	200	83.17	\$ 16,634.00	95.52	\$ 19,104.00	90.00	\$ 18,000.00	165.00	\$ 33,000.00
14	BITUMINOUS CONCRETE WEARING SURFACE, 1.5" COMPACTED THICKNESS (165#/SY) (424-A)	TON	910	71.80	\$ 65,338.00	68.67	\$ 62,489.70	78.00	\$ 70,980.00	85.00	\$ 77,350.00
15	BITUMINOUS CONCRETE WEARING LAYER, 2.0" COMPACTED THICKNESS (220#/SY) (424-A)	TON	3,940	71.79	\$ 283,778.60	69.91	\$ 275,499.40	70.00	\$ 276,300.00	85.00	\$ 335,250.00
16	BITUMINOUS CONCRETE BINDER LAYER, 2.0" COMPACTED THICKNESS (220#/SY) (424-B)	TON	200	102.19	\$ 20,438.00	99.00	\$ 19,800.00	80.00	\$ 16,000.00	110.00	\$ 22,000.00
17	MOBILIZATION (600-A)	LS	1		\$ 22,598.17		\$ 9,500.00		\$ 30,000.00		\$ 75,500.00
18	CONCRETE SIDEWALK (4") THICK (618-A)	SY	35	57.88	\$ 2,025.80	58.37	\$ 2,042.95	55.00	\$ 1,925.00	125.00	\$ 4,375.00
19	CONCRETE CURB (623-B)	LF	160	21.05	\$ 3,368.00	16.34	\$ 2,614.40	21.00	\$ 3,360.00	20.00	\$ 3,200.00
20	ADJUST UTILITY VALVE BOXES (640-B)	EA	20	121.56	\$ 2,431.20	213.57	\$ 4,271.40	450.00	\$ 9,000.00	250.00	\$ 5,000.00
21	TOPSOIL, 3" COMPACTED THICKNESS (650-A)	CY	810	19.13	\$ 15,495.30	23.38	\$ 18,937.80	12.50	\$ 10,125.00	27.00	\$ 21,870.00
22	SEEDING (652-A)	ACRE	1	1,510.73	\$ 1,510.73	1,549.32	\$ 1,549.32	800.00	\$ 800.00	800.00	\$ 800.00
23	SOLID SODDING (654-A)	SY	12,000	3.30	\$ 39,600.00	3.40	\$ 40,800.00	2.50	\$ 30,000.00	3.50	\$ 42,000.00
24	MULCHING (656-A)	ACRE	1	1,034.60	\$ 1,034.60	1,370.73	\$ 1,370.73	800.00	\$ 800.00	600.00	\$ 600.00

CITY OF DAPHNE
 BID DOCUMENT NO.: 2012-H-MAIN STREET RESURFACING
 APRIL 5, 2012

ITEM#	DESCRIPTION	UNIT	QTY	BIDDER #1 HOSEA WEAVER		BIDDER #2 JOHN G. WALTON		BIDDER #3 ROADS INC.		BIDDER #4 MOBILE ASPHALT	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
25	POLYETHYLENE SHEETING (665-E)	SY	1,250	0.55	\$ 687.50	1.34	\$ 1,675.00	1.00	\$ 1,250.00	2.50	\$ 3,125.00
26	SAND BAGS (665-G)	EA	250	5.39	\$ 1,347.50	6.44	\$ 1,610.00	5.00	\$ 1,250.00	5.00	\$ 1,250.00
27	SILT FENCE, TYPE A (665-J)	LF	200	3.04	\$ 608.00	4.28	\$ 856.00	4.00	\$ 800.00	4.00	\$ 800.00
28	WATTLES (665-Q)	LF	400	4.70	\$ 1,880.00	5.68	\$ 2,272.00	8.00	\$ 3,200.00	6.00	\$ 2,400.00
29	SOLID WHITE STRIPE, CLASS 2, TYPE A, 4" WIDE, 0.09" THICK (701-A)	MILE	5.10	2,052.04	\$ 10,465.40	2,112.39	\$ 10,773.19	3,000.00	\$ 15,300.00	1,960.00	\$ 9,996.00
30	SOLID YELLOW STRIPE, CLASS 2, TYPE A, 4" WIDE, 0.09" THICK (701-A)	MILE	1.10	2,052.05	\$ 2,257.26	2,112.40	\$ 2,323.64	3,000.00	\$ 3,300.00	1,960.00	\$ 2,156.00
31	SOLID YELLOW STRIPE, CLASS 2, TYPE A, DOUBLE, 4" WIDE, 0.09" THICK (701-A)	MILE	2.00	4,104.09	\$ 8,208.18	4,224.79	\$ 8,449.58	5,900.00	\$ 11,800.00	3,915.00	\$ 7,830.00
32	BROKEN YELLOW STRIPE, CLASS 2, TYPE A, 4" WIDE, 0.09" THICK (701-A)	MILE	1.10	947.10	\$ 1,041.81	974.95	\$ 1,072.45	2,000.00	\$ 2,200.00	900.00	\$ 990.00
33	DOTTED WHITE STRIPE, CLASS 2, TYPE A, 4" WIDE, 0.09" THICK (701-A)	LF	400	1.05	\$ 420.00	1.08	\$ 432.00	1.00	\$ 400.00	1.00	\$ 400.00
34	SOLID WHITE STRIPE, (TEMPORARY), 4" WIDE (701-C)	MILE	5.10	631.40	\$ 3,220.14	649.97	\$ 3,314.85	800.00	\$ 4,080.00	600.00	\$ 3,060.00
35	SOLID YELLOW STRIPE, (TEMPORARY), 4" WIDE (701-C)	MILE	1.10	631.40	\$ 694.54	649.96	\$ 714.96	800.00	\$ 880.00	600.00	\$ 660.00
36	SOLID YELLOW STRIPE, (TEMPORARY), DOUBLE 4" WIDE (701-C)	MILE	2	1,052.33	\$ 2,104.66	1,083.28	\$ 2,166.56	1,650.00	\$ 3,300.00	1,000.00	\$ 2,000.00
37	BROKEN YELLOW STRIPE, (TEMPORARY), 4" WIDE, (701-C)	MILE	1.10	631.40	\$ 694.54	649.96	\$ 714.96	775.00	\$ 852.50	600.00	\$ 660.00
38	DOTTED WHITE TEMPORARY TRAFFIC STRIPE, PAINT, 4" WIDE (701-E)	LF	400	1.05	\$ 420.00	0.27	\$ 108.00	0.50	\$ 200.00	0.25	\$ 100.00
39	SOLID YELLOW, TEMPORARY (24" WIDE) (701-E)	LF	530	6.31	\$ 3,344.30	1.08	\$ 572.40	2.50	\$ 1,325.00	1.00	\$ 530.00
40	SOLID YELLOW, CLASS 2, TYPE A TRAFFIC STRIPE, (24" WIDE) (701-G)	LF	530	3.16	\$ 1,674.80	6.50	\$ 3,445.00	5.25	\$ 2,782.50	6.00	\$ 3,180.00
41	SOLID WHITE, CLASS 2, TYPE A, STRIPE (PEDESTRIAN CROSSING 703-A)	SF	3,300	3.16	\$ 10,428.00	3.25	\$ 10,725.00	2.65	\$ 8,745.00	3.00	\$ 9,900.00
42	TRAFFIC CONTROL MARKINGS, CLASS 2, TYPE A, STOP BAR (24") (703-A)	SF	1,470	3.16	\$ 4,645.20	3.25	\$ 4,777.50	2.60	\$ 3,822.00	3.00	\$ 4,410.00
43	TRAFFIC CONTROL MARKINGS, CLASS 2, TYPE A, CHANNEL LINE (6" WIDE) (703-A)	SF	198	3.16	\$ 625.68	3.25	\$ 643.50	1.50	\$ 297.00	3.00	\$ 594.00
44	TRAFFIC CONTROL LEGENDS, CLASS 2, TYPE A, ARROW (703-B)	SF	131.70	3.16	\$ 416.17	3.25	\$ 428.03	4.00	\$ 526.80	3.00	\$ 395.10

CITY OF DAPHNE
 BID DOCUMENT NO.: 2012-H-MAIN STREET RESURFACING
 APRIL 5, 2012

ITEM#		Hutchinson, Moore & Rauch, LLC Engineers + Surveyors + Land Planners		BIDDER #1 HOSEA WEAVER		BIDDER #2 JOHN G. WALTON		BIDDER #3 ROADS INC.		BIDDER #4 MOBILE ASPHALT		
		DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
45	TRAFFIC CONTROL LEGENDS, CLASS 2, TYPE A, ONLY (703-B)	SF	180.30		\$ 3.16	\$ 569.75	\$ 3.25	\$ 585.98	\$ 4.30	\$ 775.29	\$ 3.00	\$ 540.90
46	TRAFFIC CONTROL LEGENDS, CLASS 2, TYPE A (SCHOOL) (703-B)	SF	313.40		\$ 3.16	\$ 990.34	\$ 3.25	\$ 1,018.55	\$ 4.30	\$ 1,347.62	\$ 3.00	\$ 940.20
47	TRAFFIC CONTROL LEGENDS, CLASS 2, TYPE A (X-ING) (703-B)	SF	216.84		\$ 3.16	\$ 685.21	\$ 3.25	\$ 704.73	\$ 4.30	\$ 932.41	\$ 3.00	\$ 650.52
48	TEMPORARY TRAFFIC CONTROL MARKINGS (WHITE) (703-D)	SF	4,988		\$ 0.42	\$ 2,086.56	\$ 0.43	\$ 2,136.24	\$ 1.92	\$ 9,538.56	\$ 0.40	\$ 1,987.20
49	TEMPORARY TRAFFIC CONTROL LEGENDS (WHITE) (703-E)	SF	312		\$ 0.53	\$ 165.36	\$ 0.54	\$ 168.48	\$ 2.55	\$ 795.60	\$ 0.50	\$ 156.00
50	REFLECTIVE PAVEMENT MARKERS CLASS A-H, TYPE 2-C (705-A)	EA	25		\$ 4.21	\$ 105.25	\$ 4.33	\$ 108.25	\$ 5.00	\$ 125.00	\$ 4.00	\$ 100.00
51	REFLECTIVE PAVEMENT MARKERS CLASS A-H, TYPE 2-D (705-A)	EA	405		\$ 4.21	\$ 1,705.05	\$ 4.33	\$ 1,753.65	\$ 4.50	\$ 1,822.50	\$ 4.00	\$ 1,620.00
52	REFLECTIVE PAVEMENT MARKERS CLASS A-H, TYPE 2-E (705-A)	EA	200		\$ 4.21	\$ 842.00	\$ 4.33	\$ 866.00	\$ 4.50	\$ 900.00	\$ 4.00	\$ 800.00
53	TRAFFIC CONTROL (INCLUDES ALL BARRELS, CONES, CONSTRUCTION SIGNS, FLAGMEN, ETC.)	LS	1		\$	\$ 4,028.32	\$	\$ 5,950.00	\$	\$ 8,000.00	\$	\$ 10,000.00
54	MANHOLE ADJUSTMENTS (0"-6")	EA	15		\$	\$ 5,250.90	\$ 361.14	\$ 5,417.10	\$ 800.00	\$ 12,000.00	\$ 450.00	\$ 6,750.00
55	RELOCATE EXISTING STREET SIGNS	LS	1		\$	\$ 681.08	\$	\$ 1,624.73	\$	\$ 2,000.00	\$	\$ 1,500.00
56	FUEL COST ADJUSTMENT FOR PRODUCING HMA IN ACC WITH SEC 109.03(I) OF THE 2012 STD SPEC	PER DOLLAR										
57	BITUMINOUS MATERIAL PRICE ADJUSTMENT FOR PRODUCING HMA IN ACC WITH SEC 109.03(e) OF THE 2012 STD SPEC	PER DOLLAR										
58	ENGINEERING CONTROLS	LS	1		\$	\$ 3,333.35	\$	\$ 4,040.00	\$	\$ 3,000.00	\$	\$ 10,000.00
				AMOUNT BID - BASE BID		\$ 610,930.31	\$ 641,248.10	\$ 698,435.28	\$ 892,778.42			
				ADDITIVE ALTERNATE: RYAN AVENUE TO McADAMS AVENUE		\$ 641,248.10	\$ 641,248.10	\$ 641,248.10	\$ 641,248.10			
59	ASPHALT REMOVAL (3'-7" THICK) (206-C)	SY	115		\$ 3.15	\$ 362.25	\$ 6.46	\$ 742.90	\$ 4.50	\$ 517.50	\$ 12.15	\$ 1,397.25
60	UNCLASSIFIED EXCAVATION (210-A)	CY	150		\$ 0.01	\$ 1.50	\$ 16.37	\$ 2,455.50	\$ 8.50	\$ 1,275.00	\$ 13.00	\$ 1,950.00
61	BORROW EXCAVATION, SELECT FILL (A3 OR BETTER) (210-D)	CY	115		\$ 0.01	\$ 1.15	\$ 18.63	\$ 2,142.45	\$ 9.50	\$ 1,092.50	\$ 15.00	\$ 1,725.00
62	ROADBED PROCESSING (230-A)	SY	115		\$ 2.21	\$ 254.15	\$ 3.37	\$ 387.55	\$ 3.90	\$ 448.50	\$ 6.00	\$ 690.00

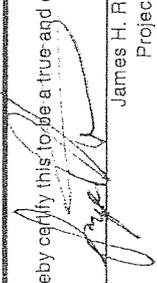
CITY OF DAPHNE
BID DOCUMENT NO.: 2012-H-MAIN STREET RESURFACING
APRIL 5, 2012

ITEM#	DESCRIPTION	UNIT	QTY	BIDDER #1 HOSEA WEAVER		BIDDER #2 JOHN G. WALTON		BIDDER #3 ROADS INC.		BIDDER #4 MOBILE ASPHALT	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
63	CRUSHED AGGREGATE BASE, TYPE B, PLANT MIXED, 8" COMPACTED THICKNESS (301-A)	SY	60	\$ 18.42	\$ 1,105.20	\$ 24.81	\$ 1,488.60	\$ 22.00	\$ 1,320.00	\$ 35.00	\$ 2,100.00
64	CRUSHED AGGREGATE BASE, TYPE B, PLANT MIXED, 12" COMPACTED THICKNESS (301-A)	SY	60	\$ 27.81	\$ 1,668.60	\$ 31.69	\$ 1,901.40	\$ 28.00	\$ 1,680.00	\$ 45.00	\$ 2,700.00
65	AGGREGATE SURFACING (3" THICK) (305-B)	TON	50	\$ 34.27	\$ 1,713.50	\$ 37.39	\$ 1,869.50	\$ 42.00	\$ 2,100.00	\$ 60.00	\$ 3,000.00
66	TACK COAT (405-A)	GAL	700	\$ 3.39	\$ 2,373.00	\$ 3.48	\$ 2,436.00	\$ 4.10	\$ 2,870.00	\$ 4.00	\$ 2,800.00
67	MILLING/PLANING EXISTING PAVEMENT (1.5" - 2.5" DEEP) (408-A)	SY	15,600	\$ 0.96	\$ 14,976.00	\$ 0.68	\$ 10,608.00	\$ 1.50	\$ 23,400.00	\$ 1.25	\$ 19,500.00
68	BITUMINOUS CONCRETE WEARING LAYER, 2.0" COMPACTED THICKNESS (220#) (SY) (424-A)	TON	1,890	\$ 71.79	\$ 135,683.10	\$ 67.39	\$ 127,967.10	\$ 70.00	\$ 132,300.00	\$ 85.00	\$ 160,650.00
69	BITUMINOUS CONCRETE BINDER LAYER, 2.0" COMPACTED THICKNESS (220#) (SY) (424-B)	TON	20	\$ 105.37	\$ 2,107.40	\$ 133.38	\$ 2,667.60	\$ 80.00	\$ 1,600.00	\$ 110.00	\$ 2,200.00
70	ADJUST UTILITY VALVE BOXES (640-B)	EA	6	\$ 121.56	\$ 729.36	\$ 213.57	\$ 1,281.42	\$ 450.00	\$ 2,700.00	\$ 250.00	\$ 1,500.00
71	TOPSOIL, 3" COMPACTED THICKNESS (650-A)	CY	260	\$ 19.13	\$ 4,973.80	\$ 23.38	\$ 6,078.80	\$ 12.50	\$ 3,250.00	\$ 27.00	\$ 7,020.00
72	SEEDING (652-A)	ACRE	0.50	\$ 1,510.78	\$ 755.39	\$ 1,549.32	\$ 774.66	\$ 800.00	\$ 400.00	\$ 400.00	\$ 200.00
73	SOLID SODDING (654-A)	SY	3,500	\$ 3.30	\$ 11,550.00	\$ 3.75	\$ 13,125.00	\$ 2.50	\$ 8,750.00	\$ 3.50	\$ 12,250.00
74	MULCHING (656-A)	ACRE	0.50	\$ 1,034.64	\$ 517.32	\$ 1,370.68	\$ 685.34	\$ 800.00	\$ 400.00	\$ 300.00	\$ 150.00
75	POLYETHYLENE SHEETING (665-E)	SY	250	\$ 0.55	\$ 137.50	\$ 1.34	\$ 335.00	\$ 1.00	\$ 250.00	\$ 2.50	\$ 625.00
76	SAND BAGS (665-G)	EA	50	\$ 5.39	\$ 269.50	\$ 6.44	\$ 322.00	\$ 5.00	\$ 250.00	\$ 5.00	\$ 250.00
77	SILT FENCE, TYPE A (665-J)	LF	100	\$ 3.04	\$ 304.00	\$ 4.28	\$ 428.00	\$ 4.00	\$ 400.00	\$ 4.00	\$ 400.00
78	WATTLES (665-Q)	LF	100	\$ 4.70	\$ 470.00	\$ 5.68	\$ 568.00	\$ 8.00	\$ 800.00	\$ 6.00	\$ 600.00
79	SOLID WHITE STRIPE, CLASS 2, TYPE A, 4" WIDE, 0.09" THICK (701-A)	MILE	1.90	\$ 2,052.05	\$ 3,898.90	\$ 2,112.39	\$ 4,013.54	\$ 3,000.00	\$ 5,700.00	\$ 1,960.00	\$ 3,724.00
80	SOLID YELLOW STRIPE, CLASS 2, TYPE A, DOUBLE, 4" WIDE, 0.09" THICK (701-A)	MILE	0.92	\$ 2,052.04	\$ 1,887.88	\$ 2,112.39	\$ 1,943.40	\$ 5,900.00	\$ 5,428.00	\$ 1,960.00	\$ 1,803.20
81	SOLID WHITE STRIPE, (TEMPORARY), 4" WIDE (701-C)	MILE	1.90	\$ 631.39	\$ 1,199.64	\$ 649.97	\$ 1,234.94	\$ 800.00	\$ 1,520.00	\$ 600.00	\$ 1,140.00
82	SOLID YELLOW STRIPE, (TEMPORARY), DOUBLE 4" WIDE (701-C)	MILE	0.92	\$ 1,052.34	\$ 968.15	\$ 1,083.28	\$ 995.62	\$ 1,650.00	\$ 1,518.00	\$ 1,000.00	\$ 920.00
83	SOLID WHITE, CLASS 2, TYPE A, STRIPE (PEDESTRIAN CROSSING) (703-A)	SF	1,500	\$ 3.16	\$ 4,740.00	\$ 3.25	\$ 4,875.00	\$ 2.65	\$ 3,975.00	\$ 3.00	\$ 4,500.00
84	TRAFFIC CONTROL MARKINGS, CLASS 2, TYPE A, STOP BAR (24") (703-A)	SF	480	\$ 3.16	\$ 1,516.80	\$ 3.25	\$ 1,560.00	\$ 2.60	\$ 1,248.00	\$ 3.00	\$ 1,440.00
85	TRAFFIC CONTROL LEGENDS, CLASS 2, TYPE A (SCHOOL) (703-B)	SF	313.40	\$ 3.16	\$ 990.34	\$ 3.25	\$ 1,018.55	\$ 4.30	\$ 1,347.62	\$ 3.00	\$ 940.20

CITY OF DAPHNE
 BID DOCUMENT NO.: 2012-H-MAIN STREET RESURFACING
 APRIL 5, 2012

ITEM#	DESCRIPTION	UNIT	QTY	BIDDER #1 HOSEA WEAVER		BIDDER #2 JOHN G. WALTON		BIDDER #3 ROADS INC.		BIDDER #4 MOBILE ASPHALT	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
86	TRAFFIC CONTROL LEGENDS, CLASS 2, TYPE A (X-ING) (703-B)	SF	216.84	\$ 3.16	\$ 685.21	\$ 3.25	\$ 704.73	\$ 4.30	\$ 932.41	\$ 3.00	\$ 650.52
87	TEMPORARY TRAFFIC CONTROL MARKINGS, (WHITE) (703-D)	SF	1,980	\$ 0.42	\$ 831.60	\$ 0.43	\$ 851.40	\$ 1.92	\$ 3,801.60	\$ 0.40	\$ 792.00
88	TEMPORARY TRAFFIC CONTROL LEGENDS (WHITE) (703-E)	SF	530.24	\$ 0.53	\$ 281.03	\$ 0.54	\$ 286.33	\$ 2.55	\$ 1,352.11	\$ 0.50	\$ 265.12
89	REFLECTIVE PAVEMENT MARKERS CLASS A-H, TYPE 2-D (705-A)	EA	121	\$ 4.21	\$ 509.41	\$ 4.33	\$ 523.93	\$ 4.50	\$ 544.50	\$ 4.00	\$ 484.00
90	TRAFFIC CONTROL (INCLUDES ALL BARRELS, CONES, CONSTRUCTION SIGNS, FLAGMEN, ETC.)	LS	1		\$ 1,342.77		\$ 731.00		\$ 3,500.00		\$ -
91	MANHOLE ADJUSTMENTS (0'-6")	EA	2	\$ 409.56	\$ 819.12	\$ 361.04	\$ 722.08	\$ 800.00	\$ 1,600.00	\$ 450.00	\$ 900.00
92	RELOCATE EXISTING STREET SIGNS	LS	1		\$ 500.00		\$ 1,624.73		\$ 1,000.00		\$ 500.00
93	4'x4' WEIR INLET TOP	EA	1	\$ 1,894.19	\$ 1,894.19	\$ 2,096.17	\$ 2,096.17	\$ 4,000.00	\$ 4,000.00	\$ 1,000.00	\$ 1,000.00
94	4-1 SLOPE PAVED HEADWALL (30" RCP)	EA	1	\$ 789.25	\$ 789.25	\$ 710.51	\$ 710.51	\$ 1,000.00	\$ 1,000.00	\$ 750.00	\$ 750.00
95	FUEL COST ADJUSTMENT FOR PRODUCING HMA IN ACC WITH SEC 109.03(f) OF THE 2012 STD SPEC	PER DOLLAR									
96	BITUMINOUS MATERIAL PRICE ADJUSTMENT FOR PRODUCING HMA IN ACC WITH SEC 109.03(g) OF THE 2012 STD SPEC	PER DOLLAR									
97	ENGINEERING CONTROLS	LS	1		\$ 1,904.78		\$ 920.00		\$ 1,200.00		\$ 3,400.00
TOTAL AMOUNT BID - ADDITIVE ALTERNATE					\$ 204,711.79		\$ 202,477.75		\$ 225,470.74		\$ 244,916.29
TOTAL AMOUNT BID - BASE BID + ADDITIVE ALTERNATE					\$ 815,642.10		\$ 843,725.85		\$ 923,906.03		\$ 1,137,694.71
							<i>-843,725.85</i>		<i>-494,603.42</i>		

We hereby certify this to be a true and correct tabulation on the above named project.



James H. Robertson, II, PE
 Project Manager
 Hutchinson, Moore & Rauch, LLC

*Bold/Italics indicates an error in the extension of numbers or sum; errors do no effect bidder's standing.

Buildings & Property Committee Meeting
Monday, April 2, 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, Jane Ellis, Richard Merchant, guest – Beth Moore.

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

B.) New Building Codes – Richard Merchant met with the Mayor, Mayor Tillery from Bay Minette regarding all the municipalities in Baldwin County being united on adopting the new building codes. It is important that the entire county be compliant to get the ratings. There are other changes regarding energy efficiency which are good as well. Richard discussed the benefits (rates and costs) we hope to get – not guaranteed by the insurance industry – but hopefully. He **proposes that this item be placed on the a council work session** – the council will decide if we adopt these new codes (mandatory vs. optional). He **would like to present it as a recommendation** as it is certainly better for the city.

Richard report on 7 new residential with 73 permits for the month \$17,400 is the city's portion for a total of \$2.25 million in business.

Dollar Tree is proposing to come to Jubilee Square next to Firehouse Subs.

Winn Dixie's new renovation will be complete soon. \$4 million dollar renovation.

C.) Civic Center & Bayfront – Margaret distributed and went over her monthly and YTD financial reports (attached). She pointed out that revenue increases – as people are

beginning to spend more. There is a trend in choosing the Civic Center over the Bayfront facility because the public is willing to and perhaps have the money to spend now. Termites have been discovered on the stage but the termite bond does cover the damage.

D.) Booth Property Update – Richard Johnson reported that the city attorney has said that the city can legally swap property with a private citizen. He proposes that we do a memo of understanding (rough draft) proposing that Booth pay all associated costs with the swap. **This should go to a work session.**

E.) Jubilee Courtyard – Beth Moore, a member of the Daphne Women’s Study Club, is proposing that a sign be placed at the Jubilee Courtyard stating it is for public use. She feels this would increase the usage of the pretty area. This is located between Will Hughes and the Cigar/Wine shop. It was suggested and asked that she get with the Beautification Committee regarding a design and Richard Johnson said he felt like the City could pay for the sign with funds from the sign budget. Should costs around \$40. **Ms. Moore agreed to move forward with this request.**

Mayor Yelding said he would ask that the following items be placed on future work session:

April	Building Codes
	Booth Property
May	Retail Strategies

**CITY OF DAPHNE
PUBLIC WORKS COMMITTEE MEETING**

Time: 5:00 PM on March 19, 2012

Location: City Hall Council Chambers

CHAIRMAN - Councilman Tommie Conaway, District 1

Councilwoman Cathy Barnette, District 2

Councilman John Lake, District 3

I. CALL TO ORDER

The March meeting of the Public Works Committee was called to order at 5:05 PM

Present: Mayor Bailey Yelding, Councilwoman Tommie Conaway, Councilwoman Cathy Barnette, Councilman John Lake, Richard D. Johnson-Director Public Works, Sandra Cushway-PW Administrative Assistant, Tim Lawley-HMR, Davis – Volkert, Ashley Campbell-Daphne Environmental/Erosion, Tonya Halterman-Daphne Citizen, Terry Halterman-Daphne Resident

II. PUBLIC PARTICIPATION & CORRESPONDENCE

- A. **Work Request Report** – February reports reviewed.
- B. **Vehicle/Equipment Maintenance Report** – February & YTD reports reviewed. Richard pointed out that there was a large non-routine expense and explained that the work would be warrantied. We will be getting a refund from the manufacturer for \$17,110.
- C. **Public Participation** – Terry Halterman would like to bring the committee’s attention to the Lake Forest Stables. They have spent many hours cleaning up the grounds and have found several areas of erosion and washouts. Richard commented that they would like to be able to pasture the horses in the easement. Public Works would clean up the easement, and then the stables would maintain them. Currently the easement is only being used by 4-wheelers as a cut through. He would like to see this fenced off. Richard is requesting approval from the Committee and POA to clean up and Hydra Mow the easement. Need to get Ashley on board. **Councilwoman Barnette made a motion to authorize utility easement maintenance upon upon approval from the POA and Riviera. Motion seconded by Councilman Lake. All in Favor.**
- D. **Correspondence** – DEES Recycling Article in Press-Register
- E. **Correspondence** – SEEDS letter of Appreciation

III. OLD BUSINESS

- A. **Minutes – February 20, 2012. Councilwoman Barnette made a motion to accept the minutes; motion seconded by Councilman Lake.**
- B. **Mosquito Reports** – None Submitted
- C. **Street Sweeper Reports** – February reports reviewed. Councilman Lake asked why Park City was not swept during the month of February. Richard has reviewed this with the Street Supervisor and will follow-up.

IV. NEW BUSINESS

- A. Pesticide Discharge Management Plan (PDMP): ADEM Pesticide General Permit Application. The process involves getting a permit from ADEM. We now have to justify any pesticide sprayed along with the volume being sprayed. Standing water needs to be removed or treated. Will need to use more targeted treatment. A citizen’s complaint does not automatically constitute justification. Planning to submit application by the end of the month. **Councilwoman Barnette made a motion to move forward to receive Mayor’s signature. Motion seconded by Councilman Lake. All in favor.** Ashley commented that education outreach is a large part of the plan. Richard stated that spraying has typically been done after 4:00 PM by employee volunteers supplemented by targeted spraying done during the day by a single employee. Our mosquito spraying is funded by the county.

V. DIRECTOR’S REPORT

- A. US Highway 98 – West Service Road Extension (Councilman Lake’s request). Councilman

Lake stated that if the service road was complete to Van Buren, it would improve traffic flow and increased safety during heavy traffic periods. Councilwoman Barnette commented that it was a great idea, just not a priority at this time. Richard stated that HSIP money can on be used for safety related projects. Randy Davis said that he would contact them for more information. **Councilwoman Barnette made a motion to authorize the Public Works Director to move forward with Volkert. Motion seconded by Councilman Lake. All in Favor.**

VI. SOLID WASTE AUTHORITY

- A. **Monthly Equipment Use Report** – February 105 tons recycled, up 5% from last year. Councilwoman Barnette would like to tour the Tarpon Paper Recycling Facility. Richard to arrange tour. Councilman Lake commented that the price of Aluminum has decreased.
- B. **Monthly Recycle Tonnage Report** (Last Quarter Tonnage Comparison).

VII. MUSEUM COMMITTEE

- A. **Minutes** – February 13, 2012. Minutes reviewed.

VIII. BEAUTIFICATION COMMITTEE

- A. **Minutes – March 2, 2012.** Minutes reviewed
- B. **Update** – Finishing up landscaping projects at KFC triangle. Preparing the Patriots Point Memorial. Prepping wall and installing flag poles. A brief ceremony will be held in May.

IX. ENVIRONMENT ADVISORY COMMITTEE

- A. Minutes from February 27, 2012 Meeting – Next Meeting March 26, 2012 at 4:00 PM
- B. Weeks Bay Project – For Motion and Action. **Councilwoman Barnette made a motion to approve the letter of endorsement. Motion seconded by Councilman Lake. All in Favor.**
- C. Councilwoman Barnette asked if the EAC need to go through the PW Committee or can they take items directly to the council/work sessions. She added that sometimes there isn't sufficient time to wait for an issue to go before the PW Committee. Councilman Lake stated that he liked the idea of doing a poll.

X. ENGINEER REPORT

- A. **HMR Update** – Nothing to report.

XI. FUTURE BUSINESS

- D. **Next Meeting** – April 16, 2012

XII. ADJOURNMENT

The meeting adjourned at 5:43 PM.



CITY OF DAPHNE
PO Box 400
DAPHNE, AL 36526

April 6, 2012 Meeting Minutes

District 1
Dorothy Morrison,
Chair

In attendance:
Dwayne Coley, Denise Penry, Rebecca Trosclair, Selena Vaughn

District 2
Carolyn Coleman
Marilyn O'Connor-
Moore, Secretary
Bea Wilson

Though there was not a quorum, we had a guest and therefore proceeded with a brief meeting.

Guest: Beth Moore with Daphne Study Club

District 3

District 4
Selena Vaughn

The Daphne Study Club was instrumental in retaining the Jubilee Courtyard as a public park and they would like the City post a sign making it clear that it is open to the public. They would like to see their organization logo on this sign as they were instrumental in keeping that park alive. This will be brought to the DBC members at the May meeting for discussion.

District 5
David Dueitt
Patty Kearney

Public Works Report:

District 6
Elaine Maxime

Denise requested a discussion and vote at the May meeting about what color to paint the welcome to Daphne signs. She also presented a request from Tomasina Werner who has spoken also to the Mayor about erecting Purple Martin houses around some of our parks at the expense of the City. This too should be discussed at the May meeting.

District 7
Rebecca Trosclair

City Liaisons
Margorie Bellue
Richard Johnson
Dwayne Coley
David McKelroy
Denise Penry
Pat Albert

Dwayne has working on the military flag project and reports the poles and plaques are up. Concrete will poured Monday and he is continuing to research the gas flame logistics. Dr. Booth is unable to attend That Thursday so the event is being moved to Friday, May 25 at 10:30. The event could last 30, 45 minutes. Dwayne also reports the stones on the KFC hill are being removed.

Committee Reports:

It is time again for the Beautification Award and this quarter will be District 1 & 2 combined. Rebecca asked that the TimberCreek signs be picked up.

Meeting adjourned.



**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:

BZA NOMINATION

PERSONAL HISTORY

LARRY GILBERT COOKE

AGE: 70

DIVORCED 1990

RETIRED U S NAVY CIVIL SERVICE: 2001

RELATIVES IN STATE OF ALABAMA: NONE

RESIDENCES: 1993 TO PRESENT 143 KINGSWOOD DR. DAPHNE, AL 36526
1982 TO 1993 12221 DIFFEE ST GRAND BAY, AL 36541
1974 TO 1982 1907 PARSLEY AVE PASCAGOULA, MS 39567

EMPLOYMENT: 2001 TO PRESENT RETIRED

1982 TO 2001 ENGINEERING AND PLANNING DEPT.
ENGINEERING GROUP
COMBAT SYSTEMS DIVISION
SUPSHIP PASCAGOULS, MS 36568

1974 TO 1982 INGALLS SHIPBUILDING
P. O. BOX 149
PASCAGOULA MS 39567

EDUCATION: U S NAVY TRAINING COURSES (SEE ATTACHED)

ELECTRONICS AND COMMUNICATIONS ENGINEERING
R.E.T.S. ELECTRONIC SCHOOLS
E. GRAND BLVD
DETROIT 11, MI
1968

SECURITY CLEARANCE: SECRET 1982 TO 2001 U S NAVY
SECRET 1974 TO 1982 INGALLS SHIPBUILDING
PASCAGOULS, MS
TOP SECRET MARCH 1964 FBI
TOP SECRET NATO MARCH 1962 VII CORPS (CIC)
TOP SECRET NOV 1959 (FBI)
CRYPTOGRAPHY

MILITARY SERVICE: ACTIVE DUTY 1959 TO 1962

FEDERAL LICENSE: FERERAL COMMUNICATIONS COMMISSION

GENERAL RADIOTELEPHONE OPERATOR LICENSE
SHIP RADAR ENDORSEMENT

AMATEUR RADIO LICENSE
GENERAL CLASS

CITIZENSHIP: BIRTH IN THE UNITED STATES

BZA NOMINATION

LARRY GILBERT COOKE

(TRAINING HISTORY)

COURSE NUMBER	COURSE TITLE	DATE COMP	COURSE GRADE	TRAINING SOURCE
1. MI40000COV	COVEY TRAINING	98JUN17	S	
2. MI49GQRTGL	FUNDAMENTALS OF TGL	97DEC19	S	
3. MI83000ETH	ETHICS TRAINING	97DEC15	S	
4. MI55000SEC	SECURITY TRAINING	97OCT31	S	
5. MI40BU2BUE	PGM 101 FULFILLMENT	97AUG26	S	
6. MI40BU5BU5	ACQ 101 FULFILLMENT	97AUG26	S	
7. MI40JHAJHA	ACQ 201 (DAU)	97MAR28	S	
8. MI40BU3BU3	PGM 201	96SEP27	S	
9. MI40000SOM	SOM NEW CONST	96MAY10	S	AF INSTITUTE OF TECHNOLOGY
10. MI83XRSHX	SEX HARASS	94DEC07	S	DEFENSE SYSTEMS MGT COLLEGE
11. MI80000LHV	HIV/AIDS	94OCT14	S	NAVY ACQUISITION MGT TNG OFFICE
12. MI58000H27	HEARING PROTECTION	92SEP16	S	DLA GA MGT SUPPORT OFFICE
13. MI838XP000	SEXUAL HARASSMENT	92AUG20	S	
14. MI80000TQM	TQM	92JAN03	S	
15.				
16.				
17.				
18.				
19.				
20.				

**DOWNTOWN REDEVELOPMENT AUTHORITY
DAPHNE, AL
1705 MAIN STREET
APRIL 23, 2012
5:30 P.M.**

1. CALL TO ORDER/ROLLCALL

Mary Beth Mantiply called the meeting to order at 5:40 p.m.

Members Present: Mary Beth Mantiply; Ken Balme; Doug Bailey; Ronald Nero; Dayna Oldham.

ABSENT: Casey Zito.

Also present: Cathy Barnette, Council Liaison Rebecca Hayes, recording secretary; Dorothy Morrison, Beautification Committee.

2. APPROVE MINUTES / FEBRUARY 27, 2012

MOTION BY Doug Bailey to approve the February 27, 2011 minutes. Seconded by Ronald Nero.

ALL IN FAVOR

NONE APPROVED

MOTION CARRIED

3. OLD BUSINESS:

a.) Plaque Update

Doug reported that he received three (3) estimates. One (1) quote from Florida and two (2) out of Mobile. One was from M&A which had a good price of \$300-\$350. The price may vary due to what they want. Dorothy said that she has changed her opinion of M&A after doing business with them. One thing the plaque came from Michigan, and not local, and the other was the plaque was not as she ordered it, and it was a month late. The company would not change it out or reduce the price for their mistake. Doug said that he would continue to look for a company and get back with the members.

c.) Mini-Grant Update

Ken said that he has not gone any further than discussed at the last meeting with the grant application for the Megasons. He said that De Cuba was interested in a grant to spruce up their business.

Ken will revise the application and make it general in nature, and have it at the next meeting for approval.

Cathy suggested sending the businesses a letter informing them of parking, events in Olde Towne and the grants. She will work on a draft letter and keep the members informed.

d.) Website Update

Ken said that Fairhope and the Chamber have new websites, and he did not want to encroach on their territory. He handed out a draft of what the Authority's website could contain:

- 1.) Merchant FB-type Group
 - a.) Dialog among all, free-for-all discussion
 - b.) Restart discussion re-master plan
 - c.) Member List

- 2.) Retail Market Place
 - a.) Advertise merchandise or services
 - b.) Sell directly items shown – eCommerce
 - c.) Will need “rules”

- 3.) Blog
 - a.) FB - I grew up in Daphne
 - b.) FB - Daphne Museum
 - c.) FB – Others
 - d.) Point of view – DRA Merchants
 - e.) Engage citizens

- 4.) Special Events
 - a.) Events by Olde Towne Merchants

- 5.) Very Special Events
 - a.) Jubilee Festival
 - b.) May Day Park
 - c.) Bay Front
 - d.) Civic Center
 - e.) Other events held in Olde Towne

Ken will contact JMF Solutions with this information for the website.

d.) Olde Towne Daphne Map

Cathy said that Karen Nady has completed the map, and it should be ready by the end of May. Dorothy asked if it could be out by May 28th. Cathy said she will check it out. Cathy said the printer would create a logo for the Authority. The Authority liked the items on the city flag. Cathy will take that to the printer to create something using the items on the flag.

4. NEW BUSINESS:

a.) Pictures of store fronts on Main Street

Ken passed around a photo album with some of the store fronts, but he has not done them all. He will be working on getting the rest of them done.

5. TREASURERS REPORT:

The balance in the reserve fund as of January is \$74,341.70

DOWNTOWN REDEVELOPMENT AUTHORITY
DAPHNE, AL
1705 MAIN STREET
APRIL 23, 2012
5:30 P.M.

Downtown Redevelopment Board

Updated on 3/26/2012

Collection Month	Due to D.R.B. by Month	YTD Total Reserve
October-09	\$1,970.28	\$1,970.28
November-09	\$1,688.17	\$3,658.45
December-09	\$1,578.57	\$5,237.02
January-10	\$2,144.19	\$7,381.21
February-10	\$2,349.92	\$9,731.13
March-10	\$2,638.58	\$12,369.71
April-10	\$2,076.55	\$14,446.26
May-10	\$3,341.05	\$17,787.31
June-10	\$3,991.14	\$21,778.45
July-10	\$4,595.32	\$26,373.77
August-10	\$3,166.18	\$29,539.95
September-10	\$2,633.14	\$32,173.09
October-10	\$2,800.07	\$34,973.16
November-10	\$2,416.49	\$37,389.65
December-10	\$2,360.53	\$39,750.18
January-11	\$2,450.31	\$42,200.49
February-11	\$2,152.63	\$44,353.12
March-11	\$2,424.39	\$46,777.51
April-11	\$2,894.02	\$49,671.53
May-11	\$3,371.12	\$53,042.65
June-11	\$3,377.24	\$56,419.89
July-11	\$3,831.59	\$60,251.48
August-11	\$2,641.02	\$62,892.50
September-11	\$2,260.84	\$65,153.34
October-11	\$2,600.13	\$67,753.47
November-11	\$2,378.40	\$70,131.87
December-11	\$2,113.96	\$72,245.83
January-12	\$2,095.87	\$74,341.70
February-12		
March-12		
April-12		
May-12		
June-12		
July-12		
August-12		
September-12		
\$74,341.70 ✓		
FY 2009	\$32,173.09	
FY 2010	\$32,980.25	
FY 2012	\$9,188.36	
\$74,341.70 ✓		

DOWNTOWN REDEVELOPMENT AUTHORITY
DAPHNE, AL
1705 MAIN STREET
APRIL 23, 2012
5:30 P.M.

4

Casey has not finalized the bank account as yet. The members agreed that they wanted to use a Daphne Bank. Doug will check with a local bank to see what is needed to set up an account, and get with Casey about opening one.

6. REPORT ON BEAUTIFICATION PROJECTS / DOROTHY MORRISON

Dorothy reported that the Beautification Committee is planning on putting plants in the middle Lane of Daphne Avenue down to Hwy 98.

She also reported that the dedication for Patriots Point, at Civic Center where the rose garden used to be, where the flags of the different branches of the Armed Services will fly along with the American flag will be Friday, May 25, 2012 at 10:30 a.m.

Cathy reported that Jane is working on a simple May Day Program at May Day Park. She will build it up more with each year.

7. NEXT MEETING

The next meeting will be May 28, 2012 at 5:30 p.m.

Since May 28th is a holiday, and the members agreed to meet Wednesday, May 30th at 5:30 p.m. in the Executive Conference room.

8. ADJOURN

The meeting adjourned at 7:00 p.m.

Respectfully submitted,

Downtown Redevelopment Authority

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

CALL TO ORDER:

The number of members present constitutes a quorum. The regular meeting of the City of Daphne Planning Commission was called to order at 5:03 p.m.

CALL OF ROLL:

Members Present:

Victoria Phelps
Joe Lemoine
Don Terry, Secretary
Dan Gibson
Ed Kirby, Chairman
Larry Chason, Vice Chairman
Cathy Barnette, Councilwoman
Chief James "Bo" White

Members Absent:

Bailey Yelding, Jr., Mayor

Staff Present:

Adrienne Jones, Director of Community Development
Pat Houston, Acting Administrative Assistant
Nancy Anderson, GIS Manager
Erick Bussey, Associate Attorney

Staff Absent:

Jan Dickson, Planning Coordinator
Richard Johnson, Public Works Director
Jay Ross, Attorney
Missty Gray, Attorney
Ashley Campbell, Environmental Programs Manager
Lonnie Jones, Code Enforcement Officer

Others Absent:

Rob McElroy, General Manager/Utilities Board of the City of Daphne
Danny Lyndall, Operations Manager/Utilities Board of the City of Daphne
Rex Rentz, Code Enforcement Officer/Utilities Board of the City of Daphne

The first order of business is the call to order.

Chairman: Please let the record reflect that all members are present.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

The next order of business is the approval of the minutes.

APPROVAL OF MINUTES:

The minutes of the February 23, 2012 regular meeting were considered for approval.

Chairman: A copy of the minutes was furnished to us previously. Do any of the Commissioners have any questions or comments? If there are no additions, deletions, or corrections at this time, the Chair will entertain a motion.

Mr. Chason: I have one correction on the bottom of page nine on the Fresh Market motion. In reading this, my first motion included the oil or grease separator. The motion was amended to suggest that it be installed to the satisfaction of Mr. Johnson, the Public Works Director. If we can just make that change because the amendment reads as if it was made to add the oil and gas separator. The separator was in the original motion. The amendment was just that the installation is done to his satisfaction.

Ms. Phelps: I will be abstaining from those minutes.

Mr. Terry: So will I.

Mr. Lemoine: So will I.

A Motion was made by Mr. Chason and *Seconded* by Ms. Barnette to approve the minutes of the February 23, 2012 regular meeting, contingent to the revisions on page 9. The Motion carried. Mr. Terry, Mr. Lemoine and Ms. Phelps abstained due to their absence at the meeting.

The next order of business under old business is preliminary/final plat review for Highway 90 Business Park, Phase One.

PRELIMINARY/FINAL PLAT REVIEW:

File SDPF12-01:

Subdivision: Highway 90 Business Park, Phase One

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

Proposed Zoning: B-1, Local Business

Location: On the southwest side of County Road 13 and U. S. Highway 90

Area: 3.50 Acres \pm , (3) lots

Owner: B. White-Spunner, R. Tindell, Jr., Jay E., L.L.C., J. White-Spunner, M.M. Cummings, Estate of David R. Coley, S. Coley, M.A. Ball, K.C. Coats, and AIRP, L.L.C.

Engineer: Rester & Coleman Engineers - Joel Coleman

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

An introductory presentation was given by Mr. Joel Coleman, representing Rester & Coleman Engineers, requesting preliminary/final plat review of a three-point five-acre subdivision consisting of three lots located southwest of the intersection of County Road 13 and U.S. Highway 90. As you know, at the last meeting, we asked for a hold over on this so that we could go back to the ALDOT to look at different locations for the turn outs. We prepared a drawing for them and submitted it for review. They did not like the turn outs we came back to them with from the Planning Commission meeting, and they wrote a letter to that effect. We discussed that at the work session on Wednesday. Since that time, they have called us again. The consensus was they are only considering the one access point which would be the one on the eastern side of the property. They will support that. If there are any additional turn outs required, then they will revisit it at that time. They have written a letter to that effect and sent it to staff. I will be happy to answer any questions you may have.

Chairman: Do any of the Commissioners have any questions or comments?

Ms. Phelps: Just for the point of clarification, so the access that abuts the residential property is not going to be used for a turn out or for ingress or egress at this time? The only access is located on the east side?

Mr. Coleman: That is correct. The access point on the east side of the property is the only one that is conceptually approved at this time.

Mr. Chason: Just to clarify, the drawing that I saw that you sent to the ALDOT had four lots.

Mr. Coleman: That is correct. It was a conceptual drawing. What it basically did was to move two lots over to the eastern edge of the existing subdivision and brought in an entrance after those two lots.

Mr. Chason: On the eastern edge of the existing subdivision?

Mr. Coleman: It put a turn out in the middle of the three lots that are shown there. It left a space there that we were not going to rezone or anything like that. After moving the access, it created a parcel of land that was exactly the same size as the lots shown on the drawing. It appeared to be shown as an additional lot.

Mr. Chason: Am I correct that the access point was at the east end of the fourth lot?

Mr. Coleman: That is exactly correct. By the time, we put the access on the left-hand side and met their standards for the distance between drive ways, you would have to put the drive way between those two lots. It left a piece of land which would have been the same size as one of those lots. It appeared to be a lot when I showed it to ALDOT.

Mr. Chason: But by adding the fourth lot and putting the access on the east end caused the access point to be inside of the turn lane on U.S. Highway 90. Is that what they objected to?

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Mr. Chason: Did they object to it because it would enter at the very beginning of the west end of the turn lane that you use to go south on County Road 13?

Mr. Coleman: You are correct about that, but the lot was not the dictating point of where I placed the drive way. They have a six hundred feet spacing requirement in their access management plan. In order to meet that requirement, I had to place the access point at that location. Therefore, the location of the drive way there was because of the spacing requirement in their manual. In order to get spacing from County Road 13 to the next drive way and from the newly proposed access, it had to be located there.

Mr. Chason: So the problem is that we do not have enough spacing given the location of the turn lane to have to two accesses on the north side of this property on U.S. Highway 90 unless you stick one of them all the one on the east end of the property? I mean the west end.

Mr. Coleman: That is correct.

Mr. Chason: I understand the problem, but I think their denial had to do with the drawing they were submitted which is totally different from what we suggested. I think we suggested shifting the lots all the way to the west property line and to put the access point on the east side of the third lot. It was the fourth lot that pushed it too far to the east.

Mr. Coleman: That is not correct. You cannot put an access point on either side of that lot. They would be too close to each other, and it would violate their access management plan. It had to be moved over that far. When I did it, it left a space there.

Mr. Chason: What is the width of one of the lots?

Mr. Coleman: Approximately two hundred feet.

Mr. Chason: So that is all they were wanting it to be spaced?

Chairman: No. Six hundred feet.

Mr. Coleman: They wanted it to be six hundred feet.

Ms. Phelps: Six hundred and sixty feet.

Chairman: That distance between the accesses is what he is saying.

Mr. Chason: I did not print it so I could bring the drawing with me. I just looked at it. I know. I understand. It did not appear to me that what the ALDOT was given to consider was what we suggested that would have solved the problem.

Mr. Coleman: I disagree.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Ms. Barnette: I have a question. I know we are all asking different questions about the same topic because we all have concerns about the potential road. I understand we have the eastern access, and only the eastern access presented on the plat this evening for subdivision approval. There is no longer a western road which certainly was the concern that we discussed last time. Can you tell me what is the intended use now for the little gap since we have clarified that a road is going to be an issue? Why didn't we just make three lots would go at the west boundary of the property? Are we going to leave that as a buffer? What are we going to do with that sixty or sixty-five feet?

Mr. Coleman: At this time, it is part of the main parcel. I think should the development go in a certain way, then they may ask for that access at a future point in time. That is what ALDOT has addressed. If we do ask for that in the future, they may or may not require a traffic study, but they will consider it at that time.

Ms. Barnette: I guess I am trying to be very clear that I see an access road at that point being a problem. As a Planning Commissioner, I am not very concerned about what ALDOT says when it comes to the subdivision. I do not want to see a road there given the concerns we have heard from adjoining neighbors for the development. It would solve the problem if we declared it as a buffer, said there will be no future access at that point, or made three lots and abutted them to the west side of the property. I guess that I want to be clear that personally I have a concern about that. I also feel like we have a responsibility to respond to that concern.

Chairman: Let me reiterate that while we are looking at this project and/or subdivision, we are only looking at a three-lot subdivision so we can give a dimension and a defined site to give to the City Council so they can act on the rezoning. That is the purpose.

Ms. Barnette: They could have just as easily made three lots abutting the property.

Chairman: Let me state what I am thinking. If we never allow a road there, there is a sixty-five foot buffer between the subdivision and then businesses. If we tell them to move it all the way to the west, then there is a ten-foot buffer. I believe the time when we start dealing with the rest of the R-3 property is the proper time to deal with that. Until then, there is a sixty-five foot buffer. I think they would like that a lot better right now at this stage. That is just the opinion that I have. Do any of the Commissioners have any questions or comments?

Ms. Phelps: I would just like to go on the record in our minutes tonight to say that I am also in favor of keeping that sixty-five foot buffer. I know that is not what we are talking about tonight, but I just want to get that comment in our minutes. In going forward with your site plan which we are also not doing tonight, is it your intention to leap frog from one lot to the other through the parking lot with no service road? I just wanted to get that out there.

Mr. Coleman: Sure.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Mr. Coleman: That is correct.

Mr. Lemoine: I agree with Ms. Barnette and Ms. Phelps. It would be nice for that buffer to remain a sixty-five foot buffer and not an ingress and egress to what he is going to be place behind there in the future.

Chairman: Do any of the Commissioners have any further questions or comments? Like I said, what we have here is a delineated subdivision taken from the large parcel. If there is no objection, the Chair will entertain a motion. Sorry. We have to have public participation. Is there anyone here that would like to speak to the issue? The Chair opened public participation.

Ms. Margaret Jordan: Thank you for allowing me the chance to speak tonight. Obviously, we do not have everyone here from the neighborhood to discuss with them how they feel about this new plan. This is the first time that we have seen it. I would point out that, in my opinion, the applicant is not in compliance with Article XVII, Section 17-2, which states "Any subdivision or development which is to be developed in phases or units shall require a master plan of the proposed subdivision or development which shall be submitted to the Planning Commission for approval prior to submitting a preliminary plat application. The subdivider shall submit to the Department of Community Development, a written request for review and approval by the Planning Commission and a copy of said master plan. The master plan shall be of sufficient detail to show the proposed street and lot layout, drainage, utilities, detention, and common, recreational and landscaped areas." If they would do that, then we could tell whether or not that area is going to be a dedicated green space between the proposed lots and the residences.

Chairman: I think when we approved the original master plan with all of that was on there, including the zoning.

Ms. Jordan: The master plan submittal ordinance does not mention zoning. It says, "The master plan shall be of sufficient detail to show the proposed street and lot layout, drainage, utilities, detention, and common, recreational and landscaped areas." If we had that, then we would know if that is going to be a dedicated green space area. It is required by the Ordinance.

Chairman: Ms. Jones, when we do a master plan for a complete subdivision will we require that?

Ms. Jones: Yes.

Chairman: When we subdivide a parcel off of a larger parcel, then we do not require that.

Ms. Jones: Like you mentioned earlier, the purpose of this subdivision is to outline the boundaries of the subdivision for the rezoning. This is not what we would consider a full fledged residential subdivision or a fully developed commercial park or subdivision.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Ms. Jones: That is why I accepted this without an official master plan. We did have a conceptual drawing included in the rezoning application which was sufficient to meet the requirement.

Ms. Jordan: It says, "Any subdivision or development which is to be developed in phases or units." They have already submitted plans which show future phases, and that sort of thing. It seems to me that would solve this problem. Is my time up?

Chairman: Yes ma'am. Would you like to come up and finish it?

Ms. Jordan: With your permission, I would like to pass the floor to my husband, John Payne.

Mr. John Payne: I am John Payne. I am a resident of Oak Creek Subdivision. That is my wife, Margaret. We live at 29442 Acorn Knoll Drive. We are not going to rehash what we have visited at previous meetings, but this plan might work if we could get the dedicated green space shown on the conceptual master plan drawing. That is the key to all of this here. The sixty-five foot buffer, I think, is acceptable to almost everyone. Another issue, I know that it is not this body's point of work, and that is the overstory and understory trees. What we would recommend is that you extend the buffer on down the west property line rather than going in there and counting every tree with a tree specialist. There are some issues here. We are still concerned that we did not get official notice on this. The residents of Oak Creek Subdivision or Regency Oaks Subdivision on Douglas Road did not get certified mail about the public hearing. We just want to get on the record that we are concerned about that.

Chairman: I will respond to that. The people who received certified mail are the adjacent property owners.

Mr. Payne: That is what I am saying. If we are not adjacent, then?

Chairman: That is what the law says. We have to extend official certified mail notices to adjacent property owners.

Mr. Payne: The issue that they are asking for is being split out, but it hasn't been, and so we are adjacent to this eighty-acre parcel. We are just putting this on the record. That's all. There is an issue about the master plan. There is an issue of the setback from the road of the difference between sixty and one hundred feet. There are a lot of issues with this being on U.S. Highway 90, but we have something we can work with if we get the master plan drawn correctly. We need to get the conceptual master plan in with this, and not just show it as it is here. That is all. Thank you.

Chairman: Is there anyone else that would like to address the Commission?

Ms. Jones: Mr. Kirby.

Chairman: Let me close public participation. Is there anyone else? If there are no further comments, public participation is closed.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Chairman: Public participation is closed, but I will open it back up so that you can speak.

Mr. Cecil Palmer: My name is Cecil Palmer. We live on the very corner of U.S. Highway 90 and Acorn Knoll Drive so moving is definitely encouraging. You may want to defer this until later. I also own a lot down the street, and I noticed that you have a holding pond that comes within five feet to the back of my property line. As I pointed out last time, you can go over to Pollard Road in Pecan Trace Subdivision and between two houses there is a holding pond. There is not a fence around it. I did not get out and measure, but it is probably twelve to fifteen feet from those houses. I was over there the other day after it had rained, and there was approximately three feet of water in it. I paid eighty thousand for the lot. If they put in a holding pond there, I will sell it to one of you for twenty-five thousand because that is all that it would be worth. That is all that I wanted to say. I would hope the holding pond will be in another area away from this subdivision. Also, it should be required to have a fence or something around it.

Chairman: Under our site plan review there are rules.

Mr. Palmer: I am not trying to be argumentative. You can say verbally and on paper it is going to be fenced, but if you go to Pecan Trace Subdivision, the fence is not there, and the subdivision is in the city limits of Daphne. Thank you.

Mr. Lavon Henley: My name is Lavon Henley. I live at 29488 Acorn Knoll Drive. I would just like to make a brief statement. I have previously addressed you, and I am certainly not going to rehash the things that I have already talked about. This is certainly encouraging that there is an improvement. Our concern in the presentation they have given tonight is there any way we can have it documented that there will remain a sixty-five foot minimum green zone with a street down the middle of it? In the private meeting we had with Mr. Matt White, he has admitted to us that they do plan in the future to put a fifty-foot street down this green strip. It was only fifty-six feet at that time. They did increase it to sixty-five feet. We appreciate that. I am just uncomfortable without some assurance that the green strip cannot be used without it coming back for discussion because Mr. White said I can put a street in there because it is zoned R-3.

Chairman: That will have to come back for future discussion for any other development on that property. That is not part of our vote tonight and so we cannot include it. It will have to come back for future discussion when anything else is done.

Mr. Henley: That would be another advertised subdivision?

Chairman: That would be another subdivision.

Mr. Henley: Thank you.

Chairman: Is there anyone else? If there are no further comments, public participation is closed. Ms. Jones.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Ms. Jones: There were several things that were mentioned to be on the record. What I would like is for the representative for the project to come and give their words for the things that have gone on the record as sort of a rebuttal. It appears we are trying to defend their application. It is our job to decide if it is in compliance or not. Anything else above that would fall on them. If there is any question as to why they were not given notice, let their representative be given the opportunity to answer that. In addition, to any other questions, they have posed. I think that is fair.

Mr. Coleman: I will address the adjoining property first. The proposed subdivision is self contained within the property of the owner so the adjacent property owner is the applicant. That is the only way I know to answer that. What is the next question?

Ms. Jones: There was a lot of talk about the sixty-five feet being a dedicated green space.

Mr. Coleman: Again, I think I said it earlier. In the future there may be a request for an access there that is why I do not think the developer would be inclined to make it a green space at this time.

Ms. Jones: And finally, presenting a master plan for the entire property.

Mr. Coleman: Your regulations ask for a conceptual design of this property. We had presented the conceptual plan and provided that to staff. I think we have done what the Ordinance asked for.

Chairman: We have had public participation. Do any of the Commissioners have any further questions or comments? If there is no objection, the Chair will entertain a motion.

Mr. Chason: I have one clarification. I think the regulations would require someone to come to the Planning Commission if he were building an access road for some purpose of dedicating it to the public. I believe that any land owner can build a road on his property anywhere they want to without coming to the Planning Commission. I think you have that right to build a road, and I do not think the regulations say that you have to come to the Planning Commission. If you put a building or a subdivision at the end of that road, you propose for the City to accept the road for maintenance, then I think you are correct. I think you can go out there, bulldoze a road, and put up a gate anywhere you want to.

Chairman: Do any of the Commissioners have any further questions or comments?

Ms. Jones: Anything to do with access to U.S. Highway 90 would require a permit from ALDOT. I would hope they would send a courtesy notice to Richard Johnson, the Public Works Director, to let us know if something like that was going to happen.

Mr. Chason: I do not doubt the ALDOT has a whole other set of regulations, but I am speaking to the Daphne Land Use Ordinance. I am not specifically saying this parcel or even U.S. Highway 90.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Mr. Chason: There is a creek located south of this property on County Road 13. He may not want to access it that way. I am just saying you could put a road in and put up a gate to access your property. I think you have the right to do that. I am simply clarifying where the Ordinance begins and ends with road construction.

Ms. Jones: Can we ask the owners if that is what their plans are?

Chairman: You cannot access any City street without getting a right-of-way permit from the Public Works Department. You cannot do any work on a public right-of-way.

Mr. Chason: But that is not the Planning Commission.

Chairman: That is not us.

Mr. Chason: I do not want the property owners to think we have anything to do with preventing a property owner from putting in a road, if he gets the proper permit. If he gets the proper permits, he can put a road in without coming to the Planning Commission. That is all that I am saying.

Ms. Jones: Let's ask.

Chairman: Let's say this. I will say it from my prospective. If a private property owner did something like that, it would be hard for them to get a subdivision approved by this body as long as I am sitting on it.

Mr. Gibson: It is pretty obvious that in the drawing of these three lots, they are carving it out of an R-3 parcel, and it is their intention to put a drive way there. There is no question about it. If it is still a strip of R-3, there is nothing you can do about it. Is that right Mr. Chason?

Mr. Chason: I know they have to go to ALDOT and get a permit. I know all of that. I think if the ALDOT gives them a permit, then I am not sure the Planning Commission has to have anything further to say about it at that point. If they get a permit, they can put in a culvert, road, and a gate. They can do all of that without coming to the Planning Commission.

Chairman: Do any of the Commissioners have any further questions or comments? If there is no objection, the Chair will entertain a motion. Mr. Payne, we have closed public participation, but if it will help you go ahead.

Mr. Payne: I think we can easily solve this, if we put the sixty-five foot in with this. That is not really changing it, but you could make it a green space or buffer as a part of this segmentation here. That would solve it all. That way, they could not come in the future, because it is R-3, and put a road in there.

Chairman: Thank you, but I am still dealing with a B-1 zoned subdivision right now. No other discussion, I will entertain a motion.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Mr. Chason: I am going to make a motion, but I think this is the problem. The applicant wants a three-lot subdivision for offices. We have accommodated him and not sent forth a favorable recommendation, but no recommendation to the City Council for a B-1 zone. We will see how that falls. Going back to the very beginning of this, I think that before it came to the Planning Commission Ms. Jones suggested a master plan. I suggested a master plan at the very first meeting. We did get some drawing showing some proposed or considered zoning uses for the property in the future. The lady is correct, but they are not required to do it. Ms. Jones clarified that they are doing the right thing by doing what they are doing. If they had gone the master plan route, then we would have streets, drainage and detention. We would have all of the things that a master plan addresses, but we are not going that route. In that lies all of this confusion about what could happen. I feel like the Planning Commission has heard all of this. I think the motion that I am willing to make is that we approve the subdivision; however, I would like the plat to reflect the sixty-five feet on the west end of these three lots is not to be used for ingress and egress without Planning Commission approval.

A Motion was made by Mr. Chason and **Seconded** by Ms. Phelps *to approve the preliminary/final plat review for Highway 90 Business Park, Phase One, contingent upon a note being placed on the plat to reflect that the sixty-five feet west of the three-lot subdivision not be used as an ingress and egress without Planning Commission approval. The Motion carried unanimously.*

The next order of business is under new business is site plan review for TSS Properties - Daphne Mini Storage.

NEW BUSINESS:

SITE PLAN REVIEW:

File S12-02:

Site: TSS Properties - Daphne Mini Storage

Zoning(s): C/I, Commercial/Industrial

Location: Northwest of the intersection of Whispering Pines and Pollard Roads, northeast of the intersection of World Court and American Way

Area: 2.47 Acres ±

Owner: TSS Properties, L.L.C. - Lane Van Ingen

Engineer: Frank Dagley & Associates Engineering - Frank Dagley

An introductory presentation was given by Mr. Frank Dagley, representing Frank Dagley & Associates Engineering, requesting site plan review of a two-phase mini storage facility located Northwest of the intersection of Whispering Pines and Pollard Road. We are in the commercial subdivision which comes off of World Court. What you see is basically a master plan of the buildings to be built. Some of the buildings are existing and some of them are proposed.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Mr. Dagley: At the work session, there was some tweaking we needed to do to our detention pond. The plans have been designed to address storm water drainage, and we have submitted a landscape plan. I guess I am here to answer any questions you may have.

Chairman: Do we have a new landscape plan? I know there were some recommendations from Ms. Jones to make some changes to the landscaping.

Mr. Dagley: Yes sir. We have a new landscape plan. There was some question about the ADEM permit, and Taylor Engineering has been retained by the owner to do the permitting since this is the Tier One, Tiawasee Creek area. I think they have gotten everything taken care of.

Chairman: Ms. Jones, do you want to explain what we did to the landscaping?

Ms. Jones: As far as the landscaping is concerned, we received a request from them to deviate from the perimeter landscaping requirements. It was my recommendation to you to eliminate the perimeter landscape requirements along the south, east and west. Instead, I asked that they heavily buffer the area along the north side of the property which is adjacent to Eagle Creek Subdivision. Also, I will have another recommendation later on in the meeting about our Landscape Ordinance in order to fix that.

Mr. Dagley: Let me add that along that area where the landscaping is, there was also a concern about drainage. We met with the City's staff yesterday, and now we have added a berm along the property line to make sure that our storm water stays within the easement which goes into that inlet at Pollard Road so it will not go into the subdivision. I walked the area, and it appears to me that it will not go into that area. I have been told that some may. We want to make sure that it doesn't so we want to do as little damage to that area as possible. That is why we are going to provide the berm. It is nicely vegetated. We do not want to disturb that any more than we have to. Of course, we will have to go in there to build the berm and to plant the trees. We would like to keep the strip as natural as possible in order to enhance the look and the drainage.

Chairman: Do any of the Commissioners have any questions or comments?

Ms. Barnette: I am still dissecting the new drawings.

Mr. Chason: May I ask a question while she is looking at that? I am sorry that I missed the work session. Typically speaking, I have had a lot of involvement with this type of warehouses, and you get a lot of truck and/or tractor trailer traffic. Do you have permission to exit from this property into the cul-de-sac at the existing asphalt drive?

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Mr. Dagley: The applicant owns both lots. He owns the drive way, the existing building, and the boat storage there now. He is just replacing the boat storage with buildings.

Mr. Chason: My only concern is the traffic. They cannot turn around. They start backing up may make a mistake. I was looking for some other provision. Someone is going to pull his truck to the south end of the property, cannot turn around, and is going to try to back out. That was my only question.

Mr. Dagley: One thing we had to do on this is, is to meet with the Fire Marshal to make sure it was adequate for a fire truck to be able to turn around. If a fire truck can get in there, then we do not think we will have any problem with a truck. A tractor trailer may be a problem. I do not think you will get one in here. An U-Haul truck may be the biggest truck they would ever get. It is designed for a fire truck to turn around. The Fire Marshal has already approved that.

Chairman: Ms. Barnette.

Ms. Barnette: I am good. We had received a letter from an adjacent property owner highlighting the needs for Eagle Creek Subdivision. It is a residential area. I think the landscape plan that Ms. Jones requested addresses that.

Chairman: The property is accessing through a commercial/industrial park.

Ms. Jones: Would it be a problem if we did not allow access to Pollard Road? I know that at this time you are not looking to do that.

Mr. Dagley: I think the owner would have to answer that. I do not know. As far as what we are doing now, it would not be a problem. I think that is something we should not address at this time because it could be denied by the Planning Commission like the other thing, if it does come up. I do not think that is something I should be answering because I do not own the property.

Ms. Jones: You do have a proposed ingress and egress easement that is going to be recorded to allow access across Lot 16.

Mr. Dagley: Right.

Ms. Jones: Yes. Ms. Campbell, the Environmental Programs Manager, had issues with the BMP plan. Can you fill them in on that?

Mr. Dagley: Like I just said, the owner has retained Taylor Engineering to do all of that. They are on board now so that will be done according to the ADEM regulations.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Ms. Jones: It would have to be done before we will issue a site disturbance permit for the site, as well. Just a note, I would hope that whatever motion you make would include that they record the ingress and egress easement across Lot 16, ADEM permitting, and the BMP plan.

Chairman: And that we do not include access to Pollard Road as a part of this site plan approval.

Ms. Jones: And final approval of the drainage plan they submitted to us by the Public Works Director.

Mr. Terry: Why do we want to restrict access to Pollard Road? The way the lot is laid out it is made for that. If the owner would have wanted that to remain a green space, then he would have made that a separate lot.

Ms. Jones: Or is it a short cut rather than developing an access from inside a commercial park?

Chairman: Let me say this from my prospective. If that was a lot completely separate from the industrial park and that was the access, then that would be different. It is a flag lot, but now he owns this piece of property also. He is proposing to do an ingress and egress here so this is not needed.

Mr. Chason: What are the chances that we would have two applications in one night dealing with roads and your rights to them? If he wants to put in a road to Pollard Road, then he does not have to come back to us. He just does it.

Ms. Jones: Unless you restrict it like you just did on the last one.

Mr. Chason: You cannot put it in the motion.

Ms. Jones: Yes, you can.

Chairman: If this motion says no, I do not think he could.

Ms. Jones: You could say that it would have to come back to the Planning Commission, if they plan to open the access to Pollard Road.

Chairman: We could say they would have to come back to the Planning Commission for approval of the drive way.

Ms. Barnette: That was my question. Is there a request for that right now? We have a request from Ms. Jones to make sure the instrument is recorded. The ingress and egress then would be on the Lot 16 side. Right now, it is not presented as an access drive. It says that it is going to be sodded. I do not know if we need to restrict it. It would depend on the use.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Chairman: They would still have to come back to the Planning Commission. It would be a change in the site plan.

Mr. Chason: Is the owner here?

Mr. Dagley: He is not here, but a couple of his representatives are here.

Mr. Chason: You will have to have an ingress and egress easement across Lot 16. That will be there forever.

Mr. Chason: It appears to me that this was drawn with the anticipation, supposition, that he could sell off his warehouse portion of the property, and they could access it from Pollard Road. It appears that it is drawn that way. He may not be willing to give an easement that will run forever from Lot 16 to that warehouse complex. That is a very important question that he needs to answer.

Chairman: But that is his property. Lot 16 is his building.

Mr. Chason: Well, am I correct that we are heading toward a motion that requires an easement across Lot 16.

Ms. Barnette: Yes.

Mr. Chason: The man that has the authority to grant that is not here.

Ms. Barnette: They presented it that way. It is already on here. It is on the site plan. They are proposing to use Lot 16 as the access. That is why I said they have not presented access to Pollard Road.

Mr. Chason: Help me. Where does it say they have the right to cross Lot 16? I do not think the plan says that.

Chairman: The dotted area indicates a required nonexclusive ingress and egress easement to be granted from Lot 16 to 25.

Mr. Chason: All right. We have got to make sure that gets done. It is very important, Ms. Jones.

Ms. Jones: That is why I was saying that it has to be part of the motion.

Mr. Chason: We could pass it, but once we approve the site plan we will never see it again. It may not get recorded.

Chairman: That is what Ms. Jones said it needs to be recorded. Do the Commissioners have any further questions or comments? If there is no objection, the Chair will entertain a motion.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

A Motion was made by Mr. Chason and **Seconded** by Ms. Barnette *to approve the site plan for TSS Properties - Daphne Mini Storage, contingent upon providing a recorded copy of the nonexclusive ingress and egress easement across lot sixteen being provided to the Community Development Director, providing a copy of the ADEM permit/BMP plan to the Environmental Programs Manager, and the storm water drainage plan being approved by the Public Works Director. The Motion carried unanimously.*

Ms. Jones: Just a note, it will have to be submitted before we will issue a site disturbance permit because it is not a plat we will have to sign.

Mr. Chason: I stand corrected.

An **Amended Motion** was made by Mr. Chason and **Seconded** by Ms. Barnette *to approve the site plan for TSS Properties - Daphne Mini Storage, contingent upon providing a recorded copy of the nonexclusive ingress and egress easement across lot sixteen being provided to the Community Development Director, providing a copy of the ADEM Permit/BMP plan to the Environmental Programs Manager, and the storm water drainage plan being approved by the Public Works Director prior to the issuance of a site disturbance permit. The Motion carried unanimously.*

The next order of business is preliminary/final plat review for Tallent Lane Subdivision.

PRELIMINARY/FINAL PLAT REVIEW:

File SDPF12-03:

Subdivision: Tallent Lane

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

Location: Southeast of the intersection of Park Drive and Tallent Lane
Area: 27.85 Acres \pm , (2) lots
Owner: City of Daphne and Earth, Inc.
Engineer: Hutchinson, Moore & Rauch - Scott Hutchinson

An introductory presentation was given by Mr. Scott Hutchinson, representing Hutchinson, Moore & Rauch, requesting preliminary/final plat review of a twenty-seven point eight five acre subdivision consisting of two lots located southeast of the intersection of Park Drive and Tallent Lane. This is a two-lot subdivision that is the result of a lawsuit with the City of Daphne and Earth, Inc. One parcel will be broken into two lots. The City of Daphne will take one lot, and Earth, Inc. will take the other. There will be a fifty-foot right-of-way provided through the property. I will be happy to answer any questions you may have.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Chairman: Do any of the Commissioners have any questions or comments?

Mr. Bussey: Mr. Chairman, I would like to get this on the record. The presentation of this plat is pursuant to a joint settlement agreement reached in litigation with Earth, Inc. that has been concluded today.

Chairman: Did you have something, Ms. Barnette?

Ms. Barnette: I was just going to highlight the legal issues as Mr. Bussey just did.

Mr. Chason: Does the extension of Tallent Lane match up exactly? It appears that it is offset slightly to the east.

Mr. Hutchinson: It appears to be offset, but what you are actually looking at is the roadway.

Mr. Lemoine: Can someone elaborate on what Lot 1 will be used for?

Mr. Hutchinson: Lot 1 will be the lot owned by the City. I do not know if you have the aerial, but it is currently a dirt pit. Lot 2 will be the lot owned by the City of Daphne. I am sorry.

Mr. Lemoine: Who will own Lot 1?

Mr. Hutchinson: Lot 1 will be retained by Earth, Inc.

Mr. Lemoine: Is there any provision to prohibit him from going in and doing what he did on Lot 2?

Mr. Hutchinson: No sir. Mr. Bussey can clear that up.

Mr. Bussey: He will not be able to do that.

Mr. Lemoine: Until he starts doing it, and the City stops him again.

Mr. Bussey: He will not be able to do it.

Mr. Lemoine: Thank you. I appreciate that.

Chairman: Is there anyone here that would like to speak to this issue? The Chair opened public participation.

Mr. Don Ouellette: I am from Madison Place Subdivision. I am just curious as to where Tallent Lane is going to go. I want to know whether or not affects us.

Chairman: I do not have any idea.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Mr. Hutchinson: Obviously, there is not a plan for a roadway right now. It is simply to provide a right-of-way to the property to the south. The property to the west is the City of Daphne's property. It hopefully will be developed one day. If there, will be traffic through there someday? I am sure that it will. It is not tying into any road at this point. If someone to the south develops property, then I am sure they will be required to tie into it.

Mr. Ouellette: I believe that Caroline Woods Subdivision has plans for a road that this would tie into it.

Chairman: I know they put a stub out in that direction.

Mr. Chason: The master plan addressed that.

Chairman: The master plan had a stub out.

Mr. Ouellette: All that I am worried about is a lot of traffic going through Madison Place Subdivision. As long as it jogs a little bit like it is supposed to, then I will be ok.

Chairman: Is there anyone else? If there are no further comments, public participation is closed. Do any of the Commissioners have any further questions or comments? If there is no objection, the Chair will entertain a motion to table.

A Motion was made by Ms. Phelps and *Seconded* by Ms. Barnette to approve the preliminary/final plat review for Tallent Lane Subdivision. The Motion carried unanimously.

The next order of business is an administrative presentation for the Daphne Sports Complex.

ADMINISTRATIVE PRESENTATION:

SITE PLAN EXTENSION:

File SPE12-01:

An introductory presentation was given by Ms. Adrienne Jones, Director of Community Development, requesting an extension of time for the approval of the site plan for the Daphne Sports Complex in an effort to save time and money. None of the provisions have changed which would affect the design of the site. I think someone in the Public Works Department is looking into grants and somewhere down the line we want to get started with the park. We do not want the obstacle to be that the Planning Commission has not approved it.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Chairman: Do any of the Commissioners have any questions or comments?
What are you asking for one year from this date?

Ms. Phelps: Is it two years?

Ms. Barnette: I vote for two years.

Ms. Jones: Whatever you want to give it.

Mr. Terry: Do we need to make it retroactive?

Ms. Jones: Sure.

Ms. Barnette: Four years. Well, we approved it in 2008.

Chairman: That would be six years.

Ms. Jones: We might have to amend the Ordinance to have a caveat for City projects. Why pay the engineers to do it again?

Chairman: It is already done backwards.

Ms. Jones: Two years from now.

A Motion was made by Ms. Barnette and **Seconded** by Mr. Chason **to grant a two-year extension of the site plan for the Daphne Sports Complex set to expire on March 22, 2014. The Motion carried unanimously.**

The next order of business is public participation.

PUBLIC PARTICIPATION:

Chairman: Is there anyone who would like to address the Planning Commission?

No public participation.

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

ATTORNEY'S REPORT:

Mr. Bussey: No report.

The next order of business is commissioner comments.

COMMISSIONER'S COMMENTS:

Chairman: Do any of the Commissioners have any questions or comments?

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Ms. Barnette: I just have one. I know that Ms. Jones had money in the budget for the Comprehensive Plan. Didn't you?

Ms. Jones: I used the money for the grant.

Ms. Barnette: Never mind. We do need to do the Comprehensive Plan at some point. It is a campaign year so next year makes more sense anyway.

Ms. Phelps: Yes, I do. Just as a reminder to the Commissioners, all of those large parcels that are remaining to be developed along County Road 13, above U. S. Highway 90, and above Interstate 10 represent nineteen percent of our available watershed area which is left to be developed. I think as we are going forward with site plans and such we need to keep that in mind. There is a lot of pressure on the tributaries that are affected by those parcels.

Mr. Lemoine: I just have one comment that Ms. Jones and I discussed the other day with regard to Planning Commission participation. It is my understanding that almost all of the members of the Commission terms expire in October. Is that something we need to discuss?

Ms. Jones: The Mayor does the appointments so we will have to defer that to him.

Ms. Barnette: Who knows who the Mayor will be in October, well, November.

Mr. Lemoine: Can I bring up my situation now? As all of you know, I have been gone for three months. On April 14, 2012, I leave again for another three months. In fairness to everybody including the citizens of Daphne, it is going to mean that I may need to take a hiatus at some point in time very shortly. I just need some direction from Ms. Jones or the Commission as to what I should do. Should I resign or whatever, since there is going to be a new Mayor coming after the election. What is your pleasure?

Ms. Barnette: I asked Ms. Jones to look into this, and she did. It was not the answer that I was hoping for. I do not know if there is a way to amend our rules. The question was, can a Planning Commission member participate via a web cast? Ms. Jones had done some research preliminarily and came up with no. I did not know if there is a way that we could amend our By-Laws or something could be done to allow web casting. You could participate via a web cast. Ms. Phelps, who travels could block out the time. It is just the travel involved. Mr. Kirby could not tap in.

Ms. Jones: Mr. Kirby has an I-Phone.

Ms. Barnette: I think that it is something we need to continue to address or to work with our Legislature. If it is a rule change, in order to resolve it because I think we are going to continue to see it.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Ms. Barnette: We do have two Commissioners that are valuable Commissioners who could easily tap in if we were allowed the technology.

Chairman: That is something for legal to answer. I know in the past and in all of our seminars, we could not do proxies. We could not vote by proxy. I realize that is the newest and greatest thing, and I applaud the idea. You would be live, but you may be two or three thousand miles away. I do not know if that had to be a state law change.

Ms. Jones: That would have to be a Code of Alabama change.

Ms. Phelps: Getting the materials even when I am not here and making comments back to you, Ms. Jones, and my other Commission members, you know that I am touching base with the material and not out of sight and out of mind.

Chairman: We appreciate that too.

Ms. Barnette: My two cents would be to authorize Ms. Jones to send a letter to the City Council to request that a letter be submitted requesting the code change or at least a review of that need.

Ms. Jones: I think you would have to start with our City Council with a letter to our senator or representative.

Ms. Barnette: Whomever you want it to go to. If we could encourage Ms. Jones to take that to the City Council and to the appropriate chain of governmental authority expressing our need for that code change. As far as for Mr. Lemoine and for Ms. Phelps, I think they both have served Daphne admirably, and we have been able to accommodate both of your schedules. I would just stay on, evaluate your situation in October, and go from there. That is just my two cents.

Chairman: That would be my recommendation.

Mr. Lemoine: I agree with Ms. Phelps. If I could communicate on a regular basis via a web cast from here to Singapore that we should be able to do it from here to California. You are right. If it is a state law, wouldn't it affect the council members as well? That is the situation, as well, when a City Council member is out of pocket, but they could very easily participate in a council meeting.

Ms. Phelps: I would like it if you would stick around.

Mr. Lemoine: We disagree with each other once in a while, but I think we work together as a pretty good team. I actually enjoy doing this, and I would like to stay on. If it is not in the cards, then it will not be in the cards.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Chairman: Yes. We do. We thank you for your comments and concerns. We would like for you to stay. Motion to adjourn.

Ms. Jones: No.

The next order of business is director's comments.

DIRECTOR'S COMMENTS:

Ms. Jones: This has to be on the record for Richard Johnson, the Public Works Director. They are going to submit a grant for the Safe Routes To School Program. The program would entail four thousand nine hundred linear feet of new sidewalk to be installed on the west side of County Road 13. The sidewalk will connect to the sidewalk at the southwest corner of Whispering Pines Road and County Road 13, extend along the west rights-of way of County Road 13, and terminate at Tiawasee Boulevard. This is just to let you know that they are moving forward with the application. I think that it is on March 31, 2012 that it has to be sent off. Do you have any questions about that?

Ms. Phelps: That will go great with the new turn lanes.

Ms. Jones: That is one thing. Ms. Barnette, I just handed you a resignation from a supernumerary member and alternate from the Board of Zoning Adjustment. If Mr. Lemoine decides to resign because the Board meets so infrequently, we could use him on that.

Ms. Barnette: He is sticking around.

Ms. Jones: Next month Mr. Bussey is going to present an amendment to the Land Use Ordinance concerning telecommunication towers. The legislation has changed. I think we have some Federal Law changes so we need to insert a new paragraph. Also, I would like to present to you an official recommendation to change the Landscape Ordinance to address landscape plans so we do not have that issue again where a property in a business or commercial park does not have to have perimeter landscaping because of their use. Finally, I have the survey for the Low Impact Development grant that I am going to pass out to you. You can take it with you, and we can talk about it at our next meeting as well.

Mr. Bussey: Briefly, the Federal Government passed a law recently with regard to telecommunication towers. It necessitates a minor change to our Land Use and Development Ordinance so we are in compliance with the federal decree.

Ms. Jones: I was proud that Mr. Ron Scott, Councilman, brought up the fact that corridor along Alabama Highway 181 is a priority of the City Council. I remember mentioning to them in December that we were wanting to do that.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF MARCH 22, 2012
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Ms. Jones: Maybe at the next City Council session, we will have funding to move forward with that. I am happy to have all of you here. I know the Mayor is missing, but it has been a long time since we have had everyone else here. I am glad that you all made it. That is all that I have.

ADJOURNMENT:

Chairman: Do any of the Commissioners have any questions or comments? If there is no objection, the Chair will entertain a motion to adjourn.

There being no further business, the meeting was adjourned at 6:05 p.m.

Respectfully submitted by:



Jan Dickson, Planning Coordinator

APPROVED: March 22, 2012



Larry Chason, Vice Chairman



CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 26, 2012 REPORT
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

1. CALL TO ORDER DATE OF REPORT: APRIL 30, 2012
2. CALL OF ROLL DAN GIBSON, LARRY CHASON, CATHY BARNETTE, CHIEF
WHITE, DON TERRY, AND MAYOR YELDING
3. APPROVAL OF MINUTES:

Review of minutes for the regular meeting of March 22, 2012. (APPROVED AS SUBMITTED)
4. NEW BUSINESS:

A. PUBLIC HEARINGS:

1. 1st amendment to Ordinance 2011-54, Land Use and Development Ordinance, a revision to Article 19, Landscape and Tree Protection, Section 8 (b) perimeter area requirements (side and rear property lines) shall apply except, (delete where provided herein), and add in a planned business and/or commercial park zoned B-2, General Business, or C/I, Commercial/Industrial, where side yards and/or rear yards abut other property zoned B/2 or C/I. (FAVORABLE RECOMMENDATION TO CITY COUNCIL)
2. 2nd amendment to Ordinance 2011-54, Land Use and Development Ordinance, Article 32, Telecommunication Tower Provision, Section 3(d)(3)“(i): Any request for modification of an existing wireless tower and/or base station shall be approved unless the same shall increase the physical dimensions of the tower or base station by thirty percent (30%) or more”. (FAVORABLE RECOMMENDATION TO CITY COUNCIL)

B. SUBDIVISION PRELIMINARY EXTENSION:

File SDPE12-02: (TABLED UNTIL MAY 28, 2012)

Presentation to be given by Mr. Jay Dickson, representing Volkert & Associates, requesting an extension of time for the approval of the preliminary plat for Paradise Subdivision. The preliminary plat was approved by the Planning Commission on January 22, 2009. One year extension was granted on December 17, 2010 and January 27, 2011.

C. SITE PLAN REVIEW:

1. File S12-03: (APPROVED)

Site: Waffle House

Zoning(s): *B-2, General Business*

Location: Southwest of the intersection of U. S. Highway 181 and County Road 31 on Mill Lane

Area: 0.49 Acres ±

Owner: Baldwin AL., L.L.C. - Wayne Cave

Agent: W. H. Capital, L.L.C. - Russ Holland

Engineer: Rowe Surveying & Engineering - Don Rowe

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 26, 2012 REPORT
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

2. **File S12-04: (APPROVED, CONTINGENT UPON APPROVAL OF THE BOARD OF ZONING ADJUSTMENT)**

Site: Daphne Utilities Central Water Treatment Plant

Zoning(s): *R-1, Low Density Single Family Residential*

Location: Northeast of the intersection of Well and Pollard Road

Area: 0.75 Acres ±

Owner: Utilities Board of the City of Daphne - Danny Lyndall

Engineer: Volkert Engineering - Melinda Immel

D. **PC DISCUSSION: Low Impact Development Questionnaire (NO ACTION TAKEN)**

5. **PUBLIC PARTICIPATION**

6. **ATTORNEY'S REPORT**

7. **COMMISSIONER'S COMMENTS**

8. **DIRECTOR'S COMMENTS**

9. **ADJOURNMENT**

SET A PUBLIC HEARING DATE

JUNE 4, 2012

TO CONSIDER:

Amending the Land Use and Development Ordinance:

- a.) Landscape Provisions / 19-8(b)
- b.) Communications Tower Provisions / Add Section 32-3(d)(3)(i)

To: Office of the City Clerk

From: Adrienne D. Jones,
Community Development Director

MEMORANDUM

Subject: 1st Amendment to Ordinance 2011-54, Land Use and Development Ordinance, Article 19, the Landscape and Tree Protection, Section 8 and 2nd Amendment to Ordinance 2011-54, Land Use and Development Ordinance, Article 32, the Telecommunication Tower Provision, Section 3(d)(3)(i)

Date: April 30, 2012

At the April 26, 2012, regular meeting of the City of Daphne Planning Commission, six members were present. The motion carried unanimously for a **favorable recommendation** of the above-mentioned revision to the Land Use and Development Ordinance.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda of Monday, May 7, 2012 City Council agenda to set the public hearing for Monday, June 18, 2012.

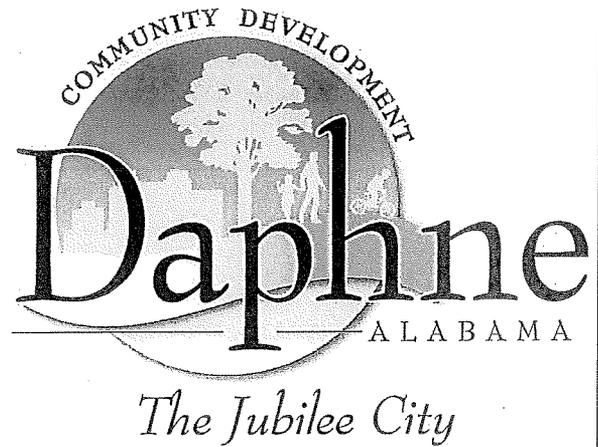
Thank you,
ADJ/jd

cc: file

attachment(s)

1. Community Development Report

Planning Commission



PUBLIC HEARING PROPOSED 1ST & 2ND AMENDMENT TO ORDINANCE #2011-54 LAND USE & DEVELOPMENT ORDINANCE

COMMUNITY DEVELOPMENT

Amendment #1: An amendment to the Landscape provisions of the LUDO

Rationale: The general purpose of landscaping goes beyond that of aesthetics, but rather it is intended to lessen the impact of incompatible or inharmonious land uses. Planned commercial or business park lots are likely to be compatible and in harmony to one another, therefore the addition of landscaping in perimeter areas of property zoned B-2 or C/I where adjoining other property with like-zoning would be excessive.

19-8(b) Perimeter area requirements (side and rear property lines) shall apply except ~~DELETE~~ where ~~provided herein~~. ADD in a planned business and/or commercial park zoned B-2 General Business or C/I Commercial/Industrial where side yards and/or rear yards abut other property zoned C/I or B/2.

Amendment #2: An amendment to the Communications Tower provisions of the LUDO

Rationale: In an effort to comply with a new federal law regarding telecommunications towers the following amendment is proposed for Article 32-3 Telecommunications Tower.

ADD: 32-3(d)(3)(i):

- (i) Any request for modification of an existing wireless tower and/or base station shall be approved unless the same shall increase the physical dimensions of the tower or base station by thirty percent (30%) or more.

**CITY OF DAPHNE
ORDINANCE NO. 2012 ____**

**AN ORDINANCE ADDING/AMENDING THE CITY OF DAPHNE, ALABAMA
LAND USE AND DEVELOPMENT ORDINANCE 2011-54, as ADOPTED by the CITY
COUNCIL ON JULY 18, 2011**

WHEREAS, the City Council of the City of Daphne, after due consideration believes that certain revisions to the City of Daphne Land Use & Development Ordinance are necessary for the proper administration of said Ordinance; and

WHEREAS, The City of Daphne Planning Commission reviewed such changes at its regularly scheduled Commission meeting on the 26th day of April, 2012, and has made a favorable recommendation for adoption to the City Council; and

WHEREAS, due notice of said proposed amendment has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public Hearing was held before the City Council on June 4, 2012.

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

SECTION I: AMENDMENT

That Article XIX entitled "*Landscape and Tree Protection*", denoted as section 19-8(b), and is hereby deleted in its entirety and is replaced as follows:

19-8(b) the following apply:

(b) Perimeter area requirements (side and rear property lines) shall apply except in a planned business and/or commercial park zoned B-2, General Business or C/I, Commercial/Industrial where side yards and/or rear yards abut other property zoned C/I or B-2.

- i. Either overstory or understory trees shall be planted for every fifty (50) feet of the perimeter property lines. Perimeter areas are side and rear property line landscape setbacks.
- ii. Side and rear property lines shall have a six (6) feet greenbelt.

SECTION II: AMENDMENT

That Article XXXII entitled "*Telecommunication Towers and Facilities Provisions*", denoted as section 32-3(d) 3, shall include a new subsection (i) which shall provide as follows:

- (i) Any request for modification of an existing wireless tower and/or base station shall be approved unless the same shall increase the physical dimensions of the tower or base station by thirty percent (30%) or more.

SECTION III: CONFLICT WITH OTHER ORDINANCES

That any Ordinance heretofore adopted by the City Council of Daphne, Alabama, which is in conflict with this Ordinance, be and is hereby placed to the extent of such conflict.

SECTION IV. SEVERABILITY

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

SECTION IV: EFFECTIVE DATE.

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

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

**CATHY S. BARNETTE,
COUNCIL PRESIDENT**

**BAILEY YELDING, JR.,
MAYOR**

ATTEST:

**DAVID COHEN,
CITY CLERK, MMC**



Daphne Utilities

APPROVED MINUTES

Utilities Board Meeting

City of Daphne Council Chambers ♦ April 4 (March), 2012 ♦ 5:00 p.m.

I. Call to Order

The regular March 2012, Board meeting for the Utilities Board of the City of Daphne was held on April 4, 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
Bailey Yelding, Mayor
Lon Johnston

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
Ray Moore - 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 February 29, 2012:

The Chairman inquired if there were any corrections noted for the submitted Minutes from the February 29, 2012, Utilities Board meeting. No corrections were made.

MOTION BY Mayor Bailey Yelding to approve the Minutes for February 29, 2012; 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.

Mr. McElroy stated that since there has been no movement on these items that they would be removed until new information could be reported.

3. Discussion of Utilities' Board meeting schedule – Mr. McElroy stated that the Daphne Utilities' staff was fine with whatever the Board decides. Vice-Chairman Jenkins opened up the discussion. After the Board's input and discussion, it was decided to keep the Board meetings to remain on the monthly basis.

Chairman Segalla called for a Motion to change the meeting schedule from a monthly to a bi-monthly.

MOTION BY Ron Scott to change the Utility Board meetings from being held monthly to every other month; Secoded by Fenton Jenkins. By a show of hands,
AYE: JENKINS NAY: JOHNSTON, SCOTT, SEGALLA, YELDING ABSENT: ABSTAIN:
MOTION FAILED

Lon Johnston also commented that the public is entitled to a reasonable opportunity to attend the Utility Board meetings and voice their opinions.

VI. New Business

A. Recommendation of Award for the Floor Coating System for the Biosolids Facility Building

Mr. McElroy acknowledged the contract up for award and gave the floor to Melinda Immel of Volkert & Associates Inc. to explain the bid process and recommendation for this project to the Board.

MOTION BY Ron Scott to accept the recommendation and award the bid for the Flooring Coating System for the Biosolids Facility Building to Melvin Pierce Painting in the amount of \$67,850.00; Secoded by Lon Johnston.
AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA, 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 highlighted the financials for the Board. She pointed out the charts for the gas revenue, in particular, and noted that it has significantly dropped this year compared to the budget due to an unseasonably warm winter. She commented that the audit was still be prepared for presentation to the Board. Also, she notified the Board that insurance quotes are coming in and being reviewed, as well as informing the Board that a new billing system is being explored. Ron Scott asked if there was a reporting of the access securities of accounting audits. A discussion developed the financial impact of future catastrophic event based on the situation that previously happened at the Water Reclamation Facility. A request for an upcoming mid-year budget financial work session was discussed.

IX. GENERAL MANAGER'S REPORT

A. GM Report

Rob McElroy gave praise to Volkert & Associates for all their work they do for the Utilities and the Mobile Area Council of Engineers Project of the Year Award for the Water Reclamation Facility as well as Jim Caudle and his staff.

Drew Klumpp briefly updated the Board on the Lend-A-Hand program and recognized Daphne Utilities' vendor Kingdom Creations for her \$500 donation to the program.

Deloris Brown informed the Board that Daphne Utilities is participating in the E-Verify program.

Danny Lyndall introduced new natural gas employee Doug Brooks as well as informed the Board of another new employee Maurice Rasheed who will be working in the Warehouse with Earl Bolden. He advised the Board that the catastrophic event that took place at the Water Reclamation Facility has been completely corrected and thanked Jim Caudle, Art Anderson, Larry Jackson, Woodrow Maye and the employees involved in helping to rectify this situation without receiving a

single violation. Ron Scott gave thanks to the Utilities for supporting the Well Road project. Mayor Yelding also gave thanks to the Utilities for the continual community events support. Fenton Jenkins asked about the warranty on the “microwave” at the Water Reclamation Facility. Melinda Immel responded to his questions.

Melinda Immel of Volkert & Associates had nothing further to add to her report.

Doug Bailey of HMR updated the Board that the punch-list items for the Well Road project are being addressed.

- x. **BOARD ACTION – Resolution 2012-2 - A Resolution of the Utilities Board of the City of Daphne for authorization of the Utilities Board Chairman to Approve Pricing of the Refinancing of the 2003 Bond Issue.** A representative from Gardnyr, Michael Capital, Inc., David Langham, gave a presentation to the Board for the Resolution that was being proposed. After an explanation, he clarified that this resolution proposes is authorization by the Chairman to sign the bond purchase agreement when the bond are priced, which will be the following Tuesday. Mr. Scott added that this is a tenure bond.

MOTION BY Lon Johnston to approve Resolution 2012-2 A Resolution of the Utilities Board of the City of Daphne for authorization of the Utilities Board Chairman to Approve Pricing of the Refinancing of the 2003 Bond Issue; Seconded by Mayor Bailey Yelding.
AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA, YELDING ABSENT: ABSTAIN:
MOTION CARRIED

- XI. **PUBLIC PARTICIPATION** – Larry Jackson thanked the Board for the support of the new Central Services Facilities.

- XII. **BOARD COMMENTS** – None.

- XIII. **ADJOURNMENT** –

MOTION BY Mayor Bailey Yelding to adjourn the meeting; Seconded by Fenton Jenkins.
AYE: JENKINS, SEGALLA, YELDING ABSENT: JOHNSTON, SCOTT ABSTAIN:
MOTION CARRIED

The meeting adjourned at 5:57 pm.



Daphne Utilities

APPROVED MINUTES

Utilities Board Special Meeting

Daphne Utilities Main Office ♦ April 24, 2012 ♦ 3:00 p.m.

I. Call to Order

The Special meeting for the Utilities Board of the City of Daphne was held on April 24, 2012 and called to order by Chairman Robert Segalla, at 3:00 p.m.

II. Roll Call

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

Others Absent:

Others Present: Teresa Logiotatos – Finance Manager
Lori May-Wilson – Executive Assistant

Others Absent:

III. New Business

A. Approval of Resolution 2012-05 – Resolution to Approve the 2012 Bond Issue

Mrs. Logiotatos explained to the Board that the approval of this Resolution to refund and refinance the 2003 Bonds resulted in a total savings of \$734,000 with a variable interest rate, an average rate of 2.07% for a 10 year period.

*MOTION BY Ron Scott to accept approve Resolution 2012-05 – Approval of the 2012 Bond Issue;
Seconded by Lon Johnston.*

AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA, YELDING

ABSENT:

ABSTAIN:

MOTION CARRIED

IV. BOARD COMMENTS – No additional Board comments were made.

V. ADJOURNMENT –

MOTION BY Ron Scott to adjourn the meeting; Seconded by Lon Johnston.

AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA, YELDING

ABSENT:

ABSTAIN:

MOTION CARRIED

The meeting adjourned at 3:03 pm.

**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

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

NOTES:

RECOMMENDATIONS

COUNCIL COMMENTS:

RESOLUTION 2012-34

2012-H-MAIN STREET RESURFACING: MCADAMS AVENUE TO BAYFRONT

WHEREAS, the City of Daphne is required under section 39-1-1(E) of the Code of Alabama to secure competitive bids for public works contracts in excess of \$ 50,000; and

WHEREAS, the City of Daphne acknowledges that MAIN STREET: MCADAMS AVENUE TO BAYFRONT will exceed \$50,000; and

WHEREAS, the City of Daphne did receive and review bids for the MAIN STREET: MCADAMS AVENUE TO BAYFRONT and has determined that the bid as presented is reasonable; and

WHEREAS, staff recommends the bid for MAIN STREET: MCADAMS AVENUE TO BAYFRONT be awarded to Hosea O. Weaver & Sons, Inc..

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid from Hosea O. Weaver & Sons, Inc. in the amount of \$815,642.10 as specified in BID SPECIFICATION NO. 2012-H-MAIN STREET: MCADAMS AVENUE TO BAYFRONT.

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

**RESOLUTION 2012-35
2012-I-WELL ROAD EXTENSION TO HIGHWAY 13**

WHEREAS, the City of Daphne is required under section 39-1-1(E) of the Code of Alabama to secure competitive bids for public works contracts in excess of \$ 50,000; and

WHEREAS, the City of Daphne acknowledges that WELL ROAD EXTENSION TO HIGHWAY 13 will exceed \$50,000; and

WHEREAS, the City of Daphne did receive and review bids for the WELL ROAD EXTENSION TO HIGHWAY 13 and has determined that the bid as presented is reasonable; and

WHEREAS, staff recommends the bid for WELL ROAD EXTENSION TO HIGHWAY 13 be awarded to Asphalt Services, Inc..

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid from Asphalt Services, Inc. in the amount of \$207,028.50 as specified in BID SPECIFICATION NO. 2012-I-WELL ROAD EXTENSION TO HIGHWAY 13.

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

**CITY OF DAPHNE
RESOLUTION NO. 2012-36**

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

WHEREAS, the city of Daphne shall heretofore by Ordinance adopt the 2012 Edition of the International Building Code, 2012 Edition of the International Residential Mechanical code, 2012 Edition of the International Plumbing Code, International Energy Efficiency Code 2012 and the 2011 Edition of the National Electrical Code: and the City of Daphne supplemental code to the 2012 International Residential Code.

WHEREAS, the International Code Council Incorporated has published the 2012 Edition of the International Building Code, 2006 Edition of the Residential Code, 2012 Edition of the International Fuel Gas Code, 2012 Edition of the International Mechanical Code, and the 2012 Edition of the International Plumbing Code, 2012 International Energy Efficiency Code, and the National Fire Prevention Association has published the 2011 Edition of the National Electric Code; and the City of Daphne has published the City of Daphne Supplemental Code to the 2012 International Residential Code.

WHEREAS, Section 11-45-8 of the Code of Alabama 1975 provides for the adoption of codes in book form upon compliance with the requirements of such Section; and

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

1. That a second public hearing shall be held on **June 4, 2012**, concerning the adoption of an Ordinance for the 2012 edition of the International Building Code, 2012 Edition of the International Residential Code, 2012 Edition of the International Fuel Gas Code, 2012 Edition of the International Mechanical Code, International Energy Efficiency Code 2012, 2011 Edition of the National Electric Code, City of Daphne Supplemental Code to the 2012 International Residential Code and all amendments thereof.
2. Said Ordinance shall provide for the amendment, deletion, and changes To the International Residential Code, Edition 2012, as follows:
 - a. The following section of the International Residential Code, edition 2012 is hereby revised in its entirety to read as follows:

R. 106.1 Submitted documents. Construction documents, special inspection and structural observation programs and other data shall be submitted in two sets with each application for a permit the construction documents shall be prepared by a registered design professional for all new residential homes and additions over

750 sq ft. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

EXCEPTION: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

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

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

**CATHY S. BARNETTE,
COUNCIL PRESIDENT**

**BAILEY YELDING, JR.,
MAYOR**

ATTEST:

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

**CITY OF DAPHNE
RESOLUTION NO. 2012-37**

**A RESOLUTION PROVIDING THE SCHEDULING OF A PUBLIC HEARING
TO CONSIDER THE ADOPTION OF THE 2012 INTERNATIONAL FIRE CODE
AS AMENDED BY REFERENCE**

WHEREAS, the International Code Council, Incorporated, has published the 2012 Edition of the International Fire Code; and,

WHEREAS, Section 11-45-8(c) of the Code of Alabama 1975, provides for the adoption of codes in book form upon compliance with the requirements of said Section; and,

WHEREAS, the City Council for the City of Daphne, Alabama, finds it to be in the interests of the health, safety, and welfare of the citizens of Daphne, Alabama, to adopt the 2012 Edition of the International Fire Code, as amended; and,

WHEREAS, the City of Daphne shall heretofore by Ordinance adopt the 2012 Edition of the International Fire Code, as amended; and

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

SECTION I: PUBLIC HEARING

That a second public hearing shall be held on **June 4, 2012** concerning the adoption of an ordinance for the 2012 Edition of the International Fire Code and all amendments thereto.

SECTION II: ENTIRE CODE, AS AMENDED, TO BE ADOPTED WITH SPECIFIC REVISIONS

Said Ordinance shall provide for the amendments, deletions, and changes to the 2012 Edition of the International Fire Code, as amended.

Pursuant to applicable law, the City of Daphne is permitted to repeal certain provisions of the 2012 Edition of the International Fire Code, as amended, and provide separate authority. Predicated on said authority, the following sections of the 2012 Edition of the International Fire Code, as amended, be and are hereby revised in their entirety to read as follows:

A.

Section 101.1 of the International Fire Code shall be repealed in its entirety and a new section 101.1 shall be added to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of Daphne, hereinafter referred to as “this code.”

B.

Section 103.1 of the International Fire Code shall be repealed in its entirety and a new section 103.1 shall be added to read as follows:

103.1 General. Bureau of Fire Prevention. There is hereby established a department to be called the Bureau of Fire Prevention and the person in charge shall be known in this Code as the Fire Code Official, who shall be the Fire Marshal of the City of Daphne. The function of the department shall be the implementation, administration and enforcement of the provisions of this code and amendments.

C.

Section 103.2 Appointment. Of the International Fire Code shall be removed in its entirety.

D.

Section 105.6.30 of the International Fire Code shall be repealed in its entirety and a new section 105.6.30 shall be added to read as follows.

Open Burning

No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained without a permit or other proper authorization.

No waste materials, rubbish, trees, bushes or brush cleared for construction or demolition of buildings or structures shall be disposed of by burning on the premises or in the immediate vicinity by the owner, the contractor, or any other person, unless a permit or other proper authorization has been obtained to burn said waste materials in an approved waste burner/incinerator.

The permit for each approved waste burner/incinerator shall be \$75.00

E.

Section 105.7.1 of the International Fire Code shall be repealed in its entirety and a new section 105.7.1 shall be added to read as follows:

Fixed Fire Extinguishing Systems Installation

No person shall engage in the business of installing fixed fire extinguishing systems without obtaining a permit from the Bureau of Fire Prevention.

No person shall install a fixed fire extinguishing system without obtaining a current City of Daphne business license.

No person shall be issued a permit to install fixed fire extinguishing equipment who does not possess a manufacturers certification for installation and servicing for the type system being installed and have a Certificate of Insurance, General Liability for \$ 1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

Any modifications made to a fixed system including adding additional flow points will require an installation permit.

A complete plan/drawing of the system and the devices that are being protected shall be submitted before a permit is issued and a copy shall be placed in the control box.

The technician who actually performs the installation of the fixed fire extinguishing systems shall legibly sign and date the service tag verifying that all work was done in compliance with current NFPA standards.

The Fire Code Official shall require certain operational tests upon final inspection.

The permit fee for each fire extinguisher system installation shall be \$75.00

Section 105.7.1.1

Servicing Fixed Fire Extinguishing Systems

No person shall engage in the business of servicing or inspecting fixed fire extinguishing systems without obtaining a permit from the Bureau of Fire Prevention. The permit is good only for that calendar year of which it is issued.

No person shall service or inspect a fixed fire extinguishing system without obtaining a current City of Daphne business license.

No person shall be issued a permit to service or inspect fixed fire extinguishing equipment who does not possess a manufacturers certification for installation and servicing for the type system being installed and have a Certificate of Insurance, General Liability for \$ 1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

Any modifications made to a fixed system including adding additional flow points will require an installation permit.

A complete plan/drawing of the system and the devices that are being protected shall be submitted before a permit is issued and a copy shall be placed in the control box.

The technician who actually performs the work of servicing or inspecting the fixed fire extinguishing systems shall legibly sign and date the service tag verifying that all work was done in compliance with current NFPA standards.

A permit is not required for follow up inspection or service, if a permit was received for that system in the same year. However a report shall be furnished to the Bureau of Fire Prevention upon completion of work being done.

The permit fee for servicing a fixed fire extinguisher system shall be \$75.00

F.

Section 105.7.6 of the International Fire Code shall be repealed in its entirety and a new section 105.7.6 shall read as follows:

Section 105.7.6

Fire Alarm System Installation

No person shall install a fire alarm system without having the plans reviewed by the Fire Code Official before commencing any part of the work. No person shall commence working on a fire alarm system without first obtaining a permit from the Bureau of Fire Prevention.

There is excepted from the requirements of this Section 105.7.4.1 installations in any building with single station detectors only.

Installer must possess a State Fire Alarm Permit issued by the State Fire Marshals office.

Any person or entity who designs fire alarm systems must possess a State Fire Alarm Permit issued by the State Fire Marshals office.

Licensed electricians may pull wire, mount ancillary equipment, and connect the main power to the control panel after a permit has been issued; but no one other than a qualified fire alarm installer shall be allowed to make any other connections inside the control panel.

A certified fire sprinkler installer may install devices integral to the operation of the fire sprinkler system, but shall not make and connections to the fire alarm system.

Upon final inspection, the NFPA Fire Alarm System Record of Completion form must be properly filled out and submitted to the Fire Code Official and a fire alarm system test must be performed in the presence of the Fire Code Official.

All fire alarm circuit disconnecting means shall have a red marking and shall be identified as "Fire Alarm".

Fire Alarm Control Units (FACU) will be located at the entrance of the building or provide an annunciator panel at the entrance and also indicate the location of the main panel.

The permit fee for installing a fire alarm system shall be \$75.00

Section 105.7.6.1

Servicing Fire Alarm Systems

No person shall engage in the business of servicing fire alarm systems without obtaining a permit from the Fire Code Official. The permit is good only for that calendar year of which it is issued. There is excepted from the requirements of Section 105.7.4 installations of the following types:

- (1) One and two family dwellings
- (2) Any buildings with single station detectors only.
- (3) Owners of buildings may maintain their own systems as long as their maintenance person is certified by the manufacturer of the installed equipment or has National Institute for Certification in Engineering Technologies (NICET) level II in fire alarms.

No person shall be issued a permit to modify, repair, test or service fire alarm systems who does not possess a State of Alabama Fire Alarm Permit issued by the State Fire Marshals office.

A service tag or sticker shall be required to be installed by the permitted alarm servicing individual or company at the control panel of each fire alarm system, stating the company's name, address, phone number, name of the technician performing the service, date and the type of service performed.

The permit fee to service a fire alarm system shall be \$75.00

G.

Section 105.7.7 of the International Fire Code shall be repealed in its entirety and a new section 105.7.7 shall be added to read as follows:

Fire Pumps Installation

Any person who installs fire pumps must be licensed by the Alabama State Fire Marshal's Office and approved by the Fire Code Official.

No person shall install a fire pump without first obtaining a permit from the Bureau of Fire Prevention.

Installer must possess a current City of Daphne business license and have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

Installer must have fire pump plans reviewed by the Fire Code Official before commencing installation.

All testing of the fire pump shall comply with NFPA 25. The Fire Code Official may require certain operational test upon final inspection.

The permit fee to install a fire pump shall be \$75.00

Section 105.7.7.1 shall be added to read as follows:

Servicing Fire Pumps

Any person who services, test or inspects fire pumps must be licensed by the Alabama State Fire Marshal's Office and approved by the Fire Code Official.

No person shall service, test or inspect a fire pump without first obtaining a permit from the Bureau of Fire Prevention.

The Person/Business who obtains the permit must possess a current City of Daphne business license and have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder

The permit fee to service, test or inspect a fire pump shall be \$75.00

H.

Section 105.7.17 shall be added to read as follows:

Portable Fire Extinguisher Service

No person shall engage in the business of servicing portable fire extinguishers without obtaining a permit from the Bureau of Fire Prevention. The permit is good only for that calendar year of which it is issued.

No person shall service portable fire extinguishers without obtaining a current City of Daphne business license.

No person shall be issued a permit to service a portable fire extinguisher that does not possess a manufacturer's service manual for the type of extinguisher being serviced, and have the proper training. They shall have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400 Daphne, AL 36526 listed as a Certificate Holder.

The technician who actually performs the work of servicing the portable fire extinguishers shall legibly sign and date the service tag verifying that all work was done in compliance with current NFPA standards.

The annual permit fee for portable fire extinguisher service shall be \$75.00

I.

Section 105.7.18 shall be added to read as follows:

Install Automatic Fire Sprinkler Systems

No person shall install, modify or repair an automatic fire sprinkler system without obtaining a permit from the Bureau of Fire Prevention.

Any person who installs or maintains fire sprinkler systems (hereinafter called in Section 402.35 "installer") must be certified by the Alabama State Fire Marshal's Office, and have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne, Bureau of Fire

Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

Installer must possess a current City of Daphne business license.

Installer must have sprinkler plans reviewed by the Fire Code Official before commencing installation.

Upon final inspection, the National Fire Protection Association (NFPA) Contractor's Material and Test Certificate for Aboveground Piping must be properly completed and submitted to the Bureau of Fire Prevention.

The Fire Code Official shall be present during the final inspection of the sprinkler system.

Relocating more than three (3) sprinkler heads in an existing fire sprinkler system shall require a permit from the Bureau of Fire Prevention.

The permit fee for each automatic fire sprinkler system installation shall be \$75.00

Section 105.7.18.1 shall be added to read as follows:

Servicing Fire Sprinkler Systems

No person shall service or inspect an automatic fire sprinkler system without obtaining a permit from the Bureau of Fire Prevention.

Any person who services or maintains fire sprinkler systems must be certified by the Alabama State Fire Marshal's Office, and have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

No person shall perform maintenance or testing on fire sprinkler systems unless that person is certified by the Alabama State Fire Marshal's office and approved by the Fire Code Official.

Installer must possess a current City of Daphne business license.

The permit fee for servicing a fire sprinkler system shall be \$75.00

The permit is good only for that calendar year of which it is issued.

J.

Section 105.7.19 shall be added to read as follows:

Additional Permits

Where work for which a permit is required by this code commences prior

to obtaining said permit, the permit fee herein specified shall be doubled.

It shall be required that a copy of all annual or semi-annual inspection reports be submitted to the Bureau of Fire Prevention with any and all deficiencies clearly noted.

All checks and money orders shall be made out to the City of Daphne.

All certifications whether they are manufacture or NICET must be current and not have expired.

General requirements for a permit are as followed:

1. Current city of Daphne Business license.
2. Current one million dollar (\$1,000,000) general liability insurance policy with the City of Daphne listed as a certificate holder, P.O. Box 400 Daphne AL 36526.
3. Approved by the Fire Code Official.
4. Current Training certificates.
5. Permit fee of \$75.00

K.

Section 109.4 Violation penalties.

Persons who shall violate a provision of this code, or shall fail to comply with any of the requirements thereof, or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a violation of the 2012 Edition of the International Fire Code, as amended, which is punishable by a fine of not more than Two Hundred (\$200) dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

L.

Section 307.2.1 of the International Fire Code shall be repealed in its entirety and a new section 307.2.1 shall read as follows:

Authorization.

Open burning shall only be allowed once a calendar month per address/ location during the months that outdoor burning is allowed by the State Air Quality Agencies. A permit must be obtained before any burning starts and all provisions of the burn permit shall be followed.

M.

Section 307.4.1 of the International Fire Code shall be repealed in its entirety and a new section 307.4.1 shall read as follows:

Bonfires.

A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition. Bonfire permits shall only be issued to organizations (Churches, Schools, and other Civic Groups) not to private individuals.

N.

Section 503.2.5 of the International Fire Code shall be repealed in its entirety and a new section 503.2.5 shall read as follows:

Dead ends.

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus per the provisions in accordance with Appendix D, Table D103.4. and figure D103.1.

O.

Section 505.1 of the International Fire Code that reads “Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inches” shall be repealed and shall read “numbers shall be a minimum of 5 inches high with a minimum stroke of 0.5 inches”.

P.

Section 506.1 of the International Fire Code shall be repealed in its entirety and a new section 506.1 shall read as follows:

Key boxes. Key boxes shall be installed in all buildings having an automatic fire sprinkler system, fire alarm system or any alarm that generates a fire department response. The Fire Code Official shall also have the authority to require a key box to be installed in an accessible location where access to or within a structure or area is difficult because of security. The key box shall be of and approved type and shall contain keys to gain necessary access as required by the Fire Code Official.

Q.

Section 507.5.1.1 of the International Fire Code shall be repealed in its entirety and a new section 507.5.1.1 shall read as follows.

Hydrant for Fire Sprinkler Systems and Standpipe Systems. Building equipped with a standpipe or fire sprinkler system installed in accordance with Section 903 and 905 shall have a fire hydrant within 100 feet of the FDC (fire department connection).

R.

508.5.7 Hydrant Outlet Location shall be added to read as follows:

Hydrants shall be installed with the center of the outlet cap nut at least 18 inches above the adjoining final grade.

S.

Section 905.3.1 of the International Fire Code shall be repealed in its entirety and a new section 905.3.1 shall read as follows:

Building height.

Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access. A class I, Manual Wet, standpipe system shall be installed in building where the floor level of the highest story is located more than 20 feet above the lowest level of the fire department vehicle access.

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

**CATHY S. BARNETTE
COUNCIL PRESIDENT**

BAILEY YELDING, MAYOR

ATTEST:

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

Resolution 2012-38

Recreational Trails Grant: Gator Alley Enhancement

WHEREAS, the City of Daphne proposes to construct a multi-use walking trail bridge to connect to the Eastern Shore Trail at Gator Alley to provide for the health and well-being of the general public and be ADA compliant; and

WHEREAS, the city intends to make application to the Alabama Department of Economic and Community Affairs for grant assistance to continue to develop a walking trail by enhancing the Eastern Shore Trail at Gator Alley from the Recreational Trails Grant Program; and

WHEREAS, said programs are limited to funding a maximum of eighty percent or (\$100,000) of the proposed project cost estimates at (\$121,050) which will be used to develop the boardwalk at Gator Alley connecting to the Eastern Shore Trail.

NOW THEREFORE BE IT RESOLVED, that the City of Daphne hold in reserve in excess of twenty percent (\$ 41,050) of the proposed project cost for the purpose of matching the Recreational Trails Grant Fund assistance, and

BE IT FURTHER RESOLVED, that in the event that a grant is awarded, the City of Daphne understands that it will sign assurances to comply with all applicable Federal and State laws, rules and regulations.

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

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk, MMC

ORDINANCE 2012-30

**APROPRIATION OF FUNDS FOR THE ASSISTANCE TO FIREFIGHTERS
GRANT AWARDED TO THE CITY OF DAPHNE'S FIRE DEPARTMENT**

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

WHERE AS, subsequent to the adoption of the Fiscal Year 2012 Budget, the City Council has determined that certain appropriation are required and should be approved and made part of the Fiscal Year 2012 Budget; and

WHERE AS, The City of Daphne's Fire Department submitted a grant application in 2011 for consideration in the Federal Emergency Management Agency's (FEMA) and Department of Homeland Security's (DHS) Assistance to Firefighters Grant; and

WHERE AS, FEMA and DHS approved and awarded the Assistance to Firefighters Grant to the City of Daphne's Fire Department in the amount of \$55,800 with the following cost sharing responsibilities:

90% Federal (\$50,220) + 10% City of Daphne (\$5,580) = \$55,800

WHERE AS, the Daphne Fire Department will be using the awarded grant funds for the purchase of following essential equipment:

- Thermal Imager Camera
- Self-Contained Breathing Apparatuses

NOW, THEREFORE, BE IT ORDAINED by the City Council (the "Council") of Daphne, Alabama (the "City"), that funds in the amount of \$5,580 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2012 Budget for the Assistance to Firefighters grant.

**APPROVED AND ADOPTED BY THE MAYOR & CITY COUNCIL OF THE
CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2012.**

**CATHY S. BARNETTE,
COUNCIL PRESIDENT**

**BAILEY YELDING, JR.,
MAYOR, CITY OF DAPHNE**

ATTEST:

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

ORDINANCE 2012-31

**PROFIT DRIVE EXTENTION & LAKE FOREST: RIDGEWOOD DRIVE-PHASE II:
APPROPRIATION OF DESIGN AND ENGINEERING FUNDS**

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

WHERE AS, 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 part of the Fiscal Year 2012 Budget; and

WHERE AS, the Profit Drive Extension – Profit Drive to Johnson Road (0.275 miles) and Lake Forest: Ridgewood Drive Phase II (1.2 miles) projects need to go out for bid; and

WHERE AS, Design and engineering services in the amount of \$106,445 are required to prepare these projects for bid:

• Profit Drive Extension	\$ 20,154
• <u>Lake Forest: Ridgewood Drive-Phase II</u>	<u>\$ 86,291</u>
TOTAL	\$106,445

WHERE AS, the City Council has determined it to be in the best interest of the City to obtain bids for these projects by unanimously passing a motion during the March 19, 2012 City Council Meeting authorizing the City to go out for bid on all Fiscal Year 2012 proposed City of Daphne Street Improvement Projects.

NOW, THEREFORE, BE IT ORDAINED by the City Council (the “Council”) of Daphne, Alabama (the “City”), that funds in the amount of \$106,445 from the Capital Reserve Fund are hereby appropriated and made a part of the Fiscal Year 2012 Budget for the design and engineering services for the Profit Drive Extension and the Lake Forest: Ridgewood Drive-Phase II projects.

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

**CATHY S. BARNETTE,
COUNCIL PRESIDENT**

**BAILEY YELDING, JR.,
MAYOR, CITY OF DAPHNE**

ATTEST:

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

ORDINANCE 2012 - 32

Main Street Resurfacing: McAdams to Bayfront - Mill & Overlay Road Project

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 City Council has determined it to be in the best interest of the City to obtain bids for this project and design engineering services in the amount of \$25,815 were previously approved.

WHEREAS, the Main Street – McAdams to Bayfront: Mill & Overlay Road project (2.54 miles) went out for bid; and

WHEREAS, an appropriation is needed for the cost of construction - \$815,642.10 and additional engineering fees - \$61,288 (*survey/testing/inspection...*). (*Total Project Cost - \$902,745.10*).

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$876,930.10 from the General Fund are appropriated to be transferred to Capital Reserve made a part of the Fiscal Year 2012 budget for the Main Street – McAdams to Bayfront: Mill & Overlay Road project.

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 2012-33

Well Road Extension to Highway 13

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, Well Road needs to be extended from Public Works Road to County Road 13 (.265 miles) and the project was bid; and

WHEREAS, the City Council has determined it to be in the best interest of the City to obtain bids for this project and \$21,930 was previously approved for design engineering services; and

WHEREAS, the project was bid and the cost for construction is \$207,028.50 and additional engineering & testing is \$30,400 (*Total Project cost is \$259,359.50*).

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$237,429.50 (*includes additional engineering + bid cost*) from the General Fund are appropriated to be transferred to Capital Reserve made a part of the Fiscal Year 2012 budget for the Well Road Extension project.

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