

CITY COUNCIL BUSINESS MEETING AGENDA
1705 MAIN STREET, DAPHNE, AL
NOVEMBER 18, 2013
6:30 P.M.

1. CALL TO ORDER

2. ROLL CALL / INVOCATION / Reverend Jerry Bousard / Daphne Baptist Church

3. APPROVE MINUTES: Council meeting minutes / November 4, 2013
Council Work Session minutes / November 12, 2013
Council Strategic Plan minutes / November 12, 2013

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE - Conaway
Review minutes / November 12th

a.) Resolutions:

1. Bid Award: Crowd Control Barricades / Friedrichs Custom Mfg. / **Resolution 2013-55**
2. 2014 Severe Weather Preparedness Tax Holiday / **Resolution 2013-56**

b.) Financial Reports:

- Treasurers Report / October 31, 2013 / Draft
- Sales & Use Tax Collections / September 30, 2013 / Draft
- Lodging Tax Collections / September 30, 2013

B. BUILDINGS & PROPERTY COMMITTEE - Davis
Review minutes / November 4th

C. PUBLIC SAFETY - Rudicell

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Scott
Review minutes / November 13th

- a.) Rescind Ordinance 1991-12 / Providing for the Permitting of Massage Parlors / **Ordinance 2013-64**

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - LeJeune

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Adrienne Jones

B. Downtown Redevelopment Authority – Conaway

C. Industrial Development Board – Davis

D. Library Board - Lake

- a. Re-appoint Jim Bodman / Term October 1, 2013 – September 30, 2017
- b. Re-appoint Nancy Volovecky / Term October 1, 2013 – September 30, 2017

E. Planning Commission – Scott

F. Recreation Board - LeJeune

G. Utility Board - Fry

6. REPORTS OF OFFICERS:

A. Mayors Report

- a. Parade Permit / The Fieldhouse / 5K Color Me Run / January 4, 2014

A. City Attorney’s Report

Executive Session / Lamar Signs Lawsuit Update

C. Department Head Comments

D. City Clerk Report

- a. Discuss Appointing a Treasurer
- b. Rescind appointment of Councilman Joe Davis to the Special Care Financing Authority of the City of Daphne
- c. Appoint a director to the Special Care Financing Authority of the City of Daphne Term / November 18, 2013 and end at noon on November 17, 2016

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) **Declaring Certain Property Surplus...../Resolution 2013-54**
- b.) **Bid Award: Crowd Control Barricades...../Resolution 2013-55**
- c.) **2014 Severe Weather Preparedness Tax Holiday...../Resolution 2013-56**

ORDINANCES:

2ND READ

- a.) **Rezoning: Christ the King Catholic Church / Main Campus...../Ordinance 2013-62**
- b.) **Rezoning: Walter J. and Martin L. Pierce...../Ordinance 2013-63**

1ST READ

- a.) **Rescinding Ordinance 1991-12 / Providing for the Permitting of
Massage Parlors within the City Limits of the City of Daphne...../Ordinance 2013-64**

9. COUNCIL COMMENTS

10. ADJOURN

**CITY OF DAPHNE
CITY COUNCIL**

ROLL CALL

CITY COUNCIL:

COUNCILWOMAN CONAWAY	PRESENT___	ABSENT___
COUNCILMAN RUDICELL	PRESENT___	ABSENT___
COUNCILMAN LAKE	PRESENT___	ABSENT___
COUNCILMAN SCOTT	PRESENT___	ABSENT___
COUNCILMAN LEJEUNE	PRESENT___	ABSENT___
COUNCILMAN DAVIS	PRESENT___	ABSENT___
COUNCIL PRESIDENT FRY	PRESENT___	ABSENT___

MAYOR:

MAYOR HAYGOOD	PRESENT___	ABSENT___
---------------	------------	-----------

CITY CLERK:

REBECCA HAYES	PRESENT___	ABSENT___
---------------	------------	-----------

CITY ATTORNEY:

JAY ROSS	PRESENT___	ABSENT___
----------	------------	-----------

**NOVEMBER 4, 2013
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

Council President Scott called the meeting to order at 6:35 p.m.

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE:

Dr. Robert McKibben of the Daphne United Methodist Church gave the invocation.

COUNCIL MEMBERS PRESENT:

Tommie Conaway; Pat Rudicell; John Lake; Randy Fry; Ron Scott Robin LeJeune; Joe Davis, III.

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Sarah Toulson, Assistant City Clerk; Jay Ross, City Attorney; James White, Fire Chief; Margaret Thigpen, Civic Center Director; David McKelroy, Recreation Director; Richard Johnson, Public Works Director; Adrienne Jones, Community Development Director; David Carpenter, Police Chief; Mike Hinson, Finance Director; Tonja Young, Library Director; Vickie Hinman, HR Director; Richard Merchant, Building Official; Dorothy Morrison, Beautification Committee and Downtown Redevelopment Authority; Tomasina Werner, Beautification Committee; Larry Cooke, BZA; Selena Vaughn, Beautification Committee; Willie Robison, BZA; Kevin Boucher, Attorney, Adams & Reese; Kyle Navarro, Attorney, Adams & Reese.

Absent: Michael Hoyt, Municipal Judge.

3. APPROVE MINUTES:

October 21, 2013 Council meeting minutes

There being no correction to the October 21, 2013 Council meeting minutes the minutes stand approved as written.

October 28, 2013 Strategic Plan minutes

There were no corrections to the October 14, 2013 Strategic Plan minutes, and the minutes stand approved as written.

PROCLAMATION: “America Recycles Day” / November 16, 2013

Mayor Haygood read and presented the proclamation to Richard Johnson, Public Works Director.

**NOVEMBER 4, 2013
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

PUBLIC HEARINGS:

- 1. Rezoning: Walter J. and Martin L. Pierce**
Location: Across from the intersection of U.S. Highway 90 and County Road 13; adjacent to the proposed County Road 13 Interchange and Interstate 10
Present Zoning: R-3, High Density Single Family Residential District
Requested Zoning: B-2, General Business District
Recommendation: Unanimous Favorable for Parcel 1
Unfavorable for Parcel 2

Mrs. Adrienne Jones gave the presentation. Mr. Pierce handed out some information to council. Mr. Pierce agreed with the Planning Commission on Parcel 1 being rezoned to B-2, and Parcel 2 not being rezoned B-2.

Council asked some questions of Mrs. Jones and Mr. Pierce.

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

No one spoke for or against the proposed rezoning.

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

- 2. Rezoning: Christ the King Catholic Church / Main Campus**
Location: North of the intersection of Main Street and Van Avenue and Southeast of the Intersection of Guarisco and Trione Avenue
Present Zoning: R-2, Medium Density Single Family Residential District, R-3, High Density Single Family Residential District and B-2, General Business District
Requested Zoning: B-1, Local Business District
Recommendation: Unanimous Favorable

Mrs. Adrienne Jones gave the presentation.

Council President Scott opened the Public Hearing at 7:56 p.m.

No one spoke for or against the proposed rezoning.

Council President Scott closed the public Hearing at 7:57 p.m.

NOVEMBER 4, 2013
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

ELECTION OF COUNCIL OFFICERS

NOMINATION FOR COUNCIL PRESIDENT

Councilman Lake nominated Councilwoman Conaway

Councilman Rudicell nominated Councilman Fry

VOTE FOR COUNCILWOMAN CONAWAY

ROLL CALL VOTE

Conaway	Abstain	LeJeune	Aye
Rudicell	Nay	Davis	Aye
Lake	Aye	Scott	Nay
Fry	Nay		

AYE Lake, LeJeune, Davis

NAY Rudicell, Fry, Scott

ABSTAIN Conaway

MOTION FAILED

VOTE FOR COUNCILMAN FRY

ROLL CALL VOTE

Conaway	Nay	LeJeune	Aye
Rudicell	Aye	Davis	Aye
Lake	Nay	Scott	Aye
Fry	Abstain		

AYE Rudicell, LeJeune, Davis, Scott

NAY Conaway, Lake

ABSTAIN Fry

MOTION CARRIED

Councilman Fry is the new Council President

NOVEMBER 4, 2013
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

NOMINATIONS FOR COUNCIL PRESIDENT PRO TEM

Councilman Lake nominated Councilwoman Conaway.

Councilwoman Conaway thanked council for the privilege of service as Council President Pro tem for the last year, and being nominated again this year, but she declined the nomination.

Councilman Davis nominated Councilman Scott.
Councilman LeJeune nominated Councilman Rudicell.

VOTE FOR COUNCILMAN SCOTT

ROLL CALL VOTE

Conaway	Nay	LeJeune	Nay
Rudicell	Aye	Davis	Aye
Lake	Nay	Scott	Abstain
Fry	Aye		

AYE Rudicell, Fry, Davis

NAY Conaway, Lake, LeJeune

ABSTAIN Scott

MOTION FAILED

VOTE FOR COUNCILMAN RUDICELL

ROLL CALL VOTE

Conaway	Aye	LeJeune	Aye
Rudicell	Abstain	Davis	Aye
Lake	Aye	Scott	Aye
Fry	Aye		

AYE Conaway, Lake, Fry, LeJeune, Davis, Scott

NAY NONE OPPOSED

ABSTAIN Rudicell

MOTION CARRIED

Councilman Rudicell is the new Council President Pro tem.

**NOVEMBER 4, 2013
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Council President Fry chaired the remaining of the meeting.

4. REPORT OF STANDING COMMITTEES:

A. *FINANCE COMMITTEE* – Conaway

No report.

B. *BUILDINGS & PROPERTY COMMITTEE* - Davis

The committee met before the council meeting and the minutes will be in the next packet.

CHANGE THE NOVEMBER 11, 2013 WORK SESSION DUE TO VETERANS DAY

MOTION BY Councilman Davis to reschedule the November 11, 2013 Work Session to Tuesday, November 12, 2013 6:30 p.m. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY

C. *PUBLIC SAFETY COMMITTEE* – Rudicell

The next meeting will be next Wednesday at 4:30 p.m.

D. *CODE ENFORCEMENT/ORDINANCE COMMITTEE* – Fry

The next meeting will be November 13th following the Public Safety meeting.

E. *PUBLIC WORKS COMMITTEE* – LeJeune

The minutes for the October 21st meeting are in the packet along with the October 2nd Beautification minutes and the September 9th Museum minutes. The next meeting will be November 18th.

MOTION BY Councilman LeJeune to authorize the completion of the CR 64 sidewalk project, and begin the Lake Forest sidewalk project starting on Lawson Road. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

**NOVEMBER 4, 2013
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

5. REPORTS OF SPECIAL BOARDS & COMMITTEES:

A. *Board of Zoning Adjustments* – Adrienne Jones

The next meeting will be November 7th at 6:00 p.m.

B. *Downtown Redevelopment Authority* – Conaway

The minutes from the August 28th and October 24th meetings are in the packet.

C. *Industrial Development Board* – Davis

The board was unable to meet in October, and the next meeting will be November 25th at 6:00 p.m. They will be considering the By-laws and a one, three, and five year strategic plan.

D. *Library Board* – Lake

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

E. *Planning Commission* – Scott

The minutes for the September 26th meeting are in the packet. The commission will be considering the recommendations from the Sign Committee along with three areas the committee did not get to.

F. *Recreation Board* – LeJeune

No report. The next meeting will be November 13th at 6:30 p.m.

G. *Utility Board* – Fry

The next meeting will be December 4th.

6. REPORTS OF OFFICERS:

A. *Mayor's Report*

MOTION: Authorize the Mayor to approve the refinancing of bonds for Special Care Facilities Financing Authority of the City of Daphne with the refinancing being completed by or before December 31, 2013

MOTION: Rescind appointment of Carol Frush to the Special Care Facilities Financing Authority of the City of Daphne and appoint a new director

Mr. Ross stated that Mr. Edington who represents Westminster Village has not arrived and requested these two motions be considered later in the meeting after he arrives.

B. *City Attorney's Report*

Mr. Ross reported that he has received notice for a Summary judgment that is set for November 21st. He will give more details at the work session.

**NOVEMBER 4, 2013
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

C. Department Head Comments

David McKelroy – Recreation Director – reported the playoffs will be Friday at 7:00 p.m. Daphne will be playing Wetumpka, and if they win that game they will play McGill Toolen.

Margret Thigpen – Civic Center Director - election is tomorrow, there will be a Tourism meeting Thursday at 10:30 a.m., and the Black and White Ball is November 8th.

Richard Johnson – Public Works Director – reported the Planning Commission meeting is Thursday.

City Clerk Report – Rebecca Hayes –

- a.) Parade Permit / Connect Events & Chick-Fil-A of Daphne / Send Kids to Camp / February 8, 2014
- b.) Parade Permit / Apollo’s Mystic Ladies / Mardi Gras / February 21, 2014 / Rain Date February 27, 2014

MOTION BY Councilman LeJeune to approve the Parade Permits for Connect Events & Chick-Fil-A of Daphne / Send Kids to Camp / February 8, 2014 and Apollo’s Mystic Ladies / Mardi Gras / February 21, 2014 / Rain Date February 27, 2014. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

- c.) ***MOTION:*** The City Council recognizes the economic recession and the on-going impacts of the economic down-turn as it relates to businesses in the City of Daphne. The City Council hereby recognizes “The 180 Day Promotional Period for Commercial and Retail Establishments” beginning on November 27, 2013 and ending May 26, 2014. This motion may be rescinded in the future in the event new Sign Provisions are adopted as part of the Land Use & Development Ordinance.

NOVEMBER 4, 2013
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

MOTION BY Councilman LeJeune that the City Council recognizes the economic recession and the on-going impacts of the economic down-turn as it relates to businesses in the City of Daphne. The City Council hereby recognizes “The 180 Day Promotional Period for Commercial and Retail Establishments” beginning on November 27, 2013 and ending May 26, 2014. This motion may be rescinded in the future in the event new Sign Provisions are adopted as part of the Land Use & Development Ordinance. Seconded by Councilman Scott.

AYE Conaway, Rudicell, Fry, Scott, LeJeune, Davis, Fry

NAY Lake

MOTION CARRIED

7. PUBLIC PARTICIPATION

Mr. Willie Robison – 560 Stuart Street – thanked Mrs. Conaway and Mr. Scott for serving in their positions for the year. He congratulated Mr. Fry and Mr. Rudicell. Reminded everyone that the election is tomorrow.

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

NO RESOLUTIONS

ORDINANCES:

2ND READ

- a.) **Revisions to Employee Handbook / Chapters Two – Six. /Ordinance 2013-58**
- b.) **Transportation Alternative Program (TAP) Grant: Turnout/Overlook/
Drainage/Scenic Improvements. /Ordinance 2013-59**
- c.) **Amending Job Classification Schedule: Animal Shelter Technician. /Ordinance 2013-60**
- d.) **Authorization of Signatories. /Ordinance 2013-61**

NOVEMBER 4, 2013
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.

1ST READ

- a.) Rezoning: Christ the King Catholic Church / Main Campus. /Ordinance 2013-62
- b.) Rezoning: Walter J. and Martin L. Pierce /Ordinance 2013-63

MOTION BY Councilman Scott to waive the reading of Ordinances 2013-58, 2013-59, 2013-60 and 2013-61. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Ordinance 2013-58. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman LeJeune to adopt Ordinance 2013-59. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman LeJeune to adopt Ordinance 2013-60. *Seconded by Councilman Davis.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman LeJeune to adopt Ordinance 2013-61. *Seconded by Councilman Davis.*

MOTION CARRIED UNANIMOUSLY

ORDINANCE S 2013-62 and 2013-63 WERE MADE 1ST READ.

**NOVEMBER 4, 2013
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Mr. Ross stated that Mr. Edington has not arrived, so they can go ahead and consider the motion regarding the Special Care Facilities Financing Authority

MOTION: Authorize the Mayor to approve the refinancing of bonds for Special Care Facilities Financing Authority of the City of Daphne with the refinancing being completed by or before December 31, 2013

MOTION BY Councilman Lake to Authorize the Mayor to approve the refinancing of bonds for Special Care Facilities Financing Authority of the City of Daphne with the refinancing being completed by or before December 31, 2013. *Seconded by Councilman Scott.*

MOTION CARRIED UNANIMOUSLY

MOTION: Rescind appointment of Carol Frush to the Special Care Facilities Financing Authority of the City of Daphne and appoint a new director

MOTION BY Councilman Scott to rescind appointment of Carol Frush to the Special Care Facilities Financing Authority of the City of Daphne and appoint Councilman Joe Davis to the Special Care Financing Authority of the City of Daphne. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

9. COUNCIL COMMENTS:

Mayor Haygood – congratulated Mr. Fry and Mr. Rudicell, and he is looking forward to the Veterans Day celebration. He congratulated the Daphne Trojans as champs.

Councilwoman Conaway congratulated the new officers.

Councilman Rudicell thanked the council for their confidence, and thanked Councilwoman Conaway and Councilman Scott for their service.

Councilman Lake complimented the outgoing officers saying Mrs. Conaway handled the meetings with grace, and Mr. Scott for the way he handled the many situations that came up during the year.

Councilman Scott thanked Mrs. Conaway for her service. He appreciated serving over the last year.

**NOVEMBER 4, 2013
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Councilman LeJeune congratulated the new officers, and thanked the previous officers. He reminded everyone about Recycle Day, and thanked Richard Johnson for all his hard work. Public Works now has roll out cans now for recycling. They are on the road to making recycling self-sufficient.

Councilman Davis gave kudos to the Planning Commission on the report where developers, engineers, Ashley Campbell came up with a lift station solution. They can agree and disagree and move forward in the best interest of the city.

Council President Fry thanked Mr. Scott and Mrs. Conaway for all their help they have given in the past year. He appreciates all they have done. He also appreciates everyone's support. He congratulated Mr. Rudicell.

10. ADJOURN:

MOTION BY Councilman LeJeune to adjourn. Seconded by Councilman Davis.

MOTION CARRIED UNANIMOUSLY

**THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING
ADJOURNED AT 8:15 P.M.**

Respectfully submitted by,

Certification of Presiding Officer,

Rebecca A. Hayes,
City Clerk

Randy Fry,
Council President

**NOVEMBER 12, 2013
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

COUNCIL MEMBERS PRESENT: Tommie Conaway; Pat Rudicell; John Lake; Randy Fry; Ron Scott; Robin LeJeune; Joe Davis.

Also present: Mayor Dane Haygood; Rebecca Hayes, City Clerk; Jay Ross, City Attorney; Adrienne Jones, Community Development Director; Mike Hinson, Finance Director; Margaret Thigpen, Civic Center Director; Toni Fassbender, IDB; Pokey Miller, IDB, Denis Kearney, IDB; John Cox, IDB; Ken Balme, DRA; Selena Vaughn, Beautification Committee and Village Point Foundation.

Council President Scott called the meeting to order at 6:35 p.m.

1. PROPOSED LODGING TAX ORDINANCE

Councilman LeJeune gave a presentation regarding the proposed increase to the lodging tax. The tax would increase from 4% to 6%. He explained the reason is to have the money to help with the new recreation facilities. He explained the proposed breakdown of the lodging tax funds as follows:

- (a) Fifteen percent (15%) shall be paid quarterly and used for the purpose of providing funding to the Industrial Development Board for the action items, implementation of strategies, and tactics included in the then current Strategic Economic Development Plan as approved and adopted by the Daphne City Council.
- (b) Five percent (5%) shall be paid quarterly and used for the purpose of providing funding for the Downtown Redevelopment Authority.
- (c) Fifteen percent (15%) shall be paid quarterly and used for the purpose of continued bay front uses such as acquisitions, development and maintenance.
- (d) All debt service incurred for bay front property, which is approximately \$160,000.00 a year, will be paid from the lodging tax proceeds.
- (e) The remainder of the lodging tax proceeds shall be used for the purpose of ground related capital for recreation which does not include such items as trucks or the maintenance of fields.

Council discussed the proposed increase to the lodging tax, the share for Bayfront Park, and the increase for the IDB, and asked for justification for the increased funds.

Mrs. Toni Fassbender, Chairman of the Industrial Development Board (IDB), gave a presentation of the projects that the IDB has been involved with for the City of Daphne: Plus Diagnostics, paid rent for them for six months; Marjoram, tax abatement; Fortitude Business Solutions Call Center, paid rent for six months; Algae Systems, gave tax abatement. The board has about \$266,000, but it has taken 16 years to accrue these funds at the current five percent, but they still do not have enough funds to do anything. The board would like to have a five acre

**NOVEMBER 12, 2013
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

parcel to build a spec building to have something to offer a business that comes to the Baldwin County Alliance looking for something in Baldwin County, then the parcel will be in the Alliance's property database. If they don't prepare now for Air Bus now the city will be left behind. The Industrial Development Board voted in June to support a Strategic Plan, and are willing to pay to have it done. They want to support jobs and careers. The board appreciates all council does for the IDB.

Mr. Ken Balme, Vice Chairman of The Downtown Redevelopment Authority (DRA), gave a presentation outlining projects the DRA has been involved with, one being the mini-grants they have given out for improvements to the downtown businesses, for example paving the downtown parking lots, donating a Christmas tree for City Hall, advertising in local magazines which included downtown businesses. One goal they have put aside for the moment is putting the Main Street utilities underground.

Mr. Kevin Spriggs, owner of the Eastern Shore Motel, said that the city gets a better return on recreation than Bayfront Property. He said to take the money and use on improving the parks. It is not the governments job to bring jobs to the city.

Mr. Lee Gayle, representing the Hampton Inn, Hilton Gardens and Homewood Suites, said it was his experience that if you increase the lodging tax groups look at the bottom line in dollars. Daphne can out preform other cities because the taxes are lower. If the city increases the lodging tax it will put them at an economic disadvantage.

Councilman LeJeune said they can look and decide on division of the funds, but they need to support recreation or they will be more behind than they already are if they do not do something now.

Council President Fry said that this will be vetted again in a Public Hearing. They are not in a hurry to do anything in regard to the increase of the lodging tax.

2. DOWNSIZING COUNCIL PACKET

Mrs. Rebecca Hayes, City Clerk, discussed with council paring down the council meeting packet to exclude non-essential items and handing those out to council separately.

Consensus of Council was to keep the packet the same for now, and asked the City Clerk to research what other cities include in their packets. Council would like in the future to go paperless with the packet.

3. APPOINTMENT OF A TREASURER

Council discussed and asked the City Attorney questions regarding the duties of the Treasurer.

Consensus of Council was to put appointment of a Treasurer on the agenda for Monday's council meeting.

**NOVEMBER 12, 2013
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

4. AUXILLARY COMMITTEES AND BOARDS

Consensus of Council was to continue this subject at a later date.

5. APPOINTMENT TO SPECIAL CARE FINANCING AUTHORITY

Council President Fry stated that an elected official cannot serve on the board. The director has to be a qualified elector and an owner of real property.

For the record Councilman Davis was the one who found the error and brought this to the attention of the Mayor, City Attorney and Council.

Council President Fry asked council to think about nominations, and asked the City Clerk to put the appointment on the agenda for Monday's council meeting.

6. LAMAR SIGNS LAWSUIT UPDATE

Mr. Ross asked that the update be postponed until Monday's council meeting. He did say that the Summary Judgment set for November 21st has been rescheduled for December 2nd at 10:00 a.m.

Council President Fry asked that an Executive Session be on the agenda for Monday's council meeting.

7. ANYTHING ELSE DEEMED NECESSARY

There was no other business to discuss.

8. ADJOURN

There being no further business to discuss the meeting adjourned at 8:23 p.m.

Respectfully submitted by,

Rebecca A. Hayes,
City Clerk

Certification of Presiding Officer:

Randy Fry,
Council President

**NOVEMBER 12, 2013
STRATEGIC PLAN MEETING
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.**

Councilman Davis called the meeting to order at 5:30 p.m.

COUNCIL PRESENT: Pat Rudicell; John Lake; Randy Fry; Ron Scott; Robin LeJeune; Joe Davis.

ABSENT: Tommie Conaway.

ALSO PRESENT: Mayor Haygood; Rebecca Hayes, City Clerk; Margret Thigpen, Civic Center Director; Mike Hinson, Finance Director; Captain Scott Taylor, Police Department; James White, Fire Chief; Adrienne Jones, Community Development Director; Angie Phillips, Revenue Officer; Tim Patton; Selena Vaughn; Ken Balme.

ABSENT: Mayor Haygood.

1. PUBLIC PARTICIPATION

Tim Patton spoke regarding the history of proposed annexation of Chamberlain Trace Subdivision.

2. GOAL: ANNEXATION

Discussion was held on ways to present annexation to residents outside the city limits:

1. Can vote in municipal elections
2. Can run for office
3. Introduce Agricultural District
4. Amend Firearms Ordinance to exclude Agricultural District
5. Faster response for medical emergencies / City does not respond outside city limits

Mayor Haygood is working on a cost analysis for exercising the city's police jurisdiction.

Discussed the goal for annexation:

“Improve annexation efforts to maintain a unified, strategic approach which considers the best interests of citizens and potential citizens alike.”

Councilman Lake wanted to change the last of the sentence to read “best interests of citizens including quality of life.”

3. CITY MANAGEMENT

Councilman Davis postponed this item until the next meeting.

Council agreed to cancel the December 23rd meeting.

**NOVEMBER 12, 2013
STRATEGIC PLAN MEETING
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.**

4. WHATEVER ELSE IS DEEMED NECESSARY

There were no other necessary items to discuss.

The next meeting is November 25th after the Finance Committee meeting.

The meeting adjourned at 6:25 p.m.

Submitted by

Certification of Presiding Officer

Rebecca A. Hayes, City Clerk

Randy Fry, Council President

**REPORT
OF
STANDING COMMITTEES**

**CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
NOVEMBER 12, 2013
4:00 P.M.**

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:00 p.m. Present were Chairperson Mrs. Conaway, Councilman Ron Scott, Councilman Joseph Davis, Councilman John Lake, Mayor Dane Haygood, Finance Director Mike Hinson, Senior Accountant Suz anne Henson and Accounting Technician Sue Moody.

Also in attendance were Public Works Director Richard Johnson, Civic Center Director Margaret Thigpen, Fire Chief James White, and Police Captain Scott Taylor.

II. PUBLIC PARTICIPATION

A. Mr. Kevin Spriggs – Tax increases

Mr. Spriggs discussed that he was not in favor of any tax increases and noted the City should be pro-business.

III. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Vickie Hinman prepared the Human Resource Report that was included in the Finance Committee packet. Mrs. Henson noted that both Mrs. Hinman and Mrs. Hilburn were out of the office this afternoon and Mrs. Hinman had asked her to review the report including open position status.

Positions

Administrative Technician
Detective
Firefighter
Children’s Librarian
PSW, SR. (Streets)
PSW (Streets)
Corrections Officer
PT Library Aide (2)
Police Officer
PT S.A.I.L. Site Driver
SWW, Sr.

Status

Advertising thru 11/20
Testing 11/7
DOH: 10/31
DOH: 10/17
DOH: 10/31 (Internal)
DOH: 11/07
Testing: 11/15
DOH: 11/14 & Interviewing
Reviewing applications
Advertising thru 11/20
Internal advertising thru 11/13

Other Human Resources’ projects or meetings:

Safety Committee Meeting: October 30, 2013

America’s Recycle Day is Saturday, November 16- A family fun day with 5K race at 8:00 a.m. and activities for the family between 10 a.m. and 2:00 p.m.

Next Safety Committee meeting will be December 4, 2013.

HR projects/meetings:

- Employee Personnel Handbook revisions submitted to Ordinance Committee 11/13
- Written test for Detectives on November 7, 2013
- Written test for Corrections Officer on November 15, 2013
- HR conference in Mobile on November 8, 2013
- Munis training in Biloxi on November 15

Mrs. Henson noted that Finance and HR personnel would be attending the training in Biloxi on Munis.

IV. CURRENT BUSINESS

A. Financial Reports

1. Award of Financial Reporting Achievement: Fiscal Year 2012 CAFR

Mrs. Conaway discussed that the Certificate of Achievement for Excellence in Financial Reporting has been Awarded to the City of Daphne for its Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2012. Mrs. Henson noted this is one of the last projects that Mrs. Briley had worked on as Finance Director before she retired as well as the whole Finance Department and a project that Mayor Bailey Yelding supported as well since the reporting period was during his term as Mayor. Mrs. Henson reviewed the letter from GFOA (Government Finance Officers Association) which stated "*the Certificate of Achievement is the **highest** form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management*". Discussion was made concerning an official presentation of the award and that GFOA had listed contact information for the State GFOA representative in their correspondence in case the City wanted to request they make the presentation. Mr. Davis stated he thought the award should be presented by a CPA firm or a GFOAA representative. Mr. Lake asked if Mrs. Briley had been contacted and would be present for the award? Discussion continued on the award presentation. The Mayor noted that all the details of the presentation would have to be coordinated. Mrs. Henson noted the official award plaque should be received in approximately eight weeks.

2. Treasurer's Report: October 31, 2013 (DRAFT)

The Draft Treasurer's Report totaling \$16,026,869.47 was reviewed by Mrs. Henson. Mrs. Henson noted that this was a draft report since receipts are not entered through the end of October and that all bank statements have also not been received. Mrs. Henson noted that the 2012 Construction *Investment* Account was closed at the end of October and the balance was transferred to the 2012 Construction account. Mrs. Henson noted that there are a couple of projects still in process that will be paid from the 2012 Construction account. Mrs. Henson noted one of the Main Street projects had a final invoice submitted today for payment. Mrs. Henson noted the official Treasurer's Report would be included in next month's Finance Packet.

Motion will be needed after final report is presented.

3. Sales and Use Taxes: September 30, 2013 (DRAFT)

Mrs. Henson noted that this was a draft report since receipts are not entered through the end of October, they are currently entered through October 25th. Mrs. Henson noted that Fiscal Year 2013 sales tax collections were up approximately \$582,000. Mrs. Henson noted the Sales Tax information will be updated to include the reconciled numbers and included in next month's Finance Packet.

4. Lodging Tax Collections, September 30, 2013 (DRAFT)

Mrs. Henson noted that this was a draft report since receipts are not entered through the end of October. Mrs. Henson noted that collections for Fiscal Year 2013 appear to be up approximately \$30,000 from what was budgeted. Mrs. Henson noted the Lodging Tax information will be updated to include the reconciled numbers and included in next month's Finance Packet.

5. Report: New Business Licenses – October 31, 2013

Mrs. Angie Phillips reviewed the Business License report. Mrs. Phillips discussed updating the report to better reflect the actual new businesses vs new revenue accounts (tax only accounts). Mrs. Phillips noted that changing the format of the report would be more reflective of the business activity. Mr. Davis asked if the address of the businesses could be added to the report so everyone knows where they are located.

6. Bills Paid Reports – October, 2013

Mrs. Henson noted there are two reports: one for October invoices paid for FY2013 purchases and one for October invoices paid for FY2014 purchases. Mayor Haygood discussed how the Finance Department had been updating the Purchase Order and Accounts Payable check run process which has decreased his approval/review time and made the process more efficient. Mr. Davis noted that the Bills Paid reports are quite large and requested that a summary report be presented with only vendor totals. Mr. Lake noted he liked to see the detail. Discussion continued that one copy of the detailed report would be placed in the Council workroom and only a summary report would be included in the Finance packet.

B. Bids: (Resolution)

1. 2013-C-CROWD CONTROL BARRICADES

Mr. Johnson noted this is basically becoming an annual bid. Mr. Johnson stated this is the same company the bid contract has been previously awarded to and they have provided a good product and service to the City. Mr. Lake asked how many more barricades are needed before the complete Mardi Gras Parade route is covered. Mr. Johnson answered approximately 600 and that 300 are planned to be purchased this fiscal year so that leaves 300 remaining that need to be purchased.

Motion by Mr. Scott to adopt a resolution to award the Crowd Control Barricade bid to Friedrich's Custom Manufacturing, Inc. in the amount of \$98/barricade for orders 100+ and \$102/barricade for orders less than a quantity of 100. Seconded by Mr. Davis. Motion carried.

C. Amend Business License terms/minimums (Ordinance)

Mrs. Angie Phillips discussed proposed changes in the Business License terms/minimums and issuance fee to make the City of Daphne more consistent with the state. Mrs. Phillips discussed the current issuance fee for the City of Daphne is \$5 and that the state was \$5 then increased to \$10 in 2006 then to \$12 last year. Mr. Davis asked for an explanation on when an issuance fee is charged and how often. Mrs. Phillips explained the fee is collected each time a Business License is issued. Discussion continued that all businesses must renew their business license in January of each year. Mr. Hinson noted the fee is established to cover the administrative cost for the license (forms, printing, postage, labor...). Mrs. Phillips stated that all municipalities she has researched or spoke with are using the State standard to set their issuance fee. Discussion continued that this is still being discussed by the Ordinance Committee. Discussion continued that the minimum license is \$100, prorated is \$50 (+ \$5 issuance fee). Mr. Scott asked how much revenue is collected from business license. Mrs. Henson noted approximately \$1.6 million is collected annually. Mrs. Phillips noted that there are approximately 4,000 businesses. The Mayor discussed that terminology changes are needed to simplify and create more clarity in the ordinance. Mr. Davis noted the changes need to be reviewed along with justification for the proposed changes.

Mr. Davis and Mr. Scott agreed that more review is needed and the business community needs time to be notified. Mr. Scott noted that the budget has been adopted for FY2014 and that any changes should be made for the FY2015 budget. Discussion continued by Mr. Lake and Mrs. Phillips that Revenue only has two employees in their department since the downturn in the economy when the third employee was transferred to another department. Mr. Lake and Mrs. Phillips both discussed the need for a third employee.

D. 2014 Severe Weather Preparedness Tax Holiday, February 21-23, 2014 (Resolution)

Mrs. Conaway noted that the Resolution that needs to be adopted by Council if they choose to observe the 2014 Severe Weather Preparedness Tax Holiday was included in the packet.

Motion by Mr. Scott to adopt a resolution for the 2014 Severe Weather Preparedness Tax Holiday, February 21-23, 2014. Seconded by Mr. David. Motion carried.

E. Correspondence from donations made to outside agencies

Mr. Joe Davis stated he wanted to thank the Finance Department and other departments that have assisted in any donations the City has made: property, service, or monies. Mr. Davis noted that he had received several letters from organizations thanking the City for the donations. Mr. Davis noted the most recent letters were from the Mobile Correctional Center for a donation of a walk through metal detector and he also received a letter from Ruff Wilson Youth Organization.

V. OLD BUSINESS

VI. ADJOURN

The meeting was adjourned at 4:58 p.m.

Dane Haygood
Mayor

Vickie Hinman
Human Resources Director



The Jubilee City

Sherree Hilburn
Payroll and Benefits Coordinator

Sandi Cushway
Human Resources Assistant

November 7, 2013

HUMAN RESOURCES DEPARTMENT
ACTIVITY REPORT

Positions

Administrative Technician
Detective
Firefighter
Children's Librarian
PSW, SR. (Streets)
PSW (Streets)
Corrections Officer
PT Library Aide (2)
Police Officer
PT S.A.I.L. Site Driver
SWW, Sr.

Status

Advertising thru 11/20
Testing 11/7
DOH: 10/31
DOH: 10/17
DOH: 10/31 (Internal)
DOH: 11/07
Testing: 11/15
DOH: 11/14 & Interviewing
Reviewing applications
Advertising thru 11/20
Internal advertising thru 11/13

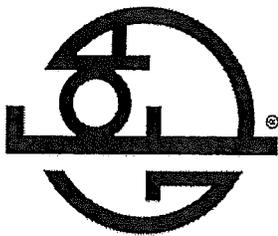
Safety Committee Meeting: October 30, 2013

America's Recycle Day is Saturday, November 15- A family fun day with 5K race at 8:00 a.m. and activities for the family between 10 a.m. and 2:00 p.m.

Next Safety Committee meeting will be December 4, 2013.

HR projects/meetings:

- Employee Personnel Handbook revisions submitted to Ordinance Committee 11/13
- Written test for Detectives on November 7, 2013
- Written test for Corrections Officer on November 15, 2013
- HR conference in Mobile on November 8, 2013
- Munis training in Biloxi on November 15



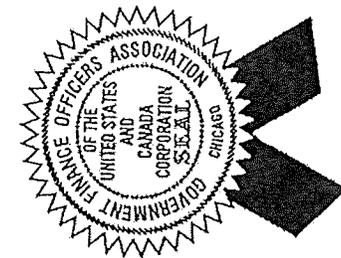
The Government Finance Officers Association
of the United States and Canada

presents this

AWARD OF FINANCIAL REPORTING ACHIEVEMENT

to

Kimberly M. Briley
Finance Director
City of Daphne, Alabama



The award of Financial Reporting Achievement is presented by the Government Finance Officers Association to the individual(s) designated as instrumental in their government unit achieving a Certificate of Achievement for Excellence in Financial Reporting. A Certificate of Achievement is presented to those government units whose annual financial reports are judged to adhere to program standards and represents the highest award in government financial reporting.

Executive Director

Date October 30, 2013



Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

October 30, 2013

Kimberly M. Briley
Finance Director
City of Daphne
PO Box 400
Daphne AL 36526-0400

Dear Ms. Briley:

We are pleased to notify you that your comprehensive annual financial report (CAFR) for the fiscal year ended September 30, 2012, qualifies for a Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Each entity submitting a report to the Certificate of Achievement review process is provided with a "Summary of Grading" form and a confidential list of comments and suggestions for possible improvements in its financial reporting techniques. Your list has been enclosed. You are strongly encouraged to implement the recommended improvements into the next report and submit it to the program. If it is unclear what must be done to implement a comment or if there appears to be a discrepancy between the comment and the information in the CAFR, please contact the Technical Services Center (312) 977-9700 and ask to speak with a Certificate of Achievement Program in-house reviewer.

Certificate of Achievement program policy requires that written responses to the comments and suggestions for improvement accompany the next fiscal year's submission. Your written responses should provide detail about how you choose to address each item that is contained within this report. These responses will be provided to those Special Review Committee members participating in the review.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. As the designated individual we have enclosed your AFRA.

Your Certificate of Achievement plaque will be shipped to you under separate cover in about eight weeks. We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release has been enclosed. We suggest that you provide copies of it to local newspapers, radio stations and television stations. In addition, details of recent recipients of the Certificate of Achievement and other information about Certificate Program results are available in the "Awards Program" area of our website, www.gfoa.org.

A current holder of a Certificate of Achievement may include a reproduction of the award in its immediately subsequent CAFR. A camera ready copy of your Certificate is enclosed for that purpose. If you reproduce your Certificate in your next report, please refer to the enclosed instructions. A Certificate of Achievement is valid for a period of one year. To continue to participate in the Certificate of Achievement Program it will be necessary for you to submit your next CAFR to our review process.

In order to expedite your submission we have enclosed a Certificate of Achievement Program application form to facilitate a timely submission of your next report. This form should be completed and sent (postmarked) with three copies of your report, three copies of your application, three copies of your written responses to the program's comments and suggestions for improvement from the prior year, and any other pertinent material with the appropriate fee by March 31, 2014.

Your continued interest in and support of the Certificate of Achievement Program is most appreciated. If we may be of any further assistance, please contact Delores Smith (dsmith@gfoa.org or (312) 578-5454).

Sincerely,
Government Finance Officers Association

A handwritten signature in cursive script that reads "Stephen J. Gauthier". The signature is written in black ink and is positioned above the typed name.

Stephen J. Gauthier, Director
Technical Services Center

SJG/ds



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**City of Daphne
Alabama**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

September 30, 2012

Executive Director/CEO

**DRAFT BALANCE PER BANK STATEMENTS
ALL RECEIPTS NOT ENTERED NOR
STATEMENTS RECONCILED AS OF 11/12/13**

TREASURER'S REPORT

As of October 31, 2013

TO: FINANCE COMMITTEE

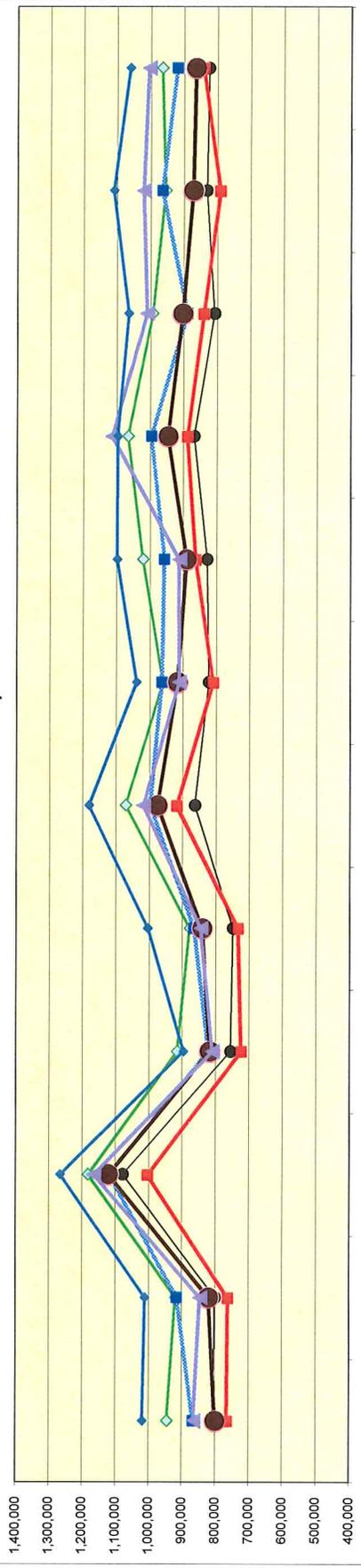
FROM: FINANCE DEPARTMENT

ACCT TITLE	BANK	BALANCE
GENERAL FUND & ENTERPRISE FUNDS		
MMA ACCT	COMPASS	\$6,201,521.84
OPERATING ACCT	COMPASS	(\$429,375.80)
PAYROLL ACCT	COMPASS	\$0.00
CREDIT CARD DONATION ACCT	COMPASS	\$500.00
(\$500 transf frm GF to open acct)		<u>\$5,772,646.04</u>
INVESTMENT FUND	RAYMOND JAMES	\$5,158,254.65
	(investment \$4,828,875.15)	
AGENCY FUNDS		
MUNICIPAL COURT	COMPASS	\$392,430.91
SPECIAL REVENUE FUNDS		
SAIL SITE	PNC BANK	\$6,595.48
4 CENT GAS TAX	PNC BANK	\$118,964.06
7 CENT GAS TAX	PNC BANK	\$407,247.44
		<u>\$532,806.98</u>
CAPITAL PROJECT FUNDS		
CAPITAL RESERVE	WELLS FARGO	\$1,616,749.20
2012 CONSTRUCTION	REGIONS	\$906,231.41
2012 CONSTRUCTION INVESTMENT ACCT	RAYMOND JAMES	\$0.00
(closed & balance transferred to 2012 Construction 10/28/13)		<u>\$2,522,980.61</u>
DEBT SERVICE FUNDS		
DEBT SERVICE	WELLS FARGO	\$1,647,750.28
		<u>\$16,026,869.47</u>

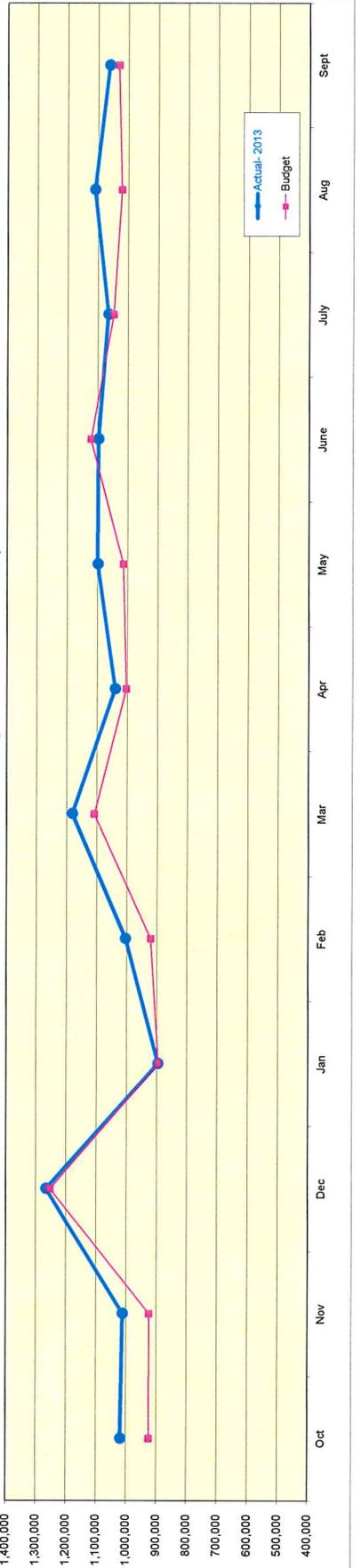
PRIOR YEAR BALANCE: October 31, 2012 \$18,412,777.21

Draft

Sales & Use Tax Comparisons



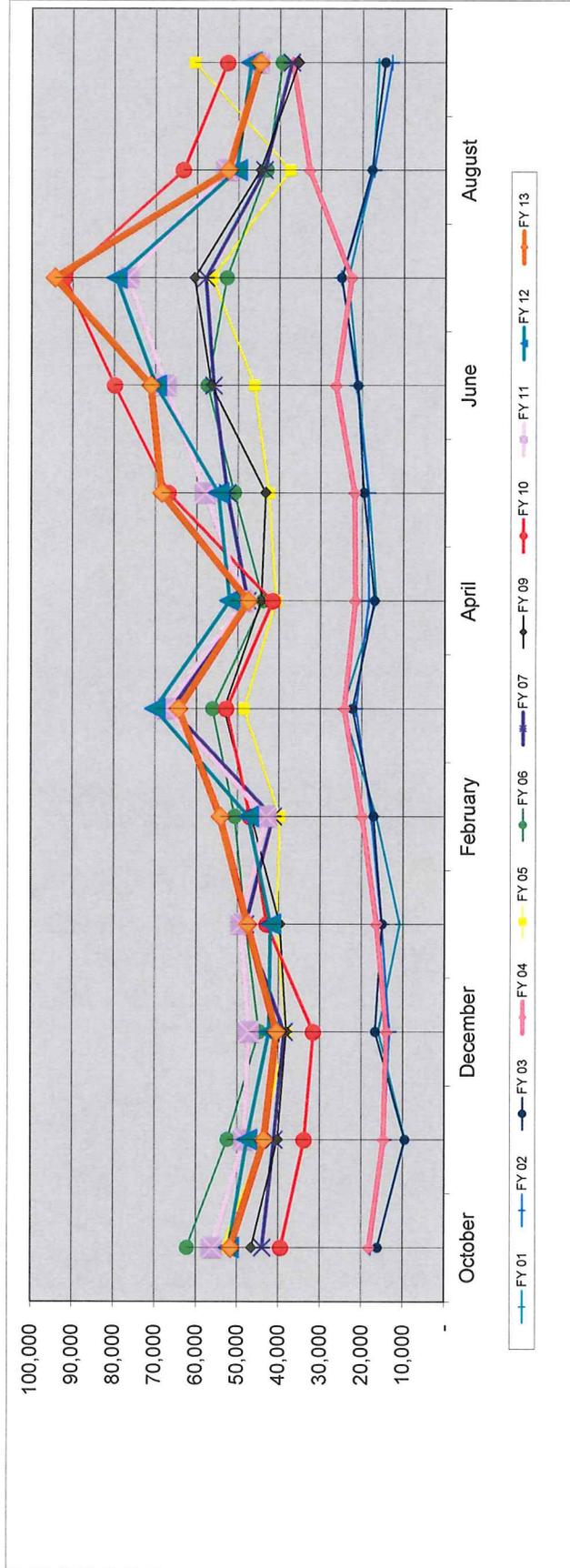
Fiscal 2013 Sales & Use Tax Budget vs. Actual Comparison



Draft
Monthly Lodging Tax Collections

	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12	FY 13
Oct	17,757.16	16,103.81	18,110.90	53,490.95	62,191.49	43,874.01	46,360.47	46,543.20	39,405.56	56,001.39	52,002.53	51,578.40
Nov	14,346.00	9,488.82	14,652.46	43,652.17	52,326.23	41,028.15	42,599.84	40,178.69	33,763.37	48,329.73	47,568.08	43,459.48
Dec	13,257.40	16,693.64	13,940.92	38,197.96	44,694.55	38,605.47	31,081.14	38,144.69	31,571.38	47,210.56	42,279.22	40,495.14
Jan	15,150.55	15,089.26	16,416.20	40,334.81	48,014.80	48,012.19	45,607.80	39,706.04	42,883.70	49,006.12	41,917.34	47,548.01
Feb	17,680.30	17,174.37	19,952.91	39,797.68	50,684.11	41,381.78	47,340.33	46,699.01	46,998.32	43,052.68	47,346.50	54,207.03
Mar	21,371.61	22,248.25	24,206.01	48,474.92	56,076.62	66,060.49	53,123.15	53,230.85	52,771.52	67,422.43	70,058.33	64,325.47
Apr	18,354.06	16,974.57	21,626.09	40,666.33	43,813.91	47,594.84	46,736.02	44,277.75	41,531.05	48,487.83	51,939.06	47,434.55
May	18,526.24	19,610.83	21,785.09	42,479.97	50,871.74	52,564.61	46,145.12	43,293.74	66,820.96	57,880.48	54,740.45	68,448.49
Jun	21,322.07	21,031.35	26,336.81	46,037.59	57,338.25	55,924.22	64,626.19	56,494.11	79,822.84	67,544.77	69,822.91	71,090.69
Jul	25,013.71	25,026.81	22,654.15	56,266.23	52,752.31	57,842.80	62,035.23	60,619.78	91,906.47	76,631.86	79,417.80	94,310.47
Aug	17,223.03	17,749.12	32,788.35	37,501.21	43,139.77	43,701.41	55,792.89	44,636.82	63,323.58	52,820.33	50,417.73	52,427.99
Sept	12,997.60	14,563.86	36,847.13	60,635.33	39,398.90	37,180.99	49,698.91	35,430.62	52,662.79	45,216.75	46,968.89	44,753.61
Total	212,999.73	211,754.69	269,317.22	547,535.15	601,302.68	573,770.96	591,147.09	549,255.30	643,461.54	659,604.93	654,478.84	680,079.33

Ord 1997-28 adopted December 8, 1997 incr levy from 3% to 4%.



NEW BUSINESSES

October-13

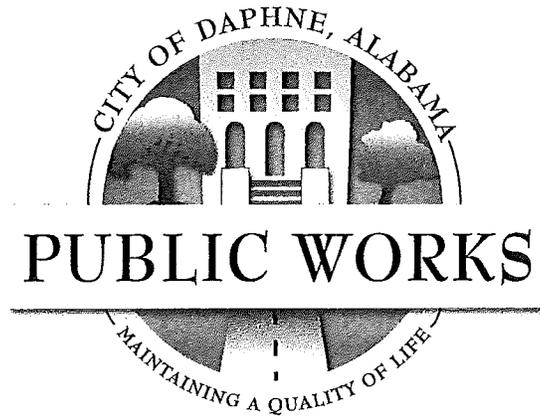
CITY LIMITS		CONTRACTORS	
RETAILERS			
LIGHTNING LUBE OF DAPHNE	1	SOUTHERN STEEL STRUCTURES	1
PAPA MURPHY'S	1	RUDOLPH, EDDIE C	1
CARTRIDGE WORLD DAPHNE	1	PHILLIPS INTERIOR & EXTERIOR SERVICES	1
ALL OTHER			
TENSAW ENGINEERING & ENVIRONMENTAL LLC	1	BAILEY DOOR INC. / BAILEY, SAM	1
NATIONAL HME INC.	1	LETT CONSTRUCTION CO / LETT, CHARLES L	1
SJB PROPERTIES LLC / BAYFRONT SELF STORAGE	1	SOUTHERN PAINT & CONT / RICHARDSON, ERNST	1
AFFORDABLE PSYCHIATRIC HELP / MAGDI TAGELD	1	CHASTAIN LLC / L A SIGNS	1
ELITE REAL ESTATE SOLUTIONS LLC	1	FORREST, ANDREW	1
WOODROW LANE, LLC	1	MCARDLE CONSTRUCTION / MCARDLE, RAYMOND M	1
EASTERN SHORE INFORMATION SERVICES, LLC	1	COMPLETE ROOFING LLC / STONE, HIRAM C	1
EASTERN SHORE CONSULTING SERVICES, LLC	1	J BROOKS PLUMBING / BROOKS, JASON ROBERT	1
VICTORIA AUSTIN DESIGNS	1	PRO 1 PAINTERS	1
CLS ENTERPRISES / TOLBERT, CALVIN	1	C. D. MOORE ELECTRIC COMPANY / MOORE, CARL D.	1
ASHLEIGH BARKLEY LLC	1	MITTRIX INC.	1
STORY TIME SHOWS	1	STORM GUARD RESTORATION OF MOBILE LLC	1
TOTAL IN CITY LIMITS	15	L.T.P. CONSTRUCTION, LLC / PARENT, LANCE	1
OUTSIDE CITY LIMITS			
GLADSON LLC	1	STEGMEIER, ROLAND	1
EPAY SYSTEMS	1	COASTAL CONCRETE INC	1
BAMA WINDOW CLEANING	1	A-1 PAINTING PLUS REPAIRS	1
MARKET LEADER LLC	1	TOTAL CONTRACTORS	19
KLIPSCH GROUP INC	1	INSURANCE	
SOUTHEASTERN SASH AND DOOR INC	1	BERKLEY LIFE AND HEALTH INS CO	1
THE BROTHERS GALLERY LLC	1	IMPERIUM INSURANCE CO	1
NO TEARS LEARNING INC.	1	NATIONAL TITLE INSURANCE OF MY INC	1
DAVACO INC.	1	PRE PAID LEGAL CASUALTY INC	1
GFS FLORIDA, INC.	1	UNIFIED LIFE INSURANCE CO	1
VON MAUR	1	TOTAL INSURANCE	5
SHAW KING ENTERPRISES LLC	1	TOTAL NEW BUSINESSES IN DAPHNE 66	
FORM SERVICES INC	1	CLOSED BUSINESSES IN DAPHNE	
DIGITAL DATA SOLUTIONS	1	TOTAL CLOSED BUSINESSES IN DAPHNE 0	
THERACOM, LLC	1		
WILCO MARSH BUGGIES & DRAGLINES, INC.	1		
DRIVETIME CAR SALES COMPANY, LLC	1		
JOCKEY.COM, INC	1		
MICROF LLC	1		
RAWLINGS SPORTING GOODS CO., INC.	1		
THE SOURCING GROUP OF CALIFORNIA, LLC	1		
CERTEX USA, INC.	1		
JAVITA INC	1		
SULLIVAN-BROUGH INC / SAFETY WEAR	1		
TOUCH OF CLASS ENTERTAINMENT (DJ)	1		
EASTERN METAL SUPPLY INC	1		
ACCU-MED SERVICES, LLC	1		
TOTAL OUTSIDE CITY LIMITS	27		

Dane Haygood
Mayor

Rebecca Hayes
City Clerk

Michael V. Hinson
Finance Director/Treasurer

Richard Johnson, P. E.
Director of Public Works



Tommie Conaway
District 1

Pat Rudicell
District 2

John L. Lake
District 3

Randy Fry
District 4

Ronald Scott
District 5

Robin Lejeune
District 6

Joseph Davis, III
District 7

To: Michael V. Hinson, Finance Director

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

Date: November 7, 2013

Re: Crowd Control Barricades Bid Document 2014-C

Bids were sent out for the purchase of Crowd Control Barricades. These barricades will be used for the safety of the public during parades and citywide functions.

A total of 1 bid was received and we would like to recommend Friedrichs Custom Mfg, Inc. Their cost is in line with previous purchases.

Please call me if you have any questions.

CITY OF DAPHNE

BID OPENING MINUTES

BID DOCUMENT NO: 2014-C-CROWD CONTROL BARRICADES

November 7, 2013

11:30 A.M.

CITY HALL

Those present were as follows:

Ms. Suzanne Henson

Sr. Accountant

Mr. Richard Johnson

PW Director

3 bid invitations were mailed/picked up , 1 sealed bids were received

Mr. Richard Johnson opened the bids presented and the bids were read aloud as follows:

VENDOR

UNIT COST

Friedrichs Custom MFG, Inc

(Quantity-100+)

\$ 98.00

(Quantity less than 100)

\$ 102.00



Suzanne Henson, Sr. Accountant

**CITY OF DAPHNE
ORDINANCE NO. 2013-**

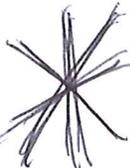
AN ORDINANCE TO AMEND ORDINANCE NO. 2002-26

WHEREAS, the City Council of the City of Daphne, after due consideration believes that certain revisions to the City of Daphne Business License Ordinance are necessary for the proper administration of said Ordinance;

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

SECTION I: GENERAL PROVISIONS

That Section 3(c) of Ordinance 2002-26, for the purpose of defining “issue fee”, be and is hereby amended to read as follows:

- 
- (c) *Issue Fee.* For each license issued there shall be an issue fee collected in an amount equal to the maximum amount allowable by the Alabama Department of Revenue which shall be adjusted every five (5) license years by an amount equal to the percentage increase in the U. S. Department of Labor’s Producer Price Index, with the base year being 2006. ~~of five dollars (\$5.00) and~~ The said issue fee shall be collected in the same manner as the license tax.

SECTION II: REPEALER

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

SECTION III: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed 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 ____TH DAY OF _____, 2013.

DANE HAYGOOD,
MAYOR

ATTEST:

REBECCA A. HAYES,
CITY CLERK

RESOLUTION NO. 2013-xxx

**A RESOLUTION TO EXEMPT CERTAIN “COVERED ITEMS”
FROM MUNICIPAL SALES AND USE TAXES DURING THE LAST FULL
WEEKEND OF FEBRUARY 2014, AS AUTHORIZED BY THE STATE OF
ALABAMA ACT 2012-256, GENERALLY REFERRED TO AS
THE SEVERE WEATHER PREPAREDNESS TAX HOLIDAY**

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

Section 1. In conformity with the provisions of Act 2012-256 enacted by the Alabama Legislature during the 2012 Regular Session, providing for a State Severe Weather Preparedness Tax Holiday, the City of Daphne, Alabama, shall exempt “covered items” from municipal sales and use taxes during the same period, beginning at 12:01 A.M. on Friday, February 21, 2014 and ending at twelve midnight on Sunday, February 23, 2014.

Section 2: This Resolution shall be subject to all terms, conditions, definitions, time periods, and rules as provided by Act 2012-256, except that the time period shall only be as specified in Section 1 above and not for all years thereafter.

Section 3: The City Clerk is hereby authorized and directed to certify a copy of this Resolution under the seal of the City of Daphne, Alabama, and forward said certified copy to the Alabama Department of Revenue to be recorded and posted on the Department website.

Section 4: This Resolution shall become effective upon adoption.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this 18th day of November, 2013.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

October 18, 2013

IMPORTANT

IMPORTANT

2014 Severe Weather Preparedness Tax Holiday February 21-23, 2014

Deadline to notify ADOR: January 21, 2014

The 2014 Severe Weather Preparedness Tax Holiday begins at 12:01 a.m. on Friday, February 21, 2014, and ends at twelve midnight on Sunday, February 23, 2014. As required by the Sales Tax Holiday for Severe Weather Preparedness Rule, a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the Severe Weather Preparedness Sales Tax Holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue before January 21, 2014. The Department will compile this information into a list of all counties and municipalities participating in the Severe Weather Preparedness Tax Holiday and issue a current publication of the list on its website at: www.revenue.alabama.gov/salestax/WPSalesTaxHol.htm

Notification of participation in the sales tax holiday may not be included in the published list if received after Jan. 21, 2014.

**Your taxpayers want to know if your locality will participate
in the 2014 Weather Preparedness Tax Holiday.**

~ ACTION REQUIRED ~

Please put it on your calendar to discuss and vote on this matter soon and notify the ADOR of the decision before January 21, 2014.

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

Not Participating? - It is important that you inform us via email, fax, or letter of that fact.

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

Notification can be faxed, mailed or emailed:

FAX: 334-353-7666

MAIL: ALABAMA DEPARTMENT OF REVENUE
Attention: Wanda Robbins, Room 4311
Sales & Use Tax Division
Post Office Box 327900
Montgomery, Alabama 36132-7900

EMAIL: wanda.robbsins@revenue.alabama.gov

QUESTIONS: 334-353-8044



2014 SEVERE WEATHER PREPAREDNESS SALES TAX HOLIDAY

Alabama will hold its third annual sales tax holiday, beginning Friday, February 21, 2014 at 12:01 a.m. and ending Sunday, February 23, 2014 at 12 midnight, giving shoppers the opportunity to purchase certain severe weather preparedness items free of state sales tax. Local sales tax may apply.

For more information, contact us 8:00 a.m. – 5:00 p.m., CST
Monday through Friday
334-242-1490 or 866-576-6531

COVERED ITEMS - \$60 or Less, per ITEM		
EXEMPT:		
<ul style="list-style-type: none"> • AAA-cell batteries • AA-cell batteries • C-cell batteries • D-cell batteries • 6-volt batteries • 9-volt batteries • Cellular phone battery • Cellular phone charger • Portable self-powered or battery-powered radio, two-way radio, weatherband radio or NOAA weather radio • Portable self-powered light source, including battery-powered flashlights, lanterns, or emergency glow sticks 	<ul style="list-style-type: none"> • Tarpaulin • Plastic sheeting • Plastic drop cloths • Other flexible, waterproof sheeting • Ground anchor system, such as bungee cords or rope, or tie-down kit • Duct tape • Plywood, window film or other materials specifically designed to protect window coverings • Non-electric food storage cooler or water storage container • Non-electric can opener 	<ul style="list-style-type: none"> • Artificial ice • Blue ice • Ice packs • Reusable ice • Self-contained first aid kit • Fire extinguisher • Smoke detector • Carbon monoxide detector • Gas or Diesel fuel tank or container
TAXABLE:		
<ul style="list-style-type: none"> • Coin batteries • Automobile and boat batteries 		

A single purchase with a sales price of \$1000 or Less
EXEMPT:
Any portable generator and power cords – used to provide light or communications or preserve food in the event of a power outage.

Buildings & Property Committee Meeting
Monday, November 4, 2013
5:30 PM
Daphne City Hall- Executive Conference Room

Committee Minutes

Present: Councilman Joe Davis, Councilman Randy Fry, Councilman Pat Rudicell, Frank Barnett, Margaret Thigpen, Richard Johnson, Richard Merchant, Mike Hinson, Sarah Toulson (Recording Secretary), Councilman Ron Scott, Mayor Dane Haygood, Selena Vaughn (Village Point Foundation).

Absent: Rick Whitehead

The meeting brought to order at 5:30 pm by Chairman Joe Davis.

1. Public Participation

Selena Vaughn of the Village Point Foundation addressed the Committee. She explained that the Village Point Foundation would like to seek a place of representation with the City to facilitate their plans for the acquisition and maintenance of Bayfront property. Currently, the Village Point Foundation has no such committee representation to ensure their proposals and desires are properly heard by the Council to ensure appropriate action is taken. She asked the Committee what the best approach would be, whether to give the Foundation a permanent place on the Buildings and Property Committee agenda, or to simply have the Foundation send a liaison to all future Committee meetings.

Mr. Davis noted that Ms. Vaughn would return to address the Committee at the meeting scheduled for December 2, 2013, to continue discussion of this matter.

Mr. Richard Johnson stated that with this relationship between the Village Point Foundation and the City, the Committee would need to ensure that proper lines of communication as well as expectations for communication were established.

2. Approval of the Minutes:

The following amendments were made to the October 7, 2013 meeting minutes:

- Correction to the motion made concerning the Syntergy contract for HVAC services with the Daphne Civic Center: Motion was for a favorable recommendation subject to the approval of the Mayor and Finance Director, by Mr. Fry.

- Emphasize the Committee’s desire to see additional information concerning the Synergy agreement before making a favorable recommendation.

Motion by Mr. Fry to adopt the October 7, 2013 minutes as amended. Seconded by Mr. Rudicell. **Motion carried unanimously.**

3. Resolution for Surplus Property

Finance Director Mike Hinson presented one resolution to the committee declaring certain personal property surplus and authorizing disposition:

- 1989 Ford 3910 Tractor

Mr. Richard Johnson noted that the replacement for this item was included in the FY2013 capital budget.

Motion: Mr. Fry moved to favorably recommend to the Council the Resolution to Declare Certain Personal Property Surplus and Authorize the Mayor to Dispose of Such Property to the City Council for approval, and was seconded by Mr. Davis. **The Motion carried unanimously.**

4. Civic Center & Bayfront Report (October)

Margaret Thigpen distributed and discussed her reports. October 2013 revenue totaled \$15,141.50, slightly under October 2012. Fiscal Year 2014 deposits totaled \$22,518.19.

For Bayfront Pavilion, October 2013 revenues totaled \$8,377.00, with \$9,494.00 in deposits made.

Ms. Thigpen listed a number of events scheduled at the Civic Center, including the just completed “Girl Talk” with Chonda Pierce event, which drew 1,100 participants. Upcoming events include a consignment sale, the special run-off election on November 5, and other events listed on her report.

Ms. Thigpen announced the monthly Tourism meeting would be scheduled for 10:30 am on the first Thursday of every month at the Civic Center. She explained to the committee that the Tourism meeting included members and non-members of the Chamber of Commerce along with representatives from Daphne Recreation, Civic Center, and the cities of Fairhope and Spanish Fort.

5. Building Inspection Monthly Reports:

Richard Merchant reported that 14 new construction projects had been started, with 115 permits filed during October. Total job cost was \$2,895,151.00 with permit fees totaling \$13,519.00

Additionally, Mr. Merchant reported that both the Dunkin’ Donuts and Firestone buildings were almost completed.

6. Renaming of City Structures and Property

The Committee discussed the City's history and current policy of naming or renaming structures in an individual's honor or memory. Many committee members agreed to research other municipality's procedures for this issue and consider working toward the establishment of a policy for Daphne to govern renaming of structures and the placement of memorials in the City.

Richard Johnson agreed to provide the committee with a list of City-owned structures including any given or memorialized names at the next committee meeting.

7. Right of Way purchasing from the City

Councilman Davis reported to the Committee that a citizen had recently inquired about purchasing a Right of Way from the City. According to Mayor Haygood, City Attorney Jay Ross had previously stated that the City could not sell such property.

Mr. Johnson stated that there was a possibility that such a transaction could be performed if there was a notable public benefit to the transaction.

8. Update: Light outside City Hall

Mr. Frank Barnett reported that the Light requested for installation outside the north door of City Hall had been installed and was working properly.

9. Strategic Planning objectives

Sarah Toulson presented information regarding the City Council's efforts to create a City Strategic Plan.

Councilman Davis noted that the Council would move to establish the remaining goals for the Plan during the next two Strategic Planning meetings. He asked that the committee members provide input for the maintenance of City facilities that would help ensure proper upkeep and needed expansion.

10. Other Business

Mayor Haygood mentioned that he would have a meeting on November 5 at 1 pm in the Mayor's conference room with representatives from Synergy to discuss their energy program and the potential contract for the Civic Center.

With no further business to discuss, the meeting was adjourned at 6:22, motion by Mr. Rudicell and seconded by Mr. Fry.

Code Enforcement / Ordinance Committee

Wednesday, November 13, 2013

1705 Main Street

Daphne, AL

5:30 p.m.

Councilman Ron Scott, Chairman

Councilman Robin LeJeune

Councilman Pat Rudicell

Councilman Randy Fry

I. CALL TO ORDER / ROLL CALL:

Chairman Scott called the meeting to order at 5:35 p.m.

MEMBERS PRESENT: Pat Rudicell; Ron Scott; Robin LeJeune.

ABSENT: Randy Fry.

Also present: Rebecca Hayes, recording secretary; Kyle Navarro, Attorney; Kevin Boucher, Attorney; Mike Hinson, Finance Director; Vickie Hinman, HR Director; Scott Hetrick, Attorney; Captain Danny Bell, Police Department

II. APPROVE MINUTES / October 9, 2013

Motion by Councilman Rudicell to approve the October 9, 2013 minute. Seconded by Councilman LeJeune.

Motion Carried Unanimously

III. PUBLIC PARTICIPATION

No one spoke.

IV. ORDINANCE REVIEW

a.) Rescinding Ordinance 1991-12 / Provide for the Permitting of Massage Parlors

The committee agreed ordinance 1991-12 was out of date, and was covered in the new Community Standard ordinance.

Motion by Councilman LeJeune to send the ordinance rescinding ordinance 1991-12 providing for the permitting of Massage Parlors to council for consideration. Seconded by Councilman Rudicell.

Motion Carried Unanimously

b.) Amending Business License Ordinance / Issuance Fees

Angie Phillips, Revenue Officer, presented an ordinance amending the issuance fees for business license going with the fees set by the state.

The committee asked Mrs. Phillips to provide information on how many of the 4,000 business license were gross receipts and how many were minimum, and to find out what the neighboring cities charge for issuance fees and bring the information to the next meeting.

c.) Revisions to Employee Handbook / Chapters One & Ten

Scott Hetrick gave a synopsis of the revisions to these chapters. These are the last of the revisions to the handbook.

The committee will review the changes and discuss and make a recommendation at the next meeting.

d.) Community Contribution Guidelines

Councilman Scott postponed this discussion until the next meeting. He wanted to put together some information to review.

V. OTHER BUSINESS

No other business to consider.

VIII. NEXT MEETING

The next meeting will be December 11, 2013

Items for consideration:

- Amend Business License / Issuance Fees
- Employee Handbook / Chapters 1 & 10
- Community Contribution Guidelines

IX. ADJOURN

MOTION BY Councilman LeJeune to adjourn. Seconded by Councilman Rudicell
Motion Carried Unanimously.

There being no further business to discuss the meeting adjourned at 6:20 p.m.

Respectfully submitted

Rebecca A. Hayes, Recording Secretary

Code Enforcement / Ordinance Committee

**REPORT
OF
SPECIAL BOARDS**

**REPORT
OF
OFFICERS**

REMOVED.
**CITY OF DAPHNE
 PARADE PERMIT**

ORGANIZATION:	<i>The Fieldhouse</i> <i>Coby Mackin</i>
CONTACT PERSON:	<i>Taylor Lee Ledbetter</i> <i>672-0600</i>
ADDRESS:	<i>26037 Capitol Dr., Daphne, AL 36526</i>
PHONE NUMBER (HOME):	<i>(B) 251-626-0190</i>
PHONE NUMBER (BUSINESS):	<i>(C) 251-599-0107***</i>
CELL NUMBER:	<i>(E) taylorlee.phillips@gmail.com</i>
E-MAIL ADDRESS:	
TYPE OF PARADE:	<i>Color Me Jubilee 5k (A color run)</i>
DATE OF PARADE:	<i>January 4, 2014</i>
ROUTE TO BE TRAVELED:	<i>The Fieldhouse (26037 Capitol Dr.) to Highway 13 via Public Works to Daphne Elementary to Whispering Pines & through Al Trione Park back to The Fieldhouse.</i>
APPROXIMATE # OF PEOPLE & CARS:	<i>500 people</i>
START TIME:	<i>8am</i>
STOP TIME:	<i>10am</i>
ASSEMBLY AREA/STREET:	<i>26037 Capitol Dr.</i>
ASSEMBLY TIME:	<i>7am</i>
SPECIAL INSTRUCTIONS:	
DATE APPLIED:	<i>10/28/2013</i>
APPROVAL	
POLICE: Chief David Carpenter	<i>David Carpenter</i>
FIRE: Chief James White	<i>James White</i>
PUBLIC WORKS: Richard Johnson	<i>Richard Johnson</i>
RECREATION: David McKelroy	<i>David McKelroy</i>
CITY COUNCIL APPROVAL: <i>11-18-13</i>	
SPECIAL INSTRUCTIONS:	
DATE ROUTED:	
NOTIFICATION	

Becky Hayes

From: Taylor Lee Phillips <taylorlee.phillips@gmail.com>
Sent: Wednesday, November 13, 2013 7:56 PM
To: Becky Hayes
Subject: Re: Parade Permit - Need Info ASAP

Color Me Jubilee 5k and 1mi Fun run is sponsored by The Fieldhouse and is benefitting Southern Spirit Softball. Southern Spirit Softball is an amateur youth sports organization providing elite level training to athletes of all backgrounds and abilities. The organization partners with college coaches and players to train young athletes, with the goal of preparing them for an opportunity to receive college scholarships. We believe that every athlete should have the opportunity to fulfill their dreams on and off the field, and are determined to find resources for athletes who are bound by financial constraints. The organization offers free services to area high schools and city leagues, as well as scholarships for training to low-income candidates. Fundraising efforts like Color Me Jubilee 5k help provide this opportunity. All of Southern Spirit's coaches have collegiate coaching and/or playing experience and have won conference and national championships. Southern Spirit's leaders and coaches have a passion for softball and passing on the knowledge of the game, but more importantly, a passion for preparing young athletes to be respectable leaders on and off the field. Color Me Jubilee 5K is to help support the efforts of Southern Spirit Softball.

Hope this helps. Let me know if you need anything else.

Thanks,

Taylor Lee Ledbetter
Sent from my iPhone

On Nov 13, 2013, at 5:15 PM, Becky Hayes <cityclerk@daphneal.com> wrote:

Taylor,

I need a blurb about what your run is for. Who is it supporting? Where is the money going? Why are you having the run? I need it by tomorrow morning.

Rebecca A. Hayes
City Clerk
P. O. Box 400
1705 Main Street
Daphne, AL 36526
251-621-9000
251-621-3538 FAX
bhayes@daphneal.com

RESOLUTIONS

&

ORDINANCES

RESOLUTION 2013 - 54

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

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

WHEREAS, the items listed below are recommended for disposal.

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

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

DEPT	EQ/VEH#	DESCRIPTION	VIN
Mowing	43	1989 FORD 3910 TRACTOR	BB58019B

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

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

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2013.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

RESOLUTION NO. 2013-55
2014-C-CROWD CONTROL BARRICADES

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

WHEREAS, The City of Daphne acknowledges that the cost for the CROWD CONTROL BARRICADES will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the CROWD CONTROL BARRICADES and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the CROWD CONTROL BARRICADES be awarded to Friedrichs Custom MFG, Inc.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Friedrichs Custom Mfg, Inc. for unit cost as follows:

Barricades: - \$ 98.00/Each - (Quantity-100+)
 -\$102.00/Each - (Quantity less than 100)

as specified in BID SPECIFICATION NO. 2014-C-CROWD CONTROL BARRICADES.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2013.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

RESOLUTION NO. 2013-56

**A RESOLUTION TO EXEMPT CERTAIN “COVERED ITEMS”
FROM MUNICIPAL SALES AND USE TAXES DURING THE LAST FULL
WEEKEND OF FEBRUARY 2014, AS AUTHORIZED BY THE STATE OF
ALABAMA ACT 2012-256, GENERALLY REFERRED TO AS
THE SEVERE WEATHER PREPAREDNESS TAX HOLIDAY**

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

Section 1. In conformity with the provisions of Act 2012-256 enacted by the Alabama Legislature during the 2012 Regular Session, providing for a State Severe Weather Preparedness Tax Holiday, the City of Daphne, Alabama, shall exempt “covered items” from municipal sales and use taxes during the same period, beginning at 12:01 A.M. on Friday, February 21, 2014 and ending at twelve midnight on Sunday, February 23, 2014.

Section 2: This Resolution shall be subject to all terms, conditions, definitions, time periods, and rules as provided by Act 2012-256, except that the time period shall only be as specified in Section 1 above and not for all years thereafter.

Section 3: The City Clerk is hereby authorized and directed to certify a copy of this Resolution under the seal of the City of Daphne, Alabama, and forward said certified copy to the Alabama Department of Revenue to be recorded and posted on the Department website.

Section 4: This Resolution shall become effective upon adoption.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this ____ day of _____, 2013.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2013-62**

**Ordinance to Rezone Property Located
Along Main Street, South of Trione Avenue & South of Dryer Avenue
Also Known as Christ the King Catholic Church Main Campus**

WHEREAS, Christ the King Catholic Church, as the owner of certain real property located within the City of Daphne, Alabama, has requested that said property be rezoned from B-2, General Business, R-2, Medium Density Single Family Residential and R-3, High Density Single Family Residential to B-1, Local Business; and,

WHEREAS, said real property is north of the intersection of Van Avenue and Main Street, and more particularly described as follows and illustrated as shown in Exhibit B attached hereto:

LEGAL DESCRIPTION - (ACROSS FROM MAIN CAMPUS ALONG MAIN STREET):

Commence at the Northwest corner of Section 20, Township 5 South, Range 2 East, St. Stephens Meridian, and run thence South 925 feet; Thence run East 25 feet to an iron pin marker on the East right of way of Main Street for the Point of Beginning of the property herein described; Thence run N-89°-59'-40"-E, 149.81 feet to an iron pin marker; Thence run N-00°-04'-23"-E, 100.14 feet to an iron pin marker; thence run S-89°-58'-53"eE, 500.33 feet to an iron pin marker; Thence run S-00°-07'-10"-E, 326.69 feet to an iron pin marker; Thence run S-89°-34'-17"-W, 330.01 feet to an iron pin marker; Thence run S-89°-50'-58"-W, 320.95 feet to an iron pin marker on the East right of way of Main Street; Thence run North along said East right of way of Main Street, 230.0 feet to the Point of Beginning. Containing 4.57 acres, more or less, and lies in the Northwest Quarter of Section 20, Township 5 South, Range 2 East, Baldwin County, Alabama.

LEGAL DESCRIPTION - (ACROSS FROM MAIN CAMPUS ALONG TRIONE AVENUE):

Commencing at the Northwest corner of Section 20, Township 5 South, Range 2 East, Baldwin County, Alabama, Thence South, along the West line of said Section 20, for 680.29 feet; Thence S-89°-40'-35"-E, leaving the West line of said Section 20, for 188.35 feet to a point on the South right of way line of Trione Avenue, (40-foot public R\W), and the Point of Beginning of the parcel herein described; Thence S-89°-40'-35"-E, along the South right of way line of said Trione Avenue, for 499.68 feet to a point at the intersection of the South right of way line of said Trione Avenue with the East right of way line of Guarisco Street, (50-foot public R\W); Thence N-00°-24'-33"-E, along the East right of way line of said Guarisco Street, for 20.11 feet; Thence S-89°-32'-35"-E, leaving the East right of way line of said Guarisco Street, for 309.93 feet; Thence S-00°-10'-32"-W for 329.26 feet; Thence N-89°-47'-49"-W for 330.02 feet; Thence N-00°-19'-58"-E for 165.79 feet; Thence N-89°-38'-17"-W for 482.53 feet; Thence N-01°-08'-06"-E for 144.44 feet to the Point of Beginning. Said parcel lying and being in the Northwest quarter of the Northwest quarter of Section 20, Township 5 South, Range 2 East, Baldwin County, Alabama, and containing 4.086 acres, more or less.

LEGAL DESCRIPTION - (MAIN CAMPUS):

Commencing at the Northeast corner of Section 19, Township 5 South, Range 2 East, Baldwin County, Alabama, Thence South, along the East line of said Section 19, for 1030.87 feet; Thence N-89°-24'-57"-W, leaving the East line of said Section 19, for 26.09 feet to a point at the intersection of the West right of way line of Old U.S. Highway 98, a.k.a. Main Street, (50-foot public R\W), with the South right of way line of Dryer Avenue, (34-foot public R\W), and the Point of Beginning of the parcel herein described; Thence S-00°-24'-23"-W, along the West right of way line of said Main Street, for 596.20 feet to a point at the intersection of the West right of way line of Main Street with the North right of way line of College Avenue, (40-foot public R\W); Thence S-89°-58'-17"-W, along the North right of way line of said College Avenue, for 525.73 feet to a point at the intersection of the North right of way line of said College Avenue with the East right of way line of 6th Street, (40-foot public R\W); Thence N-00°-56'-49"-E, along the East right of way line of said 6th Street, for 617.00 feet to a point at the intersection of the East right of way line of said 6th Street with the South right of way line of aforesaid Dryer Avenue; Thence S-83°-02'-49"-E, along the South right of way line of said Dryer Avenue, for 136.75 feet; Thence S-89°-24'-57"-E, along the South right of way line of said Dryer Avenue, for 384.03 to the Point of Beginning. Said parcel lying in the Northeast quarter of Section 19, Township 5 South, Range 2 East, Baldwin County, Alabama, and containing 7.214 acres, more or less.

WHEREAS, on September 26, 2013, the Planning Commission of the City of Daphne considered said request and set forth a favorable recommendation to the City Council of the City of Daphne that property be rezoned B-1, General Business; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on November 4, 2013 concerning the requested rezoning; and,

WHEREAS, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission, deems that said application for rezoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama; and

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

SECTION I: ZONING

That above described real property is hereby rezoned from B-2, General Business, R-2, Medium Density Single Family Residential and R-3, High Density Single Family Residential to B-1, Local Business; and the zoning map shall be amended to reflect the said zoning change.

SECTION II: REPEALER.

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION III: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

SECTION IV: EFFECTIVE DATE.

This Ordinance shall take effect upon 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 _____, 2013.

**CITY OF DAPHNE
A MUNICIPAL CORPORATION**

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

CHRIST THE KING CATHOLIC CHURCH
ZONING AMENDNT REVIEW
MAIN CAMPUS, PROPERTIES ALONG MAIN STREET AND TRIONE STREET

EXHIBIT "A"

STATE OF ALABAMA
COUNTY OF BALDWIN

DESCRIPTIONS OF PROPERTY TO BE REZONED FROM B-2, GENERAL BUSINESS, R-2, MEDIUM DENSITY FAMILY RESIDENTIAL DISTRICT, AND R-3, HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT TO B-1, LOCAL BUSINESS

LEGAL DESCRIPTION - (ACROSS FROM MAIN CAMPUS ALONG MAIN STREET):

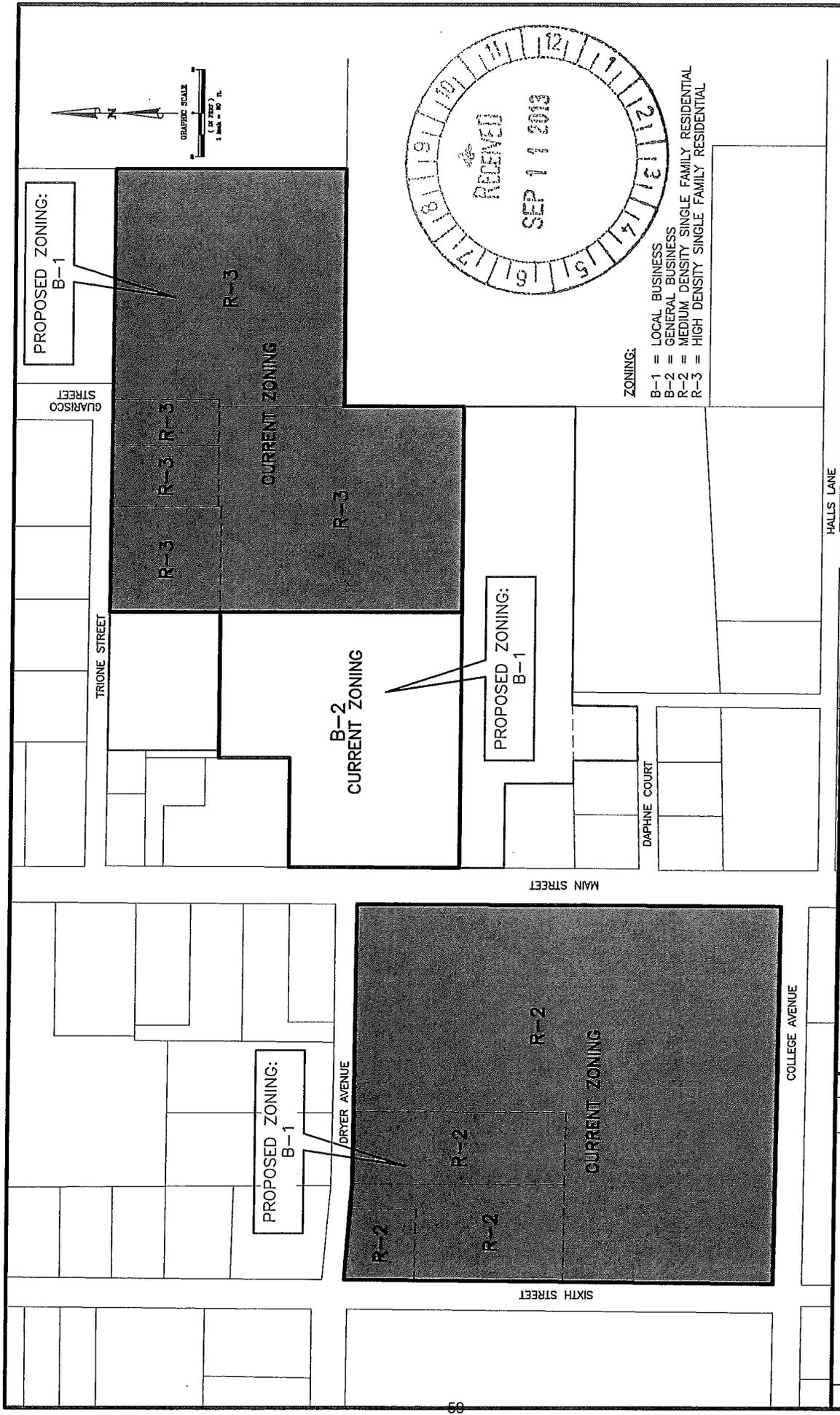
Commence at the Northwest corner of Section 20, Township 5 South, Range 2 East, St. Stephens Meridian, and run thence South 925 feet; Thence run East 25 feet to an iron pin marker on the East right of way of Main Street for the Point of Beginning of the property herein described; Thence run N-89°-59'-40"-E, 149.81 feet to an iron pin marker; Thence run N-00°-04'-23"-E, 100.14 feet to an iron pin marker; thence run S-89°-58'-53"eE, 500.33 feet to an iron pin marker; Thence run S-00°-07'-10"-E, 326.69 feet to an iron pin marker; Thence run S-89°-34'-17"-W, 330.01 feet to an iron pin marker; Thence run S-89°-50'-58"-W, 320.95 feet to an iron pin marker on the East right of way of Main Street; Thence run North along said East right of way of Main Street, 230.0 feet to the Point of Beginning. Containing 4.57 acres, more or less, and lies in the Northwest Quarter of Section 20, Township 5 South, Range 2 East, Baldwin County, Alabama.

LEGAL DESCRIPTION - (ACROSS FROM MAIN CAMPUS ALONG TRIONE AVENUE):

Commencing at the Northwest corner of Section 20, Township 5 South, Range 2 East, Baldwin County, Alabama, Thence South, along the West line of said Section 20, for 680.29 feet; Thence S-89°-40'-35"-E, leaving the West line of said Section 20, for 188.35 feet to a point on the South right of way line of Trione Avenue, (40-foot public R\W), and the Point of Beginning of the parcel herein described; Thence S-89°-40'-35"-E, along the South right of way line of said Trione Avenue, for 499.68 feet to a point at the intersection of the South right of way line of said Trione Avenue with the East right of way line of Guarisco Street, (50-foot public R\W); Thence N-00°-24'-33"-E, along the East right of way line of said Guarisco Street, for 20.11 feet; Thence S-89°-32'-35"-E, leaving the East right of way line of said Guarisco Street, for 309.93 feet; Thence S-00°-10'-32"-W for 329.26 feet; Thence N-89°-47'-49"-W for 330.02 feet; Thence N-00°-19'-58"-E for 165.79 feet; Thence N-89°-38'-17"-W for 482.53 feet; Thence N-01°-08'-06"-E for 144.44 feet to the Point of Beginning. Said parcel lying and being in the Northwest quarter of the Northwest quarter of Section 20, Township 5 South, Range 2 East, Baldwin County, Alabama, and containing 4.086 acres, more or less.

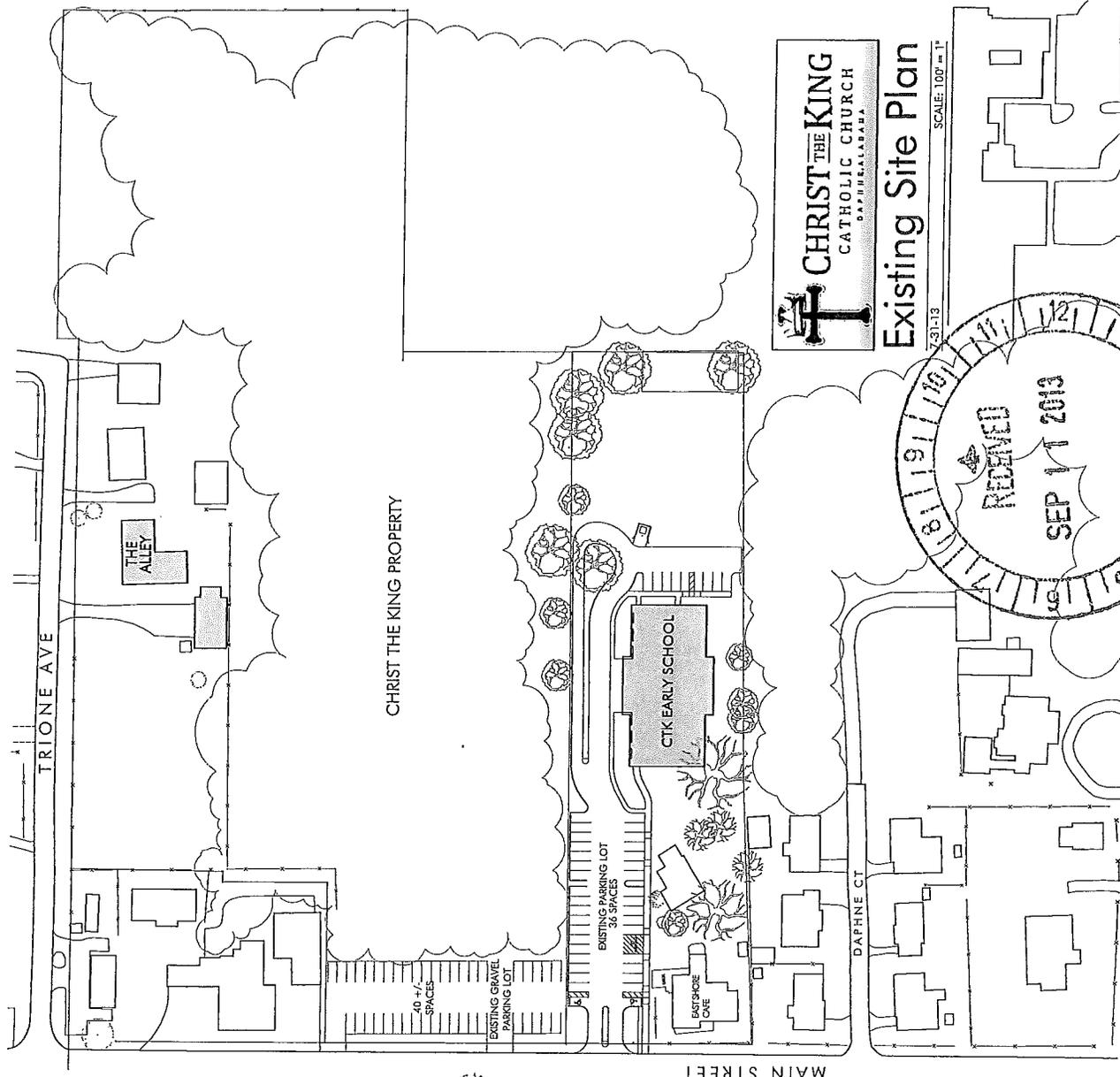
LEGAL DESCRIPTION - (MAIN CAMPUS):

Commencing at the Northeast corner of Section 19, Township 5 South, Range 2 East, Baldwin County, Alabama, Thence South, along the East line of said Section 19, for 1030.87 feet; Thence N-89°-24'-57"-W, leaving the East line of said Section 19, for 26.09 feet to a point at the intersection of the West right of way line of Old U.S. Highway 98, a.k.a. Main Street, (50-foot public R\W), with the South right of way line of Dryer Avenue, (34-foot public R\W), and the Point of Beginning of the parcel herein described; Thence S-00°-24'-23"-W, along the West right of way line of said Main Street, for 596.20 feet to a point at the intersection of the West right of way line of Main Street with the North right of way line of College Avenue, (40-foot public R\W); Thence S-89°-58'-17"-W, along the North right of way line of said College Avenue, for 525.73 feet to a point at the intersection of the North right of way line of said College Avenue with the East right of way line of 6th Street, (40-foot public R\W); Thence N-00°-56'-49"-E, along the East right of way line of said 6th Street, for 617.00 feet to a point at the intersection of the East right of way line of said 6th Street with the South right of way line of aforesaid Dryer Avenue; Thence S-83°-02'-49"-E, along the South right of way line of said Dryer Avenue, for 136.75 feet; Thence S-89°-24'-57"-E, along the South right of way line of said Dryer Avenue, for 384.03 to the Point of Beginning. Said parcel lying in the Northeast quarter of Section 19, Township 5 South, Range 2 East, Baldwin County, Alabama, and containing 7.214 acres, more or less.



HUTCHINSON, MOORE & RAUCH, LLC 2039 MAIN STREET DAPHNE, ALABAMA 36526 ENGINERS • SURVIVORS LAND PLANNERS TEL (251) 626-2626 FAX (251) 626-6934 daphne@hmrengineers.com		PROPOSED ZONING DAPHNE, ALABAMA CHRIST THE KING CHURCH DATE: AUGUST, 2013 DRAWN BY: CSC CHECKED BY:	
I/M/R		SCALE: 1"=60' DATE: AUGUST, 2013 DRAWN BY: CSC CHECKED BY:	
NO.	REVISION	DATE	DATE

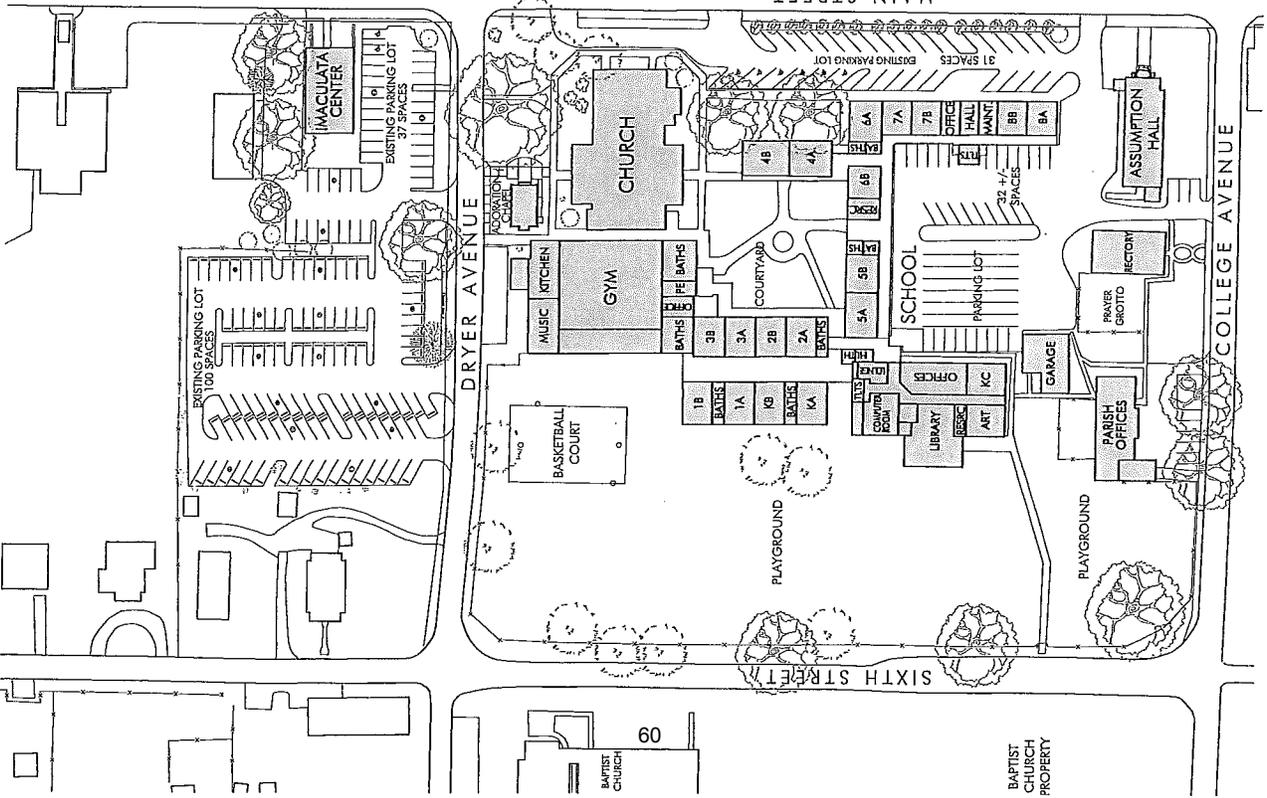
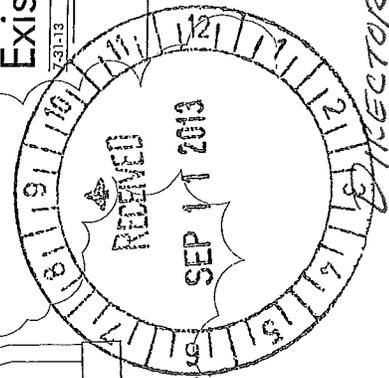
Exhibit B

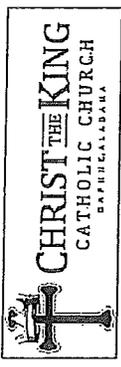
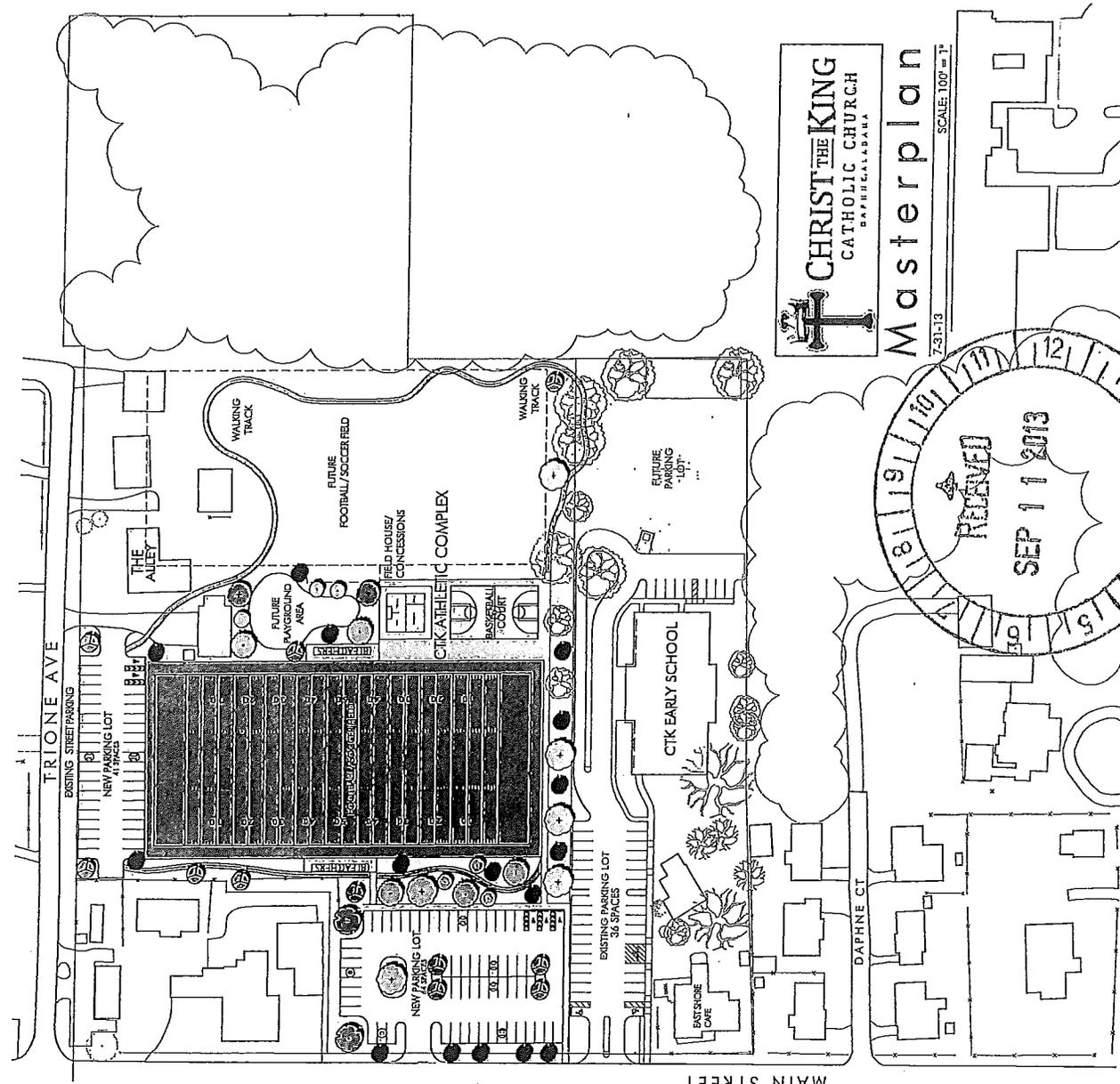
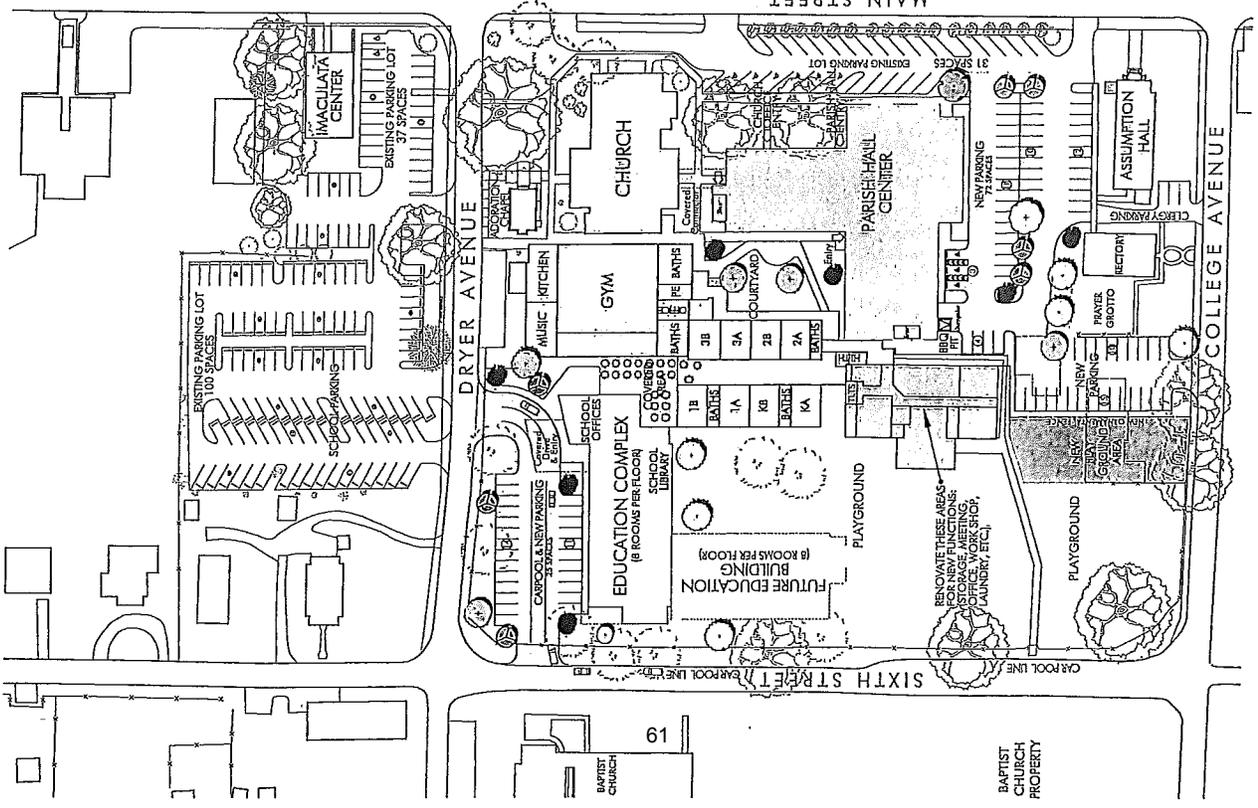


CHRIST THE KING
CATHOLIC CHURCH
DAPHNE, ALABAMA

Existing Site Plan

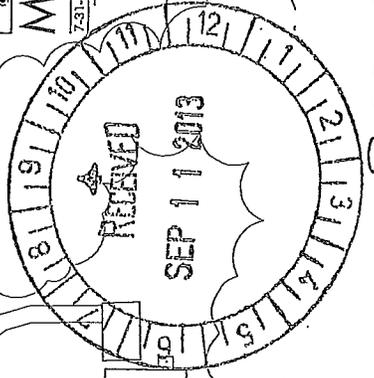
SCALE: 1/8" = 1'





Master plan

2/3/13 SCALE: 1/8" = 1'



DIRECTOR

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2013-63**

**Ordinance to Rezone Property Located
North of the Intersection of County Road 13 and Highway 90
Also Known as Walter J. & Martin L. Pierce**

WHEREAS, Walter J. & Martin L. Pierce, as the owners of certain real property located within the City of Daphne, Alabama, have requested that said property be rezoned from R-3, High Density Single Family Residential to B-2, General Business; and,

WHEREAS, said real property is north of the intersection of Intersection of County Road 13 and Highway 90 abutting the proposed I-10 interchange, and more particularly described as follows and illustrated as shown in Exhibit B attached hereto:

LEGAL DESCRIPTION:

Parcel 1:

Commencing at a 4" x 4" concrete monument found on the present right of way line of interstate 10 as shown on the right of way map of state highway project number I-10-1 (19) (said monument offset 300 feet of and perpendicular to centerline of said project at station 544+69.28): thence run north 82°40'31" east a distance of 2006.55 feet to the point of beginning of the property herein described: thence run north 69°30'30" east. 301.08 feet: thence run south 00°28'49" west. 785.36 feet: thence run south 89°45'57" west. 147.32 feet: thence run north 35°19'04" west. 353.00 feet: thence run north 05°08'29" west. 230.10 feet: thence run north 15°36'10" east. 84.72 feet: thence run north 42°04'15" east. 110.11 feet: to the point of beginning and containing 5.20 acres more or less (226,377.3 sq. Ft.)

Parcel 2:

Commencing at a 4" x 4" concrete monument found on the present south right of way line of interstate 10 as shown on the right of way map of state highway project number I-10-1 (19) (said monument offset 300 feet of and perpendicular to centerline of said project at station 544+69.28): thence run south 75°04'44" east a distance of 1657.69 feet to an iron axel and the point of beginning of the property herein described: thence run north 00°30'16" east. 324.73 feet: thence run south 35°06'49" east. 4.96 feet: thence run south 19°18'20" east. 103.76 feet: thence run south 34°46'31" east. 100.00 feet: thence run south 51°11'02" east. 104.25 feet: thence run south 35°06'49" east. 90.84 feet: thence run south 89°45'57" west. 230.53 feet: to the point of beginning and containing 0.73 acres more or less. (31715.3 sq. Ft.).

WHEREAS, on September 26, 2013, the Planning Commission of the City of Daphne considered said request and **set forth a favorable recommendation that Parcel 1** be rezoned B-2, General Business and **an unfavorable recommendation to rezone Parcel 2** as B-2, General Business to the City Council of the City of Daphne;

WHEREAS, after proper publication, a public hearing was held by the City Council on November 4, 2013 concerning the requested rezoning; and,

WHEREAS, the City Council of the City of Daphne after due consideration and upon consideration of the recommendations of the Planning Commission deemed that said application for rezoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama; and

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

SECTION I: ZONING

That above described real property is hereby rezoned from R-3, High Density Single Family Residential to B-2, General Business; and the zoning map shall be amended to reflect the said zoning change.

SECTION II: REPEALER.

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION III: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

SECTION IV: EFFECTIVE DATE.

This Ordinance shall take effect upon 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 _____, 2013.

**CITY OF DAPHNE
A MUNICIPAL CORPORATION**

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

**WALTER J. PIERCE & MARTIN L. PIERCE
ZONING AMENDMENT REVIEW**

**PARCELS 1 & 2 ALONG PROPOSED
COUNTY ROAD 13 INTERCHANGE & I-10**

EXHIBIT "A"

**STATE OF ALBAMA
COUNTY OF BALDWIN**

**LEGAL DESCRIPTIONS OF PROPERTY TO BE RE-ZONED FROM (R-3), HIGH DENSITY
SINGLE FAMILY RESIDENTIAL TO (B-2) GENERAL BUSINESS DISTRICT:**

PARCEL 1:

COMMENCING AT A 4" x 4" CONCRETE MONUMENT FOUND ON THE PRESENT RIGHT OF WAY LINE OF INTERSTATE 10 AS SHOWN ON THE RIGHT OF WAY MAP OF STATE HIGHWAY PROJECT NUMBER I-10-1 (19) (SAID MONUMENT OFFSET 300 FEET OF AND PERPENDICULAR TO CENTERLINE OF SAID PROJECT AT STATION 544+69.28); THENCE RUN NORTH 82*40'31" EAST A DISTANCE OF 2006.55 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED: THENCE RUN NORTH 69*30'30" EAST. 301.08 FEET; THENCE RUN SOUTH 00*28'49" WEST. 785.36 FEET; THENCE RUN SOUTH 89*45'57" WEST. 147.32 FEET; THENCE RUN NORTH 35*19'04" WEST. 353.00 FEET; THENCE RUN NORTH 05*08'29" WEST. 230.10 FEET; THENCE RUN NORTH 15*36'10" EAST. 84.72 FEET; THENCE RUN NORTH 42*04'15" EAST. 110.11 FEET; TO THE POINT OF BEGINNING AND CONTAINING 5.20 ACRES MORE OR LESS (226,377.3 SQ. FT.)

PARCEL 2:

COMMENCING AT A 4" x 4" CONCRETE MONUMENT FOUND ON THE PRESENT SOUTH RIGHT OF WAY LINE OF INTERSTATE 10 AS SHOWN ON THE RIGHT OF WAY MAP OF STATE HIGHWAY PROJECT NUMBER I-10-1 (19) (SAID MONUMENT OFFSET 300 FEET OF AND PERPENDICULAR TO CENTERLINE OF SAID PROJECT AT STATION 544+69.28); THENCE RUN SOUTH 75*04'44" EAST A DISTANCE OF 1657.69 FEET TO AN IRON AXEL AND THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED: THENCE RUN NORTH 00*30'16" EAST. 324.73 FEET; THENCE RUN SOUTH 35*06'49" EAST. 4.96 FEET; THENCE RUN SOUTH 19*18'20" EAST. 103.76 FEET; THENCE RUN SOUTH 34*46'31" EAST. 100.00 FEET; THENCE RUN SOUTH 51*11'02" EAST. 104.25 FEET; THENCE RUN SOUTH 35*06'49" EAST. 90.84 FEET; THENCE RUN SOUTH 89*45'57" WEST. 230.53 FEET; TO THE POINT OF BEGINNING AND CONTAINING 0.73 ACRES MORE OR LESS. (31715.3 SQ. FT.).

CITY OF DAPHNE

ORDINANCE NO. 2013-64

AN ORDINANCE RESCINDING ORDINANCE NO. 1991-12

WHEREAS, the City Council of the City of Daphne has determined that Ordinance No. 1991-12 regulating massage parlors is unduly burdensome and does not contribute to the protection of the public health, safety or welfare of the citizens, nor does it contribute to the preservation of the quality of life, property values or character of the City of Daphne; and

WHEREAS, it is the intent of the City Council of the City of Daphne to rely on the regulations and over-sight of the State of Alabama to regulate masseurs.

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

I. REPEALER. Ordinance No. 1991-12 is hereby repealed in its entirety.

II. 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 MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE ____ DAY OF _____, 2013.

CITY OF DAPHNE

DANE HAYGOOD, MAYOR

ATTEST:

REBECCA A. HAYES, CITY CLERK