

**CITY COUNCIL BUSINESS MEETING AGENDA
BUSINESS MEETING
1705 MAIN STREET, DAPHNE, AL
OCTOBER 1, 2012
6:30 P.M.**

1. CALL TO ORDER

2. ROLL CALL/INVOCATION / PLEDGE OF ALLEGIANCE

3. APPROVE MINUTES: Council meeting minutes / September 17, 2012

PROCLAMATION: Literacy Awareness Week / October 1-7, 2012

PROCLAMATION: Blue Ribbon School Recognition / Daphne High School

MOTION: Special Called Council Meeting for October 22, 2012

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE / Boulware

B. BUILDINGS & PROPERTY COMMITTEE - Lake

C. PUBLIC SAFETY COMMITTEE – Boulware

Review minutes / September 12th

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Reese

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Conaway

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Jones

B. Downtown Redevelopment Authority – Barnette

C. Industrial Development Board – Conaway

Review minutes / September 24th

D. Library Board – Lake

Review minutes / May, June, July, August

E. Planning Commission – Barnette

F. Recreation Board – Reese

G. Utility Board - Scott

Review minutes / September 12th (Rescheduled August meeting)

6. REPORTS OF OFFICERS:

A. Mayor's Report

a.) Parade Permit / Prodissee Pantry "Turkey Trot" / 5K & 1 Mile Fun Run / October 26, 2013

b.) **MOTION:** To authorize the Mayor to enter into a contract with AT&T for "Cellular on Wheels" for a period of one (1) year at a rate of \$1,000 per month.

B. City Attorney's Report

C. Department Head Comments

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) Coastal Impact Assistance Programs Tier 1 – Watershed Hydrologic Model Development & Un-Named Tributary To D’Olive Creek Stream Restoration Grant. /Resolution 2012-75

ORDINANCES:

2ND READ

- a.) Revise Zoning Map. /Ordinance 2012-54
- b.) Repeal Ordinance 2009-25 / \$500,000 Annual Funding from the General Fund for Street & Road Infrastructure Projects /Ordinance 2012-55
- c.) Amending Job Classification Schedule: City Clerk Position /Ordinance 2012-56
- d.) Approve Personnel Restructure: Police Administrative Technician & Planning Administrative Technician Positions Pay Grade Change. /Ordinance 2012-57
- e.) FY 2013 Budget. /Ordinance 20123-58

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

**SEPTEMBER 17, 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 6:35 p.m.

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE:

The invocation was given by Councilman Lake.

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; James White, Fire Chief; Margaret Thigpen, Civic Center Director; Tonja Young, Library Director; David McKelroy, Recreation Director; Richard Johnson, Public Works Director; David Carpenter, Police Chief; Kim Briley, Finance Director; Vickie Hinman, Human Resources Director; Adrienne Jones, Planning Director; Christine Ciancetta, Deputy Finance Director; Ashley Campbell, Environmental Programs Manager; Bob Segalla, Utility Board; Willie Robison, BZA; Larry Cook, BZA; Al Guarisco, Village Point Foundation; Doug Bailey, Hutchinson, Moore & Rauch; Randy Fry, Councilmember elect, District 4; Robin LeJeune, Councilmember elect, District 6; Patrick Rudicell, Councilmember elect, District 2; Dane Haygood, Councilmember elect, District 7.

ABSENT: Richard Merchant, Building Official.

3. APPROVE MINUTES:

MOTION BY Councilwoman Conaway to adopt the September 4, 2012 council meeting minutes. Seconded by Councilman Scott.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Lake to adopt the September 4, 2012 Special Called Council meeting minutes / Canvass the Vote. Seconded by Councilman Conaway.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt the September 10, 2012 Council Work Session minutes. Seconded by Councilman Lake.

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

NAY NONE OPPOSED MOTION CARRIED

**SEPTEMBER 17, 2012
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PRESENTATION: David Tarwater / Support One Cent Sales Tax for Education /
Resolution 2012-74

Mr. Tarwater, Board of Education member elect, asked council to support the renewal of the one cent sales tax for education as they did back in 2010.

MOTION BY Councilman Scott to suspend the rules to consider Resolution 2012-74. Secoded by Councilman Palumbo.

ROLL CALL VOTE

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

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Councilman Scott asked the City Clerk to read Resolution 2012-74.

MOTION BY Councilman Scott to amend Resolution 2012-74 under Be It Resolved to delete the phrase “for a minimum of three years”. Secoded by Councilman Palumbo.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Palumbo to adopt Resolution 2012-24 as amended. Secoded by Councilman Scott.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

PROCLAMATION: “No Texting On Board – Pledge Day” / September 19, 2012

Councilwoman Conaway read and presented the proclamation to Ms. Gigi Albrecht, representative of AT&T.

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REGULAR CITY COUNCIL MEETING
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PUBLIC HEARING: Revision to Zoning Map

Mrs. Adrienne Jones gave the presentation of the changes to the map. This is the six month update that is required of actions already taken by council.

Council President Barnette opened the Public Hearing at 6:55 p.m.

No one spoke for or against the revisions.

Council President Barnette closed the Public Hearing at 6:55 p.m.

PUBLIC HEARING: Formal Program Amendment to the CDBG Grant / Sewer Extension to Highway 64

Mrs. Kim Briley explained that this is the close out of the grant, and this is the last sewer project the city will participate in with the Utility Board. The cost was \$1,187,107 and the funds from the grant was \$397,690.

Mr. Doug Bailey, Hutchinson, Moore & Rauch engineers for the project, said that 86 connections were planed and only 78 or 79 were connected.

Council President Barnette opened the Public Hearing at 6:57 p.m.

No one spoke.

Council President Barnette closed the Public Hearing at 6:57.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE – Boulware

The minutes for the September 10th meeting are in the packet

Treasurers Report / August 31, 2012

MOTION BY Councilman Boulware to accept the Treasurer's Report as of August 31, 2012, in the amount of \$18,192,429.52 Seconded by Councilman Scott.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

**SEPTEMBER 17, 2012
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Sales & Use Tax Collections / July 31, 2012

Sales and Use Tax Collected for July 2012 - \$898,560.
Sales and Use Tax Budgeted for July 2012 - \$897,527
Over Budget (for July) - \$ 1,033

YTD Budget Collections Variance – Over Budget - \$70,123.72

Lodging Tax Collections, July 31, 2012

The Lodging Tax Collections report shows \$79,417.80 collected for July 2012.

The next meeting will be October 8th at 4:00 p.m. in the Executive Conference room.

B. BUILDINGS AND PROPERTY COMMITTEE – Lake

The meeting has been rescheduled tentatively for Thursday.

C. PUBLIC SAFETY COMMITTEE – Boulware

No report.

D. CODE ENFORCEMENT / ORDINANCE COMMITTEE – Boulware

There was not a meeting this month. The social media and alcohol ordinances should be ready for the October meeting.

E. PUBLIC WORKS COMMITTEE/ SOLID WASTE AUTHORITY – Conaway

The minutes for the August 20th meeting are in the packet.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Adrienne Jones

The next meeting will be October 4th. The board still needs two (2) supernumerary members.

B. Downtown Redevelopment Authority – Barnette

The minutes for the September 6th meeting are in the packet.

C. Industrial Development Board – Conaway

The next meeting will be September 24th at 6:00 p.m.

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D. Library Board – Lake

The board met last Thursday, and the minutes will be in the next packet.

E. Planning Commission – Barnette

There was not a meeting in September. The Site Preview meeting is Wednesday, and the regular Planning Commission meeting is the fourth Monday of the month at 5:00 p.m.

F. Recreation Board – Reese

No report.

G. Utility Board – Scott

The minutes for the July 25th meeting are in the packet. The next meeting will be September 26th at 5:00 p.m.

6. REPORTS OF THE OFFICERS:

A. *Mayor's Report*

a.) Parade Permit / Daphne High School Homecoming Parade /
September 20, 2012

b.) Bounds Family YMCA / 5K & 1 Mile Fun Run / November 3, 2012

MOTION BY Councilman Scott to approve the Parade Permits for Daphne High School Homecoming Parade / September 20, 2012 and Bounds Family YMCA / 5K & 1 Mile Fun Run / November 3, 2012. *Seconded by Councilman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Council President Barnette asked Mr. Johnson to please make sure all the businesses know about the homecoming parade on Thursday.

B. *City Attorney Report*

Mr. Ross reported that there was a resolution to the Schaffer lawsuit.

C. *Department Head Comments*

David Carpenter – Police Chief – reported that due to the rain storm today there were a few traffic lights out, and a few accidents. They were busy due to the weather.

Margaret Thigpen – Civic Center Director – reported that they were getting ready for voting tomorrow.

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Mrs. Vickie Hinman – Human Resources Director - reported that there were two (2) positions open a communications officer and a PSW position, and both will close Wednesday at 5:00 p.m.

David McKelroy – Recreation Director – Brown Bag by the Bay starts in September 6th and goes through November 1st at May Day Park.

7. PUBLIC PARTICIPATION:

Mr. Willie Robison – 560 Stuart Street – reminded everyone that tomorrow was the vote on the amendment to the state constitution, the Honor Flight will be arriving back home Wednesday night at 8:00 p.m., and they will have one more flight in May, and he also mentioned that Mr. Terry Redfern has stage 4 brain cancer and asked that everyone remember him and his family in their prayers.

Mr. Kevin Spriggs – Business owner in Daphne – spoke regarding council voting in favor of the one cent sales tax for education calling it irresponsible, because they have not seen a budget to see how money is being spent. He also spoke regarding the city setting aside money for storm water improvements.

Mr. Rod Drummond – Ridgewood Drive – spoke regarding the sound upgrades saying he liked them because you can now hear. He also mentioned that all the copper tops to the posts at Bayfront Park are missing.

8. RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS:

RESOLUTIONS:

- a.) Repeal Resolution 2012-66. /Resolution 2012-68
- b.) Formal Program Amendment to the CDBG Grant /
Sewer Extension to Highway 64. /Resolution 2012-69
- c.) Accepting Property / Carvel & Margaret Deese. /Resolution 2012-70
- d.) Bid Award: Fire Pumper Truck / Sunbelt Fire Apparatus /Resolution 2012-71
- e.) Bid Award: Safety Shoes/Boots / Eastern Shore Shoe Hospital. /Resolution 2012-72
- f.) Authorize Application for ATRIP Funds. /Resolution 2012-73

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MOTION BY Councilman Scott to waive the reading of Resolutions 2012-68, and 2012-69, 2012-70, 2012-71, 2012-72 and 2012-73. *Seconded by Councilwoman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2012-68. *Seconded by Councilman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTIONBY Councilman Scott to adopt Resolution 2012-69. *Seconded by Councilwoman Conaway.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2012-70. *Seconded by Councilman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2012-71. *Seconded by Councilwoman Conaway.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2012-72. *Seconded by Councilman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2012-73. *Seconded by Councilman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

SEPTEMBER 17, 2012
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ORDINANCES:
1ST READ

- a.) **Revise Zoning Map. /Ordinance 2012-54**
- b.) **Repeal Ordinance 2009-25 / \$500,000 Annual Funding from
the General Fund for Street & Road Infrastructure Projects /Ordinance 2012-55**
- c.) **Amending Job Classification Schedule: City Clerk Position /Ordinance 2012-56**
- d.) **Approve Personnel Restructure: Police Administrative
Technician & Planning Administrative Technician Positions
Pay Grade Change. /Ordinance 2012-57**
- e.) **FY 2013 Budget. /Ordinance 2012-58**

ORDINANCES 2012-54, 2012-55, 2012-56, 2012-57 AND 2012-58

Council discussed Ordinance 2012-55.

9. COUNCIL COMMENTS:

Mayor Yelding commented on road improvements saying that the city has \$2.7 million from the 1st phase of ATRIP funds, there will be funds from the MPO for road projects, and the city borrowed \$3 million to finish the road improvements in Lake Forest. He said that they have paved Well Road out to Highway 13, and that they are applying for the 2nd phase of ATRIP funds due October 5th. He said when the economy picks up they can start putting money aside again for road improvements.

Councilwoman Palumbo – encouraged everyone to go to the polls tomorrow and vote on the amendment to the constitution.

Councilman Boulware said that it is important to discuss the city’s finances, and he commented on the ATRIP funds saying you cannot rely on the federal government to pay for improvements that it should come from the city.

Councilman Scott said that the new signalization at US Hwy 98 and County Road 64 will be installed in about three (3) weeks, and there will be cameras installed also.

Councilman Lake commented on Daphne’s finances through the years.

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Council President Barnette – said that her expressions of pain was not due to comments from her colleagues, but was due to a broke toe.

10. ADJOURN:

MOTION BY Councilman Lake to adjourn. *Seconded by Councilwoman Conaway.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

There being no further business to discuss the meeting adjourned at 7:47 p.m.

Respectfully submitted by,

David L. Cohen, City Clerk, MMC

Certification of Presiding Officer,

Cathy S. Barnette, Council President

PROCLAMATION

Literacy Awareness Week

WHEREAS, the Eastern Shore Literacy Council (ESLC) is a non-profit United Way organization providing adults and older teenagers with a second chance to gain an education and take charge of their lives; and

WHEREAS, since literacy is learned, illiteracy is passed along by parents who cannot read or write with one child in four growing up not knowing how to read; and

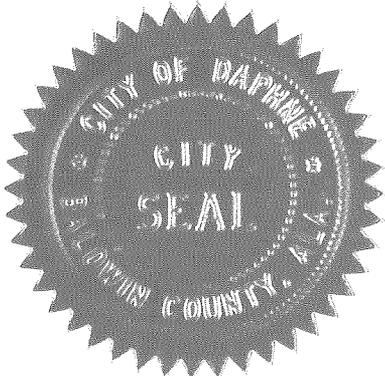
WHEREAS, the nationwide costs of illiteracy are staggering with over one million children dropping out of school each year at a cost of over \$240 billion in lost earnings, forgone tax revenues and expenditures for social services; and

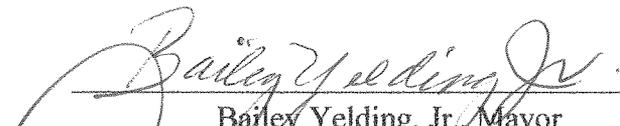
WHEREAS, according to the Department of Justice, “the link between academic failure and delinquency, violence, and crime is welded to reading failure” as over 70% of inmates in America’s prisons cannot read above a fourth grade level; and

WHEREAS, when the education level of adults improves, their children become more successful in school thereby improving their basic reading and writing skills has a direct and measurable impact on both the education and quality of life of their children; and

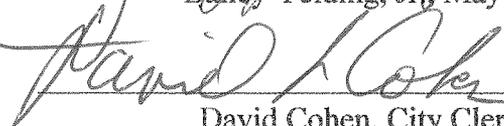
WHEREAS, ESLC services are provided by volunteer tutors and all programs of the ESLC are performed at no charge.

NOW THEREFORE, I, BAILEY YELDING, JR., by virtue of the authority vested in me as Mayor of the City of Daphne, Alabama, do hereby claim the week of **October 1ST, 2012, through October 7th, 2012**, as “**Literacy Awareness Week**” in our city in support of this wonderful program and in recognition of the outstanding service that ESLC volunteers provide for the citizens on the eastern shore.





Bailey Yelding, Jr., Mayor



David Cohen, City Clerk

Office of the Mayor
Daphne, Alabama

Proclamation

Daphne High School
Blue Ribbon School



WHEREAS, the U.S. Department of Education selected 269 schools as 2012 National Blue Ribbon Schools; and

WHEREAS, this recognition is based on their overall academic excellence or for making progress in improving student academic achievement levels; and

WHEREAS, in its 30-year history, the National Blue Ribbon Schools Program has bestowed this coveted award on nearly 7,000 of America's school; and

WHEREAS, approximately 219 public and 50 private schools will be honored at a recognition ceremony on November 12-13 in Washington, D.C.; and

NOW THEREFORE, I, Bailey Yelding, Jr., Mayor of the City of Daphne, proclaim our sincere congratulations to Daphne High School's faculty, staff and students. Our schools are the lifeblood and future of the community and used as a tremendous marketing tool for individuals, developers and industries moving to our area. We thank you for making this city look good! We are proud of you!



Bailey Yelding Jr.
Mayor Bailey Yelding, Jr.

David Cohen
David Cohen, City Clerk

**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

Public Safety Committee

Wednesday, September 12, 2012

Councilman Derek Boulware
Councilman Kelly Reese
Councilman Ron Scott
Fire Chief James White
Public Works, Melvin McCarley

Police Chief David Carpenter
Captain Scott Taylor
Captain Daniel Bell
Tracy Bishop - Secretary

Committee Members Attending:

Councilman Ron Scott, Councilman Kelly Reese, Councilman Ron Scott, Lt. Kenny Hempfleng, Chief James White, Melvin McCarley.

CALL TO ORDER

Councilman Scott convened the meeting at 4:30 p.m.

PUBLIC PARTICIPATION – No Public Participation, but Councilman Ron Scott spoke for citizen Tim Zielinski pertaining to requesting traffic strips on Lake Forest Blvd prior to the approach to Eagle Drive to curtail speeding. He lives at 106 Lake Forest Blvd. Councilman Scott asked Public Safety Committee Members if they thought that this would help with speeding and they agreed. Melvin agreed to install traffic strips at this location.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Minutes from July 11, 2012 – Councilman Reese made a motion to approve the minutes, Councilman Boulware seconded. Minutes from the August 8, 2012 meeting could not be approved due to there not being a quorum present at that meeting. Will vote on the August 2012 minutes at the October meeting.

POLICE DEPARTMENT

- A. **New Business** –Lt. Hempfleng went over the stats. Brookside subdivision is asking for a crosswalk and crossing guard for school age children. It was suggested that the city could extend a sidewalk from Stratford Glen to the western entrance of Brookside subdivision and have both subdivisions meet there to cross with a crossing guard.
- B. **Old Business** – None

FIRE DEPARTMENT

- A. **New Business** –Chief White went over his stats. He advised that he had gone before the Finance Committee earlier in the week and they agreed that the fire department needed another fire truck due to age, mileage, and maintenance on the existing trucks.
- B. **Old Business**–

OTHER BUSINESS : Councilman Lake wants an all way stop at intersection of Yacht Club Dr, Sea Cliff Dr., D'Olive Ct., and Sea Cliff Lane. Public Safety did not want it and did not think this was necessary and suggested to leave the intersection as is.

ADJOURN

There being no further business to discuss, Mr. Scott made a motion to adjourn the meeting at 5:00 p.m. The next meeting will be Wednesday, October 10, 2012 at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,
Daphne Public Safety Committee

A handwritten signature in cursive script that reads "Gary Bishop". The signature is written in black ink and is positioned below the typed name of the committee.

Patrol Division	Detective Division:	JAIL:	Animal Control	Crimes Reported This Month:							
(Capt. Bell/Lt. Hempfleng)	(Capt. Bell/Lt. Beedy)	(Capt. Taylor/Lt. Yelding)	(Capt. Taylor/Lt. Yelding)								
# Complaints	1,136	# New Cases Received:	61	Total Arrestees Received & Processed:	185	YTD	1,381	#Complaints	49	Arson	0
# Misd. Arrests	70	# Previous Unsolved Cases:	56	Arrestees by Agency:				#Follow-ups	94	Burglary - Commercial	1
# Felony Arrests	5	# Cases Solved:	39	Daphne PD	122	1,186		#Citations	3	Burglary - Residence	6
DDI Arrests	9	Resulting in Total Arrests:	13	BCSO	7	116		#Citizens	40	Burglary - Vehicle	7
Alias Warrant Arrests	29	Felonies:	13	Spanish Fort PD	33	400		#Fines Captured	26	Criminal Mischief	9
Citations	286	Misdemeanors:	0	Silverhill PD	16	129		#Canines Captured	24	Disorderly Conduct	0
Close Patrols	407	Houses Searched	0	Troopers	7	43		#Other Captured	2	Domestic Disturbance	34
Warnings	159			Other Agencies	0	7		#Returned to Owner	10	False Info to Police	2
Motorist Assists	276							#Adopted Out	10	Felony Assault	2
Roadway Accidents	70	Warrants:						#Euthanized	4	Felony Theft	16
Private Property Accidents	22	Served	42							Harassment	8
Traffic Homicide	0	Agency Assists	8	Highest	27	35				Identity Theft	4
		Recalls (Pd Fines)	9	Lowest	16	8				Indecent Exposure	1
DRUG REPORT		Total Warrants Served	59							Kidnapping	0
ROUTINE PATROL/SPECIAL OPS				Meals Served	1,769	17,016				Menacing	0
		Sex Offender:		Medical Cost	\$4,058.00	\$16,016.00				Misdemeanor Assault	1
# Misd. Marijuana Arrest	4	New Registration:	0	Worker Inmate Hours	137	1,652				Misdemeanor Theft	25
# Felony Marijuana Arrest	0	Contact Verification	4							Murder	0
# Controlled Substance Arrest:	1	Total # registered in Daphne	8							Other Death Investigations	5
# Drug Paraphernalia Arrest	3	DARE:								Public Intoxication	0
Vehicles Searched	19	# Hours Report Writing:	0							Public Lewdness	1
		# Students Instructed SRO	160							Receiving Stolen Property	1
Drugs Seized:	0	# Students Instructed DARE	75							Reckless Endangerment	2
Type:	0	# Police Reports by SRO	0							Resisting Arrest	1
Money Seized	0	# Arrest by SRO	0							Robbery	1
Vehicles Seized	0									Sex Crime Investigations	3
		CODE ENFORCEMENT:								Suicide	0
Commercial Vehicle Inspections	13	Warnings:	0							Suicide, attempted	2
		Citations	0							Theft of Services	0
		Warning Compliance	16							Unauthorized Use of Services	1
		Follow - Up	24							Weapon Offenses	0
										White Collar Crimes	1

David Camps

CITY OF DAPHNE
FIRE DEPARTMENT MONTHLY REPORT
 Report Period: July 2012

	Current:	FY to Date:
Suppression:		
1-Fire/Explosion:	-	-
10-Fire, Other	1	2
11-Structure Fire/Commercial	0	6
11-Structure Fire/Residential	3	10
12-Fire in Mobile Property used as fixed structure	0	1
13-Mobile Property (vehicle) Fire	0	8
14-Natural Vegetation Fire	2	8
15-Outside Rubbish Fire	1	6
16-Special Outside Fire	1	1
17-Cultivated Vegetable Crop Fire	0	1
2-Overpressure Rupture:	0	1
3-Rescue Call and Emergency Medical Service Incidents:	145	1005
4-Hazardous Conditions (No fire):	5	25
5-Service Call:	22	98
6-Good Intent Call:	23	107
7-False Alarm & False Call:	30	151
8-Severe Weather & Natural Disaster:	3	5
9-Other Situation:	0	1
Total Emergency Calls:	236	1374
Monthly Total Calls:	244	1464
Highest:		
	18:00	18:00
Lowest:		
	<1:00	<1:00
Average (Minutes/Seconds) :		
	5:09	5:09
Miscellaneous Reports:		
Training Hours	214.12	3226.87
Property Loss - \$	38,300.00	568,200
Fire Personnel Injuries by Fire/Civilian Injuries by Fire	0	2
Advance Life Support Rescues	180	738
Number of Patients Treated	137	932
Child Passenger Safety Seat Inspections/Installations	13	71
Pre-Plans	32	1242
Classes		
	0	0
Persons Attending		
	0	0
Plan Reviews		
	3	59
Final/Certificate of Occupancy		
	0	0
General/Annual Inspections		
	6	69
General/Re-Inspections (Violation Follow-up - Annual)		
	40	102
Business Licenses		
	2	31
All Other/Misc. Activities		
	0	0
Total Activities:	51	322

Authorized by:

James White

**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:

**September 24, 2012
CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
6:00 P.M.**

1. CALL TO ORDER/ROLL CALL

Members present –Toni Fassbender, Doug Bailey, Dan Romanchuk, Dennis Kerney
Also present – David Cohen, Tommy Conaway, Dane Haygood

2. OLD BUSINESS

Update on Fortitude Business Solutions and discussed report.

3. TREASURERS REPORT

Dan Romanchuk gave the treasure’s report with total funds balance at \$243,685.49.

Motion by Mr. Bailey Seconded by Mr. Kerney To approve the treasure’s report.

ALL IN FAVOR NONE OPPOSED MOTION CARRIED

4. NEW BUSINESS

Mrs Fassbender passed out information on the Daphne Business Park off of Stanton Road and discussed the potential of doing a project there.

5. OTHER BUSINESS

None.

6. ADJOURN

Motion by Mr. Bailey Seconded by Mr. Romanchuk To adjourn.

ALL IN FAVOR NONED OPPOSED MOTION CARRIED

**THERE BEING NO FURTHER BUSINESS TO DISCUSS THE MEETING
ADJOURNED AT 6:45 P.M.**

Respectfully Submitted,

David L. Cohen, Secretary

Approved:

Toni Fassbender, Chairman

Daphne Public Library Board
Sept. 7, 2012

May, June, July, August - Meeting Minutes

May 2012

In Attendance:

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

1) Call to Order:

Meeting called to order at 4:07 pm.

2) Old Business:

Motion was made by Windrila to approve the April minutes. Motion was seconded by Andre. Motion passed.

3) Library Report:

Packets were distributed for the Board to complete prior to annual evaluation of the Library Director.

Tonja discussed the new copiers, new staff, Excel classes the library is offering to city employees, as well as press in the new Jubilee Breeze magazine and on the library website (www.daphnelibrary.org) and Facebook.

4) Board Discussion:

None.

5) Citizen Participation:

Jim discussed FODL issues concerning their bylaws. The Friends have agreed to support advertisement for the library in the Press-Register.

6) New Business:

A closed meeting will occur on June 7 rather than the regularly scheduled date of June 14th to accommodate holidays and vacations. This meeting will concern the annual evaluation of the Library Director. Copies will be made of the final evaluation report and distributed to all board members at a later date. A copy will be turned in to Mayor Yelding's office for approval and to be filed in the HR office.

The Board will not meet in July or August, but will resume meeting on Thursday, September 13 at 4:00 pm.

7) Adjourn:

Meeting was adjourned at 4:49 pm.

June, 2012: Closed meeting for evaluation.

July, 2012: Cancelled

August, 2012: Cancelled

Respectfully submitted by T. Young, Sept. 7, 2012



Daphne Utilities

APPROVED MINUTES

Utilities Board Meeting

City of Daphne Council Chambers ♦ September 12, (August) 2012 ♦ 5:00 p.m.

I. Call to Order

The regular August 2012, Board meeting for the Utilities Board of the City of Daphne was held on September 12, 2012 and called to order by Chairman Robert Segalla, at 5:02 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
Drew Klumpp – Administrative Services Manager
Lori May-Wilson – Executive Assistant
Melinda Immel – Volkert & Associates
Ray Moore - HMR

Others Absent: Deloris Brown – HR Manager

III. Pledge of Allegiance

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

IV. Approval of Minutes

A. Utilities Board Minutes from July 25, 2012:

The Chairman inquired if there were any corrections noted for the submitted Minutes from the July 25, 2012, Utilities Board meeting. No corrections were made.

MOTION BY Mayor Bailey Yelding to approve the Minutes for July 25, 2012; Seconded by Lon Johnston.

AYE: JENKINS, JOHNSTON, SCOTT, SEGALLA, YELDING

ABSENT:

ABSTAIN:

MOTION CARRIED

V. Old Business

No old business to note.

VI. New Business

A. Proposed Pay Grade Ranges for 2013 (last updated in 2010) (Requires Board Action)

Rob McElroy proposed to the Board an adjustment to the pay grade ranges and noted they had not been adjusted in two years and reminded the Board of the series of discussions concerning this issue. He then answered Lon Johnston’s question that the increase represents a 3-1/2% across the board, and as Chairman Segalla noted except for Grades 15 and 16. Mr. Johnston also inquired as to the number of employees that would be below minimum. Mr. McElroy explained that while there was not a pay raise approved for last year, it was discovered one employee’s salary was at the minimum. He stated that by merely increasing the salary ranges does not automatically increase anyone’s salary, it simply adjusts the ranges of salaries to keep in accordance with the industry standards. Mr. Johnston also inquired as to why a pay range change is currently being proposed given the sluggish economy and the wages generally being held down. Mr. McElroy explained that it was to have the window of opportunity when bringing new people into the company and to offer competitive wages for the industry and to also retain the outstanding employees necessary for the Utility. He also reminded the Board that since 2006, 14% of the workforce has been cut from the Utility, eliminating positions in their entirety, saving in excess of a million dollars in labor costs compared to a hiring freeze, going above and beyond for our customers as well as increased our level of performance and quality for our customers. Chairman Segalla commented that he has stated to Mr. McElroy and Mrs. Logiotatos previously that he is comfortable in keeping the salary/benefit ratio to revenue somewhere around 30%. Mayor Yelding inquired about the reduction in the workforce. Mr. McElroy reinforced that Daphne Utilities has never had a lay-off or fired anyone to reduce head-count and there is no intention of doing that; he explained that these are positions that become vacant, through retirement or an employee leaves the company, and it is decided not to fill the position. Mr. Scott agreed that the ranges need to be reviewed and adjusted.

MOTION BY Lon Johnston to approve the proposed Pay Grade Ranges for 2013,193.00; Seconded by Ron Scott.

AYE: Jenkins, Johnston, Scott, Segalla, Yelding ABSENT: ABSTAIN: MOTION CARRIED

Melinda Immel reviewed for the Board the bid project and award recommendation for the Improvements to the Daphne Utilities Central Water Plant.

MOTION BY Ron Scott to award the bid for Improvements to the Central Water Plant for Daphne Utilities to Double Diamond Construction Co., Inc. in the amount of \$813,000.00; Seconded by Lon Johnston

AYE: Jenkins, Johnston, Scott, Segalla, Yelding ABSENT: ABSTAIN: MOTION CARRIED

VII. BOARD ATTORNEY’S REPORT

Mr. Speegle had nothing to add to his report but recommended the Board convene for Executive Session for the purpose of discussing pending or threatened litigation for approximately 20 minutes at the conclusion of the regular meeting.

VIII. FINANCIAL REPORT

Teresa Logiotatos highlighted the financial reports for the Board. She explained the activity of capacity fee for Mr. Scott. She discussed further the financial summary. Mr. Johnston inquired as to grant money for the Utilities. Mr. Lyndall advised that the Utilities is exploring projects that would qualify for oil spill grant money, but the process is still currently being created.

IX. GENERAL MANAGER’S REPORT

A. GM Report

Rob McElroy noted that Board officer elections will be on the agenda for the September board meeting. He also informed the Board that he will not be in attendance due to a speaking appointment at a conference and that Danny Lyndall will be filling in for him.

Danny Lyndall introduced the new maintenance manager, David Sadberry.

Mr. Johnston asked about billing dates relative the new billing system conversion. Drew Klumpp indicated that billing cycles

should run continue in the same manner.

Danny Lyndall had nothing further to add to his report. Chairman Segalla expressed congratulations to Vanna Trott for her detailed work performance that resulted in outstanding results for the EPA DMR-QA 32 study.

Danny Lyndall reviewed for the Board the distributed and proposed September 7, 2012 Capital Improvement Plan. Mayor Yelding addressed an odor problem with Mr. Lyndall at the corner of US98 and Johnson Road. Mr. Lyndall advised that he would further investigate the issued. Mr. McElroy concluded the CIP review reiterating and confirming Mr. Johnston's comments of the average \$3million cost per year for these crucial projects.

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

Ray Moore of HMR had nothing further to add to his report.

X. BOARD ACTION –
Accomplished under "New Business"

XI. PUBLIC PARTICIPATION – None.

XII. BOARD COMMENTS – None.

The Board adjourned for Executive Session – 5:48 pm

MOTION BY Mayor Bailey Yelding to adjourn for Executive Session for the purpose of discussing pending or threatened litigation for approximately 20 minutes; Seconded by Lon Johnston

AYE: Jenkins, Johnston, Scott, Segalla, Yelding

ABSENT: ABSTAIN:

MOTION CARRIED

Executive session ended 5:48 pm.

XIII. 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 5:48 pm.

**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

CITY OF DAPHNE PARADE PERMIT

ORGANIZATION:	<i>Prodisee Pantry (Baldwin County's largest Non-Profit Food Pantry)</i>
CONTACT PERSON:	<i>Karen McVay</i>
ADDRESS:	<i>P.O. Box 7403 Spanish Fort, AL 36527</i>
PHONE NUMBER (HOME):	<i>251-621-1803</i>
PHONE NUMBER (BUSINESS):	<i>251-626-1720</i>
CELL NUMBER:	<i>251-510-1955</i>
E-MAIL ADDRESS:	<i>office@prodiseepantry.org</i>
TYPE OF PARADE:	<i>5K Race & 1 Mile Fun Run (Fund Raiser for the food pantry)</i>
DATE OF PARADE:	<i>Saturday, 10/26/2013</i>
ROUTE TO BE TRAVELED:	<i>See Attached Map (Same Route as 2011-2012)</i>
APPROXIMATE # OF PEOPLE & CARS:	<i>400</i>
START TIME:	<i>8:00</i>
STOP TIME:	<i>10:00</i>
ASSEMBLY AREA/STREET:	<i>Lott Park</i>
ASSEMBLY TIME:	<i>7:30</i>
SPECIAL INSTRUCTIONS:	<i>Streets Blocked Off</i>
DATE APPLIED:	<i>09/17/2012</i>
APPROVAL	
POLICE: Chief David Carpenter	
FIRE: Chief James White	
PUBLIC WORKS: Richard Johnson	
RECREATION : David McKelroy	
CITY COUNCIL APPROVAL: <i>10-1-12</i>	
SPECIAL INSTRUCTIONS:	
DATE ROUTED:	
NOTIFICATION	

CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

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

NOTES:

RECOMMENDATIONS

COUNCIL COMMENTS:

RESOLUTION 2012-75

RESOLUTION IN SUPPORT OF THE CITY OF DAPHNE'S COASTAL IMPACT ASSISTANCE PROGRAM'S (CIAP) TIER 1- WATERSHED HYDROLOGIC MODEL DEVELOPMENT & UN-NAMED TRIBUTARY TO D'OLIVE CREEK STREAM RESTORATION GRANT APPLICATION

Whereas the City of Daphne applied for CIAP assistance from the County in 2010 and was awarded Tier 1 grant plan status in 2011, and

Whereas, the restoration site on the un-named tributary to D'Olive Creek is located in the unincorporated area of Baldwin County which flows to Daphne, and

Whereas the landscape of this Watershed includes steep and rugged terrain with 23 miles of streams running through highly erodible soil types receiving, on average, five and a half feet of precipitation, annually, and

Whereas of the 23 miles of streams in this Watershed, two miles (including the stream segment to be restored) have been currently substantially degraded , four miles are currently undergoing degradation, and six face potential degradation, and

Whereas five streams in this Watershed, including the un-named tributary to D'Olive , are listed on the 2010 Alabama 303(d) list for impairment by siltation caused by changing land uses, and

Whereas, *The Comprehensive Watershed Management Plan for D'Olive Creek, Tiawasee Creek and Joe's Branch Watersheds of Baldwin County, Alabama* (D'Olive Watershed) recommends the development of a comprehensive watershed hydrologic model that will provide watershed managers a useful tool(s) to implement projects in the watershed and the restoration of severely impaired stream segments, and

Now, therefore be it resolved by the legislative body of the City of Daphne that it endorses the City's County CIAP grant application , and

Be it Further resolved that the City of Daphne willingly and in full support, agrees to allow City staff, including City Engineer and Environmental Programs Manager, to manage the grant, and

Be it Further resolved that the City of Daphne will assist in any additional engineering cost needed to develop the model and/or implement the stream restoration.

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2012.

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

CATHY S. BARNETTE, COUNCIL PRESIDENT

BAILEY YELDING, JR., MAYOR

ATTEST:

DAVID L. COHEN, CITY CLERK, MMC

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2012 -54**

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

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on July 26, 2012, favorably recommended to the City Council of the City of Daphne certain amendments to the Zoning District Map approved and adopted by the Daphne Land Use and Development Ordinance No. 2011-54 and amended by Ordinances No. 2011-73 and 2012-19; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance 2011-54 and Ordinances 2011-73 and 2012-19; and

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

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on September 17, 2012; and

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

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

SECTION I: ZONING DISTRICT MAP

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

SECTION II: REPEALER

Ordinances No. 2011-54, Appendix H "Exhibit A", Ordinances No. 2011-73 and 2012-19 is hereby repealed and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

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

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

**CATHY S. BARNETTE,
COUNCIL PRESIDENT**

**BAILEY YELDING, JR.,
MAYOR**

ATTEST:

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

ORDINANCE 2012-55

An Ordinance to repealing Ordinance 2009-25: \$ 500,000 annual Funding from the General Fund for Street and Road Infrastructure Projects

WHEREAS, Ordinance 2009-25 as adopted May 4, 2009, setforth annual transfers in the amount of \$ 500,000 from the General Fund to the Capital Reserve Fund for street and road improvement projects; and

WHEREAS, such amounts were budgeted in Fiscal 2010 and Fiscal 2011 and applied to Fiscal 2011 and Fiscal 2012 street and road improvement projects; and

WHEREAS, the City of Daphne issued the 2012 General Obligation Warrants which includes \$ 3,000,000 for street and road improvements; and

WHEREAS, furthermore, the City of Daphne has submitted and will submit additional applications for projects totaling no less than 80% of \$ 8,396,768 for ATRIP (Alabama Transportation Rehabilitation and Improvement Program) funding for various street and road infrastructure projects; and

WHEREAS, such \$ 3,000,000 from the 2012 General Obligation Warrants will be utilized to meet the City's 20% ATRIP match for such projects; and

WHEREAS, funds available in the 2012 Construction Fund and ATRIP will exceed the City's annual General Fund commitment of \$ 500,000 as approved in Ordinance 2009-25 for various street and road infrastructure projects; and

WHEREAS, since these new funding sources are available and will exceed the City's annual funding commitment, the City Council has determined that the \$ 500,000 transfers from the General Fund for such infrastructure projects are no longer required.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that Ordinance 2009-25 is hereby repealed with the funding source for the various street and road infrastructure projects being the 2012 Warrant Construction Fund and ATRIP funding.

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

Ordinance 2012-56

**An Ordinance Amending Job Classification Schedule:
City Clerk**

WHEREAS, Ordinance 2004-52 as adopted January 3, 2005 established the City of Daphne Job Classification Schedule; and

WHEREAS, in order to insure that the City's Job Classification Schedule remains current, Human Resources was charged with coordinating an annual review of a percentage of all jobs in order to determine whether revisions to the Job Classification Schedule are warranted; and

WHEREAS, the Archer Company has conducted such review and certain revisions are recommended for implementation; and

WHEREAS, Ordinance 2004-52 requires that subsequent revisions or amendments to the Job Classification Schedule be approved by the City Council.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that: 1) the reclassification and amendment to the City Clerk position as recommended by the Archer Company is hereby approved and funded at an annual cost of \$ 5,350 (*wages \$4,663 + benefits*) and 2) the following amendment is hereby incorporated into the City of Daphne Job Classification Schedule effective with the beginning of the second pay period in October 2012:

	<u>From Grade</u>	<u>To Grade</u>
City Clerk	23	26

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

Cathy S. Barnette, Council President

Bailey Yelding Jr., Mayor

ATTEST:

David L. Cohen, City Clerk, MMC

Ordinance 2012-57

**Personnel Restructure:
An Ordinance Approving Police Administrative Technician & Planning
Administrative Technician Positions Pay Grade Change**

WHEREAS, the annual budget as adopted by the City Council includes authorized and funded positions of Administrative Technician in the Police and Planning Departments; and

WHEREAS, two such positions have been reviewed by the Archer Company with the determination that these positions should more accurately be classified as Administrative Secretary within the existing Job Classification Schedule.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that:

- 1) the authorized positions of one Police and one Planning Administrative Technician be removed and unfunded and that both of these jobs be reclassified and funded as Administrative Secretary within the existing Job Classification Schedule; and
- 2) The grade change for these two positions will be from Grade 9 to Grade 10 with a total annual increase of \$ 6,850 (\$ 6,199 wages plus benefits). Planning: \$ 3,270 and Police: \$ 3,580; and
- 3) Such revision shall be effective beginning with the second pay period in October 2012.

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

Cathy Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk, MMC

ORDINANCE 2012-58

AN ORDINANCE ADOPTING THE FISCAL YEAR 2013 BUDGET

WHEREAS, the Mayor of the City of Daphne has submitted to the City Council a budget for Fiscal Year 2013 which begins October 1, 2012 and ends September 30, 2013; and

WHEREAS, the City Council has reviewed and considered such proposed budget; and

WHEREAS, the City Council believes that the proposed budget is a viable spending plan for the City during the next fiscal year; and

WHEREAS, the City's procedures require the adoption of the budget by Ordinance; and

WHEREAS, if the amounts budgeted for departmental operating items or purposes are not required to be utilized for such items or purposes, then these amounts may be expended for other departmental items or purposes, provided that the total amount of the adopted budget is not exceeded.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Daphne, Alabama, that the Fiscal Year 2013 budget as attached hereto and made a part hereof for Fiscal Year 2013 beginning October 1, 2012 and ending September 30, 2013 is hereby approved.

Approved and adopted on this the _____ day of _____, 2012.

Cathy S. Barnette, Council President

Bailey Yelding, Jr., Mayor

ATTEST:

David L. Cohen, City Clerk, MMC