

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, ALABAMA
MAY 5, 2014
6:30 P.M.

1. CALL TO ORDER

2. ROLL CALL / INVOCATION / Pastor Stuart Davidson / Eastern Shore Baptist Church

3. APPROVE MINUTES: Council meeting minutes / April 21, 2014
Emergency Special Called Council meeting minutes / April 25, 2014

CONGRATULATIONS: Bayside Academy Chess Team / Alabama State Champions

PROCLAMATION: “National Police Week” / May 11-17, 2014

PROCLAMATION: “National Safe Boating Week” / May 17-23, 2014

PROCLAMATION: “Public Works Week” / May 18-24, 2014

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE - Conaway
Review minutes / April 21st

1.) Ordinances:

- a.) Appropriation of Funds: Recreation HVAC / **Ordinance 2014-20**
- b.) Cancellation of: Website Integration for Animal Shelter & Library Donation and Close the Credit Card Donation Bank Account / **Ordinance 2014-21**
- c.) Appropriation of Funds: Hazardous Weather / Emergency Duty Pay during the January 2014 Ice Storm / **Ordinance 2014-22**

2.) Resolutions:

- a.) Bid Award: Concrete Pipe / Design Precast & Pipe / **Resolution 2014-19**
- b.) Bid Award: Plastic Pipe / Ferguson Waterworks / **Resolution 2014-20**
- c.) Bid Award : Rock / Martin Marietta Materials Company / **Resolution 2014-21**

3.) Financial Reports:

- Treasurers Report / March 2014
- Sales & Use Tax Collections / February 2014
- Lodging Tax Collections / February 2014

B. BUILDINGS & PROPERTY COMMITTEE - Davis

C. PUBLIC SAFETY - Rudicell

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Scott

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY – LeJeune

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Adrienne Jones
Review minutes / April 3rd

B. Downtown Redevelopment Authority – Conaway

C. Industrial Development Board – Davis
Review minutes / April 28th

- D. Library Board - Lake
- E. Planning Commission – Scott
Review minutes / March 27th
Staff Report / April 24th meeting

F. Recreation Board - LeJeune

- G. Utility Board - Fry
Review minutes / February 5th / February 26th / March 26th

6. REPORTS OF OFFICERS:

- A. Mayors Report
- B. City Attorney’s Report
- C. Department Head Comments
- D. City Clerk Report

7. PUBLIC PARTICIPATION:

- 1.) Mr. Willie Williams / Oversight of the Daphne Utility Board
- 2.) Mrs. Annie Root (*Daphne Art Center*) / Special Event for Community

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) Bid Award: Concrete Pipe / Design Precast &* Pipe...../Resolution 2014-19
- b.) Bid Award: Plastic Pipe / Ferguson Waterworks...../Resolution 2014-20
- c.) Bid Award: Rock / Martin Marietta Materials Co...../Resolution 2014-21
- d.) /Resolution 2014-22

ORDINANCES:

2ND READ

- a.) Revising Section 9.1, Section 9.10 and Section 10.6 of the Employee Handbook...../Ordinance 2014-15
- b.) Establishing a Policy for Community Grants...../Ordinance 2014-16

1ST READ

- a.) Appropriation of Funds: Recreation HVAC...../Ordinance 2014-20
- b.) Cancellation of: Website Integration for Animal Shelter & Library Donation and Close the Credit Card Donation Ban Account...../Ordinance 2014-21
- c.) Appropriation of Funds: Hazard Weather / Emergency Duty Pay during the January 2014 Ice Storm...../Ordinance 2014-22

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___
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CITY CLERK:

REBECCA HAYES	PRESENT___	ABSENT___
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CITY ATTORNEY:

JAY ROSS	PRESENT___	ABSENT___
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**APRIL 21, 2014
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

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

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE:

Reverend Charles Jackson of Macedonia Missionary Baptist Church gave the invocation

COUNCIL MEMBERS PRESENT:

Tommie Conaway; Pat Rudicell (*arrived at 7:00 PM*), John Lake; Randy Fry; Ron Scott; Robin LeJeune; Joe Davis.

Also present: Mayor Dane Haygood; Sarah Toulson, Assistant City Clerk; Jay Ross, City Attorney; Richard Johnson, Public Works Director; Adrienne Jones, Community Development Director; David McKelroy, Recreation Director; Tonja Young, Library Director; Mike Hinson, Finance Director; Ashley Campbell, Environmental Programs Manager; David Carpenter, Police Chief; Margaret Thigpen, Civic Center Director; Vickie Hinman, HR Director; Dorothy Morrison, Beautification Committee and Downtown Redevelopment Authority; Tomasina Werner, Beautification Committee; Rebecca Trosclair, Beautification Committee; Andy Rutens, Galloway, Wettermark Attorneys.

Absent: Michael Hoyt, Municipal Judge; Rebecca Hayes, City Clerk; Richard Merchant, Building Official; Rebecca Hayes, City Clerk.

3. APPROVE MINUTES:

March 17, 2014 Council meeting minutes

There were no corrections to the March 17, 2014 council meeting minutes, and stand approved as written.

April 7, 2014 Council meeting minutes

There were no corrections to the April 7, 2014 council meeting minutes, and stand approved as written.

PRESENTATION: 2nd Quarter Beautification Awards:

Mrs. Rebecca Trosclair presented an award to the Hilton Garden Inn, located on North Main Street, to the General Manager Mr. Billy Meadows. Mayor Haygood and members of the Beautification looked on as the award was presented.

4. REPORT OF STANDING COMMITTEES:

A. *FINANCE COMMITTEE* – Conaway

The next meeting will be May 12th at 4:00 p.m. and the minutes from today's meeting will be in the May 5th packet.

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B. BUILDINGS & PROPERTY COMMITTEE - Davis

The committee met on April 7th, and the minutes are in the next packet. The next meeting will be May 5th at 5:30 p.m.

C. PUBLIC SAFETY COMMITTEE – Rudicell

The next meeting will be May 14th at 4:30 p.m. Council President Fry mentioned that the minutes from the April 9th meeting are in the packet.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Scott

The minutes of the April 9th meeting are in the packet. The next meeting is May 14th at 5:00 p.m.

E. PUBLIC WORKS COMMITTEE – LeJeune

The committee met today at 5:00 p.m. and those minutes will be in the next packet. The next meeting will be May 19th at 5:00 p.m.

5. REPORTS OF SPECIAL BOARDS & COMMITTEES:

A. Board of Zoning Adjustments – Adrienne Jones

The board will meet May 1st to discuss two issues involving Sportsman Marine.

B. Downtown Redevelopment Authority – Conaway

The next meeting will be April 23rd at 5:30 p.m.

C. Industrial Development Board – Davis

The next meeting will be April 28th at 6:00 p.m.

D. Library Board – Lake

The next meeting will be May 8th.

E. Planning Commission – Scott

The Planning Commission held their Site Preview meeting on April 16th and will have their full meeting on April 24th.

F. Recreation Board – LeJeune

No report.

G. Utility Board – Fry

The next meeting will be April 30th at 5:00 p.m.

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6. REPORTS OF OFFICERS:

A. Mayor's Report

No report.

B. City Attorney's Report

Mr. Ross requested council go into Executive Session at the end of the meeting, not to adjourn, but come back in case they need to have a vote and then adjourn.

C. Department Head Comments

James White—Fire Chief—Chief White reported that Fire and Rescue had performed three rescues due to the recent excessive rain on Highways 13, 64, and 181.

David McKelroy – Recreation Director – reported that Brown Bag by the Bay would be ongoing every Thursday from 11:30 a.m. – 1:30 p.m. Additionally he announced that Men's Softball would occur this Saturday, and Sunday the "Sunset Series" would be from 5:30 – 7:00 p.m. at Bayfront Park. Relay for Life will be at Daphne High School on May 2nd, and a travel softball tournament would be ongoing May 3-4.

Margaret Thigpen – Civic Center Director – reported the Civic Center staff is getting ready to host the Alabama Master Gardeners and are very excited to have them.

Mike Hinson – Finance Director – reported the FY2013 CAFR will be ready by April 30th.

Richard Johnson – Public Works Director – The City was very fortunate to avoid any major issues during the flooding last week.

Adrienne Jones – Community Development Director – announced that an article on Al.com ranked Daphne as one of the most business friendly cities in Alabama, ranking 4th of 100.

City Clerk Report – Rebecca A. Hayes

No report.

7. PRESENTATION: Matthew Brown

Mr. Brown reported to council on the how fast the area was growing, traffic congestion, funding of road projects and how this will affect the economy.

8. PUBLIC PARTICIPATION

Tomasina Werner – Daphne - Ms. Werner spoke to the Council regarding the Jubilee Breeze. She encouraged the Council to support funding to have the Breeze mailed to the homes of Daphne residents, calling the magazine "the City's best ambassador."

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Bill Wynne - 507 Vann Avenue - intended to discuss a problem but after speaking with the Mayor and the Director of Public Works, he found that the situation was already noted. He expressed appreciation to Mr. Johnson and Mayor Haygood for the time and attention they gave to the drainage issue on his street.

Rod Drummond - 367 Ridgewood Drive - Echoed the concerns brought forth by the ESMPO regarding the increase in traffic volume in the Daphne area. He complimented the Beautification Committee's efforts, stating that this was a reason more people wanted to live in Daphne.

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) Prepaid Travel / Adrienne Jones...../Resolution 2014-13

MOTION BY Councilwoman Conaway to waive the reading of Resolution 2014-13. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to adopt Resolution 2014-13. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

- b.) **Support for ADEM Permit Modification to Include Construction & Demolition (C&D) Landfill for the City of Daphne's Tallent Lane Facility...../Resolution 2014-14**

MOTION BY Councilman Scott to waive the reading of Resolution 2014-14. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2014-14. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

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c.) Declaring Certain Property Surplus & Authorize Mayor to Dispose. . . . /Resolution 2014-15

d.) Declaring Certain Property Surplus & Authorize Mayor to Dispose. . . . /Resolution 2014-16

MOTION BY Councilman Scott to waive the reading of Resolution 2014-15 and 2014-16. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2014-15 and 2014-16. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

e.) Acceptance of Streets & Drainage / Bellaton, Phase Three. /Resolution 2014-17

MOTION BY Councilman Scott to waive the reading of Resolution 2014-17. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2014-17. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

ORDINANCES:

2ND READ

a.) **Regulating Construction Best Management Practices for Residential Dwellings and Other Land Disturbance within the City of Daphne. /Ordinance 2014-14**

MOTION BY Councilman Scott to waive the reading of Ordinance 2014-14. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

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MOTION BY Councilman Scott to adopt Ordinance 2014-14. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

1ST READ

- a.) Revising Section 9.1, Section 9.10 and Section 10.6 of the Employee Handbook. /Ordinance 2014-15
- b.) Establishing a Policy for Community Grants. /Ordinance 2014-16
- c.) Appropriation of Funds: Emergency Replacement Civic Center HVAC Chiller. /Ordinance 2014-17-A & B

ORDINANCES 2014-15 NAND 2014-16 WERE MADE 1ST READ

Council discussed options 2014-17-A and 2014-17-B.

MOTION BY Councilman Scott to suspend the rules to consider Ordinance 2014-17-A. *Seconded by Councilman Davis.*

ROLL CALL VOTE

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

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to waive the reading of Ordinance 2014-17-A. *Seconded by Councilwoman Conaway.*

Motion by Councilman Scott to amend Ordinance 2014-17-A. Amendments are as follows:

~~WHEREAS, quotes have been obtained for repairs verses replacement cost for the chiller~~

~~WHEREAS, the quote for repair was estimated to be \$56,000 and the purchase of a new chiller is estimated to cost \$250,000 + \$41,000 for a rental chiller (\$20,000 delivery/setup/1st month's rent + \$21,000/two additional months); and~~

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WHEREAS, the quote for a rental chiller is estimated to cost \$12,000 for delivery, installation, and the first month's rent; and

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds ~~up to the amount of \$240,000~~ not to exceed \$15,000 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2014 budget for replacement of the Civic Center chiller and rental chiller with the insurance reimbursement (*estimated \$51,000*) to be recorded in the budget as an insurance settlement; and the delivery, installation, and rental of a chiller for the Civic Center for the period of one month

Seconded by Councilman LeJeune.

VOTE ON AMENDMENT

MOTION CARRIED UNANIMOUSLY

VOTE ON ORIGINAL MOTION AS AMENDED

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to enter into Executive Session to discuss pending litigation, and return to adjourn the meeting. The session will be for 30 minutes. *Seconded by Councilwoman Conaway.*

The City Attorney certified that the foregoing is an appropriate reason to enter into Executive Session according to the Open Meetings Act.

ROLL CALL VOTE

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

AYE Conaway, Rudicell, Scott, LeJeune, Davis, Fry **NAY** Lake

MOTION CARRIED

The Council went into Executive Session at 7:50 p.m.

The Council returned from Executive Session at 8:15 p.m.

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 CITY COUNCIL MEETING
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MOTION BY Councilman Lejeune to accept the Lamar Settlement for the “shorter sign” option. Seconded by Councilman Scott.

Councilman Scott noted that the tree being removed under this settlement agreement was not one of the City’s heritage oaks.

Councilman Lake stated for the record:

“It’s the pecan tree, but it’s still one of the trees along 98. We’re also talking about topping off these oak trees, several of these oak trees around this sign to give an exclusive view to this sign, and that in itself is totally the opposite of what we were talking about, and you know, this is a reminder, I’m going to use a word, crying all day, ‘cause that’s what it seems like, December 16th over again, “we’ve got to make this decision right away, without having everything.” I think that this impacts every resident of Daphne. I don’t see why we need to settle with them, I think we have the winning case, I think, I’ve believed it all along that we were winning, and that the only reason why they’re trying to settle is because they see an opportunity; they see that we’ve flinched. I’ve wished we’d send them a message and say “no, we’re not going to settle, we’re going to stick with what we’re doing, and we’re going to continue in court.” I’m trying my hardest to bite my tongue, I’m trying my hardest not to..whereas I see, when I saw those oak trees being killed down the highway, it upset me. Now I’m going to see us taking and topping off [those trees], and it doesn’t matter what you say, if you hire an arborist or whatever. That’s who cut the trees on the other side of the power lines was an arborist supposedly, and when those arborists cut those trees, it made them look like wacky, um crazy the way they did it. And that was supposedly a trained arborist. And now I’m envisioning those trees to be cut, them chopping them down and the tops off of them so they can get a good view of their sign, and we’re giving them an exclusivity. And it is not going to stop any other sign company from coming in down the road and putting in signs down 181 or anywhere else. It just says Lamar won’t do it. And we’re not settling this. Cause we will be back here within the next twelve months, not with Lamar but with some other company that is going to come back at us, and we’re going to be back at it again. But that time, we won’t have an insurance representative backing us, we’ll have to be paying it out of our own dime, and then everyone will be saying “boy we wish we had listened to you John.” And so I’m going to say it now. When it happens, I’m going to say it: “I told you so”. It’s a mistake. I hope those of you that made the quick decision last December 16th when we, it was the situation of make the vote, will change your vote. Please look at the long term of what we’re looking at, ‘cause we’re not just looking at this for Daphne, we’re fighting this for every city in the state of Alabama.

Councilman Lejeune made comment that this issue has been affecting the citizens of Daphne for some time now by way of increased legal fees to handle this case.

ROLL CALL VOTE

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

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

MOTION CARRIED

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The Assistant City Clerk read the changes to Ordinance 2014-17-A as amended, and Ordinance 2017-A became 2014-17-C with the amendment.

MOTION BY Councilman Lake to waive the reading of Ordinance 2014-17-C. *Seconded by Councilwoman Conaway.*

AYE Conaway, Rudicell, Lake, Scott, Davis, Fry

NAY LeJeune

MOTION CARRIED

MOTION BY Councilman Scott to adopt Ordinance 2014-17-C. *Seconded by Councilwoman Conaway.*

MOTION CARRIED UNANIMOUSLY

9. COUNCIL COMMENTS:

Mayor Haygood expressed hopes that everyone had a happy Easter. He also noted the comments made concerning the Jubilee Breeze, stating that we truly do have a jewel in the quality of that production, and would like to see if it is possible to restart mailing the magazine to get it into the hands of Daphne citizens.

Councilman Rudicell agreed with the Mayor regarding the Jubilee Breeze, but would like to see what costs would be cut to offset the expenditure. He also expressed thanks to those that provided assistance to him and contacted him to show support while he was in the hospital.

Councilman Lake “I’m going to say that December 16th was to me a day that will live in infamy and today is another day that will live in infamy because I think a horrible injustice was done to this city. Again, we go before everybody has an opportunity to realize what they’re voting on, we have to hurry up and get it done. I’ve heard the last time “vote on it first and we’ll read it later.” Well that’s what happens this time. Vote on it first and we’ll read it later. The impact to the citizens of this whole community, the whole Eastern Shore, is been set. And one of the things, one of the cornerstones in this community is the quality of life. And I am saddened because I actually realize that this impacts MY district and MY neighborhood. And it infuriates me.”

Councilman Scott acknowledged a citizen who had recently had a drainage issue in his yard remediated. This citizen, Mr. Eddie Murphy, recently won the Lake Forest Landscaping Award from the Lake Forest Garden Club.

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Councilman LeJeune hoped everyone had a good Easter and spring break and noted that he thought the Jubilee Breeze was a jewel for the city, and that it would be easy to sell an advertisement to pay for shipment of the magazine.

Councilman Davis also commented on the Jubilee Breeze, calling it an excellent marketing piece for the City. He supported seeking the use of advertisements to fund mailing the magazine, as well as, furthering the City's marketing efforts. He noted that this Wednesday at 7 p.m. there would be a meeting of the Home Owners Association of Historic Malbis, and he hoped to be able to come back with suggestions that would be beneficial to the situation.

Council President Fry also made comment supporting the Jubilee Breeze and creative funding efforts to increase circulation in a cost-effective way. He also noted that Daphne was ranked 4th as a business friendly city, and is consistent in that ranking. Lastly, he welcomed Councilman Rudicell back to City Hall after an absence due to health concerns.

10. ADJOURN:

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

MOTION CARRIED UNANIMOUSLY

**THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING
ADJOURNED AT 8:35 P.M.**

Respectfully submitted by,

Certification of Presiding Officer

Sarah Toulson
Assistant City Clerk

Randy Fry,
Council President

**APRIL 25, 2014
EMERGENCY SPECIAL CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER

Council President Fry called the meeting to order at 3:35 p.m.

2. ROLL CALL

COUNCIL MEMBERS PRESENT: Tommie Conaway; John Lake (*arrived at 3:59 P.M.*) Randy Fry; Ron Scott; Robin LeJeune; Joe Davis.

ABSENT: Pat Rudicell

Also present: Mayor Dane Haygood; Sarah Toulson, Assistant City Clerk; Kevin Boucher, Attorney; Richard Johnson, Public Works Director; Suzanne Henson, Senior Accountant; Mike Hinson, Finance Director.

Absent: Rebecca Hayes, City Clerk.

3. ORDINANCE 2014-18 / Civic Center HVAC Chiller Emergency Replacement Appropriation

MOTION BY Councilman Davis to waive the reading of Ordinance 2014-18. *Seconded by Councilwoman Conaway.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Richard Johnson addressed the Council, explaining the three bids received to fulfill the need for a new HVAC chiller, and answered questions regarding the specific vendors, comparisons of equipment, and the timetable for installation.

MOTION BY Councilman Davis to adopt Ordinance 2014-18. *Seconded by Councilwoman Conaway.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

4. RESOLUTION 2014-18 / Resolution to authorize the Mayor & the Director of Public Works to apply for the State of Alabama's Fiscal Year 2014 Transportation Alternative Program (TAP)

MOTION BY Councilman Scott to waive the reading of Resolution 2014-18. *Seconded by Councilman Rudicell.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to adopt Resolution 2014-18. *Seconded by Councilwoman Conaway.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

**APRIL 25, 2014
EMERGENCY SPECIAL CITY COUNCIL MEETING
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MOTION BY Councilman Scott to adjourn. *Seconded by Councilwoman Conaway.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

There being no further business to discuss the meeting adjourned at 4:01 p.m.

Respectfully submitted by,

Sarah F. Toulson, Assistant City Clerk

Certification of Presiding Officer:

Randy Fry, Council President

City of Daphne

CONGRATULATIONS

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

WHEREAS, the Bayside Academy Chess Team won the Alabama Scholastic Championship held in Montevallo, Alabama on March 16, 2014; and

WHEREAS, the members of the team are Steve Chen, Trent Kannegieter, Keegan Cort and Philip Dobbins; and

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

WHEREAS, this is Bayside Academy's second State Championship in the past three years capping off an undefeated year; and

WHEREAS, during the regular season Bayside also won the Mobile-Baldwin County League for the ninth time in the past 11 years; and

WHEREAS, Sally Kalaris is the faculty sponsor who is especially phenomenal at working with the younger students teaching them how to play; and

WHEREAS, Eric Nager has been the Bayside Academy Chess Team coach for 14 years; and

WHEREAS, Eric is one of eight National Chess Coaches in the country as certified by the U.S. Chess Federation, and is a published author on successful team-building.

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

This certificate of Congratulations is presented by the City of Daphne, Alabama and affixed with the official seal this 5th day of May, 2014.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Office of the Mayor
Daphne, Alabama

PROCLAMATION

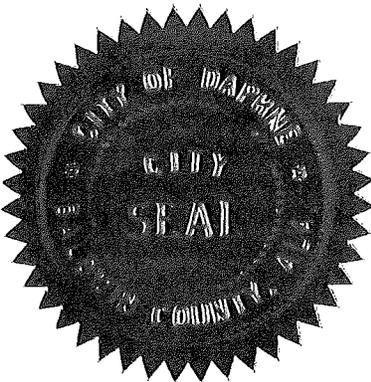
“NATIONAL POLICE WEEK” MAY 11-17, 2014

WHEREAS, the Congress and President of the United States of America has designated the week of May 11-17, 2014 to be dedicated as “National Police Week” and May 15th to be “Peace Officer’s Memorial Day”; and

WHEREAS, the law enforcement officers are our guardians of life and property, defenders of the individual right to be free men and women, dedicated to the preservation of life, liberty and the pursuit of happiness; and

WHEREAS, it is known that every fifty-seven hours an American Police Officer will be killed in the line of duty somewhere in the United States and 136 officers will be seriously assaulted in the performance of their duties. Our community joins with other cities and town to honor all peace officers everywhere.

NOW, THEREFORE, the Mayor and City Council of the City of Daphne hereby proclaim the week of **May 11 - May 17, 2014** to be “**National Police Week**” and call upon all our citizens in this community to especially honor and show our sincere appreciation for the police officers of this city. We call upon all our citizens to make every effort to express their thanks to our men and women who make it possible for us to leave our homes in safety each day and to return to our homes knowing we are protected by men and women willing to sacrifice their lives, if necessary, to guard our loved ones, property and government against all who would violate the law. The Mayor and City Council further calls upon the citizens of the City of Daphne to observe May 15, 2014 as “*Peace Officers’ Memorial Day*” in honor of those law enforcement officers who through courageous deeds have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.



Attest:

Dane Haygood
Mayor

Rebecca A. Hayes
City Clerk

City of Daphne

PROCLAMATION

“National Safe Boaters Week” May 17-23, 2014

WHEREAS, citizens and visitors alike enjoy recreation along the shores of Alabama’s beautiful rivers, Mobile Bay and the Gulf of Mexico spending much leisure time outdoors and on the water; and

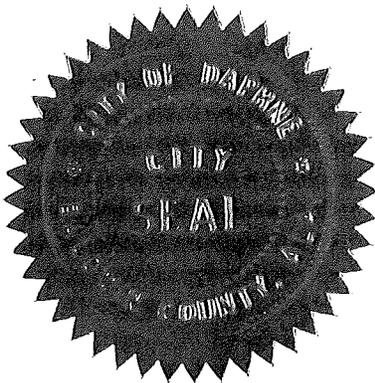
WHEREAS, even experienced boaters and outdoorsmen occasionally lose sight of the importance of water safety and forget that these beautiful bodies of water can pose serious dangers to those who are unprepared or unaware of safety precautions and sensible behavior while on the water; and

WHEREAS, in recognition of the importance of safe boating practices, the United States Congress by joint resolution, approved on June 4, 1958, authorized and requested the President to proclaim annually the seven day period prior to Memorial Day weekend as “National Safe Boaters Week”; and

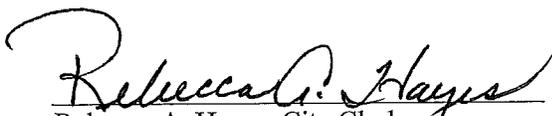
WHEREAS, this year the week of May 17-23, 2014 has been designated “National Safe Boaters Week”, and boating safety partners across the U.S. and Canada are teaming up to promote safe and responsible boating by raising awareness on the importance of taking proper precaution while boating avoiding preventable injuries while enjoying the nation’s beautiful waterways; and

WHEREAS, the U.S. Coast Guard Auxiliary is dedicated to improving the knowledge and skills of recreational boaters in order to reduce deaths and injuries, primarily by promoting the use of life jackets and the limited use of alcoholic beverages, as well as, by teaching boating safety courses which prepare boaters in filing float plans, determining weather conditions, performing vessel safety checks, ensuring that each passenger wears a life jacket and that all required safety equipment is on board.

NOW, THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA in an effort to raise public awareness of these important issues proclaim May 17-23, 2014 *“National Safe Boaters Week”* in the City of Daphne, and we urge all citizens to join with our local U.S. Coast Guard Auxiliary and take advantage of boater education information offered to further enhance safe and enjoyable boating on our nation’s waters.




Dane Haygood, Mayor

Attest: 
Rebecca A. Hayes, City Clerk

City of Daphne

PROCLAMATION

“Public Works Week” May 18-24, 2014

Whereas, public works services provided in our community are an integral part of our citizens’ everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, and solid waste collection; and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people’s attitude and understanding of the importance of the work they perform,

NOW, THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA do here by proclaim the week of May 18 – 24, 2014 as,

“National Public Works Week”

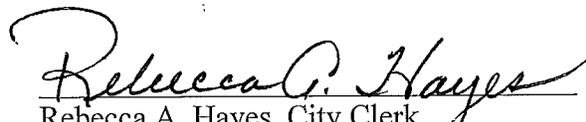
in the City of Daphne, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

In witness whereof, I have hereunto set my hand and caused the Seal of the City of Daphne, Alabama to be affixed on this 5th day of May, 2014.




Dane Haygood, Mayor

Attest:


Rebecca A. Hayes, City Clerk

**REPORT
OF
STANDING COMMITTEES**

**CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
APRIL 21, 2014
4:00 P.M.**

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:02 p.m. Present were Chairperson Mrs. Conaway, Councilman Ron Scott, Councilman Joseph Davis, Mayor Dane Haygood, Finance Director Mike Hinson, Senior Accountant Suz anne Henson, Accounting Technician Sue Moody, and Revenue Officer Angie Phillips.

Also in attendance were Human Resource Director Vickie Hinman, Public Works Director Richard Johnson, and Civic Center Director Margaret Thigpen, Recreation Director David McKelroy, Councilman Randy Fry. Councilman Robin LeJeune arrived at 5:15p.m.

I. PUBLIC PARTICIPATION

**A. Harbor Financial Services, LLC, Mr. Pfil Hunt, Director of Public Finance –
Discuss Refunding Opportunities for 2003 & 2006 Warrants**

Mr. Pfil Hunt reviewed the summary sheet of information concerning the refunding opportunities for the Series 2003 and 2006 Warrants (*only a partial refunding of the 2006 Warrants to keep below the Bank Qualified limit of \$10 Million*). Mr. Hunt reviewed the bank qualified option versus the non bank qualified option. Mr. Hunt noted the Bank qualified had the better rate but the refunding amount had to be less than \$10 million. Mr. Hunt noted that the recommendation from Government Finance Officers Association (GFOA) was that you get at least a 3% PV Savings and the bank qualified PV savings would be 4.09%.

Mr. Hunt noted if the City chooses to

- receive the **front loaded savings in the first year the bank qualified savings would be \$317,546** and the non bank qualified savings would be \$179,853.
- Mr. Hunt continued reviewing the option of **receiving the savings over the life of the debt schedule (through 4/01/2027) the savings would be \$404,511.57- an average of \$31,000 over the next 13 years (net present value benefit of \$388,540.85).**

Discussion continued on how long it takes to get the refinancing option ready. Mr. Hunt answered that it would take 4-6 weeks to get the refinancing package prepared (2-3 weeks to get the package ready to send to Moody's then 2 weeks to prepare it for the City). Mr. Scott recommended Council authorize the Mayor to sign agreements. Mrs. Conaway noted that there is another financing company that has requested to present their refinancing information at the May Finance Meeting. Mr. Scott noted that the rates would be basically the same for both companies that it is the fees that would be different.

Mr. Scott made a motion to move forward with the refinance option presented by Harbor Financial Services, LLC with a savings threshold of not less than \$300,000. Seconded by Mr. Lake.

III. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Vickie Hinman reviewed the Human Resource Report including open position status.

Positions

Mechanic
Recreation Program Coordinator
PT Library Aide (2)
Administrative Technician (Mechanical)

Status

Promotion
Pending
DOH: 3/13/14
Reviewing applications

Safety Committee meeting was held on March 26, 2014. Discussion was held regarding departmental safety issues. The Civic Center has asked if Public Works could cut back some of the greenery as the road curves near the east side of the facility. Also, they have asked if a sign could be placed near the pedestrian crosswalk when approaching the sidewalk at the Main Street exit and entrance.

Next Safety Committee meeting on April 30, 2014 at 10:00 a.m.

HR projects/meetings:

- Met with Ordinance Committee 4/9/2014 (Hazardous Weather policy) The policy will be posted for 10 days for employees to review
- Departmental Merit increase requests due April 30, 2014
- Currently keying in all employee evaluations
- Employee Benefits/Wellness Fair
- Benefits/Payroll Coordinator attended IPMA-HR Southern Conference April 14-16

Mayor Haygood noted that the Library Computer Technician employee has put in his resignation and his last day will be May 2, 2014.

Mr. Scott asked about the process of the Merit increases that are due to be submitted by 4-30-14 and asked were these increases budgeted? Mayor said Dept Heads would start by recommending at a minimum one employee per department at most 10% of each department's personnel budget and see how the numbers wash out. The Mayor stated the budget for merit increases is in the 15-18% range of the department's personnel budget. Mayor noted it's easier to add applicants to the total than it is to take away. Mayor continued that the objective is to reward those who are a cut above and who deserve a merit for their work efforts. Mayor said he was looking for a natural breakpoint not just a particular percentage. Mr. Lake expressed his concerns on this process of giving merit increases.

Mrs. Conaway asked about the status of the employee's grievances concerning pay during the recent ice storm. The Mayor answered that this item was sent to the Ordinance Committee to change the City policy and it is on the Council agenda tonight. Discussion continued on the pay for these employees and the new policy that would address future occurrences of this nature.

(New Policy will be updated in Ordinance 2014-15 which is pending adoption at the 05-05-14 Council Meeting – Revision of Section 9.1, 9.10 & 10.6 of the City's Employee Handbook). (\$55,000 additional appropriation was calculated to be needed to fund the Ice Storm personnel cost: for Pay Period 2-12-14 - \$37,788 + Public Safety Additional pay due to policy revision - \$17,212)

Mr. Scott made a motion to appropriate monies (*\$55,000) to retroactively pay the affected employees as reflected in the revised employee policy pertaining to "Emergency Duty Pay" Ordinance 2014-15 Revision of Section 9.1, 9.10 & 10.6 of the City's Employee Handbook. (Ord 2014-15-pending adoption) (\$55,000 was calculated after discussion in Finance Meeting).

IV. CURRENT BUSINESS

A. Financial Reports

1. Treasurer's Report: March, 2014

The Treasurer's Report totaling \$17,306,059 was presented by Mr. Hinson. Mayor Haygood noted that the total City funds balance is down from last year due to completion of several large projects. Mrs. Conaway
Finance Minutes

commented on the low balance of \$17 on the Credit Card Donation Account. Mr. Hinson noted this fund has not received any donations since its creation. *(this account has incurred \$523 to date in fees in addition to the cost to setup the online process - \$1,790 and has a continuing fee of \$39.90/month).*

The Treasurer's Report as of March 31, 2014 in the amount of \$17,306,059 was presented.

Motion by Mr. Davis to close the Credit Card Donation Account and remove the website integration for this process. Seconded by Mr. Scott.

2. Sales and Use Taxes: February, 2014

Mrs. Henson reviewed the Sales & Use Tax Reports and Graphs. Mrs. Henson noted that \$1,051,602.29 was collected for February 2014. Mrs. Henson noted collections were up \$18,123.71 for the February budgeted collections and \$21,905.41 for collections year to date over budgeted. Discussion was made that Eastern Shore Park ST collections were previously listed in a separate column but since this amount is no longer required to be separated out due to changes in debt requirements all sales & use tax collections are listed in one column.

3. Lodging Tax Collections, February, 2014

Mr. Hinson reviewed the Lodging Tax Collections Report and noted the collections for February 2014 were \$49,784.71 which is down from February 2013's collections - \$ 54,207.03. Discussion continued that this amount should increase after the new Lodging Tax rate increase takes effect.

5. Report: New Business Licenses – March, 2014

Mrs. Phillips reviewed the Business Licenses Report. Mrs. Phillips noted that total business license issued YTD were down 120 from last year. Mrs. Phillips noted that 359 licenses issued for March, up 7 from March 2013 (352 licenses issued). Mrs. Phillips continued that of the 359 Business License issued, 304 were renewals, 50 new businesses with 11 of those having a physical location in Daphne and 5 were prior year licenses. Mrs. Phillips noted she would provide a map showing each of the 8 new businesses locations for Council. Mrs. Phillips noted that there is an increase in the number of businesses that sell the new electronic cigarettes. Discussion continued that there have been questions from citizens as to if the electronic cigarettes are allowed in public places like ballparks and restaurants? Mrs. Phillips continued reviewing Revenue's activity throughout the month of March.

6. Bills Paid Reports – February, 2014

The Bills Paid Report was presented in the packet.

B. Appropriation Request: *(Ordinance)*

General Fund:

1. Civic Center Chiller Repair - \$56,000 vs. Replacement - \$291,000 (*chiller \$250,000 + \$41,000 rental equip*)
 - **Option #1: Civic Center Chiller Repair - \$5,000/Insurance Deductible:** (\$56,000 est total repair cost less insurance reimbursement est \$51,000)
 - **Option #2: Civic Center Replacement - \$241,000** (\$291,00 total: New Chiller \$250,000 + \$41,000 rental equip less \$51,000 insurance reimbursement)
 - **Note: Insurance Adjuster is still evaluating City's claim**

Mr. Johnson stated the chiller is working at half capacity and a recommendation was made by the City's HVAC maintenance company to replace the chiller due to the age of the current chiller. Mr. Johnson noted that three

quotes had been obtained for replacing the chiller but that all three chillers were not equal quality. Mr. Johnson noted the three preliminary quotes were: T&M Heating & AC-\$130,060, JLS International-\$124,769, and Johnson Controls-\$250,000. Mr. Johnson noted that Johnson Controls offers a 66 month warranty. Mr. Johnson noted the delivery and install of the chiller would take approximately 8-10 weeks and that a rental chiller will be needed during that time. Mr. Johnson stated that the cost for rental of a chiller is approximately \$10,000/month. Mr. Davis inquired if the insurance company would pay for the rental of the chiller and Mrs. Henson answered the insurance company confirmed they would not. Discussion continued on recommending \$240,000 be appropriated for an "Emergency" purchase of a new chiller and this be considered at the Council Meeting that evening. Discussion continued that to suspend the rules and adopt the ordinance it had to be a unanimous decision of the Council. Mr. Fry commented that he would like for the final approval of the vendor come back before the Council.

Motion by Mr. Scott to appropriate up to \$240,000 for the purchase of the chiller with final approval of vendor coming back before Council prior to ordering. Seconded by Mr. Joe Davis. Motion carried.

(Note: Ordinance 2014-17C was approved at the 4-21-14 Council Meeting for an amount not to exceed \$15,000 for one month's rental of a chiller. Ordinance 2014-18 \$150,170 was approved at the Special called Council Meeting on 4-25-14 appropriating \$150,170 for the purchase of new chiller, maintenance agreement, & a rental chiller.)

C. Bids: (Resolution)

1. 2014-F-CONCRETE PIPE

Mr. Johnson reviewed the bids and noted that the recommendation was for the low bidder Design Precast & Pipe. Mr. Johnson noted they are a new vendor for the City. Mr. Johnson noted the company is located in Gulfport Mississippi.

2. 2014-G-PLASTIC PIPE

Mr. Johnson reviewed the bids and noted that the recommendation was for the low bidder Ferguson Waterworks. The City has purchased from this company before.

3. 2014-H-ROCK

Mr. Johnson reviewed the bid and noted that the recommendation was for Martin Marietta Materials Company. Mr. Johnson noted both bids were very close but Martin Marietta bid on ALL items and Vulcan Materials did not bid on pea gravel.

Motion by Mr. Scott to recommend to Council to award the following bids per unit cost as bid:

- 1. 2014-F-CONCRETE PIPE – Design Precast & Pipe***
- 2. 2014-G-PLASTIC PIPE – Ferguson Waterworks***
- 3. 2014-H-ROCK - Martin Marietta Materials Co.***

Seconded by Mr. Davis. Motion carried.

D. Prepaid Travel: Adrienne Jones, Community Development Director, 2014 American Planning Association National Planning Conference, April 25th through April 30th, 2014, Atlanta, Georgia - \$255.

The Prepaid Travel request for Mrs. Adrienne Jones, Community Development Director was presented.

Motion by Mr. Davis to recommend to Council to approve the prepaid travel as follows: Adrienne Jones, Community Development Director, 2014 American Planning Association National Planning Conference, April 25th through April 30th, 2014, Atlanta, Georgia - \$255. Seconded by Mr. Scott. Motion carried.

E. Surplus Minutes for March, 2014 Sale

Mrs. Henson reviewed the minutes of the March 2014 Surplus Sale where \$41,649.06 was collected for the sale of four vehicles and an excavator. (*Total Surplus Sale monies collected for FY2014 is \$51,760.24*).

F. Recreation HVAC Upgrade

Mr. McKelroy reviewed the Recreation HVAC upgrade that was needed and had previously been discussed at the last Building and Property Meeting. Mr. McKelroy requested that monies be appropriated to replace needed three units. Mr. Johnson reviewed the problems with the current old units and noted the recommendation is to replace three of the four units. Mrs. Conaway asked how much was included in the budget and what is the additional amount that needs to be appropriated. Mrs. Henson noted that \$14,000 was originally approved in the FY2014 budget and Mr. McKelroy stated that **an additional \$21,000 is estimated to be needed to purchase the three HVAC units** (total project cost of \$35,000). Discussion continued that the following needed to be included in the Mayor 5, 2014 Council packet: 1) Vendor quotes for the three HVAC Units Council's review, 2) a recommendation on the vendor, and 3) an Ordinance to appropriate the additional \$21,000 needed for the purchase of the three HVAC units.

V. OLD BUSINESS

VI. ADJOURN The meeting adjourned at 5:28 p.m.

Suzanne Henson

From: Pfilip Hunt <phunt@harborfs.com>
Sent: Wednesday, April 16, 2014 9:05 AM
To: Suzanne Henson
Cc: Tommie Conaway
Subject: RE: Harbor Financial
Attachments: Daphne Refund summary 03-06.xlsx; Disclaimer.docx; Daphne BQ 20032006 41614.xls; Daphne NONBQ 20032006 41614.xls

Hi Suzanne and Mrs. Conaway

Per your request, attached are a summary sheet, individual refunding runs, and a standard disclaimer. Please let me know if you have any questions. Look forward to seeing you Monday.

Pfil

Pfilip G. Hunt, Jr.
Director Public Finance
Harbor Financial Services, LLC
11 North Water St.
Suite 21290
Mobile, AL 36602
251-298-8662 Work
251-591-0905 Cell

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From: Suzanne Henson [mailto:shenson@daphneal.com]
Sent: Friday, April 11, 2014 12:14 PM
To: Pfilip Hunt
Cc: Tommie Conaway
Subject: FW: Harbor Financial

Hi Pfil
I understand you will be speaking at the April Finance Committee Meeting. I wanted to make sure you were aware the meeting had been rescheduled to Monday, April 21st at 4p.m.

**City of Daphne, AL
Series 2003 and 2006 Warrants***

Summary of Refunding Opportunities

	<u>Bank Qualified</u>	<u>Non Bank Qualified</u>
Par Amount	\$ 9,990,000.00	\$ 10,125,000.00
Gross Savings	\$ 404,511.00	\$ 241,496.00
Average Annual Savings	\$ 31,116.00	\$ 18,576.00
PV Savings	\$ 388,540.00	\$ 253,526.00
PV Savings %	4.09%	2.67%
Front Loaded Savings in First Year	\$ 317,546.00	\$ 179,853.00

* - Note: the numbers assume a partial refunding of the 2006 Warrants to keep below Bank Qualified limit.

City of Daphne, Alabama

General Obligation Refunding Warrants

Series 2003 & 2006 (Partial) Refunding

"AA" Rating BQ

Debt Service Comparison

Date	Total P+I	Net New D/S	Old Net D/S	Savings
04/01/2015	1,136,043.92	1,136,043.92	1,165,210.43	29,166.51
04/01/2016	1,418,587.50	1,418,587.50	1,449,046.26	30,458.76
04/01/2017	1,419,487.50	1,419,487.50	1,451,036.26	31,548.76
04/01/2018	1,319,887.50	1,319,887.50	1,351,998.76	32,111.26
04/01/2019	1,316,787.50	1,316,787.50	1,348,388.76	31,601.26
04/01/2020	614,162.50	614,162.50	648,243.76	34,081.26
04/01/2021	619,362.50	619,362.50	648,906.26	29,543.76
04/01/2022	618,000.00	618,000.00	648,125.00	30,125.00
04/01/2023	620,125.00	620,125.00	650,850.00	30,725.00
04/01/2024	619,225.00	619,225.00	649,850.00	30,625.00
04/01/2025	617,875.00	617,875.00	650,325.00	32,450.00
04/01/2026	619,675.00	619,675.00	649,675.00	30,000.00
04/01/2027	615,825.00	615,825.00	647,900.00	32,075.00
Total	\$11,555,043.92	\$11,555,043.92	\$11,959,555.49	\$404,511.57

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings	385,775.37
Net PV Cashflow Savings @ 2.487%(AIC)	385,775.37
Contingency or Rounding Amount	2,765.48
Net Present Value Benefit	\$388,540.85
Net PV Benefit / \$9,490,000 Refunded Principal	4.094%
Net PV Benefit / \$9,990,000 Refunding Principal	3.889%

Refunding Bond Information

Refunding Dated Date	4/02/2014
Refunding Delivery Date	4/02/2014

City of Daphne, Alabama

General Obligation Refunding Warrants
Series 2003 & 2006 (Partial) Refunding
"AA" Rating Non-BQ

Debt Service Comparison

Date	Total P+I	Net New D/S	Old Net D/S	Savings
04/01/2015	1,144,434.48	1,144,434.48	1,165,210.43	20,775.95
04/01/2016	1,431,887.50	1,431,887.50	1,449,046.26	17,158.76
04/01/2017	1,432,587.50	1,432,587.50	1,451,036.26	18,448.76
04/01/2018	1,332,787.50	1,332,787.50	1,351,998.76	19,211.26
04/01/2019	1,329,487.50	1,329,487.50	1,348,388.76	18,901.26
04/01/2020	631,712.50	631,712.50	648,243.76	16,531.26
04/01/2021	631,612.50	631,612.50	648,906.26	17,293.76
04/01/2022	630,025.00	630,025.00	648,125.00	18,100.00
04/01/2023	631,900.00	631,900.00	650,850.00	18,950.00
04/01/2024	630,700.00	630,700.00	649,850.00	19,150.00
04/01/2025	629,050.00	629,050.00	650,325.00	21,275.00
04/01/2026	630,525.00	630,525.00	649,675.00	19,150.00
04/01/2027	631,350.00	631,350.00	647,900.00	16,550.00
Total	\$11,718,059.48	\$11,718,059.48	\$11,959,555.49	\$241,496.01

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings	248,921.87
Net PV Cashflow Savings @ 2.736%(AIC)	248,921.87
Contingency or Rounding Amount	4,604.53
Net Present Value Benefit	\$253,526.40
Net PV Benefit / \$9,490,000 Refunded Principal	2.672%
Net PV Benefit / \$10,125,000 Refunding Principal	2.504%

Refunding Bond Information

Refunding Dated Date	4/02/2014
Refunding Delivery Date	4/02/2014

Disclaimer

All materials, including proposed terms and conditions, are indicative and for discussion purposes only. Finalized terms and conditions are subject to further discussion and negotiation and will be evidenced by a formal agreement. Opinions expressed are our present opinions only and are subject to change without further notice.

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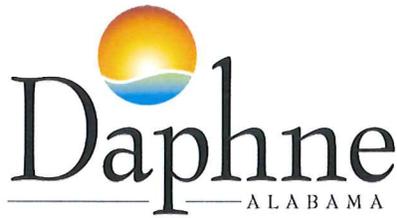
The information contained herein has been prepared solely for informational purposes and is not an offer to buy or sell or a solicitation of an offer to buy or sell any security or instrument or to participate in any trading strategy. Harbor does not provide accounting, tax or legal advice, however, you should be aware that any proposed indicative transaction could have accounting, tax, legal or other implications that should be discussed with your advisors and or counsel. The materials should not be relied upon for the maintenance of your books and records or for any tax, accounting, legal or other purposes. In addition, we mutually agree that, subject to applicable law, you may disclose any and all aspects of any potential transaction or structure described herein that are necessary to support any U.S. federal income tax benefits, without Harbor imposing any limitation of any kind.

Harbor shall have no liability, contingent or otherwise, to the user or to third parties, or any responsibility whatsoever, for the correctness, quality, accuracy, timeliness, pricing, reliability, performance or completeness of the data or formulae provided herein or for any other aspect of the performance of this material. In no event will Harbor be liable for any special, indirect, incidental or consequential damages which may be incurred or experienced on account of the user using the data provided herein or this material, even if Harbor has been advised of the possibility of such damages. Harbor will have no responsibility to inform the user of any difficulties experienced by Harbor or third parties with respect to the use of the material or to take any action in connection therewith.

The fact that Harbor has made the materials or any other materials available to you constitutes neither a recommendation that you enter into or maintain a particular transaction or position nor a representation that any transaction is suitable or appropriate for you.

Dane Haygood
Mayor

Vickie Hinman
Human Resources Director



The Jubilee City

Sherree Hilburn
Payroll and Benefits Coordinator

Sandi Cushway
Human Resources Assistant

April 16, 2014

HUMAN RESOURCES DEPARTMENT
ACTIVITY REPORT

Positions

Mechanic
Recreation Program Coordinator
PT Library Aide (2)
Administrative Technician (Mechanical)

Status

Promotion
Pending
DOH: 3/13/14
Reviewing applications

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- Benefits/Payroll Coordinator attended IPMA-HR Southern Conference April 14-16

TREASURER'S REPORT

As of March 31, 2014

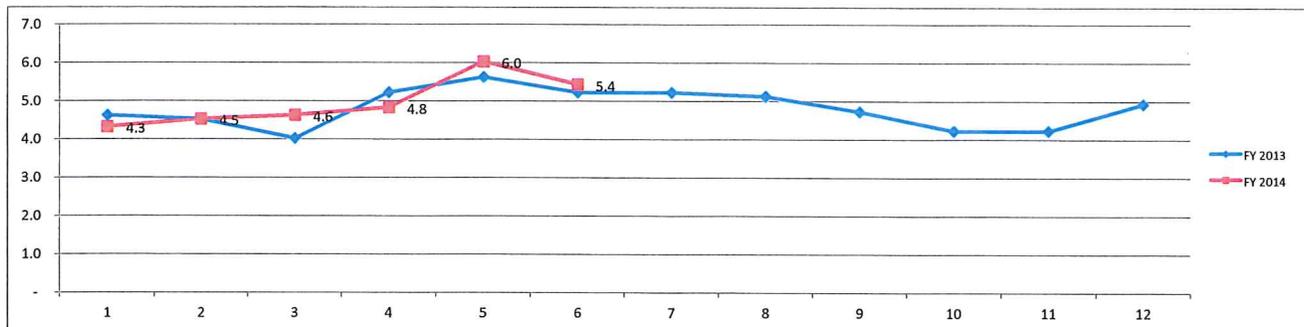
Account Type/Title	Bank / Brokerage	3/31/2014	2/28/2014	Increase (Decrease) from last Month	Balance Last Year Mar 2013	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	Compass Bank1	\$ 6,780,937	\$ 7,961,836	\$ (1,180,899)	\$ 5,709,243	\$ 1,071,694
INVESTMENT FUND	Raymond James	5,165,158	5,181,224	(16,066)	\$ 5,224,571	\$ (59,413)
AGENCY FUNDS (Municipal Court)	Compass Bank2	66,803	81,703	(14,900)	\$ 106,243	\$ (39,440)
Total Unrestricted Funds		12,012,898	13,224,763	(1,211,865)	\$ 11,040,057	\$ 972,841
				⊖		⊕
SPECIAL REVENUE FUNDS						
MUNICIPAL COURT	Compass Bank1	24,149	18,598	5,551	(40,168)	64,317
SELF INSURANCE	Compass Bank1	47,429	29,781	17,648	22,094	25,335
FLEX SPENDING	Compass Bank1	(13,059)	(4,469)	(8,590)	(13,812)	753
4 CENT GAS TAX	PNC Bank1	126,754	122,400	4,354	276,525	(149,771)
7 CENT GAS TAX	PNC Bank2	435,081	429,638	5,443	370,775	64,306
TREE & FLOWER	Compass Bank1	11,200	11,200	-	-	11,200
SAIL SITE	PNC3/Compass1	3,277	(178)	3,455	1,236	2,041
NON-MAJOR STORMS	Compass Bank1	-	-	-	(21,432)	21,432
BP OIL SPILL	Compass Bank1	426,768	426,768	0	428,838	(2,070)
FEDERAL DRUG FORFEITURES	Compass Bank1	49,174	49,174	(0)	51,636	(2,462)
LOCAL DRUG FORFEITURES	Compass Bank1	18,927	10,747	8,180	4,027	14,900
LIBRARY	Compass Bank1	13,692	17,038	(3,346)	39,047	(25,355)
CONCESSION STAND	Compass Bank1	(6,134)	(4,473)	(1,661)	(4,376)	(1,758)
COURT TRAINING & EQUIPMENT	Compass Bank2	24,854	25,198	(344)	22,360	2,494
COURT JUDICIAL ADMINISTRATIVE	Compass Bank2	63,724	59,388	4,336	25,800	37,924
COURT CORRECTION	Compass Bank2	204,944	199,531	5,413	272,117	(67,173)
LODGING TAX	Compass Bank1	1,046,017	1,034,997	11,020	1,135,830	(89,813)
RENAISSANCE CENTER	Compass Bank1	-	-	-	-	-
CREDIT CARD DONATION ACCT	Compass Bank3	17	57	(40)	500	(483)
		<u>2,476,813</u>	<u>2,425,395</u>	<u>51,418</u>	<u>2,570,997</u>	<u>(94,184)</u>
CAPITAL PROJECT FUNDS						
CAPITAL RESERVE	Wells Fargo Bank1	1,551,144	1,370,318	180,826	1,008,053	543,091
2012 CONSTRUCTION	Regions Bank	643,713	712,250	(68,537)	2,056,014	(1,412,301)
		<u>2,194,857</u>	<u>2,082,568</u>	<u>112,289</u>	<u>3,064,067</u>	<u>(869,210)</u>
DEBT SERVICE FUNDS						
DEBT SERVICE	Wells Fargo Bank2	621,491	1,336,036	(714,545)	1,466,207	(844,716)
Total Restricted Funds		5,293,161	5,843,999	(550,838)	7,101,271	(1,808,110)
Total City Funds		\$ 17,306,059	\$ 19,068,762	\$ (1,762,703)	\$ 18,141,328	\$ (835,269)

of Months of UNRESTRICTED Cash to cover monthly
Operating Expenses & Debt Service

5.4

6.0

5.2



SALES & USE TAXES

FY 2014 BUDGET vs ACTUAL

ACTUAL COLLECTIONS

Month	7/18 Year Sparklines																						
	2010	2011	2012	2013	2014	2014	2013	2012	2011	2010	2010-2011	2011-2012	2012-2013	2013-2014	2014	2013	2012	2011	2010	Budget	Monthly Variance	YTD Variance	% of Budget
October	764,641.13	800,512.03	864,727.27	1,019,065.37	1,062,861.14		1,019,065.37	864,727.27	800,512.03	764,641.13	1,031,207	31,654.56	31,654.56	31,654.56	1,062,861.14	1,019,065.37	864,727.27	800,512.03	764,641.13	1,031,207	31,654.56	31,654.56	3.1%
November	761,955.37	819,834.09	845,342.45	1,011,813.96	1,061,121.86		1,011,813.96	845,342.45	819,834.09	761,955.37	1,028,397	32,725.11	64,379.67	64,379.67	1,061,121.86	1,011,813.96	845,342.45	761,955.37	761,955.37	1,028,397	32,725.11	64,379.67	3.2%
December	1,004,037.20	1,121,383.45	1,165,135.62	1,266,051.50	1,299,075.20		1,266,051.50	1,165,135.62	1,121,383.45	1,004,037.20	1,364,761	(65,685.73)	(1,306.06)	(1,306.06)	1,299,075.20	1,266,051.50	1,165,135.62	1,004,037.20	1,004,037.20	1,364,761	(65,685.73)	(1,306.06)	-4.8%
January	723,504.28	817,230.14	809,785.59	895,717.19	974,224.69		895,717.19	809,785.59	817,230.14	723,504.28	969,137	5,087.76	3,781.70	3,781.70	974,224.69	895,717.19	809,785.59	723,504.28	969,137	969,137	5,087.76	3,781.70	0.5%
February	733,335.60	840,768.01	845,101.34	1,004,349.50	1,051,602.29		1,004,349.50	845,101.34	840,768.01	733,335.60	1,033,479	18,123.71	21,905.41	21,905.41	1,051,602.29	1,004,349.50	845,101.34	733,335.60	1,033,479	1,033,479	18,123.71	21,905.41	1.8%
March	916,657.55	976,181.39	1,018,721.43	1,181,007.55			1,181,007.55	1,018,721.43	976,181.39	916,657.55	1,220,063					1,181,007.55	1,018,721.43	976,181.39	1,220,063	1,220,063			
April	809,588.73	916,536.59	911,438.60	1,039,769.87			1,039,769.87	911,438.60	916,536.59	809,588.73	1,101,677					1,101,677	911,438.60	809,588.73	1,101,677	1,101,677			
May	862,254.54	889,945.33	911,839.30	1,098,548.05			1,098,548.05	911,839.30	889,945.33	862,254.54	1,114,196					1,114,196	911,839.30	862,254.54	1,114,196	1,114,196			
June	887,262.68	946,206.78	1,114,149.53	1,097,507.32			1,097,507.32	1,114,149.53	946,206.78	887,262.68	1,213,130					1,213,130	1,114,149.53	887,262.68	1,213,130	1,213,130			
July	839,192.33	902,457.24	1,010,193.08	1,065,215.02			1,065,215.02	1,010,193.08	902,457.24	839,192.33	1,143,981					1,143,981	1,010,193.08	839,192.33	1,143,981	1,143,981			
August	790,713.80	871,437.04	1,021,267.76	1,110,126.44			1,110,126.44	1,021,267.76	871,437.04	790,713.80	1,153,572					1,153,572	1,110,126.44	790,713.80	1,153,572	1,153,572			
September	841,035.40	863,630.36	1,004,661.04	1,058,958.43			1,058,958.43	1,004,661.04	863,630.36	841,035.40	1,125,482					1,125,482	1,004,661.04	841,035.40	1,125,482	1,125,482			
Totals	9,934,178.61	10,766,122.45	11,522,363.01	12,848,130.20	5,448,885.18		12,848,130.20	11,522,363.01	10,766,122.45	9,934,178.61	13,499,081	21,905.41	0.4%		Totals	13,499,081	12,848,130.20	10,766,122.45	9,934,178.61	13,499,081	21,905.41	21,905.41	0.4%

Budgeted Dollar Increase FY13 vs FY14	650,951
Budgeted Percent Increase FY13 vs FY14	5.1%

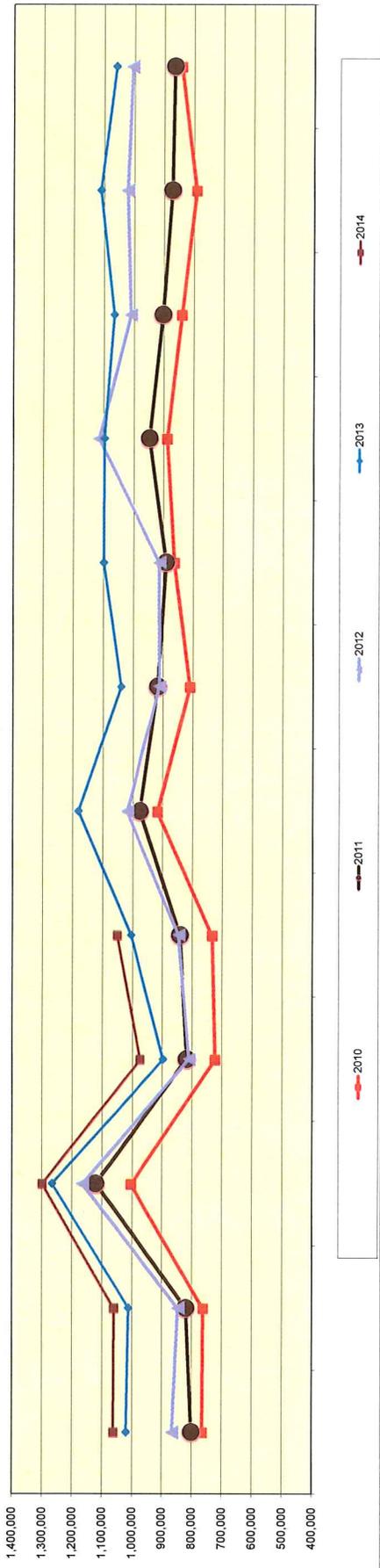
Fiscal Year Changes Year Over Year

\$ Change

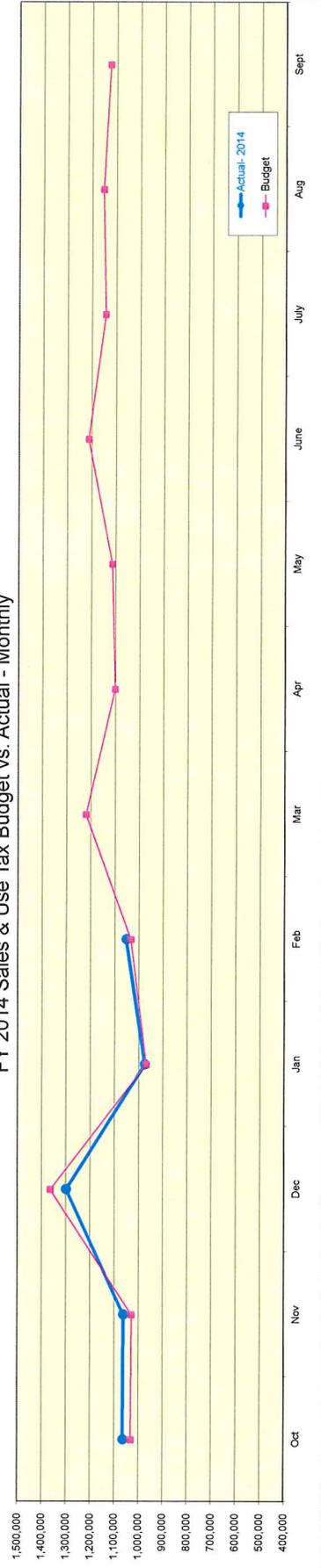
Percent Change

Month	7/18 Year Sparklines												6/17 Year Sparklines											
	2010-2011	2011-2012	2012-2013	2013-2014	2014	2013	2012	2011	2010	2010-2011	2011-2012	2012-2013	2013-2014	2014	2013	2012	2011	2010	2010-2011	2011-2012	2012-2013	2013-2014	2014	
October	35,870.90	64,215.24	154,338.10	43,795.77		43,795.77	154,338.10	64,215.24	35,870.90	35,870.90	4.7%	8.0%	17.8%	4.3%	4.3%	8.0%	35,870.90	35,870.90	4.7%	8.0%	17.8%	4.3%	4.3%	
November	57,878.72	25,508.36	166,471.51	49,307.90		49,307.90	166,471.51	25,508.36	57,878.72	57,878.72	7.6%	3.1%	19.7%	4.9%	4.9%	3.1%	166,471.51	166,471.51	7.6%	3.1%	19.7%	4.9%	4.9%	
December	117,346.25	43,752.17	100,915.88	33,023.70		33,023.70	100,915.88	43,752.17	117,346.25	117,346.25	11.7%	3.9%	8.7%	2.6%	2.6%	3.9%	100,915.88	100,915.88	11.7%	3.9%	8.7%	2.6%	2.6%	
January	93,725.86	(7,444.55)	85,931.60	78,507.50		78,507.50	85,931.60	(7,444.55)	93,725.86	93,725.86	13.0%	-0.9%	10.6%	8.8%	8.8%	-0.9%	85,931.60	85,931.60	13.0%	-0.9%	10.6%	8.8%	8.8%	
February	107,432.41	4,333.33	159,248.16	47,252.79		47,252.79	159,248.16	4,333.33	107,432.41	107,432.41	14.6%	0.5%	18.8%	4.7%	4.7%	0.5%	159,248.16	159,248.16	14.6%	0.5%	18.8%	4.7%	4.7%	
March	59,523.84	42,540.04	162,286.12				162,286.12	42,540.04	59,523.84	59,523.84	6.5%	4.4%	15.9%			4.4%	162,286.12	162,286.12	6.5%	4.4%	15.9%			
April	106,947.86	(5,097.99)	128,331.27				128,331.27	(5,097.99)	106,947.86	106,947.86	13.2%	-0.6%	14.1%			-0.6%	128,331.27	128,331.27	13.2%	-0.6%	14.1%			
May	27,690.79	21,893.97	186,708.75				186,708.75	21,893.97	27,690.79	27,690.79	3.2%	2.5%	20.5%			2.5%	186,708.75	186,708.75	3.2%	2.5%	20.5%			
June	58,944.10	167,942.75	(16,642.21)				(16,642.21)	167,942.75	58,944.10	58,944.10	6.6%	17.7%	-1.5%			17.7%	(16,642.21)	(16,642.21)	6.6%	17.7%	-1.5%			
July	63,264.91	107,735.84	55,021.94				55,021.94	107,735.84	63,264.91	63,264.91	7.5%	11.9%	5.4%			11.9%	55,021.94	55,021.94	7.5%	11.9%	5.4%			
August	80,723.24	149,830.72	88,858.68				88,858.68	149,830.72	80,723.24	80,723.24	10.2%	17.2%	8.7%			17.2%	88,858.68	88,858.68	10.2%	17.2%	8.7%			
September	22,594.96	141,030.68	54,297.39				54,297.39	141,030.68	22,594.96	22,594.96	2.7%	16.3%	5.4%			16.3%	54,297.39	54,297.39	2.7%	16.3%	5.4%			
Annual \$ Cha	831,943.84	756,240.56	1,325,767.19	251,887.66		251,887.66	1,325,767.19	756,240.56	831,943.84	831,943.84	8.4%	7.0%	11.5%	4.8%	4.8%	7.0%	1,325,767.19	1,325,767.19	8.4%	7.0%	11.5%	4.8%	4.8%	

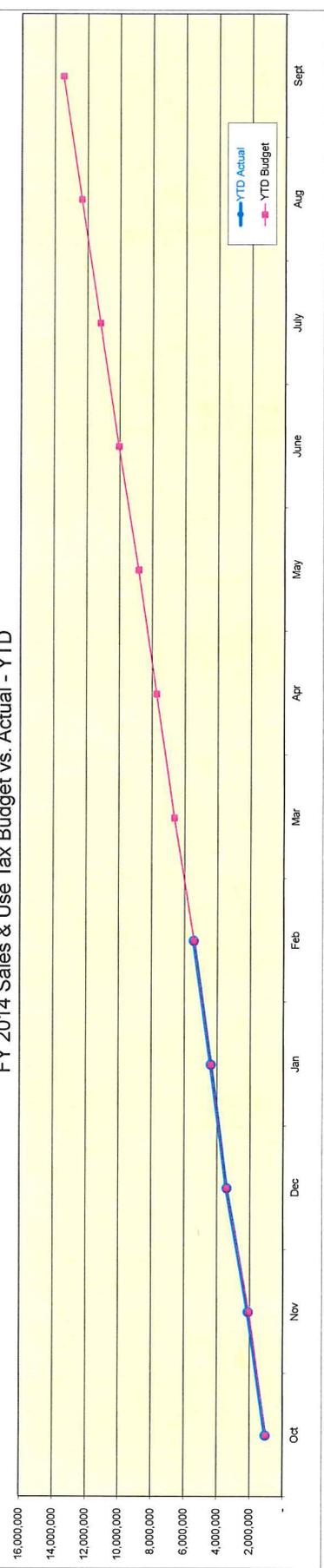
Sales & Use Tax Comparisons



FY 2014 Sales & Use Tax Budget vs. Actual - Monthly



FY 2014 Sales & Use Tax Budget vs. Actual - YTD



MONTHLY LODGING TAX COLLECTIONS

ACTUAL COLLECTIONS

	FY 10	FY 11	FY 12	FY 13	FY 14	10 Year Spark Line
October	39,405.56	56,001.39	52,002.53	51,578.40	48,382.05	
November	33,763.37	48,329.73	47,568.08	43,459.48	43,912.92	
December	31,571.38	47,210.56	42,279.22	40,495.14	39,122.53	
January	42,883.70	49,006.12	41,917.34	47,548.01	43,198.04	
February	46,998.32	43,052.68	47,346.50	54,207.03	49,784.71	
March	52,771.52	67,422.43	70,058.33	64,325.47		
April	41,531.05	48,487.83	51,939.06	47,434.55		
May	66,820.96	57,880.48	54,740.45	68,448.49		
June	79,822.84	67,544.77	69,822.91	71,090.69		
July	91,906.47	76,631.86	79,417.80	94,310.47		
August	63,323.58	52,820.33	50,417.73	52,427.99		
September	52,662.79	45,216.75	46,968.89	45,148.35		
Total	643,461.54	659,604.93	654,478.84	680,474.07	224,400.25	

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

FY 2014 BUDGET vs. ACTUAL

	Budget	Monthly Variance	YTD Variance	% of Budget
October	50,915.78	(2,533.73)	(2,533.73)	-4.98%
November	44,297.04	(384.12)	(2,917.85)	-0.87%
December	41,338.02	(2,215.49)	(5,133.34)	-5.36%
January	46,404.03	(3,205.99)	(8,339.34)	-6.91%
February	49,026.58	758.13	(7,581.20)	1.55%
March	65,139.77			
April	48,460.57			
May	63,428.65			
June	73,763.60			
July	87,577.05			
August	56,033.71			
September	48,615.19			
Total	675,000.00	(7,581.20)		-1.12%

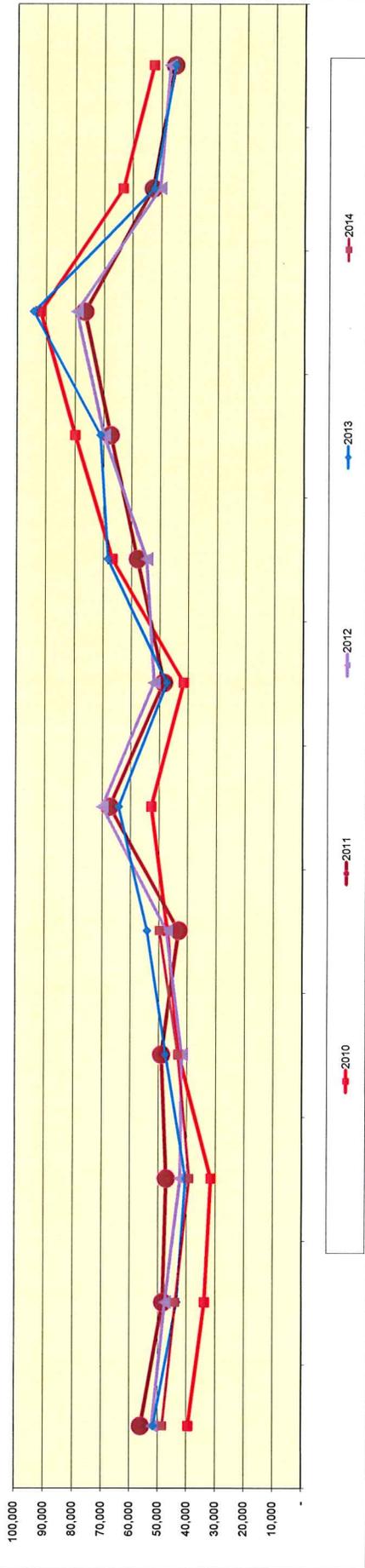
CHANGE IN DOLLARS

	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	9 Year Spark Line
October	(7,137.64)	16,595.83	(3,998.86)	(424.13)	(3,196.35)	
November	(6,415.32)	14,566.36	(761.65)	(4,108.60)	453.44	
December	(6,573.31)	15,639.18	(4,931.34)	(1,784.08)	(1,372.61)	
January	3,177.66	6,122.42	(7,088.78)	5,630.67	(4,349.97)	
February	299.31	(3,945.64)	4,293.82	6,860.53	(4,422.32)	
March	(459.33)	14,650.91	2,635.90	(5,732.86)		
April	(2,746.70)	6,956.78	3,451.23	(4,504.51)		
May	23,527.22	(6,940.48)	(3,140.03)	13,708.04		
June	23,328.73	(12,278.07)	2,278.14	1,267.78		
July	31,286.69	(15,274.61)	2,785.94	14,892.67		
August	18,686.76	(10,503.25)	(2,402.60)	2,010.26		
September	17,232.17	(7,446.04)	1,752.14	(1,820.54)		
Total	94,206.24	16,143.39	(5,126.09)	25,995.23	(12,887.81)	

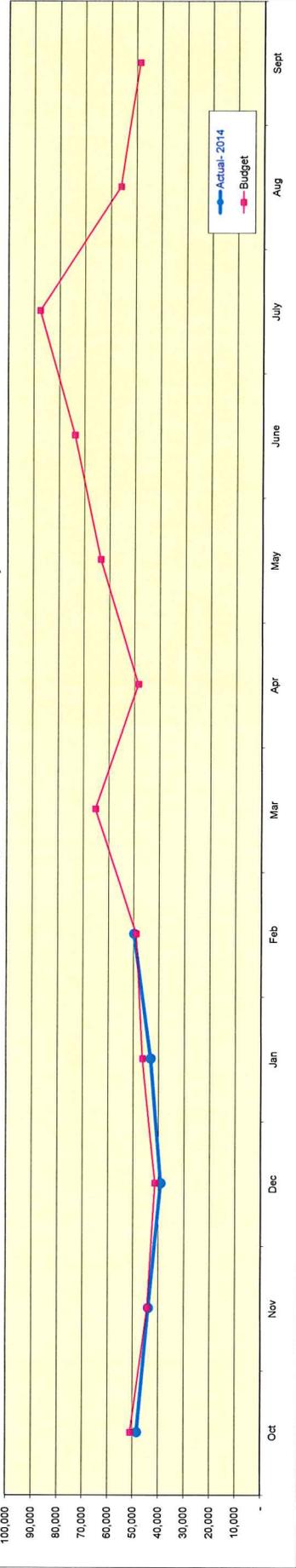
CHANGE IN PERCENTAGE

	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	9 Year Spark Line
October	-18.11%	29.63%	-7.69%	-0.82%	-6.61%	
November	-19.00%	30.14%	-1.60%	-9.45%	1.03%	
December	-20.82%	33.13%	-11.66%	-4.41%	-3.51%	
January	7.41%	12.49%	-16.91%	11.84%	-10.07%	
February	0.64%	-9.16%	9.07%	12.66%	-8.88%	
March	-0.87%	21.73%	3.76%	-8.91%		
April	-6.61%	14.35%	6.64%	-9.50%		
May	35.21%	-15.45%	-5.74%	20.03%		
June	29.23%	-18.18%	3.26%	1.78%		
July	34.04%	-19.93%	3.51%	15.79%		
August	29.51%	-19.88%	-4.77%	3.83%		
September	32.72%	-16.47%	3.73%	-4.03%		
% Change	14.64%	2.45%	-0.78%	3.82%	-5.74%	

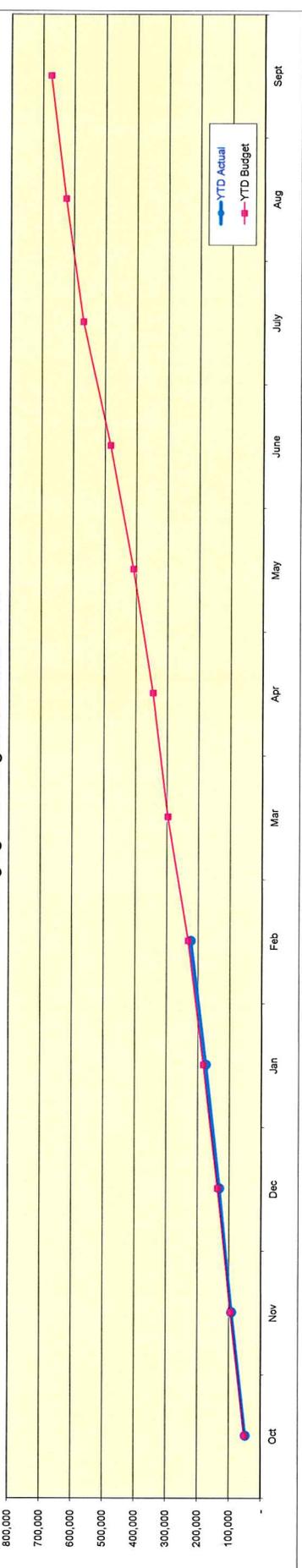
Lodging Tax Comparisons Year over Year



FY 2014 Lodging Tax Budget vs. Actual - Monthly



FY 2014 Lodging Tax Budget vs. Actual - YTD



BUSINESS LICENSE ACTIVITY - MARCH 2014

NEW BUSINESS LICENSES (BY TYPE)		
NAICS	ACTIVITY	QTY
11	Agriculture, Forestry, Fishing and Hunting	
21	Mining, Quarrying, and Oil & Gas Extraction	
22	Utilities	
23	Construction	13
31-33	Manufacturing	
42	Wholesale Trade	4
44-45	Retail Trade	11
48-49	Transportation and Warehousing	
51	Information	3
52	Finance and Insurance	3
53	Real Estate, and Rental & Leasing	
54	Professional, Scientific, and Technical Services	3
55	Management of Companies & Enterprises	
56	Administrative, Support, Waste Mgmt, and Remediation Services	6
61	Educational Services	1
62	Health Care and Social Assistance	1
71	Arts, Entertainment, and Recreation	2
72	Accommodation and Food Services	1
81	Other Services (not elsewhere specified, such as personal care)	2
TOTAL NEW BUSINESS LICENSES (BY TYPE)		50

NEW BUSINESS LICENSES (BY LOCATION)	
Daphne (physical location)*	11
Daphne (no physical location)	11
Baldwin County	6
Mobile County	9
In State (not including Baldwin/Mobile counties)	6
Out of State	7
TOTAL NEW BUSINESS LICENSES (BY LOCATION)	50

*NEW BUSINESSES LOCATED IN DAPHNE		
NAICS	NAME & ADDRESS	
23	Ecoview Window of the G.C. 28850 US HWY 98, Ste208	1
42	The Climatic Corporation 8020 American Way, Ste B	1
44	Ethan Hunt Automotive 29819 Frederick Blvd	1
45	Northern Lights Vapor Lounge 2216 Main St, Ste C	1
52	Embrace Home Loans 28810 US HWY 98, Ste D	1
54	Matrix New World Engineering 28311 N Main St, Ste B103	1
54	SE Natural Resources 28311 N Main St, Ste B103	1
56	Infotec Inc. 25369 US HWY 98	1
62	Dr. Laura Bland 9786 Timber Circle, Ste B	1
71	Landrum Studios Photography 1203 US HWY 98, Ste 2F	1
71	Goodwin, Courtney 1203 US HWY 98, Ste 2F	1
*TOTAL NEW BUSINESSES LOCATED IN DAPHNE		11

CLOSED BUSINESSES LOCATED IN DAPHNE		
NAICS	NAME & ADDRESS	
TOTAL CLOSED BUSINESSES LOCATED IN DAPHNE		0

NET GAIN/-LOSS BUSINESSES LOCATED IN DAPHNE	11
--	-----------

BUSINESS LICENSE COUNT through 03/31/2014	
Issued THIS MONTH:	
NEW Licenses	50
RENEWAL Licenses	304
PRIOR YEAR Licenses	5
Total Issued THIS MONTH	359
Total Issued THIS MONTH - PREVIOUS YEAR	352
Net Gain/-Loss Current VS Previous Yr MONTH	7
Total Issued YTD 2014	3,281
Total Issued in 2013	3,401
Net Gain/-Loss Current VS Previous Yr YTD	-120

Ecoview Window of the Gulf Coast (Suite 208)

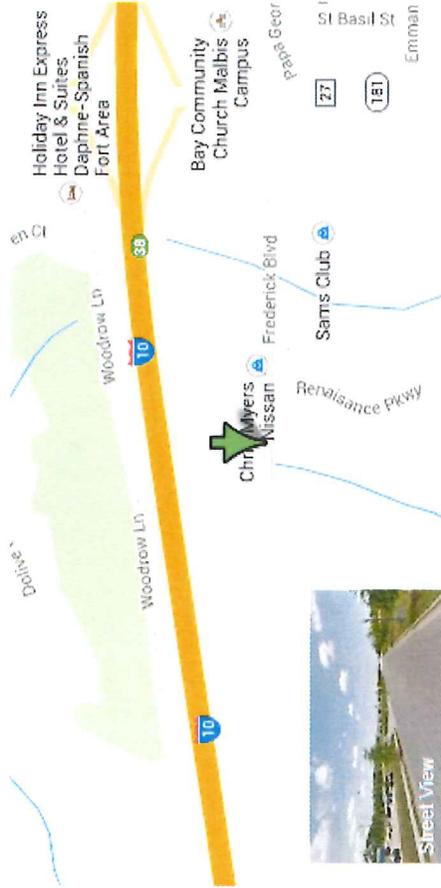


28850 U.S. 98 Daphne, AL 36526

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Map data ©2014 Google

Ethan Hunt Automotive



29819 Frederick Blvd Daphne, AL 36526

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The Climatic Corporation (Suite B)

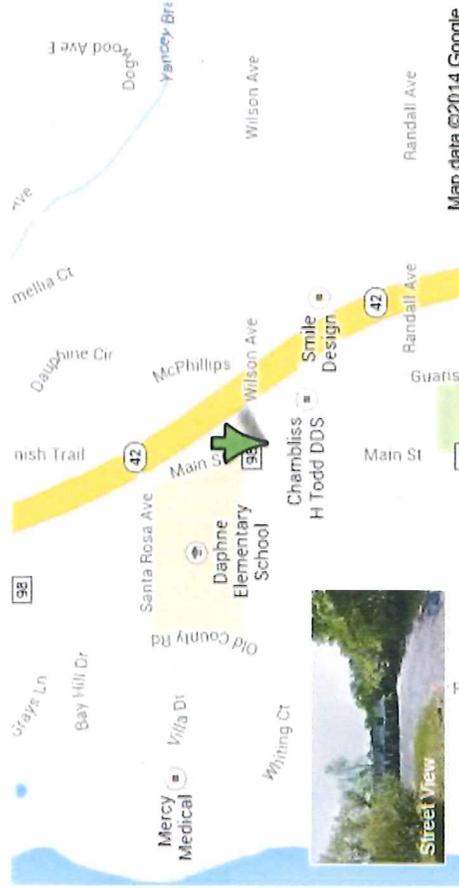


8020 American Way Daphne, AL 36526

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Northern Lights Vapor Lounge (Suite C)

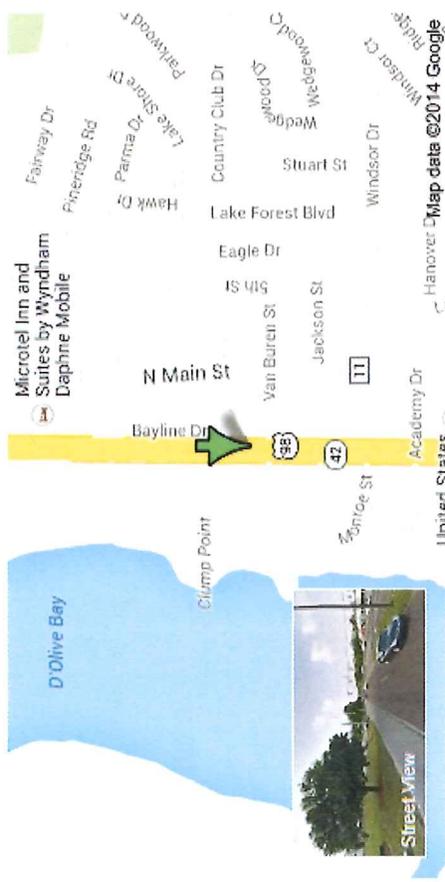


2216 Main St Daphne, AL 36526

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Embrace Home Loans (Suite D)



28810 U.S. 98 Daphne, AL 36526

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Infotec, Inc.

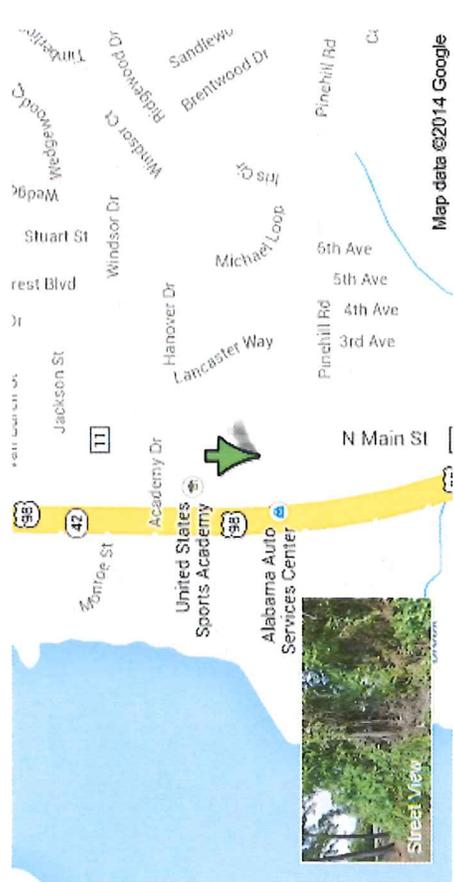


25369 U.S. 98 Daphne, AL 36526

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Matrix New World Engineering / SE Natural Resources (Suite B103)

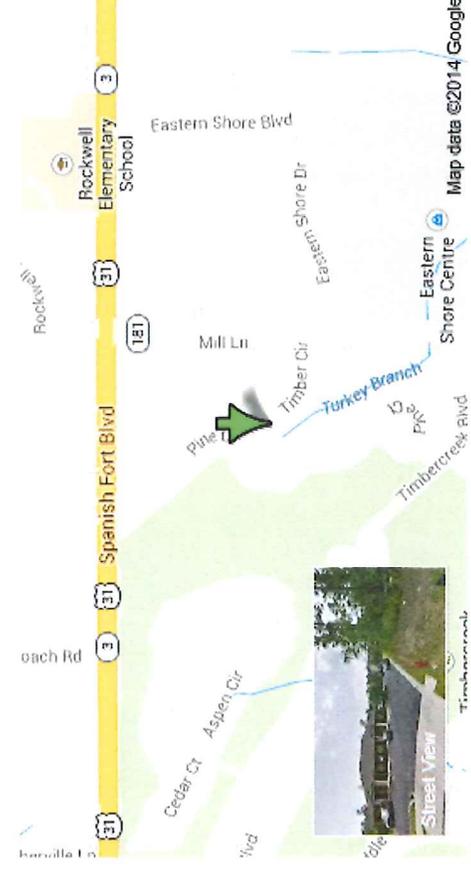


28311 N Main St Daphne, AL 36526

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Dr. Laura Bland (Suite B)

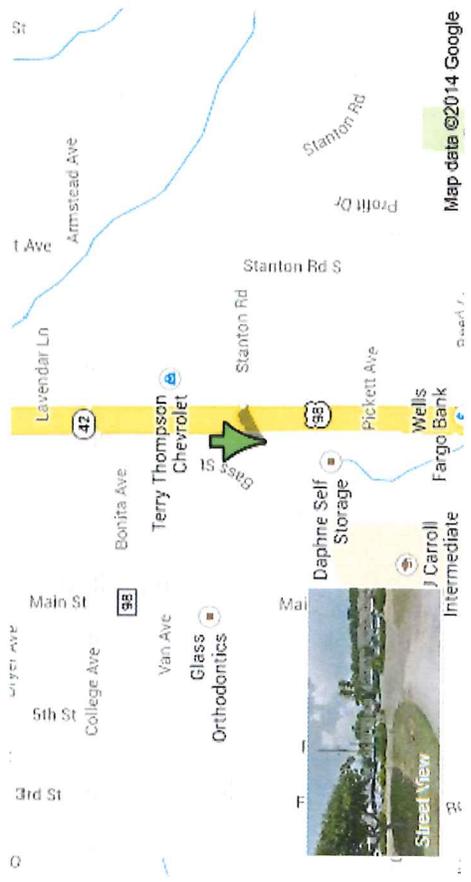


9786 Timber Cir Spanish Fort, AL 36527

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Landrum Studios Photography / Courtney Goodwin (Suite 2F)



Map data ©2014 Google

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1203 U.S. 98 Daphne, AL 36526

ORDINANCE 2014-

An Ordinance Appropriating Funds for Hazardous Weather / Emergency Duty Pay during the January 2014 Ice Storm

WHEREAS, Ordinance 2013-50 approved and adopted the Fiscal Year 2014 Budget on September 23, 2013; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2014 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2014 budget; and

WHEREAS, an ice storm in January created a hazardous weather situation and safety issues for citizens and businesses in the City of Daphne; and

WHEREAS, this ice storm required certain City personnel to respond to the emergency situation creating an additional personnel cost of \$37,788; and

WHEREAS, the City Council of the City of Daphne has approved Ordinance 2014-15 which revised Sections 9.1, 9.10 and 10.6 of the City of Daphne Employee Handbook addressing hazardous weather / emergency duty pay for non-exempt employees; and

WHEREAS, this policy will be applied retroactively to Public Safety employees pay affected by the January 2014 ice storms requiring an estimated additional appropriation amount of \$17,212.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2014 Budget is hereby amended to include a total General Fund appropriation not to exceed \$55,000 (PPD 2-12-14-\$37,788 + \$17,212) for the purpose of retroactive pay for employees affected by the January 2014 ice storms.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2014.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

CITY OF DAPHNE

ORDINANCE 2014

**CANCELLATION OF: WEBSITE INTEGRATION FOR ANIMAL
SHELTER & LIBRARY DONATIONS AND CLOSE CREDIT CARD
DONATION BANK ACCOUNT**

WHEREAS, Ordinance 2012-37 was approved and adopted on June 6, 2012 to appropriate \$1,970 set up websites for acceptance of donation via credit card and a special bank account was set up for these collections; and

WHEREAS, \$500 was transferred from the General Fund to open the new bank account; and

WHEREAS, subsequent to the setup of this online donation process and the setup of the bank account no donations have been received; and

WHEREAS, fees in the amount of \$523 have been charged for this website integration link in addition to the \$1,970 set up fee; and

WHEREAS, the City Council has determined it to be in the best interest of the City to close this website integration and bank account; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Daphne, Alabama that the website integration for online donations be removed and the Credit Card Donation bank account be closed.

**APPROVED AND ADOPTED BY THE MAYOR & CITY COUNCIL OF THE CITY OF
DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2014.**

**DANE HAYGOOD,
MAYOR**

ATTEST:

**REBECCA A. HAYES,
CITY CLERK**

ORDINANCE 2014
Civic Center HVAC Chiller Emergency Replacement Appropriation

WHEREAS, Ordinance 2013-50 approved and adopted the Fiscal Year 2014 Budget on September 23, 2013; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2014 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2014 budget; and

WHEREAS, due to lightning damage to the Civic Center HVAC Chiller an emergency replacement is needed to get the HVAC system back to fully functional capacity; and

WHEREAS, several events have been booked over the next weeks and months at the Civic Center and HVAC is required for these events.

WHEREAS, quotes have been obtained for repairs verses replacement cost for the chiller

WHEREAS, the quote for repair was estimated to be \$56,000 and the purchase of a new chiller's total cost from JLS International is estimated to be \$165,170 (\$124,769-Chiller + \$10,401-Maintenance + \$30,000-rental chiller); and

WHEREAS, HVAC companies have advised that purchasing a new more efficient chiller unit will create an estimated \$12,000-15,000/year energy savings that will offset the cost of the new unit; and

WHEREAS, the adoption of Ordinance 2014-17-C appropriated \$15,000 for the first month's cost for a rental chiller leaving a **balance of \$150,170** needed to be appropriated for the purchase and installation cost of a new chiller; and

WHEREAS, the City's insurance policy is estimated to reimburse \$51,000 (*repair cost \$56,000 less the \$5,000 deductible*); and

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

1. Additional funds **not to exceed \$150,170** from the General Fund are hereby appropriated and made a part of the Fiscal Year 2014 budget to purchase a replacement Civic Center chiller from JLS International (*including rental chiller cost*).
2. Insurance reimbursement (*estimated \$51,000*) to be recorded in the budget as an insurance settlement; and

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2014.

Dane Haygood. , Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

ORDINANCE 2014-17-C
Civic Center HVAC Chiller Emergency Replacement Appropriation

WHEREAS, Ordinance 2013-50 approved and adopted the Fiscal Year 2014 Budget on September 23, 2013; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2014 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2014 budget; and

WHEREAS, due to lightning damage to the Civic Center HVAC Chiller an emergency replacement is needed to get the HVAC system back to fully functional capacity; and

WHEREAS, several events have been booked over the next weeks and months at the Civic Center and HVAC is required for these events and for which the Council believes that the lack of HVAC constitutes a public health and safety emergency; and

WHEREAS, the quote for a rental chiller is estimated to cost \$12,000 for delivery, installation, and the first month's rent; and

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds **not to exceed \$15,000** from the General Fund are hereby appropriated and made a part of the Fiscal Year 2014 budget for the delivery, installation, and rental of a chiller for the Civic Center for the period of one month.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2014.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Suzanne Henson

From: Sarah Toulson
Sent: Wednesday, April 16, 2014 1:30 PM
To: Suzanne Henson
Subject: Buildings and Property motions

Suzanne,

Below are the motions I have out of Buildings and Property from April 7.

Surplus Resolutions (Backhoe & Radios/Desks):

Motion: Mr. Fry moved to favorably recommend both Resolutions 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.

Civic Center Chiller (contingent on bid law requirements):

 **Motion:** Mr. Davis moved to favorably recommend to the Finance Committee and City Council a \$5,000 appropriation to cover the cost of the deductible for the repair of the Civic Center chiller for approval, and was seconded by Mr. Fry.

The Motion carried unanimously.

If I didn't word this motion right, please let me know so I can fix it in the minutes.

Sarah

Kind Regards,



Sarah Toulson
Assistant City Clerk
stoulson@daphneal.com
City of Daphne, Alabama - "The Jubilee City"
Phone: 251-621-9000 Web: www.daphneal.com

From: Richard D. Johnson, P.E.
Sent: Wednesday, April 23, 2014 3:16 PM
To: Dane Haygood
Cc: Jane Ellis; Frank Barnett; Margaret Thigpen; Joe Davis; Randy Fry; Mike Hinson, CPA; Suzanne Henson; Rebecca A. Hayes; Sarah Toulson
Subject: Civic Center Chiller
Attachments: JLS Quote.pdf; Johnson Controls Quote.pdf; T&M Quote.pdf

Mr. Mayor:

Understanding time is of the essences. Here is where we are:

Civic Center Chiller

Vendor	JLS International - Jeff Brown P.O. Box 928 Robertsdale, AL 36567	Johnson Controls - C. Nelson 764 Lakeside Drive Mobile, AL 36609	T&M Heating & AC, Inc. - H. Wilson P.O. Box 1582 Bay Minette, AL 36507	
Chiller	Repair Only	No Quote	\$56,759.89	\$55,643.00
	Brand	York	York	Trane
	Model	YVAA0233BEF	YVAA0263BGV46BA	RTAC250
	Refrigerant	R-134a	R-134a	R-134a
	Cost (Turn Key)	\$124,769.00	\$251,932.09	\$130,060.00
Warranty	Years	5 (60 months)	5 (60 months)	Waiting on Quote
	Cost	\$10,401.00	\$0.00	\$0.00
Delivery & Install	Delivery (Weeks)	8	8	Waiting on Quote
	Install Time (Weeks)	1 Week Max - 2 days quoted	1-2 Weeks	Waiting on Quote
Rental Chiller	1st Month	\$10,000.00	\$12,000.00	\$0.00
	2nd Month	\$10,000.00	\$9,750.00	\$0.00
	3rd Month	\$10,000.00	\$9,750.00	\$0.00
	Days to Deliver	2 to 7*	7**	Waiting on Quote
Total Cost (New/Rental Chiller)		\$165,170.00	\$283,432.09	\$130,060.00

*Next Day if required

** \$5,000-\$7,000 connection cost included in new chiller price

I am in hopes that T&M will get the requested information to us by tomorrow. As far as equipment, installation and warranty JLS and Johnson Controls are near equivalent. Johnson Controls is offering significant monitoring and reporting services after the sale. However, I feel it is not commiserate with the difference in price of \$118K. At this time, it is my recommendation that the contract be awarded to JLS. That could change if T&M comes in significantly lower on warranty, rental and deliverable times.

If the Council would care to meet by Friday they could approve the emergency appropriation. If you feel confident that the Council will accept our recommendation, I could give JLS authorization to mobilize -- the rental chiller could be in and running by Master Gardeners. In speaking with Mr. Brown he has secured a 210 Ton rental chiller and could have it here next day.

Yours,

RDJ

Richard D. Johnson, P.E.
 Public Works Director
 26435 Public Works Road
 Daphne, AL 36526

Phone: (251) 621-3182
 Fax: (251) 621-3189
 Cell: (251) 379-1305

directorpw@daphneal.com

Suzanne Henson

Subject: FW: chiller equipment rental

From: Frank Barnett
Sent: Thursday, April 17, 2014 2:54 PM
To: Suzanne Henson
Subject: RE: chiller equipment rental

At this point I think the best choice is to replace the chiller and I think the Mayor is leaning that way also. There are two quotes for the repair and for the replacement, one from Johnson Controls and one from T&M AC Inc. I do not know which one the Mayor will pick. One is a little over \$250,000.00 and the other is about \$180,000.00. The delivery time for a new chiller is 8 to 10 weeks, with about three days to install. Hope that helped.

Chiller: To rent from Johnson the first month would be close to \$20,000.00 for delivery, installation and rental. After that I think the cost is more like \$9500.00 per month for the two or three months needed.
Frank.

From: Suzanne Henson
Sent: Thursday, April 17, 2014 2:28 PM
To: Frank Barnett; Margaret Thigpen
Cc: Richard D. Johnson, P.E.; Joe Davis; Mike Hinson, CPA; Dane Haygood
Subject: chiller equipment rental

Frank / Margaret

Frank I think you have met with the Insurance adjuster and am hoping you have a better feel for what is needed to correct the Civic Center Chiller problem. I am preparing the "Emergency" ordinance for the April 21st Council Meeting to request the monies for the chiller... replacement/repair (I need to send this Ordinance to Becky today for her to put in the packet.).

- Can you tell me what the final recommendation is: purchase new chiller or repair. If the decision is to purchase new is the estimated cost still \$250,000?*
- Also, how many months at \$9,500/mnth will the rental chiller be needed – I need to include this cost in the ordinance since insurance will not reimburse for this?*

I will send the ordinance for you to review to make sure I included all the cost need. Please advise if the emergency repair status has changed and I do not need to prepare the ordinance.

Thanks

On Apr 14, 2014, at 7:31 AM, "Lisa White" wrote:

** We have been contacted by our insurance again and they have informed us that insurance will not cover a temporary rental chiller, so the city will have to absorb that cost for sure. **

From: Lisa
Sent: Thursday, April 10, 2014 8:54 AM
To: Mike Hinson, CPA; Richard D. Johnson, P.E.
Cc: Suzanne Henson; Joe Davis; Pat Rudicell; Randy Fry; Tommie Conaway; Margaret Thigpen; Frank Barnett; Dane Haygood
Subject: RE: Chiller Ins claim # is Z01048116.

Frank,
I just got off the phone with the insurance adjuster, Sue Cooper. She will be in touch with you to get a quote to identify all the damages and the estimated cost. She will also do a weather check to verify a storm in the area on that date. Once all of this is done, she can judge the insurance coverage and then the city will know what to expect monetarily from them. She urged for the city to make decisions necessary to carry on business at the Civic Center, but will not commit to their involvement until more is clarified.

Thank you,Lisa

On Apr 10, 2014, at 7:11 AM, "Richard D. Johnson, P.E." <rjohnson@daphneal.com> wrote:

Suzanne and Mike:

This situation has become quiet fluid – the Mayor and Councilman Davis are involved in the discussion of options for solutions. We have an opportunity to solve a long-term problem at the Civic/Rec Center at potentially favorable terms. Unfortunately we will not know the exact feasibility or cost until late to mid next week.

Ultimately, we hope to have hard data for the Finance Committee to consider on the 21st. As soon as that data is available we will get it to you for inclusion onto the agenda. Thank you for your patience.

Yours, RDJ

Richard D. Johnson, P.E.

From: Suzanne Henson

Sent: Wednesday, April 09, 2014 3:30 PM

To: Mike Hinson, CPA

Cc: Joe Davis; Pat Rudicell; Randy Fry; Tommie Conaway; Lisa White; Margaret Thigpen; Frank Barnett; Richard D. Johnson, P.E.

Subject: Chiller Ins claim # is Z01048116.

Good news.. Lisa has received an insurance claim # and insurance company and assigned an adjuster. The Adjuster should be in contact with Frank tomorrow morning.

Richard, Frank, Mayor, Margaret, Joe....(B&P Committee...) Met at Civic Center this morning to discuss the chiller issue. Lisa and I have spoken to Robbie at the City's insurance company and he will have an adjuster contact Lisa then Frank to discuss insurance coverage options. I understand there are a couple different options for repair of the chiller:

1. Repair the chiller – estimated cost - \$56,000 w/ins paying \$51,000 (est)
2. Replace chiller – estimated cost - \$250,000 (includes install and 66 month warranty...)(per Frank does not include annual payment est \$7,000) – the delivery of a new chiller could take 12 weeks and the install would require a rental chiller be installed (re-plumbing & re-wiring required) – the cost of the rental chiller is estimated at \$9,500/month + transportation/labor to install + including crane rental/ new plumbing/wiring/... - Ins Rep (Robbie) says the adjuster will advise on what the coverage will be for a new chiller (repair cost may be only coverage??) and if coverage is available/allowed for reimbursement of a rental chiller.
3. Combine Recreation HVAC upgrade (currently \$21,000 appropriation request on the 4-21-14 Finance Agenda) w/Civic Center Chiller repair/replacement – I am not sure on the cost for this arrangement?? – will wait for advisement

I have prepared a draft Ordinance for repairing the chiller but will update according to what Frank and Richard advise after meeting with the adjuster. I will include the Ordinance on the 4-21-14 Finance agenda and also send to Becky to be placed on the 4-21-14 Council agenda.

ORDINANCE 2014-

Recreation HVAC Upgrade

WHEREAS, Ordinance 2013-50 approved and adopted the Fiscal Year 2014 Budget on September 23, 2013; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2014 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2014 budget; and

WHEREAS, monies were appropriated in the amount of \$14,000 in the FY2014 Budget to purchase a new Air Conditioner for the Recreation Facility; and

WHEREAS, after a recent evaluation of the HVAC system it was found that additional upgrades in the amount of \$21,625 are needed to keep the HVAC system functional for Recreational activities.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$21,625 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2014 budget for a Recreation HVAC Upgrade total project cost of \$35,625.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2014.

Dane Haygood. , Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Gulf Coast Air & Power, Inc.

State of Alabama General Contractors License # 42727

April 9, 2014

Frank Barnett
City of Daphne
26435 Public Works Rd
Daphne, AL 36526
fbarnett@daphneal.com

Mailing Address:
Po Box 1001
Saraland, AL 36571

Email:
gcac@comcast.net

Office Phone:
251-675-0025

Toll Free:
877-675-0025

Fax Line:
251-679-0299

Website:
www.gulfcoastac.com

Member of:

Saraland Chamber of
Commerce

Mobile Chamber of
Commerce

Home Builders
Association: North
Mobile Chapter

BNI-Group: Mobile
Business Fusion

Scope of Work: We propose to remove and replace Three (3) 15 Ton Rheem Gas package units. This is to also include permitting project, adjusting duct work, rewire, re-connect gas line and start up each system.

Total Job Cost	Three systems at once	\$ 35,625.00
	1 system at a time	\$ 12,500.00

Equipment has 5 year compressor warranty and 1 year parts warranty. This project will be permitted and inspected and meet all state and local codes.

Any alteration or deviation from the above specifications involving extra cost of material or labor will only be executed upon written orders for the same and will become an ALL agreements must be made in writing.

The contractor shall not be liable, as regards to the completion of the work, for any delay which may be caused by reason or on account of any strike of workmanship, any Act of God, unavoidable accidents, inability to secure materials or to use materials in performance of the work by reason of laws or regulations of the United States of America or the State of Alabama, or any other circumstance beyond their control, other than the want of funds. No such delay shall be deemed a default on the part of the contractors, and, in the event of any such delay, the contractor's time limit for performance of the work shall be correspondingly extended. Workers Compensation and Public Liability Insurance on the above work shall be provided by the Contractor.

This Contract shall be deemed null and void if not signed within thirty (30) days.

ACCEPTED:

_____ Date _____
Authorized Representative

Thank you for the opportunity.

Respectfully submitted:
Larry Turner
251-583-8694

LT/jlq
CC: file

"Your Quality Comfort Dealer on the Gulf Coast"

T & M HEATING & AIR CONDITIONING, INC.

P.O. BOX 1582

BAY MINETTE, AL 36507

(251) 580-2665

AL CERTIFICATION # 99116

April 15, 2014

City of Daphne
1705 Main Street
Daphne, Al 36526

Project: Replace 3 Rudd 15 Ton RTU with 250M
BTU Gas Heat with Trane 15 Ton RTU
YSD180 with 250M BTU Heat

Project Location: 2605 US Hwy 98
Daphne, Al 36526

We are pleased to present for your consideration our proposal to replace your Rudd RT MN RRGF-250150 SN A4344B1RPDG1599000 with a new Trane YSD 180 Gas Heat 2 circuit AC Unit.

This system will come with a custom curb adaptor to facilitate a smooth transition between the old duct configuration and the new configuration of the Trane system.

Scope:

- 1) Disconnect existing electrical
- 2) Disconnect existing ductwork
- 3) Remove existing unit from building and set new curb in place
- 4) Modify and connect ductwork to new curb
- 5) Extend electrical as required
- 6) Set new unit in place
- 7) Reconnect existing electrical
- 8) Reconnect existing gas lines
- 9) Start Up and check out system
- 10) We are providing Crane as required.

TOTAL PRICE INSTALLED \$ 39,539.00

OPTION: Coat Condenser Coils with ADSIL AD 35 Coil Coating ADD \$ 4050.00

OPTION: If Permit required add cost of permit 1.5 % or \$593.09

Hugh (Buddy) Wilson
T&M Heating and Air

City of Daphne

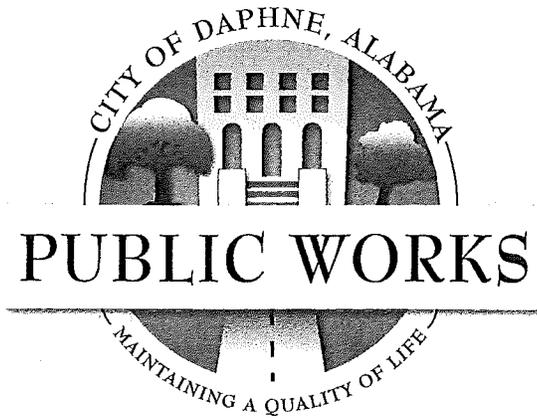
Date _____

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
Suzanne Henson, Senior Accountant

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

Date: April 21, 2014

Re: 2014-F-CONCRETE PIPE

Bids were sent out for the purchase of a Concrete Pipe. These purchases will be made sporadically through the year for the Street Department.

A total of 2 bids were received and we would like to recommend Design Precast & Pipe. They were the lowest bidder for the plastic pipe. Please see attached spreadsheet.

Please call me if you have any questions.

**CONCRETE PIPE BID
2014-F**

Size	Design Precast & Pipe Amount	Hanson Pipe Amount
12" T & G C-3	\$13.52	\$15.40
15" T & G C-3	\$10.50	\$15.90
18" T & G C-3	\$14.40	\$17.65
21" T & G C-3		\$26.25
24" T & G C-3	\$21.98	\$29.10
27" T & G C-3		\$38.64
30" T & G C-3	\$31.73	\$40.30
36" T & G C-3	\$41.25	\$57.10
42" T & G C-3	\$51.45	\$71.40
48" T & G C-3	\$65.03	\$93.00
54" T & G C-3	\$80.10	\$113.90
60" T & G C-3	\$97.13	\$138.05
66" T & G C-3		\$167.25
72" T & G C-3	\$135.83	\$193.10
84" T & G C-3		\$260.90
96" T & G C-3		
18" X 11" T & G C-3 Arch	\$16.92	\$28.75
22" X 13" T & G C-3 Arch	\$20.97	\$30.60
29" X 18" T & G C-3 Arch	\$29.25	\$40.55
36" X 23" T & G C-3 Arch	\$35.28	\$48.60
44" X 27" T & G C-3 Arch	\$48.33	\$67.35
51" X 31" T & G C-3 Arch	\$62.64	\$87.15
58" X 36" T & G C-3 Arch	\$79.65	\$110.35
65" X 40" T & G C-3 Arch	\$97.11	\$134.60
73" X 45" T & G C-3 Arch	\$119.97	\$167.25
88" X 54" T & G C-3 Arch		\$230.80
4' x 4'	\$163.07	
6' x 4'	\$286.11	\$350.00
8' x 4'	\$391.06	\$450.00
6' x 5'	\$309.99	\$380.00
8' x 5'	\$420.27	\$490.00
TOTAL	\$2,643.54	* \$3,893.94

Items not bid by competitor
Comparable Total

\$163.07
\$2,480.47

\$723.84
\$3,170.10

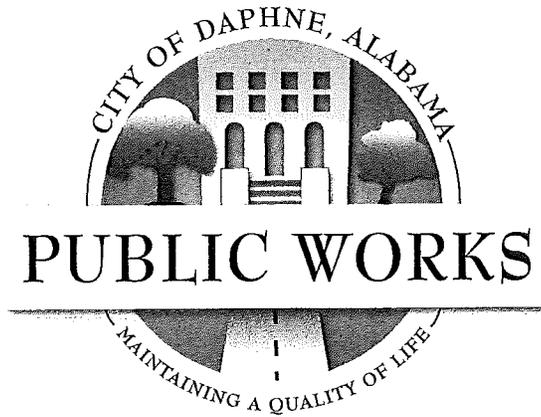
* Note: \$500 charge for partial load deliveries

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
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John L. Lake
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Randy Fry
District 4

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District 5

Robin Lejeune
District 6

Joseph Davis, III
District 7

To: Michael V. Hinson, Finance Director
Suzanne Henson, Senior Accountant

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

Date: April 21, 2014

Re: 2014-G-PLASTIC PIPE

Bids were sent out for the purchase of a Plastic Pipe. These purchases will be made sporadically through the year for the Street Department.

A total of 5 bids were received and we would like to recommend Ferguson Waterworks. They were the lowest bidder for the plastic pipe. Please see attached spreadsheet.

Please call me if you have any questions.

**PLASTIC PIPE BID
2014-G**

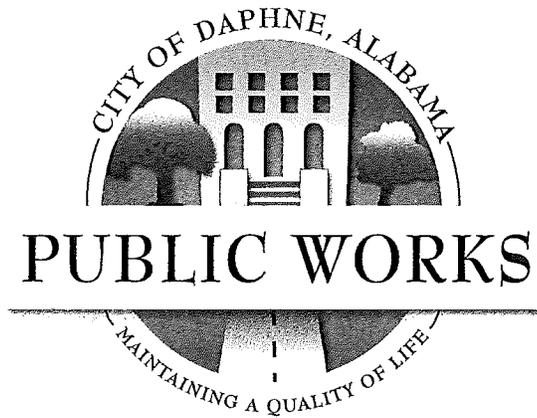
	Ferguson Waterworks	AL Pipe & Supply	Vellano Bros, Inc	HD Supply Waterworks	Evans & Co
Size	Amount	Amount	Amount	Amount	Amount
8"	\$3.44	\$3.79	\$4.17	\$4.43	\$5.95
10"	\$4.62	\$5.09	\$5.47	\$5.95	\$6.65
12"	\$5.47	\$6.03	\$5.61	\$6.17	\$7.65
15"	\$7.05	\$7.77	\$7.01	\$7.95	\$7.05
18"	\$9.59	\$10.57	\$8.81	\$11.52	\$10.81
24"	\$16.13	\$17.76	\$15.35	\$18.17	\$17.30
30"	\$23.70	\$26.11	\$21.88	\$26.71	\$23.90
36"	\$29.19	\$32.15	\$29.47	\$32.90	\$32.50
42"	\$38.00	\$41.86	\$38.47	\$42.82	\$44.50
48"	\$46.51	\$51.24	\$49.72	\$52.42	\$79.72
60"	\$87.63	\$96.52	\$86.61	\$98.00	\$116.65
SubTotal	\$271.33	\$298.89	\$272.57	\$307.04	\$352.68
Filtercloth	\$406.50	\$580.00	\$485.00	Special Order	\$470.00
Straw Blanket	\$47.13	\$79.00	\$86.67	Special Order	\$55.00
Anchor Staples	\$30.04	\$19.00	\$45.00	Special Order	\$28.50
TOTAL	\$755.00	\$976.89	\$889.24	\$307.04	\$906.18

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
Suzanne Henson, Senior Accountant

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

Date: April 21, 2014

Re: 2014-H-ROCK

Bids were sent out for the purchase of a Rock Material. These purchases will be made sporadically through the year for the Street Department.

A total of 2 bids were received and we would like to recommend Martin Marietta Materials Co. Both bidders were comparable in pricing but Martin Marietta was the only one to bid on all items.

Please call me if you have any questions.

**CITY OF DAPHNE
BID OPENING MINUTES
BID DOCUMENT NO: 2014-H-ROCK**

April 17, 2014
11:30 A.M. @ CITY HALL

Those present were as follows:

Mrs. Suzanne Henson	Sr. Accountant
Mrs. Michele Hanson	PW Admin Assistant

7 bid invitations were mailed, 2 sealed bids were received.

Mrs. Michele Hanson opened the bids presented and the bids were read aloud as follows:

VENDOR

COST PER TON

Vulcan Materials Co.

Crushed Aggregate 825-A	- \$34.85
Crushed Aggregate 825-B	- \$29.96
#57 Limestone	- \$35.03
#78 Pea Gravel	- N/A
Rip Rap – Class I	- \$44.03
Rip Rap – Class II	- \$44.03

Martin Marietta Materials

Crushed Aggregate 825-A	- \$33.75
Crushed Aggregate 825-B	- \$33.75
#57 Limestone	- \$34.00
#78 Pea Gravel	- \$32.25
Rip Rap – Class I	- \$44.75
Rip Rap – Class II	- \$44.75



Suzanne Henson, Sr. Accountant

RESOLUTION 2014-
PREPAID TRAVEL

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

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

Adrienne Jones, Community Development Director, 2014 American Planning Association National Planning Conference, April 25th through April 30th, 2014, Atlanta, Georgia - \$255.

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

APPROVED AND ADOPTED BY THE CITY COUNCIL, CITY OF DAPHNE, ALABAMA on this _____ day of April 2014.

Dane Haygood, Mayor

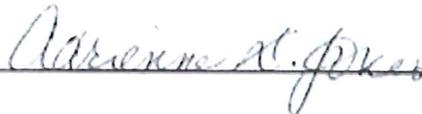
ATTEST:

Rebecca A. Hayes, City Clerk

PREPAID TRAVEL REQUEST FORM	
EMPLOYEE NAME / TITLE	Adrienne Jones/Director
DEPARTMENT	Community Development
DATES OF TRAVEL	April 25th - April 30th, 2014
SCHOOL/ORGANIZATION	National Planning Conference American Planning Association
LOCATION FOR TRAINING: CITY / STATE	Atlanta, Georgia
REGISTRATION FEE	\$840.00
LODGING	\$1,178.00
TOTAL ADVANCE REQUESTED (\$51 x # OF DAYS)	\$255.00

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

Employee Signature




Department Head Approval

 2068
Vendor #

 124200
Dept Org #

 52 211
Object #

Proj#

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

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

City of Daphne

Summary for Surplus Equipment Sold: October - December 2013 (Equipment sold online through Govdeals.com)

GENERAL FUND:				
ID	Inv ID	Description	End Date/Time	Net Total
165	1198	2000 Chevrolet C3500 Truck	10/29/2013 14:10	\$2,335.63
171	1336	2010 JOHN DEERE 1565 - 72" Deck	10/29/2013 14:00	\$5,346.50
173	43	1989 FORD 3910 TRACTOR	12/13/2013 11:19	\$2,429.05
TOTAL				\$10,111.18

Summary for Surplus Equipment Sold: March 2014 (Equipment sold online through Govdeals.com)

GENERAL FUND:				
ID	Inv ID	Description	End Date/Time	Net Total
176	95	1998 GMC SIERRA PU	3/26/2014 0:00	\$2,845.30
174	401	2001 FORD CROWN VIC	3/26/2014 0:00	\$740.00
175	59	1994 CATERPILLAR TRACKHOE/EXCAVATOR 315L	3/26/2014 0:00	\$25,553.13
166	803	1979 FORD C-8000 PUMP FIRE TK-CERTIFIED-700GAL TANK	4/3/14 10:06PM	\$2,312.50
TOTAL				\$31,450.93

RECYCLING:				
ID	Inv ID	Description	End Date/Time	Net Total
150	1205	2007 American LaFrance Condor Garb Tk	3/26/2014	\$10,198.13

March 2014 Surplus Sale TOTAL **\$41,649.06**

FY2014 SURPLUS SALE TOTAL **\$51,760.24**

**REPORT
OF
SPECIAL BOARDS**

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF APRIL 3, 2014 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

Chairman stated the number of members present constitutes a quorum and the regular meeting of the Board of Zoning Adjustment called to order at 6:00 p.m. and asked for roll call.

Members Present:

Larry Cooke
Billy Mayhand
Willie Robison, Chairman
Thomas Warner

Members Absent:

Frank Lamb
Philip Durant
William Scully

Staff Present:

Adrienne D. Jones, Director of Community Development
Pat Johnson, Recording Secretary
Tony Hoffman, BZA Attorney

Chairman called for the **Approval of Minutes** of the March 6, 2014 meeting. There were no corrections, additions or deletions.

A **Motion** was made by **Mr. Mayhand** and **Seconded** by **Mr. Cooke** to **approve the minutes.**

The Motion carried unanimously.

Chairman called the next item on the agenda, **Appeal #2014-04 D. R. Horton**, a request for a variance proposing to change the rear setback to thirty four feet and thirty six inches, in lieu of the required thirty five feet, and change the front yard setback to thirty four feet and fifty seven inches, in lieu of the required thirty five feet to clear the title. The property is 9716 Cumbria Drive, which is zoned R-2, Medium Density, Single Family Residential.

Ms. Jones displayed a Power Point Presentation. She stated this is Lot 23 in the Oldfield Subdivision. It is a two story dwelling unit. The plat shows an eyebrow cul-de-sac and it is relatively irregularly shaped, like a triangle instead of a typical rectangle.

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF APRIL 3, 2014 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

Ms. Jones stated there are three encroachments into the setbacks, one in the front and two in the rear. The front of the garage is thirty four point fifty seven feet instead of thirty five feet, and in the rear the nearest encroachment is on the corner which is thirty four point thirty six feet instead of thirty five feet. My recommendation is for approval because there is no other way to remedy these faults that were made. Included in your packet was the original plot plan showing where the house was supposed to be fit. There are four iterations of the house with the last one showing the encroachment.

Chairman opened the floor for discussion. The Board questioned whether the driveway shown on the last plot plan as being over the property line was part of the variance.

Mr. Jones stated the driveway was corrected and it is not part of this variance request. They presented that as full disclosure since it was part of the title company's request that it be rectified. There are representatives here to talk about the title and the construction process as well.

Chairman opened the floor for public participation.

Danny Pierce, the City Manager for D. R. Horton stated What we have here is an error that we had internally. We started doing an option on some of our newer houses for larger garages. We had our Architect draw up the plans, and the Engineer, who plots them on the lot, was given a plan and unfortunately the Surveyor and the Architect got mixed up on the plans. One was a little bigger than the other. It was plotted correctly, but as built it was a little too big when it should have been shrunk down a little bit. It was an internal error on our part, and from what happened we have since corrected it. I appreciate you looking at this and giving us approval to go forth.

The Chairman thanked Mr. Pierce and asked did anyone have any questions. The Board questioned if the stated construction error occurred was the mistake made by the Architect and the Engineer.

Mr. Pierce stated that is how the error occurred. We have to obtain a plot plan for every house for permitting as we have done many, many times, but like I said we started a new option with our houses of putting in larger garages, so it took a revision to our plans, so when we made that revision there was a little miscommunication about the dimension of the garage.

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF APRIL 3, 2014 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

Mr. Pierce stated it got plotted one way and one of the revisions of the house had it a little bigger, so we actually built it according to one revision and plotted from another revision. It was an internal error, but we have it corrected now.

Mr. Mayhand asked are you planning to build more houses in the subdivision.

Mr. Pierce stated yes, sir, we purchased all of the lots. There were less than ten homes in the subdivision when we originally purchased it.

Mr. Mayhand stated now that your internal error has been corrected you will not do this again, correct.

Mr. Pierce stated no, sir. I can tell you that error has been corrected. The homeowner is here with us tonight, anxiously waiting to get going if this is approved.

The Chairman asked Ms. Jones to put the plat back on the screen showing the lots. He asked Mr. Pierce whether he was sure or not if they would have a similar incident with Lot 124 since it is shaped sort of the same as Lot 123.

Mr. Pierce stated Lot 124 is already a completed sold house.

The Chairman stated thank you again. Is there anyone else that would like to speak in favor or opposition of this appeal? Being none, the Chair closed the floor for public participation and entertained a motion.

A Motion was made by Mr. Mayhand and Seconded by Mr. Warner to approve Appeal #2014-04, D.R. Horton, a variance request to change the rear setback to thirty four feet and thirty six inches, in lieu of the required thirty five feet, and change the front yard setback to thirty four feet and fifty seven inches, in lieu of the required thirty five feet to clear the title. There was no discussion on the motion.

Upon roll call vote, the motion carried unanimously.

Mr. Cooke	Aye
Mr. Mayhand	Aye
Mr. Robison	Aye
Mr. Warner	Aye

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF APRIL 3, 2014 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

Chairman explained to Mr. Pierce that the request was approved and he could pick up the paperwork around nine o'clock in the morning in Community Development. There being no other business the Chairman called for a **Motion to Adjourn**.

A **Motion** was made by **Mr. Cooke** and **Seconded** by **Mr. Mayhand** to adjourn.

The motion carried unanimously.

The meeting was adjourned at 6:14 p.m.

Respectfully submitted by:



Pat Johnson, Recording Secretary

APPROVED: May 1, 2014



Willie Robison, Chairman

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
JANUARY 27, 2014
6:00 P.M.**

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:05 p.m.

MEMBERS PRESENT – Toni Fassbender; Dennis Kearney, III; John Cox; Pokey Miller; Jeffrey Ramsland.

Absent Excused: Doug Bailey; Dan Romanchuk.

Also present – Rebecca Hayes, Recording Secretary; Lee Johnson, BCEDA; Councilman Joe Davis, Council Liaison; Christine Ciancetta, Deputy Finance Director, Matt Atwood, Algae Systems; Andrew Septimus, Algae Systems.

2. APPROVE MINUTES / January 27, 2014

MOTION BY Jeffrey Ramsland to approve the January 27, 2014 meeting minutes. Seconded by Denis Kearney.

MOTION CARRIED UNANIMOUSLY

3. OLD BUSINESS

a.) By-Laws

MOTION BY Jeffrey Ramsland to adopt the revised By-Laws as written. Seconded by John Cox.

MOTION CARRIED UNANIMOUSLY

By-Laws are spread out upon these minutes

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
JANUARY 27, 2014
6:00 P.M.**

**BY-LAWS
OF
THE INDUSTRIAL DEVELOPMENT BOARD
OF THE
CITY OF DAPHNE, ALABAMA**

**I
SEAL**

The corporate seal shall have inscribed thereon the name of the corporation and the words “CORPORATE SEAL” and “ALABAMA”.

**II
DIRECTORS**

1. The property and business of this corporation shall be managed by its board of directors, consisting of members, who shall be elected in accordance with the provisions of the applicable laws of Alabama, by the governing body of said city. Provisions are as listed below:
 - The board must have a minimum of seven (7) members, but can be more
 - Five (5) of the number must be qualified electors and taxpayers in the municipality
 - At the discretion of the city’s governing body the remaining members shall be qualified electors and taxpayers of the municipality, or up to two (2) can be outside of the corporate limits
 - Officers and/or employees of the City cannot be a director on the IDB
 - The directors shall be elected by the governing body of the municipality
 - Each director on the board shall serve a staggered term
 - The directors are chosen from the governing body from the membership of the Chamber of Commerce, board of trade or other similar civic organization, unless in the judgment of the governing body there are no members of such organizations that are either suitable or available
 - The initial terms of the members of the board of directors shall be as follows: two members shall be elected for two years, two members shall be elected for four years, and the remaining three members shall be elected for six years. After the respective expirations of said initial terms, the terms of the members shall each be six years. Any vacancy in the membership of the board shall be filled by election of the said governing body.

2. The directors may hold their meeting and have one or more offices and keep the **Daphne Industrial Development Board Minutes**

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
JANUARY 27, 2014
6:00 P.M.**

books of the corporation at such places as they may from time to time determine.

3. In addition to the powers and authorities by these by-laws expressly conferred upon it, the board of directors may exercise all such powers of the corporation and do all such lawful acts and things as are not by statute or by the certificate of incorporation or by these by-laws denied to them.
4. The members of the board of directors shall serve without compensation, but shall be reimbursed for all actual expenses incurred by them in and about the performance of their duties as members of the board of directors.

III

MEETING OF THE BOARD OF DIRECTORS

1. Regular meeting of the board of directors may be held with notice to the directors at such times and places as shall from time to time be determined by resolution adopted by the board of directors.
2. Special meetings of the board of directors may be called by the chairman on one day's notice to each member of the board of directors. Special meetings may be called by any two members of the board of directors upon one day's notice to each member of the board of directors.
3. Any regular meeting or special meeting of the board of directors may be continued in session by being adjourned at the end thereof to a specified time and place; and at any adjourned meeting may again be continued in session by adjournment thereof.
4. At all meetings of the board of directors to constitute a quorum for the transaction of business a majority being present shall be necessary and sufficient, and the act of a majority of the members of the board of directors present at any meeting at which there is a quorum shall be the act of the board of directors; provided, however, that the affirmative vote of a majority of the entire board of directors shall be necessary to authorize the borrowing of money and the issuance of securities by the corporation, and to take the actions hereinafter referred to under paragraphs 4 and 5 of the heading "Officers", and under the heading "Amendments".

IV

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
JANUARY 27, 2014
6:00 P.M.**

OFFICERS

1. The officers of the corporation shall be elected by the board of directors and shall consist of a chairman of the board of directors, a vice chairman of the board of directors, a secretary of the corporation and a treasurer of the corporation. The chairman and vice chairman of the board of directors must be members of the board of directors, and said offices shall not be held by the same members. The secretary and the treasurer of the corporation need not be (but may be) members of the board and said offices may be held by the same person.
2. The board of directors may appoint such employees and agents as it may deem necessary, who shall hold their offices for such terms and shall exercise such powers and perform such duties as shall be determined from time to time by the board of directors.
3. The salaries of all employees and agents of the corporation shall be fixed by the board of directors.
4. The officers of the corporation shall hold office for a period of one year and until their successors are chosen and qualified in their stead. Any officer elected or appointed by the board of directors may be removed at any time by the affirmative vote of a majority of the entire board of directors
5. In case of the absence of any officer of the corporation, or for any other reason that the board of directors may deem sufficient, the board of directors may delegate, for the time being, the powers and duties, or any of them, of such officer to any other officer, provided that a majority of the entire board of directors concur therein.

V

CHAIRMAN OF THE BOARD

1. The chairman of the board of directors shall be the executive officer of the corporation. He shall preside at all meetings of the board of directors and see that all orders and recommendations of the board of directors are carried into effect. He shall execute all contract of the corporation.

VI

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
JANUARY 27, 2014
6:00 P.M.**

THE VICE CHAIRMAN

1. The vice chairman of the board of directors shall have the same powers and duties as the chairman except that he shall preside at meetings of the board of directors only in the absence of the chairman.

VII

THE SECRETARY

1. The secretary of the corporation shall attend all sessions of the board of directors and record the minutes of all proceedings thereof in a book to be kept for that purpose. He shall give, or cause to be given, notice of all meetings of the board of directors. He shall keep in safe custody the seal of the corporation, and when authorized by the board of directors, shall affix the same to any instrument requiring it, and shall attest it. He shall perform such other duties as may be prescribed by the board of directors.

VIII

THE TREASURER

1. The treasurer of the corporation shall be the custodian of all funds of the corporation and shall withdraw and expend the same from time to time as may be authorized by the board of directors. He shall also serve as assistant secretary with full authority to perform all duties of the secretary only in the absence of the secretary. He shall perform such other duties as may be prescribed by the board of directors.

IX

CHECKS

1. All checks or demands for money or notes of the corporation shall be signed by such officer or officers as the board of directors may from time to time designate.

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
JANUARY 27, 2014
6:00 P.M.**

**X
FISCAL YEAR**

1. The fiscal year shall begin on October 1st in each calendar year and shall end on the then next succeeding September 30th.

**XI
AMENDMENTS**

1. These by-laws may be altered or amended by the affirmative vote of a majority of the entire board of directors.

b.) Algae Systems

Matt Attwood, CEO of Algae Systems, said they are very happy with the community and the support they have shown. They are in the process of commissioning the plant, and they have a half acre of bags, and are growing algae in the bags right now. There are anywhere from 20 to 40 people on the site on any given day, and they have 20 employees. Most of the operations are located on Jordan Lane. They will be in full operation by late May, and they will be gathering data for several years. Everything is going well, and he believes they will be successful in Daphne.

4. TREASURERS REPORT

The treasurers report will be considered at the next meeting.

5. NEW BUSINESS

a.) Economic Development

Joe mentioned that they need to have a list of the incentives the IDB can offer a business that is thinking of coming into Daphne. He will contact the board members in making contact with prospective businesses. He feels you cannot wait for a business to come to you for help that you need to be proactive.

Toni said she supports Joe handling that aspect for her due to her busy schedule.

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
JANUARY 27, 2014
6:00 P.M.**

b.) I-10 Bridge

MOTION BY John Cox to authorize Toni to send a letter of support for the I-10 Bridge. Seconded by Jeffrey Ramsland.

MOTION CARRIED UNANIMOUSLY

c.) Chamber Leadership Trip to Memphis

Joe said it was a great learning experience. He was very interested in Germantown that was across the river from Memphis. He said Germantown and Memphis is comparable to what the Eastern Shore is to Mobile. He mentioned that the city's Comprehensive Plan needs updating saying that the IDB funded the plan and asked that they consider funding the update. He also noted that he is working to change the zip code for TimberCreek from a Spanish Fort code to a Daphne code.

d.) Incubator

Tony discussed an article from AL.com regarding an incubator, and asked the members to think about either doing an incubator or offering tax abatements and other incentives to incoming businesses.

6. BALDWIN COUNTY ECONOMIC DEVELOPMENT ALLIANCE UPDATE

Lee handed out a list of available building sites in Baldwin County. He mentioned there is a logistics company looking to come into Daphne which will be white collar high paying jobs. They will start small and build up to 70 employees over three years. He also submitted Daphne's name to a company scouting out sites that will employ 300 employees and will need large acreage.

6. OTHER BUSINESS

Joe mentioned a report coming from Angie Phillips the Revenue Officer, listing new businesses in the city saying this is the sort of information that they need to stay in touch with, because they should also be helping existing businesses.

7. NEXT MEETING

The next meeting date will be on Memorial Day. There will not be a rescheduling of the meeting unless there is something which requires a vote.

**CITY OF DAPHNE, AL
INDUSTRIAL DEVELOPMENT BOARD MEETING
1705 MAIN STREET, DAPHNE, AL
JANUARY 27, 2014
6:00 P.M.**

8. ADJOURN

MOTION BY John Cox to adjourn. Seconded by Jeffrey Ramsland.

MOTION CARRIED UNANIMOUSLY

**THERE BEING NO FURTHER BUSINESS TO DISCUSS THE MEETING ADJOUNED AT
7:21 P.M.**

Submitted by:

Certification of Presiding Officer:

Rebecca Hayes, Secretary

Toni Fassbender, Chairman

The City of Daphne
Planning Commission Minutes
Regular Meeting of March 27, 2014 (PC Corrected Minutes @ 4/24/2014 Meeting)
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

The regular meeting of the City of Daphne Planning Commission was called to order at 5:02 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Don Terry, Secretary
Larry Chason, Chairman
Ron Scott, Councilman
Hudson Sandefur
Charles Smith
Chief White

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Jay Ross, Attorney

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

Chairman asked for questions, comments or corrections to the minutes of ***the regular meeting of February 27, 2014. There being none, the minutes are approved as submitted.***

The next order of business is subdivision replat review for the Colonnade of Eastern Shore, a replat of Lot 1, Springs at Eastern Shore.

An introductory presentation was given by Mr. Jaye Robertson, representative of Hutchinson, Moore, & Rauch, of a subdivision replat of Lot 1, Springs at Eastern Shore and the outparcel located southeast of the intersection of U.S. Highway 98 and Johnson Road to create an twenty point three one acre parcel to accommodate the site plan of the Colonnade at Eastern Shore.

Chairman asked for Commission questions and comments or a motion for approval.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Terry **to grant the subdivision replat for the Colonnade of Eastern Shore, a replat of Lot 1, Springs at Eastern Shore. There was no discussion on the motion. The Motion carried unanimously.**

The City of Daphne
Planning Commission Minutes
Regular Meeting of March 27, 2014
Council Chamber, City Hall - 5:00 P.M.

An introductory presentation was given by Mr. Jaye Robertson and Mr. Scott Hutchinson, representatives of Hutchinson, Moore, & Rauch, of a multi-family development seven hundred feet southeast of the intersection of U.S. Highway 98 and Johnson Road. Mr. Robertson commented that a turn lane is planned as a part of the improvements to the intersection of Johnson Road and U.S. Highway 98.

Commissioners asked will the development be subsidized housing.

Mr. Hutchinson stated no. The only association is the development has HUD financing.

Chairman asked will this development have a property owners association.

Mr. Hutchinson stated the property will be maintained by an apartment management company.

Chairman made reference to the Public Works Director's request for the developer to participate in the improvements at U.S. Highway 98 and Johnson Road. He asked does the developer have an ALDOT permit.

Mr. Johnson commented that the developer cannot have a preconstruction meeting or obtain a site disturbance permit until a permit is issued. He mentioned that the MPO is considering the improvement of Johnson Road and County Road 13 as a priority and a part of the County Road 13 interchange project.

Mr. Robertson stated a meeting is scheduled on Monday, March 31, 2014 with ALDOT to discuss the proposed geometric design of U.S. Highway 98 and Johnson Road.

Chairman asked for Commission questions or comments and a motion for approval.

A Motion was made by Mr. Terry and Seconded by Mr. Scott to grant site plan approval of the Colonnade at Eastern Shore, contingent upon: ALDOT approval of the improvements at the access to U.S. Highway 98 and the intersection of U.S. Highway 98 & Johnson Road.

During Commission discussion, Mr. Terry asked to amend the main motion to include a waiver of the sidewalk requirement along U. S. Highway 98. Mr. Scott accepted the amendment.

The Motion was amended by Mr. Terry and Seconded by Mr. Scott to grant site plan approval of the Colonnade at Eastern Shore, contingent upon: ALDOT approval of the improvements at the access to U.S. Highway 98, the intersection of U.S. Highway 98 & Johnson Road, and a waiver of the sidewalk requirement along U.S. Highway 98. There was no further discussion on the motion. The Motion carried unanimously.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of March 27, 2014
Council Chamber, City Hall - 5:00 P.M.**

The next order of business is preliminary/final plat review for Malbis Plantation, Inc.

An introductory presentation was given by Mr. Dan Anderson, representative of CVS Pharmacy, of a two-lot subdivision southwest of the intersection of Alabama Highway 181 and U.S. Highway 90. He referenced the previous Commission meeting of which a request was entered to table the plat review for two months pending resolution of the pending litigation between Malbis Lane/Vlahos Lane Property Owner's Association, Baldwin County, and the Foresite Group. Approximately three weeks ago, the Circuit Court of Baldwin County entered an order to uphold the decision of the Baldwin County and found that the Planning/Zoning Commission acted within its discretionary authority. The case found its actions were not arbitrary and capricious. Furthermore, the Court found based upon the evidence presented, Foresite is entitled to the setback waiver in order to meet the required number of parking spaces. Nothing was presented to the Court to substantiate the claim regarding additional traffic. All issues were addressed on this matter and heard on its merits; therefore, the Court will not entertain further discussion of the issues. Alabama law gives this Commission administrative capacity of review of the subdivision regulations. Approval of the plat is not a consideration of the use or zoning of this property. The Code also states if a subdivision meets all of the criteria of the conditions of the regulations, approval is not discretionary. The approval of the plat has been recommended by the City Attorney and the Director of Community Development. Five of the seven members of the Board of Malbis Plantation, Inc. which granted approval of the ground lease are present to answer any questions you may have.

Chairman asked for Commission questions or comments.

Mr. Scott stated he had hoped for annexation of the property into the City of Daphne. However, if the plat meets the subdivision portion of our regulations, there is no other recourse than approval of the plat.

Chairman opened the floor to public participation.

Mr. Lawler, representative for the Malbis and Vlahos Lane POA, spoke in opposition. State law gives this Commission jurisdiction over the subdivision of lands adjacent to a extraterritorial planning jurisdiction. The Land Use and Development Ordinance, Section 10-9, your subdivision regulations state that, "A traffic impact analysis shall be required for a proposed high density and/or intensity development". It also states, "The results and any corrective measures necessary shall be included as a part of, and in addition to the requirements of the preliminary subdivision plat and/or site review plan approval".

Mr. Scott stated this is not a preliminary subdivision plat and/or a site plan review, but only a two-lot subdivision. Mr. Ross stated a preliminary/final plat review does not require a traffic impact study.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of March 27, 2014
Council Chamber, City Hall - 5:00 P.M.**

Chairman referenced his discussion and expressed his concerns regarding additional traffic at this intersection, but noted that ALDOT has reviewed the plans and issued a permit.

Mr. Lawler stated there are enabling legislation and an Attorney General's opinion regarding annexation of property in which the regulations are served by.

Mr. Demetrius Matthews asked who would address patrons of the business utilizing Malbis Lane as an access. Chairman stated traffic concerns would be addressed by Baldwin County.

Mr. Mike Sirmon spoke as the liaison for Malbis Plantation, Inc. He commented that he and the Mayor have discussed annexation and assured the Commission that CVS will adhere to the ground lease agreement.

Mr. Scott commented annexation rather than the property remaining in the extraterritorial planning jurisdiction would have given the Planning Commission more of an opportunity to require the developer to adhere to our subdivision regulations and minimize the impacts and require buffer zones. Mr. Lawler referenced case law, "It is unlawful to use conduct to specify rules that all citizens must not omit or exercise". In your municipal code, Section 11-14 (g), states "Proposed residential and/or commercial subdivisions in the extraterritorial planning jurisdiction which are contiguous to the corporate limits and are served by the public community water and sanitary sewer system of the Utilities of the City of Daphne, shall be required to annex into the City of Daphne prior to approval of said subdivision. If it is deemed to be by the Planning Commission to be in the best interest of the City.

Chairman asked for additional comments. None were presented. He closed public participation and asked for Commission questions or comments.

Chief White asked if it is definite that ALDOT certified the intersection as safe.

Mr. Terry stated the Judge noted in the case the concern with traffic, but no evidence was presented.

Mr. Scott commented with the zoning of the adjacent properties, the CVS should have been zoned differently. The conditional use was granted for a setback waiver to allow the required number of parking spaces. This decision was affirmed by the court. Mr. Ross stated it is a compelling argument, the rules of which to follow to require annexation. The issue, however, strictly construed the Planning Commission is bound by the subdivision regulations as they move forward. The regulations to follow are the standard regulations which govern this body and which are contained in the Ordinance.

The City of Daphne
Planning Commission Minutes
Regular Meeting of March 27, 2014
Council Chamber, City Hall - 5:00 P.M.

Chairman asked for Commission questions or comments and a motion for approval.

A **Motion** was made by Mr. Terry and **Seconded** by Mr. Sandefur **to approve the preliminary/final plat for Malbis Plantation Subdivision.**

Commissioners discussed amending the motion to include there will be no further subdivision of land without the presentation of a master plan. Mr. Terry accepted the amendment to the main motion.

Amended to add the following:

Chairman stated regardless of the fact that the ALDOT has issued the permit he felt that the access to CVS at Alabama Highway 181 was too close to the intersection, in his opinion someone will be injured and/or killed.

The **Motion** was amended by Mr. Terry and **Seconded** by Mr. Sandefur **to approve the preliminary/final plat for Malbis Plantation Subdivision, contingent upon a note being placed on the plat stating that no further subdivision of land shall be allowed without the presentation of a master plan.**

During discussion, Mr. Scott mentioned that the master plan application will have to be made by the owner of the property.

The Motion carried unanimously. Six members voted in the affirmative.

The next order of business is final plat review and petition for street acceptance for Bellaton Subdivision, Phase Three.

An introductory presentation was given by Mr. John Avent, representative of Preble-Rish, of a thirty-nine lot subdivision southwest of Alabama Highway 181 and Corte Road. He stated the infrastructure, utilities and landscaping are installed and requested approval of the plat and acceptance of the streets for maintenance.

Chairman asked for Commission questions or comments.

Ms. Campbell requested stabilization of the construction entrance.

Chairman asked for Commission questions or comments and a motion for approval and recommendation of acceptance of the streets.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Sandefur **to grant approval of the final plat for Bellaton Subdivision, Phase Three, contingent upon stabilization of the construction entrance; and affirmative recommendation by the Planning Commission to the City Council of the streets for maintenance. The Motion carried unanimously.**

The City of Daphne
Planning Commission Minutes
Regular Meeting of March 27, 2014
Council Chamber, City Hall - 5:00 P.M.

The next order of business is preliminary/final plat review for Broadway - AL HWY 181 Subdivision.

An introductory presentation was given by Ms. Judith McCutcheon, representative of the Broadway Group, of a two-lot subdivision south of Belgrove Avenue and Alabama Highway 181 for the purpose of development of a single tenant retail development on one and one-half acres. The owner will retain the remainder of the parcel.

Chairman asked for Commission questions or comments. He asked if the drawing was revised to reflect a dual access.

Ms. McCutcheon stated comments from ALDOT are still pending.

Chairman opened the floor to public participation.

Ms. Joy Davis asked who would address the issue of drainage and/or flooding in the area. Chairman stated site plan, grading, and drainage concerns would be addressed by Baldwin County.

Chairman asked for additional comments. None were presented. He closed public participation. He asked for Commission questions or comments and motion for approval.

A Motion was made by Mr. Terry and **Seconded** by Mr. Sandefur **to approve the preliminary/final plat for Broadway - AL HWY 181 Subdivision.**

Commissioners discussed amending the motion to include there will be no further subdivision of land without the presentation of a master plan. Mr. Terry accepted the amendment to the main motion.

The **Motion** was amended by Mr. Terry and **Seconded** by Mr. Sandefur **to approve the preliminary/final plat for Broadway - AL HWY 181 Subdivision, contingent upon a note being placed on the plat stating that no further subdivision of land shall be allowed without the presentation of a master plan. The Motion carried unanimously.**

The next order of business is an administrative presentation for Gator Alley.

An introductory presentation was given by Mr. Richard Johnson, Public Works Director, of site plan modifications to Gator Alley, northwest of North Main Street and entrance to the treatment plant. This project is a part of the TAP grant and is of high priority of Parks, Recreation, and the Beautification Committee.

Chairman asked for Commission questions or comments and a motion for approval.

The City of Daphne
Planning Commission Minutes
Regular Meeting of March 27, 2014
Council Chamber, City Hall - 5:00 P.M.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Terry **to approve the site plan modifications for Gator Alley. The Motion carried unanimously.**

The next order of business is an administrative presentation for a street acceptance request by Lake Forest Property Owners Association.

An introductory presentation was given by Mr. Richard Johnson, Public Works Director, presented a request for acceptance of the right-of-ways of Golf Terrace and Yacht Club Drive for maintenance, pending Lake Forest Property Owners Association providing the necessary legal documentation to the City Attorney for prepare the right-of-way deeds to the City of Daphne.

Chairman asked for Commission questions or comments and a motion for recommendation of acceptance of the right-of-ways.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Sandefur **for an affirmative recommendation by the Planning Commission to the City Council of the acceptance of the right-of-ways of Golf Terrace and Yacht Club Drive for maintenance. The Motion carried unanimously.**

The next order of business is an administrative presentation for a mobile food catering establishment.

An introductory presentation was given by Ms. Karen Barge of a mobile food catering establishment located at 1010 Stanton Road, southeast of U.S. Highway 98 and Stanton Road.

The Commissioners and the representative discussed the matter of mobility and/or placement of a nonpermanent structure for business purposes permitted on a temporary basis at this site. Ms. Barge referenced the sketch presented which addressed setbacks, driveway, trailer location, signage, and parking.

Chairman asked for Commission questions or comments. He commented that approval requires ninety-day renewals. The maximum period of operation is one year. He asked for Commission questions or comments and a motion for approval.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Terry **to approve the mobile food catering establishment for Ms. Karen Barge, 1010 Stanton Road for a maximum period of one year in accordance with Section 13-7 (f), Daphne Land Use and Development Ordinance. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is public participation.

Chairman asked for public participation. No one came forward. He closed public participation.

The City of Daphne
Planning Commission Minutes
Regular Meeting of March 27, 2014
Council Chamber, City Hall - 5:00 P.M.

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

Mr. Ross stated that the case of Malbis Plantation, Inc. and CVS Pharmacy is not a simple issue. He commented on the pending cases with the Tiawasee Property Owners Association and Lamar Signs.

The next order of business is commissioner's comments.

None were presented.

The next order of business is director's comments.

Director invited the Commission to the Volunteer Appreciation Breakfast on April 9, 2014 at 7:45 a.m. at the Bay Front Pavilion.

There being no further business, the meeting was adjourned at 6:49 p.m.

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: April 24, 2014



Larry Chason, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 24, 2014  **REPORT**
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

1. **CALL TO ORDER** **DATE OF REPORT: MAY 2, 2014**
2. **CALL OF ROLL** **LARRY CHASON, DON TERRY, MONTY MONTGOMERY, RON SCOTT, CHIEF WHITE AND HUDSON SANDEFUR**
3. **APPROVAL OF MINUTES:**

*Review of minutes for the regular meeting of March 27, 2014. (**APPROVED WITH REVISIONS**)*

4. **NEW BUSINESS:**

- A. **SITE PLAN REVIEW:**

1. **File S14-03: (**APPROVED**)**

Site: **Ford Lumber & Millworks**

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

Location: North of U.S. Highway 90, Lot 1, Wooten Subdivision, previously Harley Davidson

Area: 5 Acres ±

Owner: BDI Properties, L.L.C. - Timothy McLeod & Thomas Schmitt

Developer: R & S Leasing, L.L.C. - Adam Williamson

Engineer: Preble-Rish - Jason Estes

2. **File S14-05: (**APPROVED**)**

Site: **Office Building for BBB Industries, Lot 15, Renaissance Center**

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

Location: Northwest of the intersection of U.S. Highway 90 and Renaissance Boulevard

Area: 1.38 Acres ±

Owner: Robroco, L.L.C. - Greg Roberts

Developer: ARC Light, L.L.C. - William Hunt

Engineer: Jade Consulting - Trey Jinright

- B. **PRELIMINARY/FINAL PLAT REVIEW:**

1. **File SDPF14-04: (**APPROVED, SUBJECT TO THE SUBMISSION AND PROCESSING OF AN APPLICATION FOR ANNEXATION WITH R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL, ZONING**)**

Subdivision: **Terri**

Zoning(s): **RSF-2, Single Family District, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne**

Location: Northeast of the intersection of Pollard and Well Road

Area: 9.53 Acres ±, (3) lots

Owner: Terri Wilson

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF APRIL 24, 2014 REPORT
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

C. SUBDIVISION REPLAT REVIEW:

1. File SRP14-03: (APPROVED)

Subdivision: Lands South, L.L.C.

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

Location: Northeast of the intersection of U. S. Highway 98 and Park Drive

Area: 2.33 Acres \pm , (2) lots

Owner: Lands South, L.L.C. - Buddy Satterwhite

Surveyor: Polysurveying - Matt Orrell

2. File SRP14-04: (NO ACTION TAKEN)

Subdivision: Velma Dale Jackson, et. al.

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

Location: Northeast of the intersection of U. S. Highway 98 and Dale Road

Area: 22.64 Acres \pm , (3) lots

Owner: Velma Dale Jackson, et. al.

Agent: Chason & Chason - Joseph Thetford

5. PUBLIC PARTICIPATION

6. ATTORNEY'S REPORT

7. COMMISSIONER'S COMMENTS

8. DIRECTOR'S COMMENTS

9. ADJOURNMENT



Accepted by:

Robert Segalla
Chairman, Daphne Utilities

Daphne Utilities

APPROVED MINUTES

Utilities Board Meeting

City of Daphne Council Chambers ♦ February 5 (for January), 2014 ♦ 5:00 p.m.

I. Call to Order

The regular January 2014, Board meeting for the Utilities Board of the City of Daphne was held on February 5, 2014 and called to order by Chairman Robert Segalla, at 5:02 p.m., proceeded by the Roll Call:

II. Roll Call

Members Present: Robert Segalla, Chairman
Randy Fry, Vice Chairman
Lon Johnston, Secretary/Treasurer
Dane Haygood, Mayor

Others Absent: Fenton Jenkins

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

Others Absent:

III. Pledge of Allegiance

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

IV. Approval of Minutes

A. Utilities Board Minutes from December 4 (for November), 2013:

The Chairman inquired if there were any corrections noted for the submitted Minutes for the December 4th (for November), 2013, Utilities Board meeting. No corrections were made.

MOTION BY Lon Johnston to approve the Minutes for December 4 (for November), 2013 as submitted; Seconded by Randy Fry.

AYE: FRY, HAYGOOD, JOHNSTON, SEGALLA

ABSENT: JENKINS

ABSTAIN:

MOTION CARRIED

V. OLD BUSINESS --

A. Irrigation Meter Rates

Drew Klumpp re-examined for the Board the current rates as well as the proposed optional rates. A discussion followed regarding the rate structure for irrigation meters. The consensus was to leave the rate structure as it is currently.

VI. NEW BUSINESS --

A. None

VII. BOARD ATTORNEY'S REPORT

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

VIII. FINANCIAL REPORT

Teresa Logiotatos reviewed the financials for November and December for the Board and answered questions. Mr. Johnston commented on Daphne Utilities' Natural Gas figures and requested a profile of gas customers, residential versus commercial customers. Mr. McElroy offered a further detail of aid-to-construction.

IX. GENERAL MANAGER'S REPORT

A. GM Report

Rob McElroy notified the Board of the Utilities' beautification award from the City of Daphne Beautification Committee and a group photo was taken. Mr. Johnston commented on the outstanding maintenance at Brianna's Bridge at the entrance to our Water Reclamation Facility. He also asked about the blanket drug screening, safe-work man hours, as well as delinquent disconnected accounts whereby the staff answered all his concerns.

B. Operations Report

Danny Lyndall commented on the sanitary sewer overflow that happened in the Spanish Fort area and answered questions as well as answered questions regarding the water storage tank from the Board.

C. Engineering & Consulting Reports

Melinda Immel of Volkert & Associates reviewed and detailed for the Board the top 10 projects on Daphne Utilities' planned Capital Improvement Projects and incorporate this graph each month.

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

X. BOARD ACTION -- NONE.

XI. PUBLIC PARTICIPATION -- NONE.

Mr. McElroy pointed out the yearly scheduled dates for the Utilities Board meetings and also advised that he, Mr. Lyndall and Mrs. Logiotatos will be absent from the February board meeting. The Board recommended having other employees to fill in.

XIII. BOARD COMMENTS -- NONE.

XVI. ADJOURNMENT -

MOTION BY Randy Fry to adjourn.

AYE: Fry, Haygood, Johnston, Segalla

NAY:

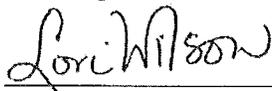
ABSENT: Jenkins

ABSTAIN:

MOTION CARRIED

The meeting adjourned at 5:50 pm.

Preceding minutes submitted to the Daphne Utilities Board by:



Lori Wilson, Executive Assistant, Daphne Utilities



Accepted by:

Robert Segalla
Chairman, Daphne Utilities

Daphne Utilities

APPROVED MINUTES

Utilities Board Meeting

City of Daphne Council Chambers ♦ February 26, 2014 ♦ 5:00 p.m.

I. Call to Order

The regular February 2014, Board meeting for the Utilities Board of the City of Daphne was held on February 26, 2014 and called to order by Chairman Robert Segalla, at 5:01 p.m., proceeded by the Roll Call:

II. Roll Call

Members Present: Robert Segalla, Chairman
Randy Fry, Vice Chairman
Lon Johnston, Secretary/Treasurer
Dane Haygood, Mayor
Fenton Jenkins

Others Absent:

Others Present: Jerry Speegle – Board Attorney – arrived at 5:04pm
Drew Klumpp – Administrative Services Manager
Deloris Brown – HR Manager
Lori May-Wilson – Executive Assistant
David Sadberry – Facilities Support Manager
Melinda Immel – Volkert & Associates
Ray Moore – HMR

Others Absent: Rob McElroy – General Manager (attending conference)
Danny Lyndall – Assistant General Manager/Operations Manager (attending conference)
Teresa Logiotatos – Finance Manager (attending conference)

III. Pledge of Allegiance

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

IV. Approval of Minutes

A. Utilities Board Minutes from February 5 (for January), 2014:

The Chairman inquired if there were any corrections noted for the submitted Minutes for the February 5th (for January), 2014, Utilities Board meeting. No corrections were made.

MOTION BY Lon Johnston to approve the Minutes for February 5 (for January), 2014 as submitted; Seconded by Mayor Dane Haygood.

AYE: FRY, HAYGOOD, JENKINS, JOHNSTON, SEGALLA

ABSENT:

ABSTAIN:

MOTION CARRIED

V. OLD BUSINESS – A. None

VI. NEW BUSINESS –

A. Emergency Sewer Line Repair

Melinda Immel updated the Board on the repair of the sewer line in Spanish Fort. Jerry Speegle informed the Board of the competitive bid law and the necessity to circumvent it in this instance. Mrs. Immel answered several questions from the Board relative to costs, repair and ownership of the creek. Mrs. Immel also advised the Board that Resolution 2014-01 is necessary in order to expeditiously initiate repair of the sewer line.

MOTION BY Vice Chairman Randy Fry to waive the reading of Resolution 2014-01 Emergency Sewer Line Repair and approve as submitted; Seconded by Lon Johnston.

AYE: FRY, HAYGOOD, JENKINS, JOHNSTON, SEGALLA **ABSENT:** **ABSTAIN:** **MOTION CARRIED**

VII. BOARD ATTORNEY'S REPORT

Mr. Speegle had nothing further to add to his report. Mr. Speegle answered questions from the Chairman regarding the Logistics issue.

VIII. FINANCIAL REPORT

Rebecca Williamson reviewed the financials with the Board. Mr. Johnston commended the half-page summary profile on the Daphne Utilities' natural gas customers and endorsed the aggressive direction that management has proposed in moving forward with gas sales.

IX. GENERAL MANAGER'S REPORT

A. GM Report

Nothing additional to report.

B. Operations Report

David Sadberry commented on the safety measures and equipment being used at the Spanish Fort sanitary sewer overflow site and answered questions about the Water Quality report.

C. Engineering & Consulting Reports

Melinda Immel of Volkert & Associates answered questions about the traffic circle at CR65 and CR13.

Ray Moore of HMR had nothing further to add to his report but gave a status update on Lake Forest IV.

X. BOARD ACTION –

A. RESOLUTION 2014-01: Emergency Sewer Line Repair

Previously addressed under New Business.

XI. PUBLIC PARTICIPATION – NONE.

XIII. BOARD COMMENTS – Mayor Haygood commented on Jim Caudle's appearance on the news.

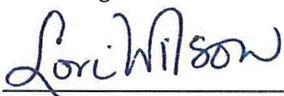
XVI. ADJOURNMENT -

MOTION BY Lon Johnston to adjourn.

AYE: Fry, Haygood, Jenkins, Johnston, Segalla **NAY:** **ABSENT:** **ABSTAIN:** **MOTION CARRIED**

The meeting adjourned at 5:41pm.

Preceding minutes submitted to the Daphne Utilities Board by:



Lori Wilson, Executive Assistant, Daphne Utilities



Accepted by:

Robert Segalla
Chairman, Daphne Utilities

Daphne Utilities

APPROVED MINUTES

Utilities Board Meeting

City of Daphne Council Chambers ♦ March 26, 2014 ♦ 5:00 p.m.

I. Call to Order

The regular March 2014, Board meeting for the Utilities Board of the City of Daphne was held on March 26, 2014 and called to order by Chairman Robert Segalla, at 5:02 p.m., proceeded by the Roll Call:

II. Roll Call

Members Present: Robert Segalla, Chairman
Randy Fry, Vice Chairman
Lon Johnston, Secretary/Treasurer
Fenton Jenkins

Others Absent: Dane Haygood, Mayor

Others Present: Jerry Speegle – Board Attorney
Rob McElroy – General Manager
Drew Klumpp – Administrative Services Manager
Teresa Logiotatos – Finance Manager
Lori May-Wilson – Executive Assistant
David Sadberry – Facilities Support Manager
Melinda Immel – Volkert & Associates
Ray Moore – HMR

Others Absent: Danny Lyndall – Assistant General Manager/Operations Manager
Deloris Brown – HR Manager

III. Pledge of Allegiance

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

IV. Approval of Minutes

A. Utilities Board Minutes from February 26, 2014:

The Chairman inquired if there were any corrections noted for the submitted Minutes for the February 26th, 2014, Utilities Board meeting. No corrections were recommended.

MOTION BY Lon Johnston to approve the Minutes for February 26, 2014 as submitted; Seconded by Randy Fry.

AYE: FRY, JENKINS, JOHNSTON, SEGALLA

ABSENT: HAYGOOD

ABSTAIN:

MOTION CARRIED

V. OLD BUSINESS –

A. Items in Abeyance:

1. Update on Franchise Agreement for Natural Gas and Wastewater
Rob McElroy updated the Board on his meeting with the Mayor of Spanish Fort regarding the franchise agreements for natural gas and wastewater with the City of Spanish Fort. Mr. McElroy advised that he is

preparing a letter regarding both the natural gas and sewer franchise agreements and Mr. Speegle would be advised before the letters are sent.

VI. NEW BUSINESS –

A. Presentation of Audit for Years Ended September 30, 2013 and 2012 by Mike Adreoli of Robertson, Andreoli & Covington, P.C.

Mr. Mike Adreoli of Robertson, Andreoli & Covington, P.C., reviewed the audit for the Board with a satisfactory outcome and answered various questions from the Board.

VII. BOARD ATTORNEY’S REPORT

Mr. Speegle had nothing further to add to his report and offered to answer any questions from the Board.

VIII. FINANCIAL REPORT

Teresa Logiotatos updated the Board on the current financial position relative to the increase in gas sales, briefly reviewed fixed assets and highlighted a few vendors on the Check History Report. Mr. McElroy explained for the Chairman the maintenance of the Malbis Water Tank landmark.

IX. GENERAL MANAGER’S REPORT

A. GM Report

Mr. McElroy advised the Board of a recent presentation update made to the City Council by Algae Systems. He also pointed out the Board Director of the Year awarded to Chairman Segalla by the Alabama Rural Water Association. He introduced new employee Samantha Coppels as Customer Relations Liaison and Nia Bradley as Grade 2 Operator at the Wastewater Treatment Plant.

A. Operations Report

David Sadberry, sitting in for Danny Lyndall, had nothing to add to the report.

Drew Klumpp highlighted for the Board the new look of the Utilities bill and answered the Board’s questions.

B. Engineering & Consulting Reports

Melinda Immel of Volkert & Associates advised the Board of upcoming bids and new project. She also updated the Board on the Bugle Retreat Road emergency repair project.

Amanda Thompson was filling in for Ray Moore of HMR and had nothing further to add to the report but updated the Board regarding the water tank project.

X. BOARD ACTION – NONE.

XI. PUBLIC PARTICIPATION – Mr. Speegle commented on the outstanding figures presented in the submitted audit.

XIII. BOARD COMMENTS – NONE.

XVI. ADJOURNMENT -

MOTION BY Lon Johnston to adjourn.

AYE: Fry, Jenkins, Johnston, Segalla

NAY:

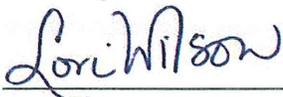
ABSENT: Haygood

ABSTAIN:

MOTION CARRIED

The meeting adjourned at 5:47pm.

Preceding minutes submitted to the Daphne Utilities Board by:



Lori Wilson, Executive Assistant, Daphne Utilities

**REPORT
OF
OFFICERS**

RESOLUTIONS
&
ORDINANCES

**RESOLUTION NO. 2014-19
2014-F-CONCRETE PIPE**

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 CONCRETE PIPE will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the CONCRETE PIPE and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the CONCRETE PIPE be awarded to Design Precast & Pipe.

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 Design Precast & Pipe for unit cost (delivered) as follows:

		<u>Price per linear foot</u>
<u>Description</u>	-	Design Precast & Pipe, Inc.
12" T & G C-3		13.52
15" T & G C-3		10.50
18" T & G C-3		14.40
21" T & G C-3	DNE	-
24" T & G C-3		21.98
27" T & G C-3	DNE	-
30" T & G C-3		31.73
36" T & G C-3		41.25
42" T & G C-3		51.45
48" T & G C-3		65.03
54" T & G C-3		80.10
60" T & G C-3		97.13
66" T & G C-3	DNE	-
72" T & G C-3		135.83
84" T & G C-3	DNE	-
96" T & G C-3	DNE	-
18" X 11" T & G C-3 ARCH		16.92
22" X 13" T & G C-3 ARCH		20.97
29" X 18" T & G C-3 ARCH		29.25
36" X 23" T & G C-3 ARCH		35.28

44" X 27" T & G C-3 ARCH		48.33
51" X 31" T & G C-3 ARCH		62.64
58" X 36" T & G C-3 ARCH		79.65
65" X 40" T & G C-3 ARCH		97.11
73" X 45" T & G C-3 ARCH		119.98
88" X 54" T & G C-3 ARCH	DNE	-
<u>DESCRIPTION</u>	-	
4' X 4'		163.07
6' X 4'		286.11
8' X 4'		391.06
6' X 5'		309.99
8' X 5'		420.27

as specified in BID SPECIFICATION NO. 2014-F-CONCRETE PIPE.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, ____ day of _____, 2014.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

**RESOLUTION NO. 2014-20
2014-G-PLASTIC PIPE**

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 PLASTIC PIPE will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the PLASTIC PIPE and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the PLASTIC PIPE be awarded to Ferguson Waterworks.

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 Ferguson Waterworks. for unit cost listed in BID SPECIFICATION NO. 2014-G-PLASTIC PIPE.

Size	\$
8"	3.44
10"	4.62
12"	5.47
15"	7.05
18"	9.59
24"	16.13
30"	23.70
36"	29.19
42"	38.00
48"	46.51
60"	87.63
Geotech Filter Cloth, Heavyweight, 16' x 300' / Roll	406.50
Straw-Coconut Erosion Control Standard Blanket, 8'x113'/Roll	47.13
Anchor Staples, 11 gauge, 500 per box	30.04

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ day of _____, 2014

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

**RESOLUTION NO. 2014-21
2014-H-ROCK MATERIAL**

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 ROCK MATERIAL will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the ROCK MATERIAL and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the ROCK MATERIAL be awarded to Martin Marietta Materials Company.

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 Martin Marietta Materials Company for unit cost (delivered) as follows:

Crushed Aggregate 825-A	33.75
Crushed Aggregate 825-B	33.75
#57 Limestone	34.00
#78 Pea Gravel	32.25
Rip Rap – Class I	44.75
Rip Rap – Class II	44.75

as specified in BID SPECIFICATION NO. 2014-H-ROCK MATERIAL.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2014.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

**CITY OF DAPHNE
ORDINANCE NO. 2014-15**

**AN ORDINANCE TO REVISE SECTION 9.1, SECTION 9.10, AND
SECTION 10.6 OF THE CITY'S EMPLOYEE HANDBOOK**

WHEREAS, the City Council of the City of Daphne, after due consideration believes that certain revisions to Sections 9.1, 9.10 and 10.6 of the City of Daphne Employee Handbook are necessary for the proper administration of said Handbook and the policies contained therein;

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

SECTION I: REVISIONS TO SECTIONS 9.1, 9.10, AND 10.6

That Sections 9.1, 9.10, and Section 10.6 of the Employee Handbook be and are hereby revised as follows:

9.1 RESPONSIBILITY FOR ATTENDANCE AT WORK.

General Requirements. All employees are responsible for being present at work during their scheduled work time, unless their absence has been approved by their department head or his designated representative. If an employee has excessive absence occurrences or incomplete shifts (arriving late or leaving early), the employee will be subject to discipline. Any absence from work for a period of three (3) consecutive working days without providing notice as required by this policy may be considered as a voluntary resignation by an employee. Department heads and supervisors must keep up with employee attendance and the reasons for absences, tardiness, and early departures to insure unexcused absenteeism is addressed through the disciplinary process while approved absences are excused and not counted for disciplinary purposes.

Notice Requirements. Each department will provide methods for employees to provide notice of absences, late arrivals or early departures, such as by providing supervisor cell phone numbers and administrative contact persons within the department. As a general rule applicable to all city employees, if an employee is unable to report for work, or to report on time, he must notify his supervisor or department head within fifteen (15) minutes of the scheduled start of his work day unless unusual circumstances prevent him from doing so. Department heads may provide for an alternative notification period applicable to specific departments, such as thirty minutes or one hour prior to the start of the work day. Department heads will ensure such alternative reporting time frames are posted in the department or otherwise made known to department staff in writing, and will provide a copy of the notification period to the human resources director. If an employee has a need to leave his assigned work area before the end of his scheduled work time, he must notify his supervisor or department head and obtain permission for such early departure. An employee's report of an absence, late arrival, or early departure on the day of the absence or tardiness as required by this policy does not guarantee that the absence or tardiness will be

authorized or excused. Management has discretion to decide if the reason given for the absence or tardiness is a sufficient excuse. If employee foresees a need to be absent for a period longer than one workday, the employee should consider applying for a Leave of Absence. Applying for a Leave of Absence does not suggest the Leave will necessarily be approved. Requested time away from work which has been approved by the employee's department head or supervisor and included in the schedule at least three (3) weeks in advance, absent extraordinary circumstances, also is not considered an unexcused absence.

Hazardous Weather & Emergencies. Hazardous weather (*e.g.*, hurricanes or ice storms) or emergency situations (*e.g.*, fires or gas leaks) may require total or partial closure of a single City worksite or multiple worksites or total or partial cancelation of a City activity or multiple activities. Absent a state of emergency declared by or ratified by the City Council defining the length of a declared emergency, the Mayor has sole discretion to designate when hazardous weather or emergency conditions begin and end for purposes of applying the policies and procedures in this handbook. On a department by department basis and depending on the nature of the hazardous weather or emergency circumstances, the Mayor may authorize the closure of the affected City worksite(s) and/or the cancelation of the affected City activity or activities. Depending on the circumstances, employees may be required by the Mayor or Department Head(s) authorized by the Mayor to: (i) report for work at the employee's usual worksite as scheduled; (ii) report for work at an alternative worksite or worksites; (iii) report early or late for a scheduled shift; (iv) report for previously unscheduled work; (v) remain off work and not report for a scheduled shift; and (vi) engage in alternative duties or activities. Failure or refusal without authorization or excuse by the Mayor or Department Head to engage in any instructed activities constitutes insubordination and/or unexcused absenteeism, and may result in discipline up to and including discharge. The City will make every reasonable effort to publicize approved details regarding worksite closing(s), alternative worksite location(s), alternative activities or duties, and alterations to scheduled shift starting and departure times, such as by broadcasting over the local radio station and/or using other technologies. But each employee remains individually responsible to contact his supervisor or Department Head concerning whether he should report to work at the scheduled time and whether he should report to his usual worksite if he is uncertain as to the situation created by the hazardous weather or emergency. Each employee is expected to make a good faith effort to get to work at his usual worksite at the scheduled arrival time and to remain at work until the scheduled departure time, unless otherwise notified. An employee who is unable to get to work, or arrive at the scheduled start time, or remain until the scheduled departure time, at either his usual or alternative worksite, due to hazardous weather or emergency conditions must notify his supervisor as provided in this policy in order for the absence or tardiness or early departure to be excused. Absences from work, late arrivals, and early departures due to hazardous weather or emergency conditions must be reported as such on attendance reports. The employee's Department Head may require an employee to make up the missed time so long as feasible work is available and the time can be made up in the same workweek.

9.10. PAID ADMINISTRATIVE LEAVE.

Overview. Unclassified and classified employees may be granted administrative leave with pay in accordance with the following guidelines, provided the absence is on a regularly scheduled workday for the employees. The number of hours of leave granted for each approved day of

leave will not exceed the number of hours the employee would have been scheduled to work for that day. Administrative leave will not be charged against the vacation or sick leave of an employee. The following types of administrative leave are provided by the city.

Civil/Legal. Leave will be granted eligible employees for jury duty, court attendance as a witness in a case not involving personal litigation, and voting. The length of time granted for voting will be the reasonable time necessary to vote and normally will be granted at the start or end of a workday. Attendance in court by an employee who is acting in an official capacity will not be considered as administrative leave but as regular work time. The provisions of any law or city policy that require any fees provided an employee who is attending court in an official capacity to be turned into the city will be observed. In other situations, any fees paid an employee will be retained by the employee in addition to his administrative leave pay.

Bereavement. Bereavement leave is intended to provide an eligible employee time off with pay for purposes of attending to personal matters associated with the death of a close family member and/or for attending a family member's funeral. Up to twenty-four (24) hours of bereavement leave will be granted an employee who has a death in his immediate family. Immediate family is defined as follows: Spouse, children, parents, grandparents, grandchildren, brothers, sisters, or the equivalent relations of the employee's spouse. Included within the definition of family are those persons who live with the family as a member of the family whether related or not. If additional time off is required beyond the bereavement leave days authorized, an employee may request vacation leave or leave without pay.

Hazardous Weather/Emergency Leave (Non-Exempt Employees). Depending on the circumstances, under conditions described in and during the time frame designated in Section 9.1, paid hazardous weather/emergency leave for non-exempt employees may be provided. Time paid for hazardous weather/emergency leave will not count as "hours worked" for purposes of overtime calculation. If an employee is scheduled to work but, due to conditions described in Section 9.1, is instructed not to report for work as scheduled, or is instructed to arrive late or depart early, or is authorized and excused from arriving or departing on time after giving notice as provided in Section 9.1, then the non-exempt employee will be paid an amount equal to his regular pay rate for the scheduled time not worked. For example, if a 12-hour shift non-exempt employee is instructed or allowed to report to work six hours late and then works the remainder of the 12-hour scheduled shift, the employee will be paid the usual amount for the full 12-hour shift. Even if hazardous weather or emergency conditions exist, no employee will receive administrative leave under this policy for time not worked due to other reasons, such as the employee is on a previously scheduled leave of another type or was not otherwise scheduled to work.

10.6. EMERGENCY DUTY PAY

Additional Emergency Duty Overtime Pay For Exempt Employees. In the event of a state of emergency affecting the City of Daphne as declared by Federal, State, County, or City government and ratified by the Mayor of the City of Daphne and/or such other competent authority, the Mayor may utilize exempt employees to aid the City's emergency response during extended work hours beyond the employees' usual schedules. In the event of such a declared state of emergency, beginning when such state of emergency is declared and ending when such

state of emergency is lifted, exempt employees will be paid additional emergency duty overtime compensation for hours worked in response to the emergency over 40 in the seven-day workweek. The rate of pay for this additional emergency duty overtime compensation will be equal to one and one-half (1^{1/2}) times the exempt employee's "calculated hourly rate" which will be determined by dividing the exempt employee's annual salary by 2080.

Additional Hazardous Weather/Emergency Duty Pay for Non-Exempt Employees. Depending on the circumstances, under conditions described in and during the time frame designated in Section 9.1, two types of hazardous weather/emergency premium pay for non-exempt employees may be provided, if the hazardous weather or emergency conditions affect multiple City worksites and/or multiple City activities. If the hazardous weather or emergency affects only a single City worksite or activity, and employees are instructed to work at an alternative worksite or provided alternative duties, no additional premium will be paid for such work. For example, if fire damages the Library, and Library employees are relocated to work at City Hall, no additional premium pay will be provided. If a non-exempt employee is required to work as previously scheduled or required to report for unscheduled work or required to report earlier than scheduled or depart work later than scheduled despite hazardous weather or emergency conditions affecting multiple City worksites or activities as provided in Section 9.1, the non-exempt employee will be paid (1) an additional premium equal to ½ times the employee's pay rate for time actually worked during the employee's regularly scheduled shift, and (2) an additional premium equal to the employee's pay rate for time worked beyond the hours previously scheduled for the employee. For example, a non-exempt employee paid at \$15.00 per hour who is scheduled to work an eight (8) shift and who is required to actually work ten hours will be paid \$22.50/hour during the regularly scheduled eight hours and \$30/hour for the two additional hours worked. The overtime pay rate for any hours worked over 40 during the same workweek will be adjusted accordingly.

Inclement Weather – Use of Vacation Pay. When inclement weather prevents an employee who works outdoors from performing work outside, he will be given other duties that can be performed indoors. If an employee does not wish to perform the alternate work, he may request vacation leave; however, he will be required to work if his presence is needed. If an employee requests time off and he does not have any accrued leave with pay that he can take, he may be given time off without pay.

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 ____ DAY OF _____, 2014.

**DANE HAYGOOD
MAYOR**

ATTEST:

**REBECCA HAYES
CITY CLERK**

CITY OF DAPHNE

ORDINANCE NO. 2014-16

AN ORDINANCE ESTABLISHING A POLICY FOR COMMUNITY GRANTS

WHEREAS, the City Council of the City of Daphne has determined that it is in the public interest to provide limited financial assistance to community groups and organizations within the community to assist with activities or special events that advances a public purpose. This support is in recognition of the value of these activities to the benefit, growth and spirit of the public community and in helping the municipality retain a strong community focus. The Council sees a need for a uniform policy for community grants to limit financial contributions on an annual basis and to provide for a process or procedure for the request and administration of community grants.

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

SECTION 1. DEFINITIONS

Unless the context clearly indicates a different meaning, the words, terms and phrases used in this Ordinance shall have the following respective meanings:

"City" shall mean the City of Daphne in the State of Alabama.

"Complete application form" shall mean a properly filled out application and all supporting documents.

"Person" shall mean any person, entity, firm, corporation, partnership, association, administrator, trustee, or other fiduciary.

"Public purpose" shall mean the objective of the promotion of public health, safety, morals, security, prosperity, contentment, and the general welfare of the community.

SECTION 2. COMMUNITY GRANT PROGRAM

The City of Daphne hereby adopts a Community Grant Program (hereinafter "CGP"). This Ordinance does not specially commit the City to any particular contribution of funds. As part of the annual budgeting process the City Council will determine the financial commitment to the Community Grant Program.

SECTION 3. APPLICABILITY

Outside entities which provide public benefit but not direct financial benefit to the City of Daphne may only be funded by the City of Daphne in accordance with the CGP established herewithin. The CGP shall not apply to contributions and requests for contributions for memberships, dues, or contributions to entities whose efforts provide direct revenue to the City of Daphne. The City Council and Mayor shall jointly decide which entities must enter the CGP and which entities qualify under the aforementioned membership/dues/contributions exception to the CGP.

SECTION 4. FUNDING CATEGORIES

The City has determined that there are classifications of activities that serve a Public Purpose and that benefit the citizens of the City of Daphne. These classifications include but are not limited to education, arts, culture, community beautification, environmental awareness, community heritage, supporting youth and seniors, tourism and economic development.

SECTION 5. FUNDING LIMITATIONS

The CGP has an annual maximum budget of one half of one percent (0.5%) of Budgeted Revenues for the General Fund. Annual contributions shall be limited to a maximum of five thousand dollars (\$5,000) per entity (hereinafter "Grant Cap")

SECTION 6. APPLICATION PROCESS

The City will create an approved Community Grant Application Form. The current version of the Community Grant Application Form is herein attached as an example but is not the definitive form. The form may be altered periodically by the Mayor or his designee. This Form will be the only manner in which a request for CGP funds will be entertained. The Application Form will specifically require that the applicant submit the organization's most recent audited financial statements. In the event that the organization does not have their financial statements audited, the most recent non-audited statements may satisfy the submission requirement. The Mayor has certain obligations and duties regarding the budget. Due to these obligations the Mayor will determine the deadline for submissions for the next fiscal year. Said deadline may appear on the Community Grant Form and/or by contacting City Hall.

Application forms will be available upon request from the City Clerk's office.

SECTION 7. SCHOOLS

The schools within the city limits of Daphne will not be funded directly and instead may only be provided funding through the Supporting Educational Enrichment in Daphne's Schools (hereinafter "SEEDS"). The maximum request from SEEDS will reflect the

Contribution Cap for each of the participating schools within the Daphne city limits in addition to SEEDS individually each fiscal year. Therefore SEEDS, and by extension the public schools, are limited to the number of participating schools plus one (SEEDS itself) multiplied by the Grant Cap. Thus the amount paid directly to SEEDS may exceed the Grant Cap, but the amount utilized by SEEDS individually and not as a pass through will not exceed the maximum. Any other pass-through arrangement shall be disfavored.

SECTION 8. ANNUAL AUDIT

Should a participant in the CGP receive funds, the City reserves the right to inspect and audit any and all expenditures related to the CGP funds. If the CGP participant is non-cooperative or cannot provide satisfactory back up documentation, their eligibility for future CGP funds will be suspended indefinitely.

SECTION 9. MAINTENANCE OF RECORDS

It shall be the duty of every person/entity receiving CGP funds to keep and preserve suitable records of the use of said funds. Such records shall be kept and preserved for a period of three (3) years and shall be open for examination at any time by the duly authorized representative of the City.

SECTION 10. SEVERABILITY

If any section, subsection, clause, provision or part of this Ordinance shall be held to be invalid or unconstitutional in a court of competent jurisdiction, such holding or holding shall not affect any other section, subsection, clause, provision or part of this Ordinance which is in itself and of itself valid and constitutional.

SECTION 11. 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.

SECTION 12. INFORMATION MAY NOT BE DIVULGED

It shall be unlawful for any person connected with the administration of this Ordinance to divulge any information obtained by him/her in the course of inspection and examination of the books of account, invoices, bank statements, sales tax records, state and federal income tax records, or other reports and memoranda or the taxpayer made pursuant to the provisions hereof, except to the Mayor, the City Council, the City Attorney, the City Finance Director, or their agents or representative connected with the administration of this Code, or pursuant to court proceedings or process.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE ____ DAY OF _____, 2014.

CITY OF DAPHNE

DANE HAYGOOD, MAYOR

ATTEST:

REBECCA A. HAYES, CITY CLERK

Contact: Mike Hinson
mhinson@daphneal.com
City of Daphne, AL
P.O. Box 400
Daphne, AL 36526
(251) 621-9000



COMMUNITY GRANT APPLICATION

Agency Name

Executive Director

Contact Person

Address

Phone Number

Email Address

Community Grant Amount Requested:

Prior Year Amount Requested:

Prior Year Amount Awarded:

Please Include the following required documentation:

1. Grant Programs

Please compile a summary that specifies how grant funds will be used to better serve the community and the City of Daphne

2. Requests made to other government agencies

Please list all requests made to other cities or governmental agencies and the amounts requested

3. Board of Directors

Include all Board Members contact information including email addresses and place of employment. Also please include a copy of the board meeting minutes that authorizes the request for grant funds

4. Agency Staff/Administration

Please list all individuals associated with the grant application including email addresses and phone numbers

5. Current Audited Financial Statements

Please include the latest audited Financial Statements

6. E-Verify & Tax Documentation

Please provide proof of enrollment in the E-Verify system & complete the W-9 form

ORDINANCE 2014-20

Recreation HVAC Upgrade

WHEREAS, Ordinance 2013-50 approved and adopted the Fiscal Year 2014 Budget on September 23, 2013; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2014 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2014 budget; and

WHEREAS, monies were appropriated in the amount of \$14,000 in the FY2014 Budget to purchase a new Air Conditioner for the Recreation Facility; and

WHEREAS, after a recent evaluation of the HVAC system it was found that additional upgrades in the amount of \$21,625 are needed to keep the HVAC system functional for Recreational activities.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$21,625 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2014 budget for a Recreation HVAC Upgrade total project cost of \$35,625.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2014.

Dane Haygood. , Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

Gulf Coast Air & Power, Inc.

State of Alabama General Contractors License # 42727

April 9, 2014

Frank Barnett
City of Daphne
26435 Public Works Rd
Daphne, AL 36526
fbarnett@daphneal.com

Mailing Address:
Po Box 1001
Saraland, AL 36571

Email:
gcac@comcast.net

Office Phone:
251-675-0025

Toll Free:
877-675-0025

Fax Line:
251-679-0299

Website:
www.gulfcoastac.com

Member of:

Saraland Chamber of
Commerce

Mobile Chamber of
Commerce

Home Builders
Association: North
Mobile Chapter

BNI-Group: Mobile
Business Fusion

Scope of Work: We propose to remove and replace Three (3) 15 Ton Rheem Gas package units. This is to also include permitting project, adjusting duct work, rewire, re-connect gas line and start up each system.

Total Job Cost	Three systems at once	\$ 35,625.00
	1 system at a time	\$ 12,500.00

Equipment has 5 year compressor warranty and 1 year parts warranty. This project will be permitted and inspected and meet all state and local codes.

Any alteration or deviation from the above specifications involving extra cost of material or labor will only be executed upon written orders for the same and will become an ALL agreements must be made in writing.

The contractor shall not be liable, as regards to the completion of the work, for any delay which may be caused by reason or on account of any strike of workmanship, any Act of God, unavoidable accidents, inability to secure materials or to use materials in performance of the work by reason of laws or regulations of the United States of America or the State of Alabama, or any other circumstance beyond their control, other than the want of funds. No such delay shall be deemed a default on the part of the contractors, and, in the event of any such delay, the contractor's time limit for performance of the work shall be correspondingly extended. Workers Compensation and Public Liability Insurance on the above work shall be provided by the Contractor.

This Contract shall be deemed null and void if not signed within thirty (30) days.

ACCEPTED:

Date _____

Authorized Representative

Thank you for the opportunity.

Respectfully submitted:

Larry Turner
251-583-8694

LT/jlq
CC: file

"Your Quality Comfort Dealer on the Gulf Coast"

T & M HEATING & AIR CONDITIONING, INC.

P.O. BOX 1582

BAY MINETTE, AL 36507

(251) 580-2665

AL CERTIFICATION # 99116

April 15, 2014

City of Daphne
1705 Main Street
Daphne, Al 36526

Project: Replace 3 Rudd 15 Ton RTU with 250M
BTU Gas Heat with Trane 15 Ton RTU
YSD180 with 250M BTU Heat

Project Location: 2605 US Hwy 98
Daphne, Al 36526

We are pleased to present for your consideration our proposal to replace your Rudd RT MN RRGF-250150 SN A4344B1RPDG1599000 with a new Trane YSD 180 Gas Heat 2 circuit AC Unit.

This system will come with a custom curb adaptor to facilitate a smooth transition between the old duct configuration and the new configuration of the Trane system.

Scope:

- 1) Disconnect existing electrical
- 2) Disconnect existing ductwork
- 3) Remove existing unit from building and set new curb in place
- 4) Modify and connect ductwork to new curb
- 5) Extend electrical as required
- 6) Set new unit in place
- 7) Reconnect existing electrical
- 8) Reconnect existing gas lines
- 9) Start Up and check out system
- 10) We are providing Crane as required.

TOTAL PRICE INSTALLED \$ 39,539.00

OPTION: Coat Condenser Coils with ADSIL AD 35 Coil Coating ADD \$ 4050.00

OPTION: If Permit required add cost of permit 1.5 % or \$593.09

Hugh (Buddy) Wilson
T&M Heating and Air

City of Daphne

Date _____

CITY OF DAPHNE

ORDINANCE 2014-21

**CANCELLATION OF: WEBSITE INTEGRATION FOR ANIMAL
SHELTER & LIBRARY DONATIONS AND CLOSE CREDIT CARD
DONATION BANK ACCOUNT**

WHEREAS, Ordinance 2012-37 was approved and adopted on June 6, 2012 to appropriate \$1,970 set up websites for acceptance of donation via credit card and a special bank account was set up for these collections; and

WHEREAS, \$500 was transferred from the General Fund to open the new bank account; and

WHEREAS, subsequent to the setup of this online donation process and the setup of the bank account no donations have been received; and

WHEREAS, fees in the amount of \$523 have been charged for this website integration link in addition to the \$1,970 set up fee; and

WHEREAS, the City Council has determined it to be in the best interest of the City to close this website integration and bank account; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Daphne, Alabama that the website integration for online donations be removed and the Credit Card Donation bank account be closed.

**APPROVED AND ADOPTED BY THE MAYOR & CITY COUNCIL OF THE CITY OF
DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2014.**

**DANE HAYGOOD,
MAYOR**

ATTEST:

**REBECCA A. HAYES,
CITY CLERK**

ORDINANCE 2014-22

An Ordinance Appropriating Funds for Hazardous Weather / Emergency Duty Pay during the January 2014 Ice Storm

WHEREAS, Ordinance 2013-50 approved and adopted the Fiscal Year 2014 Budget on September 23, 2013; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2014 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2014 budget; and

WHEREAS, an ice storm in January created a hazardous weather situation and safety issues for citizens and businesses in the City of Daphne; and

WHEREAS, this ice storm required certain City personnel to respond to the emergency situation creating an additional personnel cost of \$37,788; and

WHEREAS, the City Council of the City of Daphne has approved Ordinance 2014-15 which revised Sections 9.1, 9.10 and 10.6 of the City of Daphne Employee Handbook addressing hazardous weather / emergency duty pay for non-exempt employees; and

WHEREAS, this policy will be applied retroactively to Public Safety employees pay affected by the January 2014 ice storms requiring an estimated additional appropriation amount of \$17,212.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2014 Budget is hereby amended to include a total General Fund appropriation not to exceed \$55,000 (PPD 2-12-14-\$37,788 + \$17,212) for the purpose of retroactive pay for employees affected by the January 2014 ice storms.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____, 2014.

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk