

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, ALABAMA
AUGUST 18, 2014
6:30 P.M.

1. CALL TO ORDER

2. ROLL CALL / INVOCATION / Pastor Johnny Hunt of Celebration Church

- 3. APPROVE MINUTES:** Council meeting minutes / August 4, 2014
Special Called Council meeting minutes / August 5, 2014
Special Called Council meeting minutes / August 7, 2014
Emergency Special Called Council meeting minutes / August 11, 2014
Council Work Session minutes / August 11, 2014

PRESENTATION: Tristan Daniels / Eagle Scout Project @ Village Point Preserve

PRESENTATION: Update on Recreation Programs / Coach Vickery

4. REPORT STANDING COMMITTEES:

A. FINANCE COMMITTEE – Conaway

Review minutes / August 11th

1.) Ordinances:

- a.) FEMA National Flood Insurance Program Buyout / City Sponsor / **Ordinance 2014-37**

2.) Resolutions:

- a.) Bid Award: 2014-Q-Portable Restrooms / Jag Mobile Solutions / **Resolution 2014-49**

3.) Financial Reports:

- ❖ Treasurers Report / July 2014
- ❖ Sales & Use Tax Collections / June 2014
- ❖ Lodging Tax Collections / June 2014

B. BUILDINGS & PROPERTY COMMITTEE - Davis

Review Minutes / August 4th

- a.) Assist Lamar and Willet White with their FEMA buyout application / **Ordinance 2014-37**
b.) Declaring Certain Property Surplus / 1987 Griggs 10 HP Generator / 1979 Briggs 8HP Generator / **Resolution 2014-47**

C. PUBLIC SAFETY - Rudicell

Review minutes / August 13th

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Scott

Review minutes / August 13th

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY – LeJeune

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Adrienne Jones

Review minutes / June 5th

Review Staff report / August 7th meeting

B. Downtown Redevelopment Authority – Conaway

C. Industrial Development Board – Davis

D. Library Board - Lake

E. Planning Commission – Scott

F. Recreation Board – LeJeune

G. Utility Board - Fry

August 18, 2014 Council Meeting

6. REPORTS OF OFFICERS:**A. Mayors Report**

MOTION: To authorize the Mayor to enter into a memorandum of Agreement with ALDOT regarding removal and disposal of storm debris from ALDOT maintained rights-of-way/roadways

B. City Attorney's Report:

Executive Session: Personnel Issue & Pending Litigation

C. Department Head Comments:**D. City Clerk Report:**

a.) Parade Permit / The Scott Ward Memorial Fund / November 15, 2014

7. PUBLIC PARTICIPATION:**8. RESOLUTIONS & ORDINANCES:****RESOLUTIONS:**

a.) Declaring Certain Property Surplus / 2 Generators. /Resolution 2014-47

b.) Bid Award: Portable Restrooms / Jag Mobile Solutions. /Resolution 2014-49

ORDINANCES:**2ND READ**

a.) Appropriation of Funds: Mast Arm Poles & Signal Upgrade /
Johnson Road and US Hwy 98. /Ordinance 2014-32

b.) Pre-zone: Property Located Northwest of the Intersection of
County Roads 13 & 64 /Baldwin County District 15 to B-2,
General Business, City of Daphne. /Ordinance 2014-33

c.) Annexation: Property Located Northwest of the Intersection
of County Roads 13 & 64. /Ordinance 2014-34

d.) Repealing & Replacing Ordinance 2008-19 / Protecting the Air
Quality in the City of Daphne. /Ordinance 2014-35

1ST READ

a.) Federal Emergency Management Agency (FEMA): Hazard Mitigation
Grant Program (HMGP) disaster Assistance for Lamar and Willet White
104 Gordon Circle. /Ordinance 2014-37

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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**AUGUST 4, 2014
CITY COUNCIL MEETING
BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Fry called the meeting to order at 6:30 p.m.

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE:

Rabbi Donald Kunstadt with the Springhill Avenue Temple gave the invocation.

COUNCIL MEMBERS PRESENT:

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

Also present: Mayor Haygood arrived at 6:40 p.m.; Rebecca Hayes, City Clerk; Sarah Toulson, Assistant City Clerk; Jay Ross, City Attorney; Kevin Boucher, Attorney with Adams & Reese; ; Richard Johnson, Public Works Director; Adrienne Jones, Community Development Director; Margaret Thigpen, Civic Center Director; Richard Merchant, Building Official; Vickie Hinman, HR Director; David Carpenter, Police Chief; James White, Fire Chief; David McKelroy, Recreation Director; Christine Ciacetta, Deputy Finance Director; Dorothy Morrison, Beautification Committee and Downtown Redevelopment Authority; Al Guarisco, Village Point Foundation; Larry Cooke, BZA; Willie Robison, BZA; Heiko Einfeld, Executive Director of the ES Chamber of Commerce.

Absent: Mayor Dane Haygood; Michael Hoyt, Municipal Judge; ; Tonja Young, Library Director;

PUBLIC HEARINGS:

1. Pre-Zoning:

John White-Spunner, Kidco, L.L.C.; John White-Spunner Sidno, L.L.C. and Matt White

Present Zoning:

B-1, Professional Business District, Baldwin County District 15

Proposed Pre-zoning:

B-2, General Business, City of Daphne

Location:

Property Located Northwest of the Intersection of County Roads 13 and 64

Recommendation:

Unanimous Favorable

2. Annexation:

John White-Spunner, Kidco, L.L.C.; John White-Spunner Sidno, L.L.C. and Matt White

Location:

Property Located Northwest of the Intersection of County Roads 13 and 64

Recommendation:

Unanimous Favorable

Mrs. Adrienne Jones, Community Development Director and Mr. Darrell Russell with Rester and Coleman Engineers gave the presentation.

Council President Fry opened the Public Hearing at 6:37 p.m.

Mr. Lou Dixon – 9167 Brookshire Loop – spoke for a group of residents against the pre-zoning.

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Mrs. Emily Rome – 9332 Brookshire Loop – spoke for a group of residents against the pre-zoning.

Council President Fry closed the Public Hearing at 6:43 p.m.

3. APPROVE MINUTES:

July 21, 2014 Council meeting minutes

There being no correction to the July 21, 2014 council meeting minutes the minutes stand approved as written.

4. REPORT OF STANDING COMMITTEES:

A. *FINANCE COMMITTEE* – Conaway

The next meeting will be August 11th at 4:00 p.m.

B. *BUILDINGS & PROPERTY COMMITTEE* - Davis

The committee met before the council meeting, and the minutes will be in the next packet. The next meeting will be Tuesday, September 2nd at 5:00 p.m.

C. *PUBLIC SAFETY COMMITTEE* – Rudicell

The next meeting will be August 13th at 4:30 p.m.

D. *CODE ENFORCEMENT/ORDINANCE COMMITTEE* – Scott

There is one ordinance on the agenda 2014-35 - Protecting the Air Quality in the City of Daphne which include e-cigarettes, and will be a first read. The next meeting will be August 13th after the Public Safety meeting.

E. *PUBLIC WORKS COMMITTEE* – LeJeune

The minutes for the July 21st are in the packet along with the June 23rd Environmental Advisory Committee minutes. There is a resolution on the agenda 2014-42 which supports improvements to the I-10 and Hwy 181 interchange.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. *Board of Zoning Adjustments* – Adrienne Jones

The next meeting will be August 7th and due to the special called council meeting the meeting has been moved to 3:00 p.m. with one item on the agenda. There will not be a meeting in September.

B. *Downtown Redevelopment Authority* – Conaway

The next meeting will be July 27th at 5:30 p.m.

C. *Industrial Development Board* – Davis

Councilman Davis introduced Mr. Heiko Einfeld as the new Director for the Eastern Shore Chamber of Commerce. The next meeting will be July 28th.

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D. Library Board – Lake

Councilman Lake gave the figures for the Summer Book Reading Program, and announced that the Friends of the Library will sponsor the Book Mark Contest that will be September 8-27. The next meeting will be August 14th at 4:00 p.m.

E. Planning Commission – Scott

The minutes for the June 26th meeting are in the packet along with the staff reports for the June 26th and July 24th meetings.

MOTION BY Councilman Scott to set a Public Hearing date for September 15, 2014 6:30 p.m. and approve advertising to consider: Amending the Land Use and Development Ordinance 2011-54 Appendix H / Revisions to Zoning Map. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

F. Recreation Board – LeJeune

Fall sports are starting up. The next meeting will be August 13th at 6:30 p.m.

Council President Fry asked after consideration at the work session what is their next step?

Councilman LeJeune said that they need to make a determination on the location Park Drive or elsewhere. They need to consider the \$2 million to move dirt at Park Drive, and compare the price of another property to the expense of moving dirt. They also need to look at the financing aspect.

Council President Fry requested that this be put on the August work session agenda.

G. Utility Board – Fry

The June 25th minutes are in the packet. Council President Fry received notice that Rob McElroy, General Manager of Daphne Utilities has resigned effective at the end of the month. Mr. Bob Segalls, Chairman of the Daphne Utility Board, notified him that Mr. Danny Lyndall will be interim General Manager. The next meeting will be the last Wednesday of the month.

6. REPORTS OF OFFICERS:

A. Mayor's Report

Mayor Haygood received notice today that the city will be moving on to a second level application process for the Village Point Coastal Marsh Boardwalk grant application. This is where approximately \$88,000 in funding was requested to extend the boardwalk. Things are proceeding positively. The 27th Annual Coastal Cleanup is Saturday, September 20th. Throughout the 27 years 72,000 volunteers have removed over 1,458,000 pounds of debris and trash from the coastline.

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B. City Attorney's Report

Mr. Ross reminded council of the Special Called Council meeting tomorrow at 5:30 p.m. and on Thursday at 5:30 p.m. There is a lawsuit by Malbis Lane and the Homeowners Association against the Baldwin County Commission, City of Daphne and others that settled in large part because Malbis's lease ended with CVS, and CVS decided to drop the case. The settlement states that the governmental entities agrees that if a new developer comes up they have to start all over again. There is no precedent set by this body, Baldwin County Commissioners or the Baldwin County Planning Commission with respect to any grants, variances, etc. that were issued to the developer. There is no money owed by the city on this case, but the mayor needs to be authorized to sign on behalf of the city, and the Baldwin County Commission has done the same.

MOTION BY Councilman Scott to authorize the Mayor and city attorney to execute the general release on behalf of the City of Daphne in the case known as *Malbis Lane/Vlahos Lane Homeowners Association, et al. vs. Baldwin County Commission, et al.*, bearing Circuit Civil Case No. 2013-900923. Seconded by Councilman Lake.

MOTION CARRIED UNANIMOUSLY

Councilwoman Conaway asked Mayor Haygood about his trip to London for the Air Show.

Mayor Haygood said it was a very productive trip. There was a great delegation from Alabama that attended the Air Show. The Governor was there, 35-40 delegates from Coastal Alabama, Mobile and Baldwin Counties, about 78-85 from the state. The state was well represented. There was a lot of good dialogue. The biggest issue seen in the press is tempering expectation for the time lines. The supply chain is continuing to be solidified. There were a couple of announcements during the Air Show regarding some components or content on the A-320. There have been some companies that have an Alabama presence that have already been awarded some content. There was very good dialogue. They are very interested, and have been hearing good reports on the Alabama workforce. They are very pleased with the state's workforce training. There were representatives from the academia field as well. The states post-secondary two year college Chancellor was there, as well as, the major universities. There was an announcement as well from GKN Aerospace that has a facility in Tallassee about a new engineering workforce development office where they are going to be training up to 50 engineers. Those who have done business in Alabama are touting Alabama as being well received. The business case he would estimate probably 18-24 months out before these companies start making decisions on locating. Air Bus is on pace to open their facility in 2015 and have planes rolling off in 2016. They have a 2,500 plane backlog, and they can only produce 42 planes a month right now so that equates to a six (6) year backlog. There will be plenty of activity in the years to come. The cross-section of elected officials combined with economic developers and the academic institutions is very valued by corporate leadership. We may take for granted how we do business and the approach we take, but they do not always receive such a well-rounded group that interacts and promotes the state and wants the businesses to succeed. That is very valued and he thinks the city will reap many benefits from that in the years to come.

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C. Department Head Comments

Vickie Hinman – Human Resources Director – mentioned to council that she had put an orange folder on their desks for the Special Called council meeting tomorrow.

Margaret Thigpen Civic Center Director – reported that Taste of the Eastern Shore is Friday August 22nd, and they have 19 vendors as of now and have sold 436 tickets.

D. City Clerk Report – Rebecca A. Hayes

a.) Parade Permit / Lupus Foundation / 5K Fund Raiser / March 21, 2015

MOTION BY Councilman Lake to approve the Parade Permit / Lupus Foundation / 5K Fund Raiser / March 21, 2015. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

b.) **MOTION:** Change September 1, 2014 Council meeting due to that day being Labor Day

MOTION BY Councilman Lake to reschedule the September 1, 2014 council meeting to Tuesday, September 2, 2014. Seconded by Councilman Scott.

MOTION CARRIED UNANIMOUSLY

7. PUBLIC PARTICIPATION

Mr. Rod Drummond – Ridgewood Drive – spoke regarding algae and reeds taking over at Bayfront Park. The reeds are four to five feet high. He said it is a disgrace to let it get that way.

Mr. Steve Kingsmore – Loxley – spoke in favor of e-cigarettes.

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) **Supporting Interchange Improvements to the Interstate
10 Interchange at State Route 181...../Resolution 2014-42**
- b.) **Acceptance of Streets & Drainage / Located in TimberCreek
Subdivision, Phase 11/Resolution 2014-43**
- c.) **Requesting an Attorney General’s Opinion / Operating
Bicycles on Public Roads and Sidewalks Under Title 32 of Al Law...../Resolution 2014-44**

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- d.) Revision of City of Daphne Street Map/Resolution 2014-45
- e.) Authorize the Mayor to have Proceedings and Offering Document
Prepared with Respect to the Series 2014 Warrants. /Resolution 2014-46

MOTION BY Councilman Scott to waive the reading of Resolutions 2014-42; 2014-43; 2014-44 2014-45 and 2014-46. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2014-42. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2014-43. *Seconded by Councilman Davis.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2014-44. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2014-45. *Seconded by Councilwoman Conaway.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2014-46. *Seconded by Councilman LeJeune.*

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

NAY Davis

MOTION CARRIED

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ORDINANCES:

2ND READ

- a.) Appropriating Funds: Edgar Circle / Melanie Loop Emergency
Repairs Drainage Repairs/Ordinance 2014-30
- b.) Appropriating Funds: Daphne Sports Complex Parking Lot. /Ordinance 2014-31

MOTION BY Councilwoman Conaway to waive the reading of Ordinances 2014-30 and 2014-31. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to adopt Ordinance 2014-30. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilwoman Conaway to adopt Ordinance 2014-31. *Seconded by Councilman Lake.*

MOTION CARRIED UNANIMOUSLY

1ST READ

- a.) Appropriation of Funds: Mast Arm Poles & Signal Upgrade /
Johnson Road and US Hwy 98/Ordinance 2014-32
- b.) Pre-zone: Property Located Northwest of the Intersection of
County Roads 13 & 64 /Baldwin County District 15 to B-2,
General Business, City of Daphne. /Ordinance 2014-33
- c.) Annexation: Property Located Northwest of the Intersection
of County Roads 13 & 64. /Ordinance 2014-34
- d.) Repealing & Replacing Ordinance 2008-19 / Protecting the Air
Quality in the City of Daphne. /Ordinance 2014-35

ORDINANCES 2014-32, 2014-33, 2014-34 AND 2014-35 WERE 1ST READ

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CITY COUNCIL MEETING
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9. COUNCIL COMMENTS

Mayor Haygood hopes that everyone will support the Taste of the Eastern Shore. He reminded everyone that school will be starting soon. Mayor Haygood reported that Baldwin County School Superintendent Allen Lee has resigned, and he will be leaving in November.

Councilman Lake commented on the e-cigarette issue saying he has asthma and they do not bother him.

Councilman LeJeune commented on the City of Fairhope's five year plan for Volanta Park and said that the city needs to make sure they moving ahead in improving Daphne's recreation facilities.

Councilman Davis encouraged everyone to keep an eye out for the Public Hearings regarding the I-10 bridge project. There is one September 23rd in Baldwin County. He said it is important to hear the pros and cons of the project.

Council President Fry thanked Mr. Einfeld for coming out and he looks forward to working with him.

10. ADJOURN:

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

MOTION CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:28 P.M.

Respectfully submitted by,

Certification of Presiding Officer

Rebecca A. Hayes,
City Clerk

Randy Fry,
Council President

**AUGUST 5, 2014
SPECIAL CALLED CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
5:30 P.M.**

1. CALL TO ORDER

There being a quorum present Council President Fry called the meeting to order at 5:35 p.m.

2. ROLL CALL

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

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Jay Ross, Attorney; Scott Hetrick, City Attorney; Vickie Hinman, Human Resources Director; David Carpenter, Police Chief; Lt. Judd Beedy, Police Department; Corporal Jason Vanoy, Police Department; Sergeant Brian Gulsby, Police Department; Danny Bell; Buzz Jordan, Attorney for Danny Bell.

Personnel Hearing

MOTION BY Councilman Scott to enter into Executive Session for a Quasi-Judicial Hearing to deal with a personnel grievance, and the meeting will last for three (3) hours. *Seconded by Councilman Lake.*

The City Attorney certified that the stated reason is acceptable according to the Alabama Open Meetings Act.

ROLL CALL VOTE

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

MOTION CARRIED

Council entered into Executive Session at 5:40 p.m.

Council returned from Executive Session at 9:12 p.m.

MOTION BY Councilman Scott to uphold the Mayors actions in the termination of Danny Bell. *Seconded by Councilwoman Conaway.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

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

MOTION CARRIED UNANIMOUSLY

**AUGUST 5, 2014
SPECIAL CALLED CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
5:30 PM**

There being no further business to discuss the meeting adjourned at 9:17 p.m.

Respectfully submitted by,

Certification of Presiding Officer:

Rebecca A. Hayes, City Clerk

Randy Fry, Council President

**AUGUST 7, 2014
SPECIAL CALLED CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
5:30 P.M.**

1. CALL TO ORDER

There being a quorum present Council President Fry called the meeting to order at 5:30 p.m.

2. ROLL CALL

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

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Jay Ross, Attorney; Scott Hetrick, City Attorney;
Vickie Hinman, Human Resources Director; Christine Ciantetta, Deputy Finance Director; Mike Hinson;
Smith Prestwood, Attorney for Mike Hinson.

Personnel Hearing

MOTION BY Councilman Scott to enter into Executive Session for a Quasi-Judicial Hearing to deal with a personnel grievance, and the meeting will last for three (3) hours. *Seconded by Councilman LeJeune.*

The City Attorney certified that the stated reason is acceptable according to the Alabama Open Meetings Act.

ROLL CALL VOTE

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

MOTION CARRIED

Council entered into Executive Session at 5:35 p.m.

The City Attorney reported that the Executive Session will last for another three (3) hours.

Council returned from Executive Session at 10:55 p.m.

Council did not reach a decision regarding the personnel grievance. They will make a decision at the August 18, 2014 council meeting.

MOTION BY Councilman Davis to adjourn. *Seconded by Councilman Rudicell.*

MOTION CARRIED UNANIMOUSLY

**AUGUST 7, 2014
SPECIAL CALLED CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
5:30 PM**

There being no further business to discuss the meeting adjourned at 10:56 p.m.

Respectfully submitted by,

Certification of Presiding Officer:

Rebecca A. Hayes, City Clerk

Randy Fry, Council President

**AUGUST 11, 2014
EMERGENCY SPECIAL CALLED
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
5:30 P.M.**

1. CALL TO ORDER

There being a quorum present Council President Fry called the meeting to order at 6:30 p.m.

2. ROLL CALL

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

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Jay Ross, Attorney; David McKelroy, Recreation Director; Richard Johnson, Public Works Director; Charlie McDavid, Recreation Department, Scott Hutchinson, HMR.

1. NRCS EMERGENCY WATERSHED PROTECTION FUNDS

Resolution 2014-48 / Authorizing Action for Emergency Watershed Protection - NRCS

MOTION BY Councilman Lake to waive the reading Resolution 2014-48. Seconded by Councilman Scott.

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Lake to adopt Resolution 2014-48. Seconded by Councilman Scott.

MOTION CARRIED UNANIMOUSLY

**Ordinance 2014-36Appropriating Funds: Emergency Watershed Protection on Private Property:
Maize's Gulch & Palmetto Court (Creekside)**

MOTION BY Councilman Lake to suspend the rules to consider Ordinance 2014-36. Seconded by Councilwoman Conaway.

ROLL CALL VOTE

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

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Lake to waive the reading of Ordinance 2014-36. Seconded by Councilwoman Conaway.

MOTION CARRIED UNANIMOUSLY

**AUGUST 11, 2014
EMERGENCY SPECIAL CALLED
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MOTION BY Councilman Lake to adopt Ordinance 2014-36. *Seconded by Councilwoman Conaway.*

Councilman Scott said for the record that this issue was fully vetted at the Finance Committee meeting right before the Council meeting.

MOTION CARRIED UNANIMOUSLY

MOTION B Y Councilman Scott to adjourn. *Seconded by Councilwoman Conaway.*

MOTION CARRIED UNANIMOUSLY

There being no further business to discuss the meeting adjourned at 6:40 p.m.

Respectfully submitted by,

Certification of Presiding Officer:

Rebecca A. Hayes, City Clerk

Randy Fry, Council President

**AUGUST 11, 2014
CITY COUNCIL WORK SESSION
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

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

Also present: Mayor Dane Haygood; Rebecca Hayes, City Clerk; Jay Ross, City Attorney; David McKelroy, Recreation Director; Richard Johnson, Public Works Director; Charlie McDavid, Recreation Department.

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

1. RECREATION FACILITIES / NEXT STEP

Council discussed other property for the recreation facilities. Councilman LeJeune said the property by the high school was not on the market anymore. Council discussed different locations. He said that the Recreation Board was leaning toward the Park Drive property. He suggested that the board give the plan and let council decide location and money. Hatch Mott McDonald in their quote estimated the plans would take about 80 acres.

Council discussed sending out an RFP to a lot of different engineering firms to get a variety of plans.

Council also discussed financing. \$12-\$13 million was mentioned as an amount needed to do the improvements.

Consensus of Council was to draft an RFP to send out to engineering firms.

1. ANYTHING ELSE DEEMED NECESSARY

The City Attorney said he needed to meet with council in an Executive Session to discuss the potential buying and selling of real property.

MOTION BY Councilman Scott to adjourn into Executive Session to discuss the potential buying and selling of real property. The session will take 10 minutes. *Seconded by Councilman Davis.*

ROLL CALL VOTE

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

MOTION CARRIED UNANIMOUSLY

**AUGUST 11, 2014
CITY COUNCIL WORK SESSION
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8. ADJOURN

There being no further business to discuss the meeting adjourned at 7:30 p.m.

Respectfully submitted by,

Certification of Presiding Officer:

Rebecca A. Hayes
City Clerk

Randy Fry
Council President

REPORT OF STANDING COMMITTEES

**CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
AUGUST 11, 2014
4:00 P.M.**

I. CALL TO ORDER/ROLL CALL

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

Also in attendance were Councilman Pat Rudicell, Councilman Robin LeJeune, Council President Randy Fry, Public Works Director Richard Johnson, Human Resource Director Vickie Hinman, Civic Center Director Margaret Thigpen, Recreation Director David McKelroy and Fire Chief James White.

I. PUBLIC PARTICIPATION

A. YMCA appropriation Request – Mr. Brian Tomlinson

Mr. Tomlinson presented handouts and reviewed the YMCA programs including the Summer Camp activities. Mr. Tomlinson reviewed that the YMCA served 3,000 member units which included individual memberships and family memberships. Mr. Tomlinson stated the YMCA had set a goal of raising \$46,000 and had raised \$31,000 toward this goal. Mr. Tomlinson stated the YMCA was requesting \$1,500 from the City to support their campaign. Mr. Scott asked if they had submitted a City grant contribution application for the FY2015 Budget. Mr. Tomlinson answered they had but they were asking for the \$1,500 from the FY2014 Budget.
(FY2014 available Community Contribution funds - \$2,500)

Chief White asked Mr. Tomlinson if he would see if the YMCA could offer a Wellness membership plan for the Fire Department employees. Chief White stated that the City had previously had a plan with the YMCA but the membership cost became too high for the City to participate at that time. Chief White said the FD employees are currently attending another gym but the YMCA is centrally located between the Fire Stations so he wanted to check with them again to see what the cost would be.

III. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

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

<u>Positions</u>	<u>Status</u>
Revenue Officer	Interviewing
Recreation Program Coordinator	Pre-employment, background
Deputy Finance Director	Reviewing Applications
Finance Director	Reviewing Applications
PT Dispatcher	Reviewing Applications
Events Assistant (Civic Center)	DOH: 07/17/2014
Corrections Officer	DOH: 08/21/2014
Police Department Intern	DOH: 8/4/2014
Children's Librarian	Posted – Closes 8/11/2014
Library Computer Services Technician	Pending

Mrs. Hinman stated the Revenue Officer is bondable so HR will begin the reference check. Mrs. Hinman discussed the Deputy Finance Director and Finance Director positions are still being reviewed. The Finance Director position was advertised a second time with twelve (12) being received. Mr. Scott asked what salary STEP range can the Mayor offer a new employee. Mrs. Hinman answered up to a step 12 and Council can approve up to step 16. Mr. Davis discussed the possibility of some of the Council volunteering to assisting with the interview process. Discussion continued on Council's assistance in the process as related to the Treasurer position.

Mrs. Jones stated that the GIS technician last day would be this Friday, August 15, 2014. Mrs. Jones stated she had talked to the Mayor and he approved for her to submit a change in the FY2015 Budget for this position to transition to a Planner position which would still encompass the GIS duties. Mrs. Jones said she would be submitting this information with the FY2015 proposed budget but she wanted to give the Finance Committee advance information so they would be familiar with the request.

Mrs. Hinman reviewed the Safety Committee meeting that was held on July 30, 2014. The Committee Reviewed reports of City employee injuries and property damages for previous month. Fire Marshall reported of City buildings safety inspections, plan of action for each inspection and follow-up as needed. Safety awards eligibility to be determined and sent out in August. Employee Safety Committee will continue to review and revise Safety Handbook to ensure safety policies are consistent with Employee Handbook Policies. Next Safety Committee meeting on August 27, 2014 at 10:00 a.m.

Mr. Davis ask if the Safety meeting information/minutes could be forwarded to the Buildings & Property Committee meeting so related issues could be addressed at that meeting as needed.

HR projects/meetings:

- Grievance hearings August 4 and August 6, 2014
- Employee Benefits/Wellness Fair date is August 13, 2014
- HR Assistant cross training on payroll and benefits
- Hosting Baldwin County SHRM monthly meeting Aug. 21, 2014

Mrs. Hinman invited all the Committee members and employees to attend the Employee Benefits/Wellness Fair this coming Wednesday, August 13, 2014 and gave the committee members a handout showing the Fair's activities and schedule. Mrs. Hinman noted the City employees are asked to support the Prodissee Pantry organization at the Fair by bringing a non-perishable food item, baby items, or listed toiletries.

Mrs. Hinman stated she wanted to recognize Mrs. Tracey Miller, Solid Waste Coordinator for her part in obtaining several different Recycling Grants for the City including an individual Recycle of the Year Award. Mr. Johnson discussed the awarded grant from American Broadcasting/TV Commercial "Recycle Works for Me" would advertise Daphne's recycle program and noted that this is the third year in a row that the City was awarded a \$36,000 grant for recycling related equipment. *(A list of awarded Grants is included in the packet).*

IV. CURRENT BUSINESS

A. Financial Reports

1. Treasurer's Report: July, 2014

Mrs. Henson reviewed the Treasurer's Report and noted:

- Total Unrestricted Funds - \$9,677,463
- Increase from Last Year's Unrestricted Funds - \$776,089
- # of months of Unrestricted cash to cover monthly operating Expenses & Debt Service – 4.4 months compared to the previous year – 4.2 months

Included in the packet are graphs that show that activity is on track with the previous year.

Mrs. Henson noted that the Credit Card Account was closed in July according to adopted Ordinance 2014-21 and the balance of \$137 was transferred back into the City's MMA account. Discussion continued that this account was opened for online donations to the Animal Shelter and the Library but no donations were made during the two years the account was opened. Mrs. Henson noted that the account was incurring \$40/month in fees and cost \$1,970 in set up cost. Discussion was made on the Renaissance Center and an update on sewer assessment payments was requested.

<i>The Treasurer's Report as of July 31, 2014 Total Unrestricted Funds - \$9,677,463 and Total City Funds - \$15,632,512 was presented to be filed for audit.</i>
--

2. Sales and Use Taxes: June, 2014

Mrs. Henson reviewed the Sales & Use Tax Reports and Graphs: \$1,202,126.66 was collected for June 2014:

- YTD Variance over Budget - \$109,350
- Percent change from last year's collections +9.5 %

3. Lodging Tax Collections, June, 2014

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for June 2014 were \$127,920.37 which is up \$54,156.77 from June's 2013's collections of \$71,090.69.

- YTD Variance over Budget: \$134,902.43
- Percentage change from last year's collections: +44.4 %

Discussion was made that the Lodging Tax collections were up due to the rate increase effective April 1, 2014. Mr. Davis handed out a copy of an article he had read on what percentage different cities charge for Lodging Tax. Mr. Davis stated that Birmingham and Mobile, AL were among the highest charging 17%. Discussion continued that Daphne's rate is still lower than most cities.

4. Lodging Tax Fund : Statement of Rev over Exp, June 30,2014 (draft/Unreconciled)

Mrs. Henson reviewed the Lodging Tax Statement which listed a comparison of previous years, which is audited information and the next to last column list the "Unreconciled Balance as of 7/31/14 (*noting month is not closed*). Mrs. Henson noted although the July is not a closed month she did not expect there to be much change in these amounts. Mrs. Henson noted that the accountant Mrs. Donna Page has done the initial reconciliation for this fund and has updated the statement for FY14's activity. Mrs. Henson noted that there had been discussion concerning the lodging tax over the last several meetings and since the Debt forgiveness ordinance was adopted by Council she wanted to present an updated statement for the Lodging Tax Fund. Mrs. Henson noted there is a small amount of \$5,216 for pending projects that are most likely complete so that may can be removed. Mrs. Henson noted that (*unreconciled*) collections to date for Recreation equipment is \$117,537.97 and Bayfront related collections balance is \$1,867,216.90.

5. Reserve for Encumbrances, as of June

Mrs. Henson reviewed the encumbrance spreadsheet as of 6/30/14. Mrs. Henson noted this report was included because there was a question of what monies were available for the Library roof repair at the Buildings & Property meeting this month. Discussion continued that Council generally reviews the encumbrance list during the budget adoption process to see if any items need to be removed.

6. Report: New Business Licenses – July, 2014

The Business Licenses Report was included in the packet. Total business license issued YTD is 3,884 - up 35 from last year

107 - Total Business License issued in July - up 22 from July 2013 (85 licenses issued).

44 - Renewals out of **107** license issued this month

45 - New businesses with 4 ***of those having a physical location in Daphne*** and

18 - Prior year licenses. A map was included showing each of the 4 new businesses locations.

Mrs. Henson presented the Business License Report and noted a map with the physical locations in Daphne. Mrs. Henson stated that Mrs. Phillips had really went over and above by continuing to assist in the Revenue Department after starting a new job outside the City. Mrs. Phillips has continued to assist with the closing of the month's revenue collections and report preparation which is required in order for Mrs. Page to reconcile the revenue accounts for preparation of the financial reports.

7. Bills Paid Reports – July, 2014

The Bills Paid Report was presented in the packet. Discussion was made on several paid items including Legal fees, Carquest Auto Part, Visa, and others. Discussion was made on Legal Fees and if West Minister Village

had reimbursed the City for expenses incurred as related to their debt reduction. Mrs. Henson noted she would check on the reimbursement (reimbursement check for \$2,690.33 received 7-16-14) Clarks Temporary Services was discussed and Mr. Scott stated that Mrs. Dawne Biggs who is a Clark temporary worker and assist at the front desk does an excellent job. Mrs. Henson stated she also assist in Finance and agreed she has been a real asset to the City. Mrs. Henson noted that the Lodging Tax allocation to Downtown Redevelopment and Industrial Development Board's payments for the months January – June 2014 is listed in the Bills Paid report. Mrs. Henson noted that Mrs. Page reconciled the Lodging Tax allocations and prepared those payments. Discussion continued on the Finance staff and Mrs. Henson noted that Mrs. Page also prepares the Treasurer's Report and Bills Paid Report as well as reconciles Sales Tax for preparation of that report for the Finance packet. . Mrs. Henson stated that Mrs. Page reconciles ½ the revenue accounts and funds with Mrs. Lisa White reconciling the remaining ½ accounts and funds but the reports that are presented in the Finance packet are predominantly the accounts that Mrs. Page reconciles. Mrs. Henson noted Mrs. Page has announced she will be retiring around the end of this year.

A. Appropriation Request: (Ordinance)

1. Mazie's Gulch & Palmetto Court (Creekside) - \$19,956 (Sponsor Match) - Emergency Watershed Protection (EWP) program project for repair: private property watershed issues: (Total- \$79,824: NRCS-75%- \$59,868/ City 25% - \$19,956)

Mr. Johnson reviewed the appropriation request in the amount of \$19,956 for the Mazie's Gulch & Palmetto Court projects and the NRCS/EWP reimbursement. Mr. Johnson also discussed the Resolution for Mazie's Gulch (2 locations) and Piedmont Circle (Lake Forest) allowing the City to meet the 20 day timeline required for reimbursement and noted the Resolution will be discussed at the Special Council Meeting following the Finance Meeting. Mr. Johnson noted these projects require no cash match- 100% of the City's match should be accomplished through "in kind" services.

Motion by Mr. Scott to appropriate \$19,956 from General Fund for Mazie's Gulch Palmetto Court (Creekside) NRCS/EWP project - 25% share. Seconded by Mr. Lake. Motion carried.

Motion by Mr. Davis to adopt a Resolution authorizing the City to coordinate all application processes with NRCS for reimbursement of all funds for Mazie's Gulch & Piedmont Circle NRCS/EWP project with 100% match accomplished through "in kind" services. Seconded by Mr. Lake. Motion carried.

2. Lamar & Willett White property(104 Gordon Circle): FEMA National Flood Insurance Program Buyout – City sponsorship - \$

Mr. Davis reviewed the discussion on the project from the Buildings and Property Meeting and noted that there were two other pieces of property listed in the letter from the Whites: Wooster & Kipling. Mr. Davis state the difference is the City did issue a permit for these two properties to be built below the flood level but the White property was approved for permit at 1 ½' -2" above the approved flood level so that makes this property different from the other two listed in the letter. Discussion continued that the appraisal showed the property value of \$150,000 and FEMA would pay 75% of a "FEMA" approved market value. Mr. Davis stated that 25% of the \$150,000 would be \$37,500. Mrs. Henson noted that Mr. Richard Merchant, Building Official and Mrs. Ashley Campbell, Site Containment Manager included three options for potential City sponsorship for Council's review: A) Full Match - \$37,500, B) Demo Only – estimated \$10,000 to demolish the home, and C) Match determined by Council. Mr. Johnson discussed demolition of the home. Discussion continued that the Whites were planning to speak during public participation at the August 18, 2014 and Council could consider the level of participation at that time.

3. Library Roof Repairs - \$11,000

Mr. Johnson noted monies would be available from the Facilities Repair appropriation (\$35,000) approved through Ordinance 2014-13.

B. Bids: (Resolution)

1. 2014-Q-PORTABLE RESTROOM

Mrs. Henson noted that no bids were received for the Portable Restroom bid and by State bid law the City could negotiate a contract for the purchase of the restroom. Mr. McKelroy stated he had obtained two quotes and recommended awarding the negotiated bid to Jag Mobile Solutions. Mr. McKelroy stated that the City of Fairhope had been using the same unit he was recommending for four years and it is still in very good condition. Mr. McKelroy stated the unit will be based at Lott Park where the 5-6 year old teams play ball so they will not have to travel so far to the restroom but the unit can be moved to City Hall for usage during events and other locations as needed for City sponsored events. Mrs. Henson noted the budget includes \$45,000 for the purchase of this unit. (*Total negotiated bid: \$44,970 (\$42,940 + \$2,030 shipping)*)

Motion by Mr. Davis to recommend to Council to award the negotiated 2014-Q-PORTABLE RESTROOM in the amount of \$44,970 (\$42,940 + \$2,030 shipping) as bid to Jag Mobile Solutions. Seconded by Mr. Lake. Motion carried.

V. OLD BUSINESS

1. Civic Center Phones

Mr. Margaret Thigpen discussed the main phone line has been down for several days at the Civic Center and is in the process of being repaired. Mr. McKelroy noted the Recreation department also has a line down.

VI. ADJOURN The meeting adjourned at 5:57 p.m.



FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

HERE'S WHAT WE DO FOR OUR COMMUNITY

- **We serve 400 children in our Summer Day Camp Program on the Eastern Shore and 200 of them are Daphne Residents. Out of the 200 children serviced in our Daphne Camp Site, 50% of them are receiving financial assistance.**
- **We serve 100 children in our Afterschool Program on the Eastern Shore. Out of the 100 children serviced in our Afterschool Program 20% of them are receiving financial Assistance. We could assist more if funds were available.**
- **We service a total of 5,548 Daphne residents.**

The purpose of YMCA day camping, as any of our programs, is to help participants—in this case, 5 years of age through 14 years of age—grow spiritually, mentally, and physically. By using a “school turned into a campsite” we incorporate trips to a natural setting, and provide challenging activities in both small and large group settings under the guidance of caring, well-trained staff members. The YMCA Day Camp can give children an experience that can last a lifetime.

This experience is grounded in a set of seven objectives that characterize the YMCA programs:

- Grow personally
- Learn values
- Improve personal and family relationships
- Appreciate diversity
- Become better leaders and supporters
- Develop specific skills
- Have fun

Afterschool programming is designed to help children in every community succeed developmentally and academically. Research proves that children who participate in afterschool programs are more successful in academics, are healthier and more often maintain positive behaviors. Afterschool programming at the YMCA of South Alabama is focused to achieve these results.

The Y's curriculum framework—created in partnership with the National Institute on Out-of-School-Time—details how to offer comprehensive, age-appropriate engaging care. Afterschool Programming focuses on eight core content areas: arts and humanities, character development, health and wellness, homework support, literacy...STEM. All of which is built upon the Y's four core values of caring, honesty, respect and responsibility.



Dane Haygood
Mayor

Vickie Hinman
Human Resources Director



The Jubilee City

Sherree Hilburn
Payroll and Benefits Coordinator

Sandi Cushway
Human Resources Assistant

August 6, 2014

HUMAN RESOURCES DEPARTMENT
ACTIVITY REPORT

Positions

Revenue Officer
Recreation Program Coordinator
Deputy Finance Director
Finance Director
PT Dispatcher
Events Assistant (Civic Center)
Corrections Officer
Police Department Intern
Children's Librarian
Library Computer Services Technician

Status

Interviewing
Pre-employment, background
Reviewing Applications
Reviewing Applications
Reviewing Applications
DOH: 07/17/2014
DOH: 08/21/2014
DOH: 8/4/2014
Posted – Closes 8/11/2014
Pending

Safety Committee meeting was held on July 30, 2014. The Committee Reviewed reports of City employee injuries and property damages for previous month. Fire Marshall reported of City buildings safety inspections, plan of action for each inspection and follow-up as needed. Safety awards eligibility to be determined and sent out in August.

Next Safety Committee meeting on August 27, 2014 at 10:00 a.m.

Employee Safety Committee will continue to review and revise Safety Handbook to ensure safety policies are consistent with Employee Handbook Policies.

HR projects/meetings:

- Grievance hearings August 4 and August 6, 2014
- Employee Benefits/Wellness Fair date is August 13, 2014
- HR Assistant cross training on payroll and benefits
- Hosting Baldwin County SHRM monthly meeting Aug. 21, 2014

Human Resources Department
P.O. Box 400 Daphne, Alabama 36526
Phone: (251) 621-3075 • Fax: (251) 621-4506

2014 CITY OF DAPHNE EMPLOYEE WELLNESS & BENEFITS FAIR



WEDNESDAY – AUGUST 13, 2014
11:00 A.M. – 2:00 P.M.



WHO: City of Daphne Employees
WHAT: 12th Annual Wellness & Benefits Fair
WHEN: Wednesday—August 13, 2014 11:00 a.m.—2:00 p.m.
WHERE: Daphne Civic Center

Lunch catered by Naman's Catering. They will begin serving lunch at 11:30 a.m. **NOTE:** Employees are not to arrive prior to 11:00 a.m. in order to allow vendors sufficient time to set up. Doors will not be open to employees until 11:00 a.m. Prize drawings will start at 12:15 p.m.

You will need to visit all of the vendor's on your BINGO card. Once your BINGO card is complete, place in the prize container which will be located up front on the stage. You will be provided a listing of all vendors with a map showing where each vendor is located.

Services and Information provided at the Benefits Fair include:

- ☐ Audio/Hearing Test
- ☐ Heat Exhaustion
- ☐ Blood Pressure
- ☐ Glucose Screening
- ☐ Bone Density Test
- ☐ Diabetes Information
- ☐ Sleep Disorders
- ☐ Hand Washing Station
- ☐ Skin Cancer Screening



AdventCare	Columbia Southern University	Urgent Care by the Bay	APS	Sam's Club
Blue Cross Blue Shield	Blue Cross	Daphne Pharmacy	Blue Cross	Baldwin Bone and Joint
Coverant Hospital	Kaiser Permanente Urgent Care	Prostate Cancer	Central Clinical Research	i-Health Library
New Horizons Credit Union	Blue Cross	Coverant Hospital	Blue Cross	Wells Fargo Bank
American Family Life	Navigator Credit Union	HUMANA	AFLAC	Wells Fargo Bank

Sample Bingo Card



**Many thanks to all of the Sponsors
who helped make this Benefits
Fair Possible**



**BRING A NON-PERISHABLE DONATION
TO BENEFIT THE PRODUCE PANTRY
(SEE LIST OF SUGGESTED ITEMS ON BACK)
(THIS WILL BE ON YOUR BINGO CARD)**

Here's Your Passport to Health



Prodisce Pantry is a faith-based non-profit community food pantry that has provided assistance to over 65,000 Baldwin County families facing hardship stemming from job loss, medical expenses, natural disasters and other crisis.

Any Non-Perishable Food Item *(Please make sure the food is in plastic containers and not glass)*

- Peanut Butter
- Jelly
- Soups
- Stews
- Canned Fruit
- Canned Vegetables



Baby Items

- Diapers of all sizes
- Formula
- Baby food

Toiletries Items for Women, Men and Children

- Shaving Cream
- Razors
- Soap
- Shampoo
- Conditioner
- Deodorant
- Hairspray
- Body Wash
- Adult Incontinent Briefs – All Sizes
- Paper Goods
- Toothbrushes & Toothpaste (Adult and Child)



Coins for Prodisce Pantry

Did you know they can buy food for pennies on the pound? It only costs Prodisce Pantry \$20 to give struggling families about \$120 worth of fresh, frozen and staple groceries. These **SMALL COINS** can add up quickly and make a **BIG CHANGE** in **HUNGER** to Baldwin County families in need. Just place your change in the collection jar in the Registration area.

Suzanne Henson

Subject: FW: Grants Received

Listed below is a short version of the recycling grants received through the efforts of Tracey Miller, Solid Waste Coordinator

Grant Name	Purpose of Grant	Amount
1. 2012 ADEM Grant # ARF12-02-046	Expand Recycling Efforts	\$ 72,941.86
2. 2012 ARC Grant –Daphne East Elementary	Recycling Efforts	\$ 1,200.00
3. 2013 ADEM GRANT ARF 13	Glass Crusher, Carts	\$ 37,000.00
4. 2013 ADEM GRANT ART 13	Partnership Grant Alabama Broadcaster As. (Cooperative Agreement Tuscaloosa, and was matched by ABA to total \$ 140,000.)	\$ 70,000.00
4. 2014 ADEM GRANT ARF 14-11-089	Recycle Equipment, 16 ft. Trailer, Carts	\$ 36,287.00
5. Alabama Recycle Coalition	2014 Recycler of the Year Award - Priceless	
TOTAL GRANTS TO DATE:		\$ 217,428.86

If you need anything else let me know. Below is the link to the TV and Radio Ads.

\$217,428.86

<https://www.dropbox.com/sh/f5j65fsnxuehbnf/AADwfVExSu2dRVjL8DH8KO-Pa>

Tracey Q. Miller

Solid Waste Coordinator
City of Daphne
Division of Public Works
PH: 251-621-3182
FAX: 251-621-3189

TREASURER'S REPORT

As of July 31, 2014

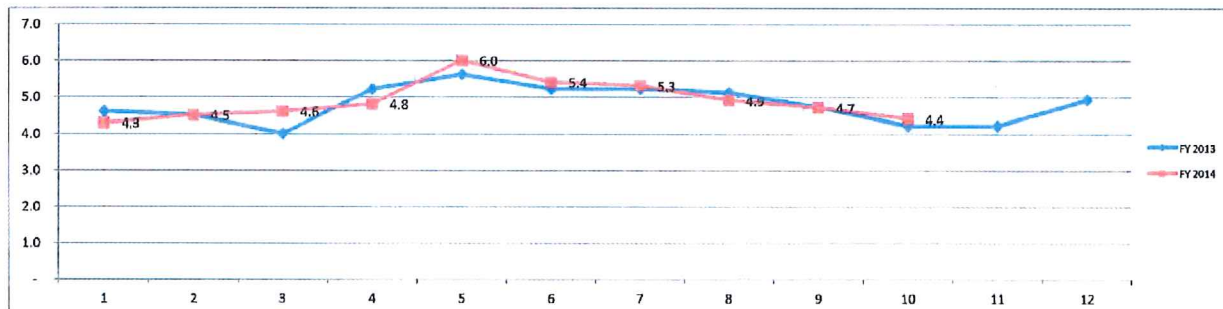
Account Type/Title	Bank / Brokerage	7/31/2014	6/30/2014	Increase (Decrease) from last Month	Balance Last Year 7/31/2013	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	Compass Bank1	\$ 4,391,094	\$ 5,022,002	\$ (630,908)	\$ 3,657,860	\$ 733,234
INVESTMENT FUND	Raymond James	5,170,700	5,192,716	(22,016)	\$ 5,143,413	\$ 27,287
MUNICIPAL COURT	Compass Bank2	115,670	115,058	612	\$ 100,101	\$ 15,569
Total Unrestricted Funds		9,677,463	10,329,776	(652,313)	\$ 8,901,374	\$ 776,089
SPECIAL REVENUE FUNDS						
MUNICIPAL COURT	Compass Bank1	13,705	13,084	621	(35,891)	49,596
SELF INSURANCE	Compass Bank1	58,437	55,892	2,545	41,760	16,677
FLEX SPENDING	Compass Bank1	6,199	(4,509)	10,708	3,002	3,197
4 CENT GAS TAX	PNC Bank1	91,411	86,448	4,963	104,875	(13,464)
7 CENT GAS TAX	PNC Bank2	374,576	368,340	6,236	393,999	(19,423)
TREE & FLOWER	Compass Bank1	11,200	11,200	-	-	11,200
SAIL SITE	PNC3/Compass1	(1,436)	3,255	(4,691)	1,065	(2,501)
NON-MAJOR STORMS	Compass Bank1	(275,485)	(57,700)	(217,785)	-	(275,485)
BP OIL SPILL	Compass Bank1	426,768	426,768	0	428,838	(2,070)
FEDERAL DRUG FORFEITURES	Compass Bank1	40,939	41,228	(289)	51,058	(10,119)
LOCAL DRUG FORFEITURES	Compass Bank1	18,092	20,038	(1,946)	7,199	10,893
LIBRARY	Compass Bank1	(10,115)	(6,688)	(3,427)	32,405	(42,520)
CONCESSION STAND	Compass Bank1	(5,711)	(7,880)	2,169	(4,407)	(1,304)
COURT TRAINING & EQUIPMENT	Compass Bank2	26,344	25,937	407	22,799	3,545
COURT JUDICIAL ADMINISTRATIVE	Compass Bank2	76,468	72,403	4,065	38,342	38,126
COURT CORRECTION	Compass Bank2	189,312	192,593	(3,281)	256,509	(67,197)
LODGING TAX	Compass Bank1	1,967,848	1,266,100	701,748	837,108	1,130,740
RENAISSANCE CENTER	Compass Bank1	-	-	-	-	-
CREDIT CARD DONATION ACCT	(account closed 7/14)	-	137	(137)	500	(500)
		3,008,552	2,506,646	501,906	2,179,161	829,391
CAPITAL PROJECT FUNDS						
CAPITAL RESERVE	Wells Fargo Bank1	1,200,793	1,682,028	(481,235)	1,644,408	(443,615)
2012 CONSTRUCTION	Regions Bank	504,299	507,111	(2,812)	1,454,375	(950,076)
		1,705,092	2,189,139	(484,047)	3,098,783	(1,393,691)
DEBT SERVICE FUNDS						
DEBT SERVICE	Wells Fargo Bank2	1,241,405	1,016,474	224,931	1,673,670	(432,265)
Total Restricted Funds		5,955,049	5,712,259	242,790	6,951,614	(996,565)
Total City Funds		\$ 15,632,512	\$ 17,470,406	\$ (409,523)	\$ 15,852,988	\$ (220,476)

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

4.4

4.7

4.2



SALES & USE TAXES

August 18, 2014 Council

ACTUAL COLLECTIONS

	FY 2014 BUDGET vs ACTUAL									
	7/8 Year									
	2010	2011	2012	2013	2014	Sparklines	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		1,031,207	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		1,028,397	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		1,364,761	(65,685.73)	(1,306.06)	-4.8%
January	723,504.28	817,230.14	809,785.59	895,717.19	974,224.69		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		1,033,479	18,123.71	21,905.41	1.8%
March	916,657.55	976,181.39	1,018,721.43	1,181,007.55	1,205,342.67		1,220,063	(14,719.90)	7,185.51	-1.2%
April	809,588.73	916,536.59	911,438.60	1,039,769.87	1,110,085.05		1,101,677	8,407.73	15,593.24	0.8%
May	862,254.54	889,945.33	911,839.30	1,098,548.05	1,218,956.40		1,114,196	104,760.17	120,353.41	9.4%
June	887,262.68	946,206.78	1,114,149.53	1,097,507.32	1,202,126.66		1,213,130	(11,003.05)	109,350.36	-0.9%
July	839,192.33	902,457.24	1,010,193.08	1,065,215.02			1,143,981			
August	790,713.80	871,437.04	1,021,267.76	1,110,126.44			1,153,572			
September	841,035.40	863,630.36	1,004,661.04	1,058,958.43			1,125,482			
Totals	9,934,178.61	10,766,122.45	11,522,363.01	12,848,130.20	10,185,395.96		13,499,081	109,350.36		1.1%

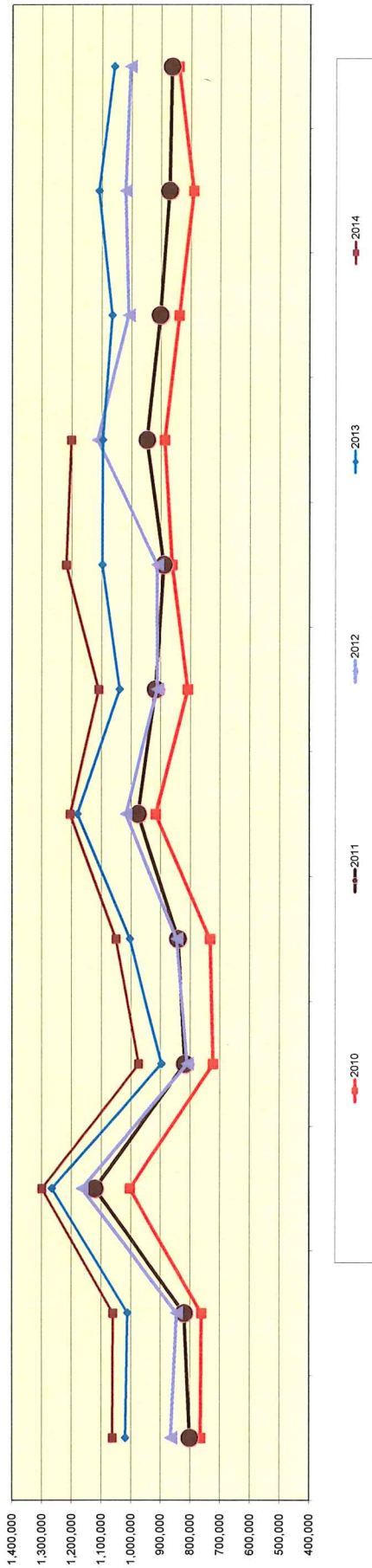
Budgeted Dollar Increase FY13 vs FY14	650,951
Budgeted Percent Increase FY13 vs FY14	5.1%

32

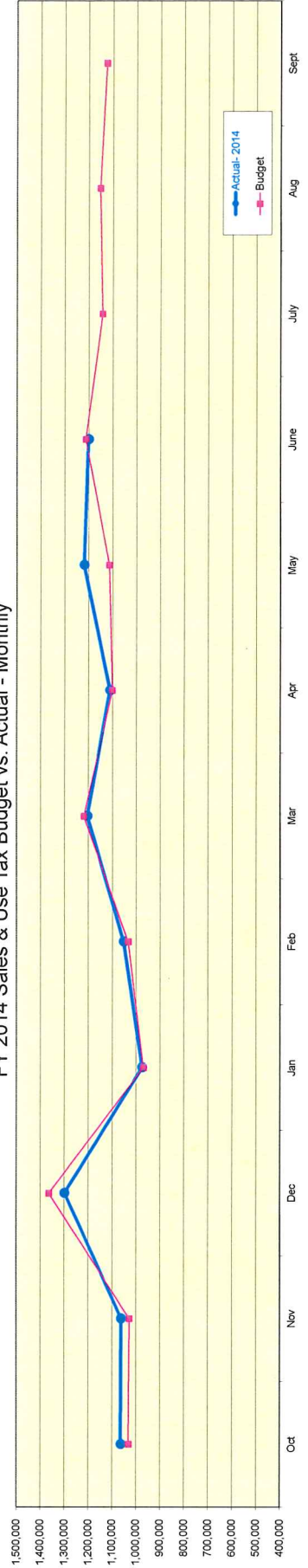
Fiscal Year Changes Year Over Year

	Percent Change									
	6/7 Year									
	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	Sparklines	2010-2011	2011-2012	2012-2013	2013-2014
October	35,870.90	64,215.24	154,338.10	43,795.77			4.7%	8.0%	17.8%	4.3%
November	57,878.72	25,508.36	166,471.51	49,307.90			7.6%	3.1%	19.7%	4.9%
December	117,346.25	43,752.17	100,915.88	33,023.70			11.7%	3.9%	8.7%	2.6%
January	93,725.86	(7,444.55)	85,931.60	78,507.50			13.0%	-0.9%	10.6%	8.8%
February	107,432.41	4,333.33	159,248.16	47,252.79			14.6%	0.5%	18.8%	4.7%
March	59,523.84	42,540.04	162,286.12	24,335.12			6.5%	4.4%	15.9%	2.1%
April	106,947.86	(5,097.99)	128,331.27	70,315.18			13.2%	-0.6%	14.1%	6.8%
May	27,690.79	21,893.97	186,708.75	120,408.35			3.2%	2.5%	20.5%	11.0%
June	58,944.10	167,942.75	(16,642.21)	104,619.34			6.6%	17.7%	-1.5%	9.5%
July	63,264.91	107,735.84	55,021.94				7.5%	11.9%	5.4%	
August	80,723.24	149,830.72	88,858.68				10.2%	17.2%	8.7%	
September	22,594.96	141,030.68	54,297.39				2.7%	16.3%	5.4%	
Annual \$ Change	831,943.84	756,240.56	1,325,767.19	571,565.65			8.4%	7.0%	11.5%	5.9%

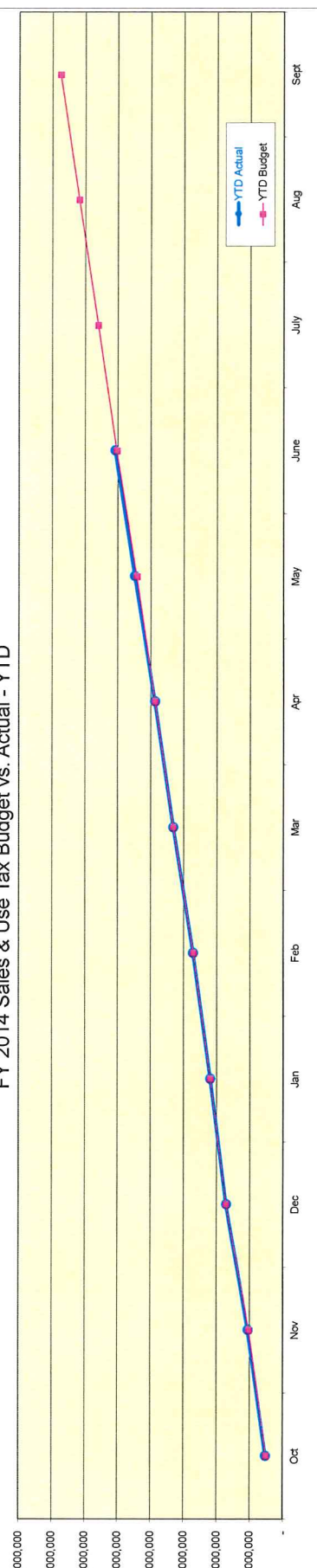
Sales & Use Tax Comparisons



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 2014 BUDGET vs. ACTUAL			
	FY 10	FY 11	FY 12	FY 13	FY 14	10 Year Spark Line	Monthly			% of Budget			
							Budget	Variance	YTD Variance				
October	39,405.56	56,001.39	52,002.53	51,578.40	48,392.05		50,915.78	(2,533.73)	(2,533.73)	-5.0%			
November	33,763.37	48,329.73	47,568.08	43,459.48	43,912.92		44,297.04	(384.12)	(2,917.85)	-0.9%			
December	31,571.38	47,210.56	42,279.22	40,495.14	39,122.53		41,338.02	(2,215.49)	(5,133.34)	-5.4%			
January	42,863.70	49,006.12	41,917.34	47,548.01	43,198.04		46,404.03	(3,205.99)	(8,339.34)	-6.9%			
February	46,998.32	43,052.68	47,346.50	54,207.03	49,784.71		49,026.58	758.13	(7,581.20)	1.5%			
March	52,771.52	67,422.43	70,058.33	64,325.47	71,954.97		65,139.77	6,815.20	(766.00)	10.5%			
April	41,531.05	48,487.83	51,939.06	47,434.55	86,245.34		48,480.57	37,764.77	37,018.76	78.0%			
May	66,820.96	57,880.48	54,740.45	68,448.49	107,155.55		63,428.65	43,726.90	80,745.66	68.9%			
June	79,822.84	67,544.77	69,822.91	71,090.69	127,920.37		73,763.60	54,156.77	134,902.43	73.4%			
July	91,906.47	76,631.86	79,417.80	94,310.47			87,577.05						
August	53,323.58	52,820.33	50,417.73	52,427.99			56,033.71						
September	52,662.79	45,216.75	46,968.89	45,148.35			48,615.19						
Total	643,461.54	659,604.33	654,478.84	690,474.07	617,576.48		675,000.00	134,902.43		20.0%			

Ord 1997-28 adopted December 8, 1997 incr levy from 3% to 4%.
Ord 2014-08 adopted February 17, 2014 incr levy from 4% to 6% - effective for Collections for April 2014, reflected in May 2014.

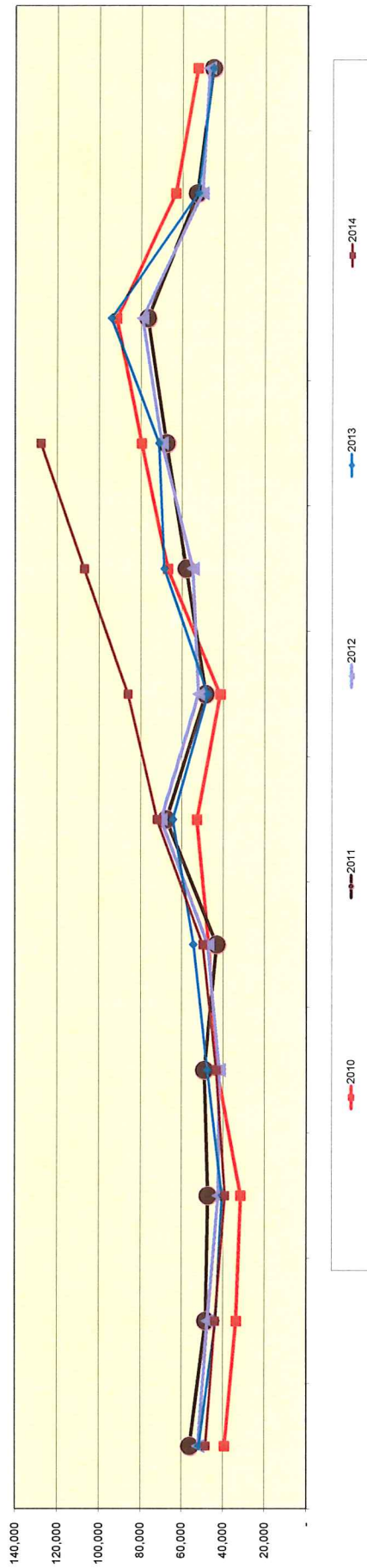
CHANGE IN DOLLARS

	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)	5,630.57	(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)	7,629.50	
April	(2,746.70)	6,956.78	3,451.23	(4,504.51)	38,810.79	
May	23,527.22	(8,940.48)	(3,140.03)	13,708.04	38,707.06	
June	23,328.73	(12,278.07)	2,278.14	1,267.78	56,829.68	
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	129,089.22	

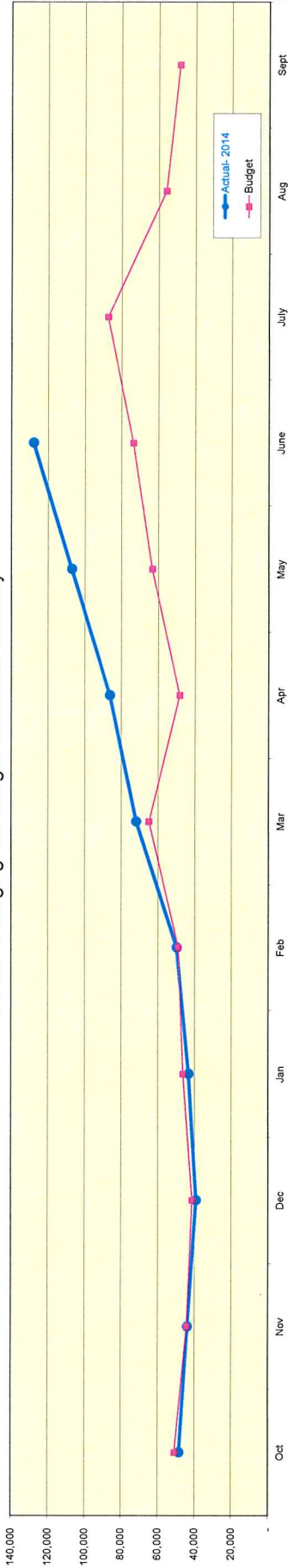
CHANGE IN PERCENTAGE

	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	9 Year Spark Line
October	-18.1%	29.6%	-7.7%	-0.8%	-6.6%	
November	-19.0%	30.1%	-1.6%	-9.5%	1.0%	
December	-20.8%	33.1%	-11.7%	-4.4%	-3.5%	
January	7.4%	12.5%	-16.9%	11.8%	-10.1%	
February	0.6%	-9.2%	9.1%	12.7%	-8.9%	
March	-0.9%	21.7%	3.8%	-8.9%	10.6%	
April	-6.6%	14.3%	6.6%	-9.5%	45.0%	
May	35.2%	-15.4%	-5.7%	20.0%	36.1%	
June	29.2%	-18.2%	3.3%	1.8%	44.4%	
July	34.0%	-19.9%	3.5%	15.8%		
August	29.5%	-19.9%	-4.8%	3.8%		
September	32.7%	-16.5%	3.7%	-4.0%		
% Change	14.6%	2.4%	-0.8%	3.8%	20.5%	

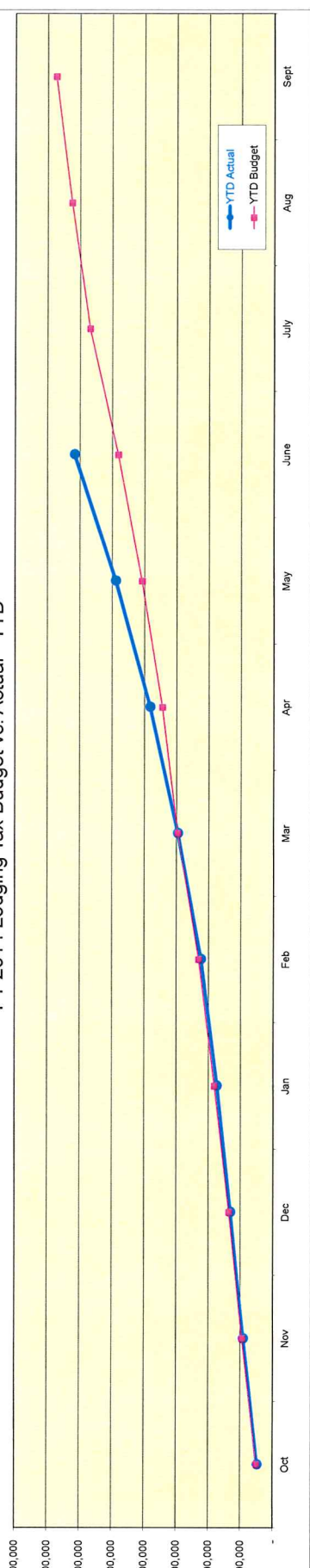
Lodging Tax Comparisons Year over Year



FY 2014 Lodging Tax Budget vs. Actual - Monthly



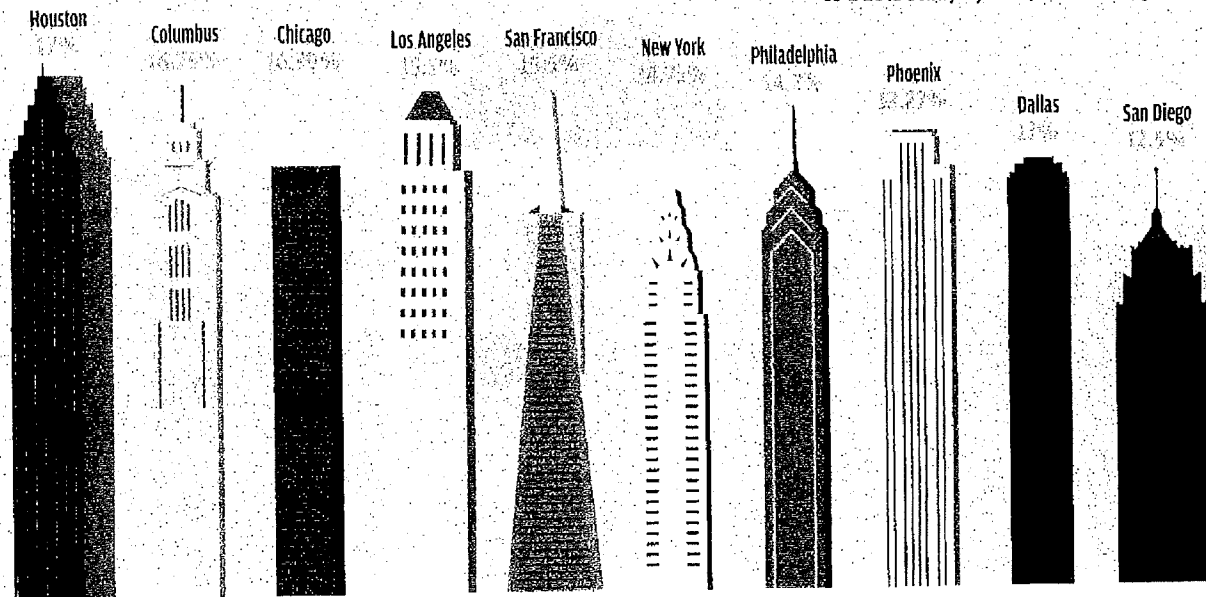
FY 2014 Lodging Tax Budget vs. Actual - YTD



THE STATE OF CALIFORNIA • DEPARTMENT OF REVENUE • 1000 CALIFORNIA STREET, SUITE 1000, SAN FRANCISCO, CA 94104 • (415) 774-2000

Up Front

HOW THEY COMPARE
Hotel rates in some top cities, according to a 2013 study by HVS, a consulting firm.



Hotel taxes go sky-high

YOU KNOW IT will cost you a bundle for a sweet suite in a glitzy destination like San Francisco or New York. But tax rates of 15 percent or more in many locales will absolutely blow your socks off. In Milwaukee, Wis., for example, the 17.35 percent rate means a tax bill of \$52 on a \$300-a-night room.

Total tax rates—state, county, and city, and miscellaneous add-ons—in the 150 top urban centers range from a low of 7 percent (Lancaster, Calif.) to a whopping 17.74 percent (St. Louis), according to a study by HVS, a consulting firm for the global lodging industry. The average was about 13.4 percent. Eleven other cities have rates of at least 17 percent: Birmingham and Mobile, Ala.; Omaha, Neb.; Milwaukee; Chattanooga and Knoxville, Tenn.; Anaheim and Garden Grove, Calif.; Indianapolis; Houston; and Overland Park, Kan.

By contrast, some touristy hot spots ranked relatively low on the list. The tax rate

in Colorado Springs, Colo., is 9.4 percent; in San Diego, it's 12.5 percent; Salt Lake City, 12.6 percent; and in New Orleans, La., Las Vegas, Miami, and Dallas, 13 percent. And Honolulu? Hawaii's largest city came in at 13.75 percent.

Why do hotel tax rates seem out of whack with tariffs on clothing and restaurant meals? For one thing, visitors don't vote. Lodging taxes are viewed as a politically viable way to raise revenue because most hotel guests are not constituents, says Thomas Hazinski, the managing director of HVS. But guests often benefit, too, because the funds often help support tourism.

"If used wisely," Hazinski says, "the revenues from these taxes can generate significant economic returns to a community."

Because the taxes are a percentage of a room's cost, they can add up to substantial dollars. In 2012 New York City took in \$487 million in lodging tax revenue, up more than

\$100 million since 2008. San Francisco was next, with \$240 million. Most lodging taxes are used for general-fund purposes, to promote convention and tourism business, and to finance public facilities. There's little you can do to avoid them, but there are ways to avoid starker shock from unexpected charges on your bill at checkout.

- Before booking, ask whether there are charges for anything other than room occupancy and sales tax. Many resort hotels impose a fee whether or not you use the golf course or play tennis, and some hotels automatically tack on a tip for staff.
- Scrutinize the hotel's arrival and departure policies. There might be a hefty penalty if you want to check in early or leave late.
- Before using room service, a fitness facility, and other amenities, ask about fees.
- If you think you've been billed unfairly, speak up. Success rates usually range from 10 to 20 percent, depending on the fee.

Lodging Tax
17.7%

ILLUSTRATION: GUY LAWRENCE

Lodging Tax Fund
Statement of Revenues Over(Under)Expenditures
For the Fiscal Year ended September 30,

Unreconciled
 Balance

	FY 1995-2004	FY 2005-2009	FY 2010	FY 2011	FY 2012	FY 2013	URB* 7/31/14	Total
Revenues								
Lodging Taxes	1,596,764.95	2,863,011.18	643,461.54	659,604.93	654,478.84	680,474.07	662,824.83	7,760,620.34
Settlement	30,000.00	-	-	-	-	-	-	30,000.00
Donations	240,300.00	10,000.00	-	-	-	-	-	250,300.00
Grants	498,100.00	935,843.00	454,205.13	21,768.93	52,629.91	98,059.17	-	2,060,606.14
Total Revenues	2,365,164.95	3,808,854.18	1,097,666.67	681,373.86	707,108.75	778,533.24	662,824.83	10,101,526.48
Expenditures								
Industrial Development Board	45,002.65	143,255.34	32,173.09	32,980.25	32,723.95	34,023.69	62,345.93	382,504.90
Downtown Redevelopment Authority	-	-	-	-	97,877.29	34,023.69	30,883.84	162,784.82
Cost of Debt Issuance	112,241.61	-	-	-	-	-	-	112,241.61
	157,244.26	143,255.34	32,173.09	32,980.25	130,601.24	68,047.38	93,229.77	657,531.33
BayFront Property Related Exp								
Bay Front Property	4,684,723.62	666,067.18	-	-	-	-	-	5,350,790.80
Bay Front Parking Lot	-	94,932.03	10,861.03	-	-	-	24,028.11	129,821.17
Bay Front Swing Bench	-	-	3,896.87	-	-	-	-	3,896.87
Bay Front Park Improvements	-	-	2,358.75	500.00	-	-	-	2,858.75
Bay Front Park Deck	-	-	-	-	-	20,000.00	-	20,000.00
Bay Front Restrooms	-	-	44,139.11	1,947.28	-	-	-	46,086.39
Bay Front Invasive Species Grant	-	-	-	-	47,163.35	-	3,181.25	50,344.60
Boardwalk Parking Lot	-	-	-	-	-	-	16,659.00	16,659.00
Boardwalks & Walking Trails	-	-	-	-	2,535.00	-	-	2,535.00
Building Improvements	48,956.54	56,000.97	-	-	44,158.00	-	-	149,115.51
Captain O'Neal Sidewalk	-	-	25,413.49	-	-	-	-	25,413.49
D'Olive Creek Pedestrian Bridge	-	85,279.08	-	7,965.00	-	98,627.66	2,043.73	193,915.47
Gator Alley Bridge	-	-	-	-	-	8,174.90	1,097.45	9,272.35
May Day Playground Eqpt	-	30,792.49	-	-	-	-	-	30,792.49
May Day Boat Ramp	-	41,652.67	373,002.96	18,247.24	-	-	-	432,902.87
May Day Parking Lot	-	-	271,248.90	-	-	-	-	271,248.90
May Day Drainage	-	-	5,000.00	-	-	-	-	5,000.00
May Day Sand Movement Study	-	-	12,273.50	15,726.50	20,634.00	14,147.00	-	62,781.00
May Day Grounds & Landscaping	-	-	-	-	5,000.00	-	-	5,000.00
Mobile Bay NEP Contribution	-	-	-	-	7,000.00	-	-	7,000.00
Property Improvements	1,712.30	-	2,244.00	-	2,629.57	-	-	6,585.87
Village Point Grant	-	-	-	10,823.95	-	24,852.02	-	35,675.97
Williams Property (1/2) Brdwlk Prkng Lot	-	-	-	-	-	-	47,138.87	47,138.87
Total Bay Front Related Exp	4,735,392.46	974,724.42	750,438.61	55,209.97	129,119.92	165,801.58	94,148.41	6,904,835.37
Recreation Exp								
(Rec Loan from GF-\$643,644 Forgiven 6/1/14)								
Sports Complex Entrance Rd (FY12-14)	-	-	-	-	51,647.38	779,444.30	48,517.98	879,609.66
Softball/Football Lighting (FY11)	-	-	-	449,084.04	-	-	-	449,084.04
Bathroom/Concessions (2) (FY10-11)	-	-	1,152.00	273,593.93	-	-	-	274,745.93
Bleachers (4) (FY11)	-	-	-	50,000.00	-	-	-	50,000.00
Fence/Net Replacmnt-net of ins (FY11)	-	-	-	2,062.50	-	-	-	2,062.50
Repair-Blchr/Conces Roof-net of ins (FY11)	-	-	-	23,197.52	-	-	-	23,197.52
Total Recreation Exp	-	-	1,152.00	797,937.99	51,647.38	779,444.30	48,517.98	1,678,699.65
Other Financing Sources (Uses)								
Debt Proceeds	5,177,983.00	-	-	-	-	-	-	5,177,983.00
Transfers from General Fund	353,433.00	(353,433.00)	-	-	-	-	643,643.56	643,643.56
Transfers to Debt Service	(3,042,540.12)	(913,975.74)	(166,662.56)	(166,139.22)	(167,064.00)	(103,080.00)	(112,332.00)	(4,671,793.64)
Transfers to Gen Fund	(20,322.18)	-	-	-	-	-	-	(20,322.18)
Other Financing Sources (Uses)	2,468,553.70	(1,267,408.74)	(166,662.56)	(166,139.22)	(167,064.00)	(103,080.00)	531,311.56	1,129,510.74
Rev & Financing Sources Over	(58,918.07)	1,423,465.68	147,240.41	(370,893.57)	228,676.21	(337,840.02)	958,240.23	1,989,970.87
(Under) Expend & Financing Uses	(58,918.07)	1,423,465.68	147,240.41	(370,893.57)	228,676.21	(337,840.02)	958,240.23	1,989,970.87

(Proj: Red Bridge & Gator Alley)

Reserve for In-Progress Projects

(5,216.00)

Reserve for Recreation

(117,537.97)

Unreserved

1,867,216.90

BF Related

Lodging Taxes were levied 9/95 @ 3%
 12/97 Increase to 4% (Ord 1997-28) / 4/14 Increase to 6% (Ord 2014-06)
 FY 01 IDB Contributions started / DTR Authority added FY 10
 DTR: FY 10-\$32,173.09/ FY 11-\$32,980.25/FY 12-\$32,723.95=\$97,877.29
 Current Allocations: 13% IDB
 5% Downtown Redevelopment
 32% Debt Service & Bay Front Property Uses:
 Acq, Dev, & Maint
 30% Recreation Funded Capital

As of June 1, 2014:
 Original Recreation Loan \$1,678,700
 Repaid from Collections \$ (1,035,056)
 Loan Balance 6/1/14 \$643,644
 Ord 2014-27 Debt Forgiven \$ (643,644)
 Recreation Balance Owed \$0

August 18, 2014 Council Meeting

1003-280281**Reserve for Encumbrances**

6/30/2014

FY 05	30,000.00	Civic Center: Electronic Signage
FY 07	1,368.81	Grounds Beautification Supplies
FY 2009	2,125.00	Beautification Supplies
FY 2010	12,162.50	Upgrading City Hall Telecommunications
	(7,150.32)	Upgrading City Hall Telecommunications Applied to 126231-591105
	2,080.00	Ord 10-20 Sports Complex Erosion/Sediment
	7,092.18	
FY 2011	18,215.00	US 98 Medians
	6,000.00	Justice Center Roof Repairs
	24,215.00	
FY 2012	876.11	Animal Shelter Improvements
	1,919.21	Finance: Temp Serv
	5,450.00	PD Roof
	3,482.70	Library Carpet/Painting/Shelving
	5,000.00	Emergency Op. Plan
	16,728.02	
FY 2013	20,000.00	PW-Janitorial Vehicle Purchase
	(20,000.00)	Jan. Veh#1526-\$21,787.00
	50,000.00	Recreation-Senior Center flooring
	25,000.00	Legislative-Vehicle Purchase
		Williams Property Purchase (\$96,000 total
	48,000.00	@50% General Fund, 50% Lodging Tax Fund)
	3,900.00	Planning-ESRI Invoice (124200-561811)
	2,000.00	PO#01302663 Kirby Built - Rec Bench
		PO#01302474 Municipal Code Corp-
	1,370.00	Legislative: LaserFiche Software
	525.72	Beautification - Trees for FY 2014 Arbor Day
	130,795.72	

Total	212,324.73
-------	------------

BUSINESS LICENSE ACTIVITY - JULY 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	8
31-33	Manufacturing	
42	Wholesale Trade	2
44-45	Retail Trade	5
48-49	Transportation and Warehousing	1
51	Information	1
52	Finance and Insurance	15
53	Real Estate, and Rental & Leasing	
54	Professional, Scientific, and Technical Services	1
55	Management of Companies & Enterprises	
56	Administrative, Support, Waste Mgmt, and Remediation Services	3
61	Educational Services	
62	Health Care and Social Assistance	
71	Arts, Entertainment, and Recreation	
72	Accommodation and Food Services	
81	Other Services (not elsewhere specified, such as personal care)	9
TOTAL NEW BUSINESS LICENSES (BY TYPE)		45

NEW BUSINESS LICENSES (BY LOCATION)	
Daphne (physical location)*	4
Daphne (no physical location)	7
Baldwin County	5
Mobile County	4
In State (not including Baldwin/Mobile counties)	2
Out of State	23
TOTAL NEW BUSINESS LICENSES (BY LOCATION)	45

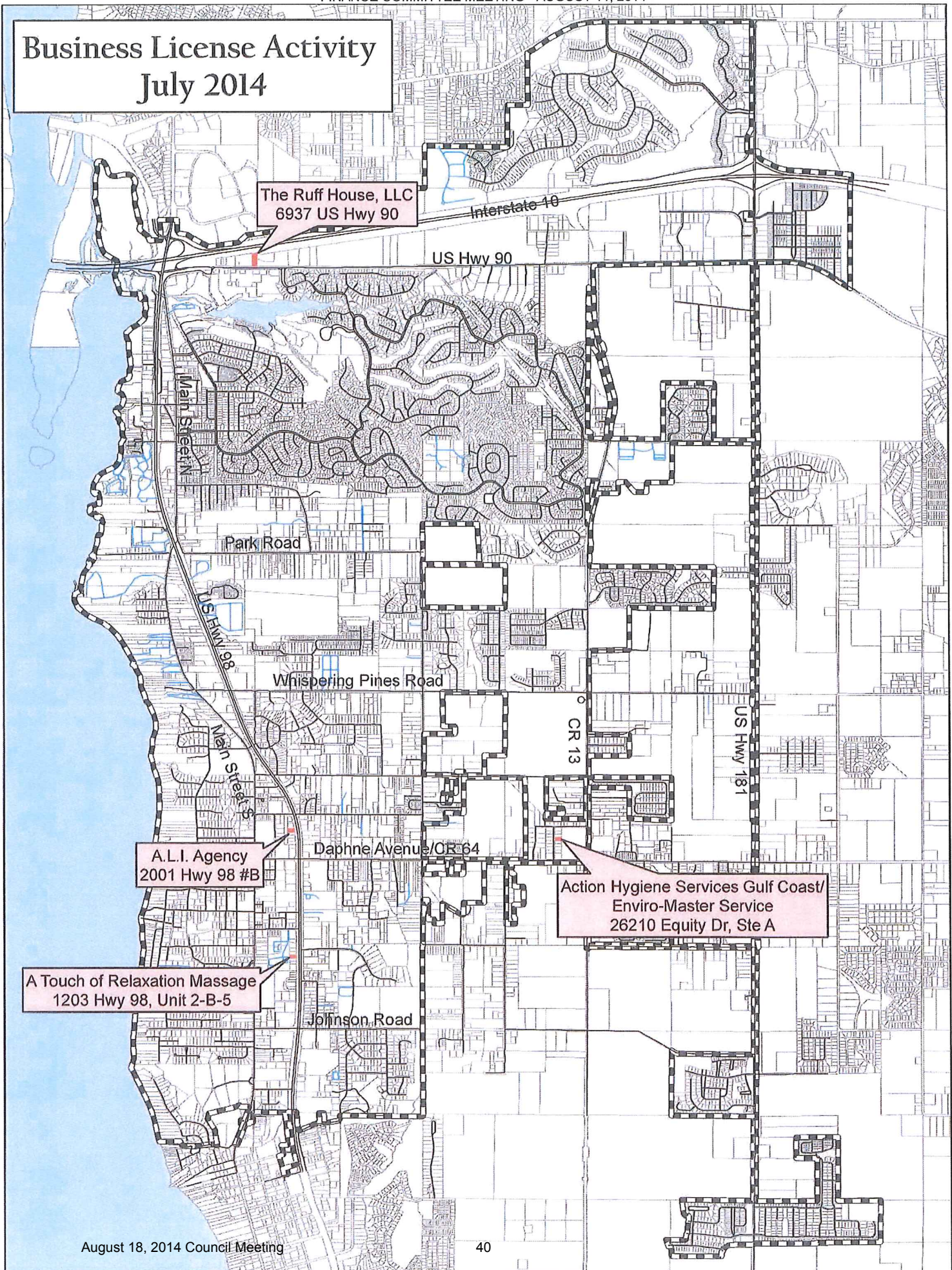
*NEW BUSINESSES LOCATED IN DAPHNE		
NAICS	NAME & ADDRESS	
56	Enviro-Master Services	26210 Equity Dr., Ste A
81	A Touch of Relaxation	1203 US Hwy 98, #2 B5
99	ALI Agency	2001-B US Hwy 98
99	The Ruff House LLC	6937 US Hwy 90
*TOTAL NEW BUSINESSES LOCATED IN DAPHNE		4

CLOSED BUSINESSES LOCATED IN DAPHNE		
NAICS	NAME & ADDRESS	
1	LeSoleil	30941 Mill Lane, Ste E
TOTAL CLOSED BUSINESSES LOCATED IN DAPHNE		1

NET GAIN/-LOSS BUSINESSES LOCATED IN DAPHNE	3
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BUSINESS LICENSE COUNT through 07/31/2014	
Issued THIS MONTH:	
NEW Licenses	45
RENEWAL Licenses	44
PRIOR YEAR Licenses	18
Total Issued THIS MONTH	107
Total Issued THIS MONTH - PREVIOUS YEAR	85
Net Gain/-Loss Current VS Previous Yr MONTH	22
Total Issued YTD 2014	3,884
Total Issued in 2013	3,849
Net Gain/-Loss Current VS Previous Yr YTD	35

Business License Activity July 2014



**ORDINANCE 2014-
Appropriating Funds for Emergency Watershed Protection on Private Property: Mazie's
Gulch & Palmetto Court (Creekside)**

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, the City of Daphne received 16.5" of rainfall for the period of April 29-30, 2014; and

WHEREAS, as a result of such heavy rains, watersheds and their drainage systems located within the City of Daphne sustained severe damage and require emergency repairs in order to prevent further impacts to the City's watersheds; and

WHEREAS, the City of Daphne has made application with the NRCS (Natural Resources Conservation Service) through their Emergency Watershed Protection (EWP) program for 75% reimbursement of expenses incurred for such private watershed emergency repairs as described below; and

WHEREAS, these two private property EWP Projects have been selected by NRCS for exigency funding with the City of Daphne as the "Sponsor".

NOW, THEREFORE, BE IT ORDAINED, that:

1. The City Council of the City of Daphne deems these private projects key to the recovery efforts associated with this rain event and the repair of these private property watershed issues is necessary to preserve the health, safety, and convenience of the public.
2. Fiscal Year 2014 Budget is hereby amended to include an appropriation from the General Fund in the amount of \$19,956.00 the total City match for the below EWP Projects:

Project	Name	Property Owners	Construction	Engineering	Total	25% Sponsor Match
DAP-14-003	Mazie's Gulch (2 Locations)	Bradley/ Davenport	\$40,767.00	\$4,077.00	\$44,844.00	\$11,211.00
DAP-14-007	Palmetto Ct (Creekside)	DOBBINS	\$31,800.00	\$3,180.00	\$34,980.00	\$8,745.00
TOTALS:			\$72,567.00	\$7,257.00	\$79,824.00	\$19,956.00

3. The City will serve solely as EWP Project Sponsor and this is not a Public Works Project, the City will assume no short or long-term maintenance/repair responsibility for the work performed, all future maintenance/repair will be the responsibility of the private property owner.
4. The Environmental Program Manager/Public Works Director or the Mayor is authorized to coordinate application with the NRCS for the reimbursement of such funds and to sign and execute all documents associated with the described projects.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this 18th day of August, 2014.

Dane Haygood, Mayor

Attest:

Rebecca A. Hayes, City Clerk

RESOLUTION 2014-

Authorizing Action for Emergency Watershed Protection - NRCS

WHEREAS, the City of Daphne received 16.5" of rainfall for the period of April 29-30, 2014; and

WHEREAS, as a result of such heavy rains, watersheds and their drainage systems located within the City of Daphne sustained severe damage and require emergency repairs in order to prevent further impacts to the City's watersheds; and

WHEREAS, the City of Daphne fell within an area receiving a Presidential Disaster Declaration - FEMA 4176-DR-AL; and

WHEREAS, the City of Daphne has made application with the NRCS (Natural Resources Conservation Service) through their Emergency Watershed Protection (EWP) program for 75% reimbursement of expenses incurred for such watershed emergency repairs as described below; and

Project	Name	Property Owners	Construction	Engineering	Total	25% Sponsor Match
DAP-14-003	Mazie's Gulch (2 Locations)	Bradley/ Davenport	\$40,767.00	\$4,077.00	\$44,844.00	\$11,211.00
DAP-14-004	Piedmont Circle (Lake Forest)	City of Daphne	\$75,000.00	\$7,500.00	\$82,500.00	\$20,625.00
TOTALS:			\$115,767.00	\$11,577.00	\$127,344.00	\$31,836.00

WHEREAS, these EWP Projects have been selected by NRCS for exigency funding with the City of Daphne as the "Sponsor" and with a requirement that all work be completed within twenty days within the award date of August 8, 2014; and

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

1. The City Council of the City of Daphne deems these projects key to the recovery efforts associated with this rain event and the repair of these watershed issues is necessary to preserve the health, safety, and convenience of the public and accepts these NRCS Emergency Watershed Protection exigency funds with the associated time constraints.
2. For Project **DAP-14-003 – Mazie Gulch** – 2 Locations:
 - a. Authorizes HMR (Project Engineers) for DAP-14-003 to solicit quotes under emergency procurement guidelines.
 - b. Authorizes the Mayor to accept "qualifying low quote" and execute all required contracts for DAP-14-003.
 - c. Authorize HMR and City Personnel expedite Project Initiation and Management to insure completion by deadline of August 28, 2014.
3. For Project **DAP-14-004 – Piedmont Circle**:
 - a. Authorize Public Works Staff to contract with David Smart, Southern Excavation as the Projects Stream Restoration Consultant.
 - b. All work will be performed "In House" by Public Works Personnel under the direction of the Stream Restoration Consultant and Project Engineer – Preble-Rish.

- c. All material will be procured through City bid contracts and will be submitted for reimbursement to NRCS.
 - d. There should be no required City cash match – 100% of the City's match should be accomplished through "in kind" services.
4. The Environmental Program Manager/Public Works Director or Mayor is authorized to coordinate all application processes with the NRCS for the reimbursement of such funds and to sign and execute all documents associated with the described projects.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this 11th day of August, 2014.

Dane Haygood, Mayor

Attest:

Rebecca A. Hayes, City Clerk

Suzanne Henson

From: Dane Haygood
Sent: Wednesday, August 06, 2014 11:01 AM
To: Richard D. Johnson, P.E.; Suzanne Henson; Christine Ciacetta
Cc: Ashley Campbell; Dane Haygood; Jane Ellis
Subject: Re: finance agenda

Please proceed with adding this item to the agenda

From: "<Richard D. Johnson>", "P.E." <rjohnson@daphneal.com>
Date: Wednesday, August 6, 2014 at 8:11 AM
To: Suzanne Henson <shenson@daphneal.com>, Christine Ciacetta <cciacetta@daphneal.com>
Cc: Ashley Campbell <acampbell@daphneal.com>, Dane Haygood <mayor@daphneal.com>, Jane Ellis <jellis@daphneal.com>
Subject: RE: finance agenda

With the Mayor's blessing this is for Finance next Monday – Thanks, 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

From: Ashley Campbell
Sent: Wednesday, August 06, 2014 8:03 AM
To: Richard D. Johnson, P.E.
Subject: finance agenda

Don't forget to put NRCS project on finance agenda

Davenport & Bradley Mazie gully



Ashley Campbell
Site Containment
acampbell@daphneal.com
City of Daphne, Alabama - "The Jubilee City"
Phone: 251-621-9000 *Web:* www.daphneal.com



Richard D. Johnson, P.E.
Public Works Director
rjohnson@daphneal.com

Buildings and Property Committee Meeting

Monday, August 4, 2014

5:30 PM

Executive Conference Room -- Daphne City Hall

From: Sarah Toulson
Sent: Thursday, August 07, 2014 8:21 AM
To: Suzanne Henson
Subject: RE: Finance Comm agenda for 8-11-14

From B&P 08-04-14 Meeting:

1. Resolutions for Surplus Property

Ms. Suzanne Henson presented one resolution for surplus property, which is contained in the packet herein. She passed out an updated copy of the Resolution, which is also contained with the packet herein.

Motion by Mr. Fry to recommend the Resolution for Surplus Property for adoption by the City Council. Seconded by Mr. Rudicell. **Motion carried unanimously.**

2. Library Roof Repairs

Mr. Frank Barnett reported that the Library roof was eighteen years old, with some roof drains beginning to leak.

Motion by Mr. Fry to recommend to the Council to appropriate \$11,000 for the repair of the Library roof. Seconded by Mr. Rudicell. **Motion carried unanimously.**

 3. Home buyout through FEMA: The owners, Lamar and Willet White want the City to pay the match, and pay to have the house demolished.

Motion by Mr. Fry to consider giving assistance to Lamar and Willet White in recovering 75 percent of the value of their home from FEMA, to include consideration of contributing an amount not to exceed between \$14,000 and \$20,000 plus demolition costs. Seconded by Mr. Rudicell. **Motion carried unanimously.**

<3 Sarah

From: Suzanne Henson
Sent: Wednesday, August 06, 2014 5:22 PM
To: Sarah Toulson
Subject: FW: Finance Comm agenda for 8-11-14

See below -- did you have anything for agenda??

ORDINANCE 2014

Federal Emergency Management Agency (FEMA): Hazard Mitigation Grant Program (HMGP) Disaster Assistance for Lamar and Willet White, 104 Gordon Circle

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, on April the 29th and 30th the City of Daphne received 16.5" of rainfall which lead to severe flooding; and

WHEREAS, on May 2, 2014, FEMA declared the event a Major Disaster Declaration; Alabama *Severe Storms, Tornadoes, Straight line Winds, and Flooding (DR-4176)*; and

WHEREAS, the declaration activates the FEMA Hazard Mitigation Grant Program (HGMP). The HMGP provides grants to states and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Long-term mitigation measures may include but not be limited to; property acquisition and structure demolition, property acquisition and structure relocation, structure elevation, mitigation reconstruction, dry flood proofing, etc.; and

WHEREAS, the HGMP requires a state or local government sponsor; and 25% cost share for the grant; and

WHEREAS, the home of Lamar and Willet White, 104 Gordon Circle, Lot 30 Unit 21 in Lake Forest was flooded during the April 29-30th, 2014 disaster; and

WHEREAS, the Whites have requested to participate in the FEMA HMGP National Flood Insurance Program Buyout where the home would be purchased by FEMA with FEMA providing 75% of the approved market value of the residence; and with the homeowner or the sponsor providing the additional 25% share; and

WHEREAS, the White residence has an estimated market value of \$150,000;

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

Option A (Full Match)

- 1) The City of Daphne shall sponsor the approved qualifying grant application with the following conditions:
 - a. The property owner shall handle the entire FEMA HMGP application process; and
 - b. The City shall provide the 25% cost share for the grant. A General Fund appropriation not to exceed 25% of the FEMA approved market value of the home (\$37,500.00) less any in-kind labor/cash match as incurred for

- expenses such as demolition of the home shall be appropriated; and
 - c. The City will retain ownership of the vacant lot and shall deed restrict the lot to remain as floodway green space
- 2) The Mayor is hereby authorized to execute such proposal and any and all additional documents necessary to carry out the purpose of requesting such funds from FEMA; and

Option B (DEMO Only)

- 1) The City of Daphne shall sponsor the approved qualifying grant application with the following conditions:
- a. The property owner shall handle the entire FEMA HMGP application process; and
 - b. The City shall provide the demolish expense cost share, not to exceed \$10,000. A General Fund appropriation not to exceed \$10,000 less any in-kind labor/cash match as incurred for expenses such as demolition of the home shall be appropriated; and
 - c. The City will retain ownership of the vacant lot and shall deed restrict The lot to remain as floodway green space
- 2) The Mayor is hereby authorized to execute such proposal and any and all additional documents necessary to carry out the purpose of requesting such funds from FEMA; and

Option C (Match Determined by Council)

- 1) The City of Daphne shall sponsor the approved qualifying grant application with the following conditions:
- a. The property owner shall handle the entire FEMA HMGP application process; and
 - b. The City shall provide the (TBD%) cost share for the grant. A General Fund appropriation not to exceed (TBD)% of the FEMA approved market value of the home, less any in-kind labor/cash match as incurred for expenses such as demolition of the home; and
 - c. The City will retain ownership of the vacant lot and shall deed restrict the lot to remain as floodway green space
- 2) The Mayor is hereby authorized to execute such proposal and any and all additional documents necessary to carry out the purpose of requesting such funds from FEMA; and

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this 18th day of August, 2014.

Dane Haygood, Mayor

Attest:

Rebecca A. Hayes, City Clerk

Print

Subject: Fwd: House appraisal
From: Joe Davis (councildistrict7@daphneal.com)
To: davis9013@bellsouth.net;
Date: Thursday, July 24, 2014 6:50 AM

Sent from my iPad

Begin forwarded message:

From: "Richard Merchant" <rmerchant@daphneal.com>
To: "Tommie Conaway" <councildistrict1@daphneal.com>, "Pat Rudicell" <councildistrict2@daphneal.com>, "John Lake" <councildistrict3@daphneal.com>, "Randy Fry" <councildistrict4@daphneal.com>, "Ron Scott" <councildistrict5@daphneal.com>, "Robin LeJeune" <councildistrict6@daphneal.com>, "Joe Davis" <councildistrict7@daphneal.com>, "Rebecca A. Hayes" <cityclerk@daphneal.com>, "Richard D. Johnson, P.E." <rjohnson@daphneal.com>
Subject: FW: House appraisal

FYI for all, this is the appraisal for the property located at 104 Gordon Circle that the Buildings and Property committee requested of the owners which are requesting a National Flood Insurance Program Buyout. If the Council chooses to sponsor the 25% match it would be \$37,300.00 of in kind labor and/or cash match.

If anyone has any questions on this or any other matter feel free to contact me at any time.

Thanks

Richard Merchant
CBO/CFM
City of Daphne
251-621-3080
Cell 251-243-5185

From: Willet [mailto:wdguinto98@yahoo.com]
Sent: Wednesday, July 23, 2014 10:01 AM
To: Richard Merchant
Cc: Dane Haygood; Ashley Campbell
Subject: House appraisal

Dear Mr. Merchant,

Print

First of all, we would like to say thank you for all the help that the city of daphne extended to us. As agreed at the building and property meeting held last July 7, 2014, please find attached appraisal of our house located at 104 Gordon circle Daphne Al 36526.

We would also like to request the Honorable Dane Haygood and Council members to afford our household equal consideration of our dire flood-prone living conditions as the City of Daphne provided to the Wooster family formerly lived at 103 Gordon circle Daphne Al; and Kipling family that formerly living at 140 Lakeview loop, Daphne Al 36526; in matching the 25% with FEMA (in cash or in kind). This will allow our family to secure safer living circumstances with our 6 month old daughter.

We are hoping for your consideration and looking forward to the next building and property meeting on August 4, 2014 @ 5:30 pm.

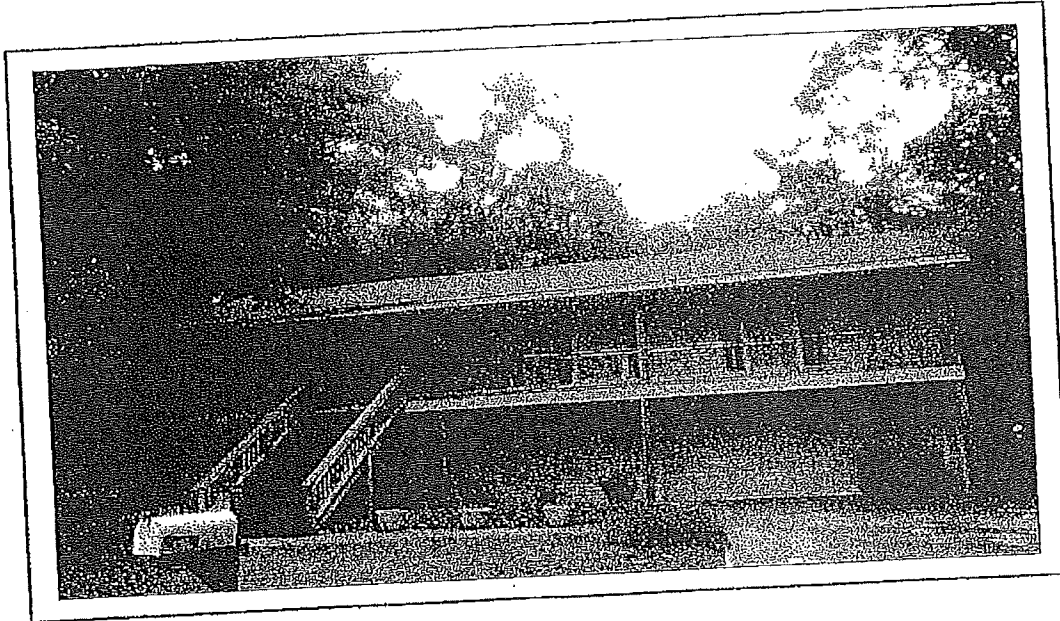
Thank you very much in advance.

Lamar and Willet White

[<http://www.daphneal.com/wp-content/uploads/2013/10/CODemailsignature.png>]
<<http://www.daphneal.com/>> Richard Merchant
Building Official / Floodplain Manager
rmerchant@daphneal.com <<mailto:rmerchant@daphneal.com>>
City of Daphne, Alabama - "The Jubilee City"
Phone: Web: www.daphneal.com <<http://www.daphneal.com>>



Joe Davis
City Council, District 7
councildistrict7@daphneal.com
City of Daphne, Alabama - "The Jubilee City"
Phone: 251-621-9000 Web: www.daphneal.com



**SUMMARY APPRAISAL REPORT
OF THE REAL PROPERTY LOCATED AT**

104 Gordon Circle
Daphne, AL 36526-7660

for

Individual Request
104 Gordon Circle
Daphne, AL
36526

as of

July 15, 2014

by

Richard S. Smith
8477 A County Road 64, Suite 4
Daphne, AL 36526

Courtney & Morris Appraisals, Inc.

Summary Appraisal Report

Uniform Residential Appraisal Report

File # 1021

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

Property Address **104 Gordon Circle** City **Daphne** State **AL** Zip Code **36526-7660**
 Borrower **N/A; Owner, White** Owner of Public Record **White, Alvin Lamar Elal** County **Baldwin**

Legal Description **Lot 30, Unit 21, Lake Forest Subdivision**
 Assessor's Parcel # **05-32-09-32-0-002-034.000** Tax Year **2013** R.E. Taxes \$ **642.14 (Paid)**
 Neighborhood Name **Lake Forest** Map Reference **SMSA 5160** Census Tract **107.04**
 Occupant ☒ Owner ☐ Tenant ☐ Vacant Special Assessments \$ **100 (One Time)** ☒ PUD HOA \$ **44** per year ☒ per month
 Property Rights Appraised ☒ Fee Simple ☐ Leasehold ☐ Other (describe) _____
 Assignment Type ☐ Purchase Transaction ☐ Refinance Transaction ☒ Other (describe) **Asset management/possible sales purposes**
 Lender/Client **Individual Request** Address **104 Gordon Circle Daphne, AL 36526**
 Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of the appraisal? ☐ Yes ☒ No
 Report data source(s) used, offering price(s), and date(s). **Baldwin County Multiple Listing Service/Owner/Client**

I ☐ did ☐ did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed. **N/A**

Contract Price \$ **N/A** Date of Contract **N/A** Is the property seller the owner of public record? ☐ Yes ☐ No Data Source(s) **N/A**
 Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? ☐ Yes ☐ No
 If Yes, report the total dollar amount and describe the items to be paid: **N/A**

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Location	Urban	Suburban	Rural	Property Values	Increasing	Stable	Declining	PRICE	AGE	One-Unit	85.0 %
Built-Up	Over 75%	25-75%	Under 25%	Demand/Supply	Shortage	In Balance	Over Supply	\$ (000)	(yrs)	2-4 Unit	1.0 %
Growth	Rapid	Stable	Slow	Marketing Time	Under 3 mths	3-6 mths	Over 6 mths	80	Low	New	1.0 %
Neighborhood Boundaries	The competitive market is considered to be Lake Forest, a 1,500+ acre planned unit development in Northeast Daphne, Alabama.							280	High	30+ commercial	5.0 %
Neighborhood Description	***See Additional Comments***							130+	Prod.	1-20 Other	8.0 %

Market Conditions (including support for the above conclusions) ***** See Additional Comments *****

Dimensions **Irregular-Please See Attached Tax Map** Area **.28 +/- Acres** Shape **Irregular** View **Residential**
 Spacing/Zoning Classification **R-3** Zoning Description **High Density Single Family Residential**
 Zoning Compliance ☒ Legal ☐ Legal Nonconforming (Grandfathered Use) ☐ No Zoning ☐ Illegal (describe) _____
 Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use? ☒ Yes ☐ No If No, describe _____

Utilities: Public Other (describe) _____ Public Other (describe) _____ Off-site Improvements-Type Public Private
 Electricity ☒ Gas ☒ Water ☒ Sanitary Sewer ☒ Street ☒ Asphalt ☒ Alley ☐ None ☐ X
 FEMA Special Flood Hazard Area ☒ Yes ☐ No FEMA Flood Zone **AE** FEMA Map No. **01003C0519L** FEMA Map Date **07/11/2007**
 Are the utilities and off-site improvements typical for the market area? ☒ Yes ☐ No If No, describe _____
 Are there any adverse site conditions or external factors (encroachments, environmental conditions, land uses, etc.)? ☐ Yes ☒ No If Yes, describe _____
 A survey was not provided for this assignment. Site area was taken from the attached Baldwin County Tax Map and are assumed to be correct. ***** See Additional Comments *****

General Description	Foundation	Exterior Description	Interior Description
Units ☒ One ☐ One with Accessory Unit ☒ Concrete Slab ☐ Crawlspace ☐ Foundation Walls ☐ Concrete Block-Gd ☐ Floors ☐ Cmpl.CT.HW-Good	# of Stories 1.5 ☐ Full Basement ☐ Partial Basement ☐ Exterior Walls ☐ Vinyl Siding-Good ☐ Walls ☐ Gypsum-Good	Type ☒ Det. ☐ Att. ☐ S-Det/End Unit ☐ Basement Area N/A sq. ft. ☐ Roof Surface ☐ Asphalt Shingle-Good ☐ Trim/Finish ☐ Wood-Good	☒ Existing ☐ Proposed ☐ Under Const. ☐ Basement Finish N/A % ☐ Gutters & Downspouts ☐ None ☐ Bath Floor ☐ CTile-Good
Design (Style) Traditional ☐ Outside Entry/Exit ☐ Sump Pump ☐ Window Type ☐ S/H Aluminum-Good ☐ Bath Wainscot ☐ FG-Good	Year Built 2000 ☐ Evidence of ☐ Infestation ☐ Storm Bash/Insulated ☐ Thermo-Good ☐ Car Storage ☐ None	Effective Age (Yrs) 7 ☐ Dampness ☐ Settlement ☐ Screens ☐ Fiberglass-Good ☐ [X] Driveway # of Cars 2+	Attic ☐ None ☐ Heating ☒ FWA ☐ FWA/B ☐ Radiant ☐ Amenities ☐ Wood Stove(s) # ☐ Driveway Surface ☐ Concrete
Drop Stair ☐ Stairs ☐ Other ☐ Fuel ☐ Electric ☐ Fireplace(s) # ☐ Fence ☐ Garage # of Cars 1	Floor ☒ Scuffe ☐ Cooling ☒ Central Air Conditioning ☐ Pool/Deck ☐ Porch ☒ Concr. ☐ Carport # of Cars	Finished ☐ Heated ☐ Individual ☐ Other ☐ Pool ☐ X Other Indsc ☐ X Att. ☐ Det. ☒ Built-In	Appliances ☒ Refrigerator ☒ Range/Oven ☒ Dishwasher ☒ Disposal ☐ Microwave ☐ Washer/Dryer ☒ Other (describe) Fan/Venthood

Finished area above grade contains: **6 Rooms** **3 Bedrooms** **3 Bath(s)** **2,016 Square Feet of Gross Living Area Above Grade**
 Additional features (special energy efficient items, etc.) ***** See Additional Comments *****

Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). **Based on my inspection the condition of the subject property would be described as being good with no major deferred maintenance items noted. This appraisal is completed under the HYPOTHETICAL CONDITION that the subject property has not flooded. A Hypothetical Condition is one which is contrary to what exists but is supposed for the purpose of an assignment.**

Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? ☒ Yes ☐ No If Yes, describe _____
 According to the owner/client the subject property has flooded several times. This appraisal at the request of the client is done under the Hypothetical Condition that the subject property has not ever flooded.

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? ☒ Yes ☐ No If No, describe _____
 The subject property conforms to the neighborhood in style, condition, and use.

Summary Appraisal Report

Uniform Residential Appraisal Report

File # 1021

There are 60 comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ 69,900 to \$ 269,500	
There are 157 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ 53,000 to \$ 203,000	
FEATURE	SUBJECT
104 Gordon Circle	135 Greenbay Drive
Address Daphne, AL 36526-7660	Daphne, Alabama
Proximity to Subject	0.92 miles S
Sale Price	\$ 150,000
Sale Price/Gross Liv. Area	\$ 70.16 sq. ft.
Data Source(s)	MLS#R210505C
Verification Source(s)	J Barrows Land Development
VALUE ADJUSTMENTS	DESCRIPTION
Sale or Financing	Cash
Concessions	No Concessions
Date of Sale/Time	05/23/2014
Location	Lake Forest
Leasehold/Fee Simple	Fee Simple
Site	28 +/- Acres
View	Residential
Design (Style)	Traditional
Quality of Construction	Good
Actual Age	A14/E7
Condition	Good
Above Grade	6 3 3
Room Count	7 4 2F1H
Gross Living Area	2,016 sq. ft.
Basement & Finished	None
Rooms Below Grade	None
Functional Utility	Average
Heating/Cooling	FA/Central
Energy Efficient Items	Full Package
Garage/Carport	Single Garage
Porch/Patio/Deck	Porches, Lndsc, etc
Kit/Equipment	Full Equipment
Fireplace	None
Swimming Pool	None
Net Adjustment (Total)	-10,990
Adjusted Sale Price	\$ 139,010
of Comparables	

I ☒ did not research the sale or transfer history of the subject property and comparable sales. If not, explain See Below.

My research ☒ did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Data Source(s) Probate Records, See Below.

My research ☒ did not reveal any prior sales or transfers of the comparable sales for the prior year to the date of sale of the comparable sale.

Data Source(s) Probate Records, See Below.

Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).

ITEM	SUBJECT	COMPARABLE SALE #1	COMPARABLE SALE #2	COMPARABLE SALE #3
Date of Prior Sale/Transfer	N/A	N/A	08/30/2014	N/A
Price of Prior Sale/Transfer	N/A	N/A	176,000	N/A
Data Source(s)	Probate Records	Probate Records	Instrument No. 1248519	Probate Records
Effective Date of Data Source(s)	07/21/2014	07/21/2014	07/21/2014	07/21/2014

Analysis of prior sale or transfer history of the subject property and comparable sales The subject property has not been involved in recent

sales transactions according to Baldwin County Probate Records. My search of Baldwin County Probate Records

indicates Comparables #1 and #3 have no prior sales history. Comparable #2 shows an increase in value.

Summary of Sales Comparison Approach The purpose of this report is to estimate an opinion of value for asset

management/possible sales purposes. The transactions included in the analysis are all sales of similar homes in Lake

Forest and are deemed to be the best available indicators of value. Adjustments are for differences in living area, car

storage, presence of a fireplace, and # of baths. Comparable #2 required an adjustment for having a swimming pool.

Comparable #3 required a sale concession adjustment. The comparables indicate a range in value from a low of

\$139,010 to a high of \$155,120. *** See Additional Comments ***

Indicated Value by Sales Comparison Approach \$150,000

Cost Approach (if developed) \$166,100

Income Approach (if developed) \$ N/A

The Cost Approach indicates a value of \$166,100. The Sales Comparison Approach indicates a value of \$150,000. ***

See Additional Comments ***

This appraisal is made ☐ "as is," ☐ subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been

completed, ☐ subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or ☐ subject to the

following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair: *** See

Additional Comments ***

Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting

conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is

\$ 150,000 as of July 15, 2014, which is the date of inspection and the effective date of this appraisal.

Freddie Mac Form 70 March 2005 Page 2 of 6 Fannie Mae Form 1004 March 2005

Courtney & Morris Appraisals, Inc.

Summary Appraisal Report

Uniform Residential Appraisal Report

File # 1021

Provide adequate information for the lender/client to replicate the below cost figures and calculations. Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value) The appraiser is very familiar with the subdivision having been in the appraisal business for 8 years in the Daphne area and completing numerous appraisals over those years in Lake Forest. The site value is based on recent vacant site sales and current asking prices in the subject subdivision. *** See Additional Comments ***	
ESTIMATED Source of cost data: Cost of similar dwellings in my files. Quality rating from cost service: Avg. Effective date of cost data: Current Comments on Cost Approach (gross living area calculations, depreciation, etc.) Cost estimates are based on contracts of similar construction in the area that is taking place currently. The site value is determined by recent sales of similar building sites in the neighborhood. Square footage calculations are found on the attached floor plan.	OPINION OF SITE VALUE Dwelling: 2,016 Sq. Ft. @ \$ 80.00 = \$ 161,280 Sq. Ft. @ \$ Garage/Carport: 432 Sq. Ft. @ \$ 20.00 = \$ 8,640 Total Estimate of Cost-New = \$ 169,920 Less: Physical Functional External Depreciation: 23,789 = \$ (23,789) Depreciated Cost of Improvements = \$ 146,131 'As-Is' Value of Site Improvements = \$ 5,000 Estimated Remaining Economic Life (HUD and VA only): 43 Years Indicated Value By Cost Approach = \$ 166,131
INCOME APPROACH TO VALUE (Not required by Fannie Mae) Estimated Monthly Market Rent \$ N/A X Gross Rent Multiplier = \$ Summary of Income Approach (including support for market rent and GRM) Indicated Value by Income Approach	
PROJECT INFORMATION FOR PUDs (if applicable) Is the developer/builder in control of the Homeowners' Association (HOA)? Yes ☒ No ☐ Unit type(s) Detached Attached Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit. Legal name of project: Lake Forest Total number of phases: 1 Total number of units: 32 Total number of units sold: 4000+ Total number of units rented: 250+ Total number of units for sale: 160+ Data Source(s): Files/MLS/Inspection Was the project created by the conversion of existing building(s) into a PUD? Yes ☐ No ☒ If Yes, date of conversion Does the project contain any multi-dwelling units? ☒ Yes ☐ No Data Source(s): Condos within subdivision Are the units, common elements, and recreation facilities complete? ☒ Yes ☐ No If No, describe the status of completion. Are the common elements leased to or by the Homeowners' Association? Yes ☐ No ☒ If Yes, describe the rental terms and options. Describe common elements and recreational facilities: Golf Course, Pools, Yacht and Country Club, Tennis Courts, Etc.	

Summary Appraisal Report

Uniform Residential Appraisal Report

File # 1021

This report form is designed to report an appraisal of a one-unit property or a one-unit property with an accessory unit, including a unit in a planned unit development (PUD). This report form is not designed to report an appraisal of a manufactured home or a unit in a condominium or cooperative project.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the interior and exterior areas of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

INTENDED USE: The intended use of this appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

INTENDED USER: The intended user of this appraisal report is the lender/client.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; those costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinion about the title.
2. The appraiser has provided a sketch in this appraisal report to show the approximate dimensions of the improvements. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

Summary Appraisal Report

Uniform Residential Appraisal Report

File # 1021

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the interior and exterior areas of the subject property. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability, soundness, or structural integrity of the property.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them, unless otherwise indicated in this report.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land.
9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.
11. I have knowledge and experience in appraising this type of property in this market area.
12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.

Summary Appraisal Report

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21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.

24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 16, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER

Signature [Signature]
 Name Richard S. Smith
 Company Name Courtney & Morris Appraisals, Inc.
 Company Address 8477 A County Road 64, Suite 4
Daphne, AL 36526
 Telephone Number 251-626-8882
 Email Address richard.smith@courtneyandmorris.com
 Date of Signature and Report July 21, 2014
 Effective Date of Appraisal July 15, 2014
 State Certification # _____
 or State License # 100379
 or Other _____
 State AL
 Expiration Date of Certification or License September 30, 2015

ADDRESS OF PROPERTY APPRAISED
104 Gordon Circle
Daphne, AL 36526-7660
 APPRAISED VALUE OF SUBJECT PROPERTY \$ 150000
 LENDER/CLIENT
 Name Ms. Willet White
 Company Name Individual Request
 Company Address 104 Gordon Circle
Daphne, AL 36526
 Email Address wduinto98@yahoo.com

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____
 Name _____
 Company Name _____
 Company Address _____
 Telephone Number _____
 Email Address _____
 Date of Signature _____
 State Certification # _____
 or State License # _____
 State _____
 Expiration Date of Certification or License _____

SUBJECT PROPERTY

- ☐ Did not inspect subject property
☐ Did inspect exterior of subject property from street
 Date of Inspection _____
☐ Did inspect interior and exterior of subject property
 Date of Inspection _____

COMPARABLE SALES

- ☐ Did not inspect exterior of comparable sales from street
☐ Did inspect exterior of comparable sales from street
 Date of Inspection _____

File No. 1021

ADDITIONAL COMMENTS

Borrower or Owner N/A: Owner: White

Property Address 104 Gordon Circle

City Daphne

County Baldwin

State AL

Zip Code 36526-7660

Lender or Client Individual Request

NEIGHBORHOOD DESCRIPTION

The subject property is located in Lake Forest, a large residential development consisting of approximately 4,141+ lots in the northeastern sector of Daphne, Alabama. Recreational facilities include a golf course, country club, yacht club, tennis courts, and swimming pools. Primary development consists of medium size ranch and two story style homes most of which were built in the 1980's and early 1990's. The majority of the lots in the subdivision have been improved over the past 35 years with most of the remaining unimproved lots consisting of marginal sites, therefore, demand for existing homes is strong due to a lack of new construction activity. No adverse conditions were observed that would affect marketability.

MARKET CONDITIONS

The market conditions for homes in Lake Forest have been good over the past decade and according to the Baldwin County Probate Records via the REARS program there have been 6,173 transactions between 4/1/1996 and 06/01/2014. In the year 2009 the MLS indicates 104 sales with an average price of \$149,150. In 2010 the MLS indicates 109 sales with an average price of \$130,290. In the year 2011 the MLS indicates 139 sales with an average price of \$108,465. In the year 2012 the MLS indicates 130 sales with an average price of \$107,182. In the year 2013 the MLS indicates 157 sales with an average price of \$129,174. Currently there are 60 homes listed for sale in Lake Forest in the MLS with a low of \$69,900 and a high of \$269,500. The average list price is \$153,418 and days on the market ranges from 4 to 461 with an average of 108.

ADVERSE SITE CONDITIONS AND/OR EXTERNAL FACTORS

The site has established tree cover and landscaping. Topography of the subject site is basically level. Landscaping is established and mature.

ADDITIONAL FEATURES

Special features of the subject property include: Ceiling fans, Single hung aluminum windows, Ceramic tile, hardwood, and carpet flooring, Concrete driveway and landscaping, Exterior lighting, Fully equipped appliance package in kitchen, Window treatments, Front porch, Storage room, Single Garage, Etc.

SALES COMPARISON APPROACH

The subject's value is expected to fall in the indicated range, say \$150,000. Equal emphasis is afforded to all comparables.

RECONCILIATION

The Income approach is not applicable as most homes in the area are not purchased for their income producing capabilities. The most weight is placed on Sales Comparison Approach as it tends to best measure the actions of buyers and sellers.

CONDITIONS OF APPRAISAL

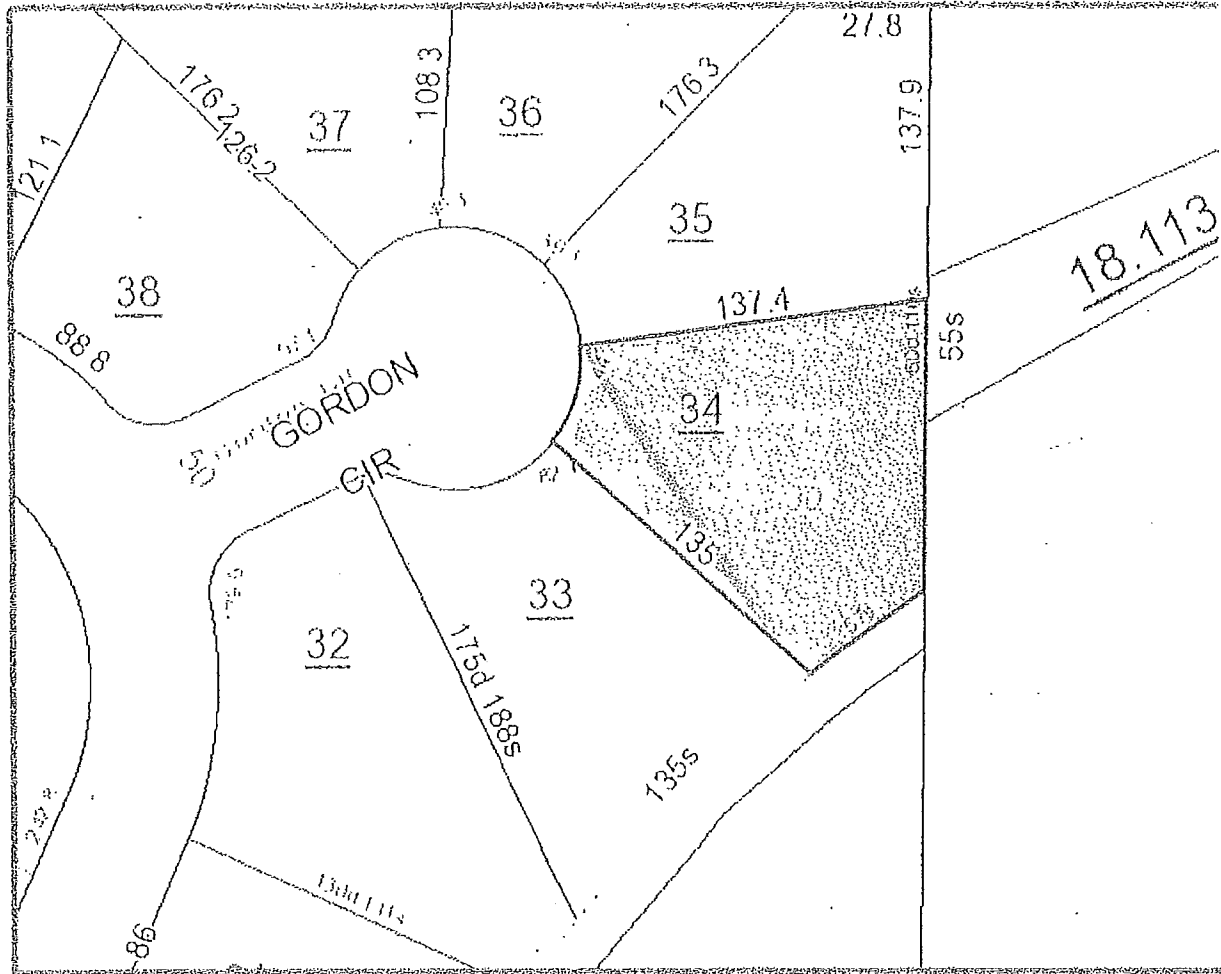
This assignment was made subject to the regulations of the State of Alabama Real Estate Appraisers Board. The undersigned State Licensed appraiser has met the requirements of the Board that allow this report to be regarded as a Licensed Appraisal. This is a Complete Appraisal according to Standards Rule 1 and the Communication to the client is reported using the "Appraisal Report" reporting option in accordance with Standards Rule 2-2(a). In accordance with USPAP I disclose that I have provided no services pertaining to the subject property during the preceding three year period. Exposure time is estimated at 3 to 6 months (typical).

SUPPORT OF OPINION OF SITE VALUE

Site value is based on sites sales on Rolling Hills Circle and Timberline Court that all closed within the year prior to the date of valuation. The appraiser is confident in valuing the subject site at \$15,000.

Courtney & Morris Appraisals, Inc.

Map Title or Notes



Map not for conveyance use.

City of Daphne

Library-PVC Single Ply

Roof Survey

Library-PVC Single Ply

Tuesday, July 15, 2014

City of Daphne 26435 Public Works Road Daphne, AL. 36526 Attention: Frank Barnett Facilities Supervisor The Garland Company, Inc. 186 Williams Street Mobile, AL. 36606 251-401-6533



Solution Options

Client: Daphne City of

Facility: Library

Roof Section: PVC Single Ply

Library Roof

Inspection Options

Solution Option: Inspection

Action Year: 2015

Square Footage: 25,400

Expected Life Years: 2

Budget: \$1,500.00

Scope of Work:

Perform IR Moisture Scan to identify wet insulation.

Repair Options

Solution Option: Repair

Action Year: 2014

Square Footage: 25,400

Expected Life Years: 5

Budget: \$9,000.00

Scope of Work:

Repair Current Leaks Only;

1. IR Scan is recommended to identify whether leaks are HVAC or roof related, which would reduce repair cost and increase accuracy.
2. Repair 50 LF unbonded membrane lap. [\$1500]
3. NIC (Owner please check HVAC pan).
4. Repair Through-Wall Flashing, Misc Mortar Joint Cracking, Seal Wall, Reinforce 100SF Roof. [\$3500]
5. Repair 20 LF unbonded membrane lap. [\$1000]
6. Repair Roof Drain. [\$500]
7. NIC (Owner please check HVAC pan).
8. NOTE: This repair may pull the recent water-based-coating? up. Reinforce 100 SF Roof, seal 20 LF Coping Joints. [\$1500].
9. Repair 10 LF unbonded membrane lap. [\$500].
10. Repair 10 LF unbonded membrane lap. [\$500].

Restore Options

Solution Option: Restore

Action Year: 2015

Square Footage: 25,400

- Expected Life Years: 15

Budget: \$185,000.00

Scope of Work: Restoration; 10 Year Watertightness Warranty, "Energy Star" White Finish

1. Clean all roof surfaces of debris.
 2. Identify and remove wet insulation (cost not included due to undetermined quantities), and install warranted repair.
 3. Apply White Knight Plus reinforced with Polyester at unbonded lap joints, fastener back-out, and punctures.
 4. Apply White Knight Plus reinforced with Polyester at all lap seams.
 5. Apply White Knight Plus in the Field at 2 gal/sq.
 6. Repair all rooftop masonry walls and sheet metal.
 7. 10 year watertightness warranty.
 8. NOTE: No work being performed to Cupola Metal Roof.
-

CITY OF DAPHNE

BID OPENING MINUTES

BID DOCUMENT NO: 2014-Q-PORTABLE RESTROOM

AUGUST 8, 2014

11:30 A.M.

CITY HALL

Those present were as follows:

Mrs. Suzanne Henson

Senior Accountant

Mr. David Mckelroy

Recreation Director

5 bid invitations were mailed/picked up, 0 sealed bids were received.

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

VENDOR

TOTAL UNIT COST

NO BIDDERS



Suzanne Henson, Sr. Accountant

Dane Haygood
Mayor

David McKelroy
Parks & Recreation
Director



Chris Bradford
Parks Maintenance Supervisor

Mary Jensen
Seniors Program Coordinator

Charlie McDavid
Athletic Coordinator

MEMO

TO: Finance Department

FROM: David McKelroy, Recreation Director *WDM*

DATE: August 8, 2014

RE: BID# 2014-Q-Portable Restroom

No bids were received for Bid# 2014-Q for Portable Restroom. It is my recommendation that we negotiate with Jag Mobile Solutions of Howe, Indiana. I have talked with this company and received quotes on units that meet our specifications and needs that are within the amount budgeted. The City of Fairhope purchased a unit from Jag Mobile Solution four years ago and is extremely satisfied with their purchase.

Jag - \$42,940

JAG MOBILE SOLUTIONS INC.
0770 STATE ROAD 120
P.O. BOX 100
HOWE INDIANA 46746



Toll Free: 800-815-2557
Phone: 260-562-1045
Mobile: 304-210-5999
Fax: 260-562-2478

www.jagmobilesolutions.com

JAG Contact: Bill Gibson

Quote: x

Order:

Quantity: 1

Price Ea: \$44,970

Total: \$44,970

Deposit: \$22,485

CUSTOMER: City of Daphne
ADDRESS: 1705 Main St. PO Box 400
CITY/STATE: Daphne, AL 36526
PHONE: 251-689-3220
CONTACT: David McKelroy
TERMS: 50% Deposit to Build, Net Due Upon Completion

BUILD DATE: 10 weeks ARO

QUOTE #: 14080701BC
QUOTE DATE: 8/7/14
FAX:
EMAIL: dmckelroy@daphneal.com
VIN#:

FINANCING INFO (WAC)

Down payment: \$2,216

60 Mo Payments: \$888

Freight trailer: \$2.25

Approx weight: 10,900#

MODEL: R24' X 8' 10-11-Station
UNIT TYPE: Commercial

Unit must be pumped prior to transport and may not be moved loaded. Options in yellow have been selected. Other options should be strongly considered. Unit can be picked up in Howe, IN or shipped 3rd party. (** Denotes Additional 20A Plug(s) Required)

Standard Features		
CHASSIS		
1	24' H/D Undercoated Frame w/ Site Glass	STD
1	2-5/16" Hitch	STD
2	7,000# Torsion Axle w/ Elec Brakes, EZ Lube	STD
4	16" Radial Tires & 8 Hole Steel Wheels	STD
2	Stabilizing Rear Jacks, 5,000#	STD
1	Approx 1050 Gallon Lined Steel Waste Tank	STD
2	Retractable "Easy Glide" Step 48"	STD
1	H/D Front Jack	STD

HVAC		
1	Vent Fan Package, 1 Per Side, Standard Elixir	STD
2	13,500btu A/C, Ducted, no Heat Strip	STD

ELECTRICAL/LIGHTING		
1	7 Pin Plug, Break Away Protection	STD
1	Converter w/ Charge Protection - 60 amp	STD
1	Full Size Deep Cell Battery, Group 24	STD
1	DOT Safety & LED Marker Light Package	STD
1	LED Interior Lighting Pkg	STD
1	Exterior Porch Light @ Each Door - LED	STD
1	25' Twist Lock H/D Power Cord With Adapter	STD

PLUMBING		
4	Stainless Round Sinks, Solid Black Plastic Top	STD
7	Foot Flush Stools, White, China - 510ps	STD
4	Chrome Metered Faucets Chicago Longneck	STD
1	Inlet Pressure Regulator, Brass, 40-50 psi	STD
1	City Water Fill, 3/4" Garden Hose Connection	STD
3	Urinal, Waterless, White - Sloan WES4000	STD
1	Water Lines Inside Trailer, Weather Protected	STD
2	Floor Drains, Chrome	STD

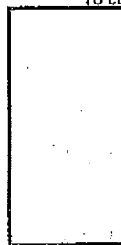
INTERIOR FEATURES		
2	Entry Doors, Beige Interior	STD
1	Aluminum Extruded Trim Beige Pebbled Walls	STD
1	Smooth Fiberglass Ceiling Surface	STD
1	Black Rubber flooring, Seamless	STD
7	Solid Plastic Black Doors with H/D Hinges	STD
2	H/D Black Urinal Dividers	STD
3	Mirrors, Framed Safety Backed	STD

Unit has 2 entrances. Each area has a solid plastic sink top, stainless sink with running water, vent fan, and LED lighting. Women's side has five private stalls with solid plastic doors & flushing toilets. The men's area is equipped with waterless urinals and two private stalls with solid plastic doors & flushing toilets.
1000 Gallons Waste 200 Gallons fresh

QTY	Description	Price	Extended
0	Floorplan2 w/ 4 urinals 1 sink men's	\$300	\$0
0			\$0
0			\$0
0			\$0
0			\$0
Total:			\$0

NOTES/OPTIONS			
Quantity	Options	Price	Extended
0	200 Gallon Fresh Tank with Pumps	\$1,250	\$0
1	Pump to pull water from outside source	\$400	\$400
0	Sony AM/FM/CD Player with Aux Input	\$500	\$0
1	Heat strip for 13,500 BTU A/C - Upgrade**	\$300	\$300
0	Outlets and cords for Future Forced Air Heat** 750w	\$500	\$0
0	Forced Air Heaters 1500w/5200BTU hardwire**	\$1,290	\$0
0	Waste Tank Insulation and 110 tank heaters	\$1,520	\$0
0	Dakota winterization package 0 Degrees **	\$2,550	\$0
0	Vinyl Trailer Skirts	\$1,000	\$0
0	2.5 Gallon Water Heater**	\$775	\$0
0	65w Solar w/2 Group 31 Batteries for DC items	\$1,525	\$0
1	Spare Tire on Steel Rim, Mounted Front	\$550	\$550
0	Spare Tire on Aluminum Rim, Mounted Front	\$700	\$0
0	Aluminum Rims Per Trailer	\$600	\$0
0	Flushing White Urinal, Sloan (3)	\$600	\$0
1	Baby Changing Station, Vertical, Surf Mt.	\$600	\$600
0	Hands Free Faucets, SF-2350	\$1,200	\$0
0	Levered faucets - Brushed Nickel	\$100	\$0
0	Sanitary Napkin Disposal, Stainless (5)	\$225	\$0
0	Toilet Paper Dispensers (Double Roll) (7)	\$455	\$0
0	Paper Towel Dispensers, Stainless (3)	\$165	\$0
0	Soap Dispensers, Stainless (3)	\$150	\$0
0	Custom Exterior Colors	\$1,850	\$0
0	Door signs (1) Men's (1) Women's	\$150	\$0
0	Storage Solutions Box	\$300	\$0
0	15,000 BTU Air conditioners	\$500	\$0
0	See Additional Notes / Options Below		
Options Total			\$1,850

To choose an option above place appropriate number in quantity



Floorplan



Women's



Men's (Floorplan 1)



Exterior

Price: \$41,090

Options Total: \$1,850

Unit Total: \$42,940

Option Notes Charges: \$0

FOB Howe Indiana: \$42,940

Freight: \$2,030

Total: \$44,970

☐ Change Order Attached

Delivery miles 902

QUOTE VALID FOR 15 DAYS





JOHNNY ON THE SPOT INC.
4711 JOE FRANK HARRIS PKWY
ADAIRSVILLE, GA 30103

Toll Free: 800-698-7700

http://www.johnnyonthespotinc.com

JOTS Contact: Chuck Shropshire

CUSTOMER:	City of Daphne, AL	BUILD DATE:	As required	QUOTE #:	Chuck	Quantity:	1
ADDRESS:		QUOTE DATE:	7/25/14	Price Ea:	\$50,200	Total:	\$50,200
CITY/STATE:	Daphne, AL	CELL1:		FAX:		Deposit:	\$25,100
PHONE:	251-689-3220	CELL2:		EMAIL2:		FINANCING INFO (WAC)	
CONTACT:	David Mckelroy	CELL:		EMAIL:	dmckelroy@daphneal.com	Down payment:	\$2,418
TERMS:	50% Deposit to Build, Net Due Upon Completion			VIN#:		58 Mo Payments:	\$991
MODEL:	R24' X 8'	10-11-Station		Approx weight: 10,900#		Freight / mile:	\$2.10
UNIT TYPE:	Commercial	Unit must be pumped prior to transport and may not be moved loaded. Options in yellow have been selected. Other options should be strongly considered. (** Denotes Additional 20A Plug(s) Required)					

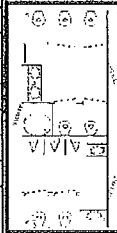
Standard Features			
CHASSIS			
1	24' H/D Undercoated Frame W/ Site Glass	STD	
1	2-5/16" Hitch	STD	
2	7,000# Torsion Axle w/ Elec Brakes, EZ Lube	STD	
4	16" Radial Tires & 8 Hole Steel Wheels	STD	
2	Stabilizing Rear Jacks, 5,000#	STD	
1	Apprx 1050 Gallon Lined Steel Waste Tank	STD	
2	Retractable "Easy Glide" Step 48"	STD	
1	H/D Front Jack	STD	
HVAC			
1	Vent Fan Package, 1 Per Side, Standard Elixir	STD	
2	13,500btu A/C, Ducted, no Heat Strip	STD	
ELECTRICAL/LIGHTING			
1	7 Pin Plug, Break Away Protection	STD	
1	Converter w/ Charge Protection - 60 amp	STD	
1	Full Size Deep Cell Battery, Group 24	STD	
1	DOT Safety & LED Marker Light Package	STD	
1	LED Interior Lighting Pkg	STD	
1	Exterior Porch Light @ Each Door - LED	STD	
1	25' Twist Lock H/D Power Cord With Adapter	STD	
PLUMBING			
4	Stainless Round Sinks, Solid Black Plastic Top	STD	
7	Foot Flush Stools, White, China - 510ps	STD	
4	Chrome Metered Faucets Chicago Longneck	STD	
1	Inlet Pressure Regulator, Brass, 40-50 psi	STD	
1	City Water Fill, 3/4" Garden Hose Connection	STD	
3	Urinal, Waterless, White - Sloan WES4000	STD	
1	Water Lines Inside Trailer, Weather Protected	STD	
2	Floor Drains, Chrome	STD	
INTERIOR FEATURES			
2	Entry Doors, Beige Interior	STD	
1	Aluminum Extruded Trim Beige Pebbled Walls	STD	
1	Smooth Fiberglass Ceiling Surface	STD	
1	Black Rubber flooring, Seamless	STD	
7	Solid Plastic Black Doors with H/D Hinges	STD	
2	H/D Black Urinal Dividers	STD	
3	Mirrors, Framed Safety Backed	STD	

Unit has 2 entrances. Each area has a solid plastic sink top, stainless sink with running water, vent fan, and LED lighting. Women's side has five private stalls with solid plastic doors & flushing toilets. The men's area is equipped with waterless urinals and two private stalls with solid plastic doors & flushing toilets.
1000 Gallons Waste 200 Gallons fresh

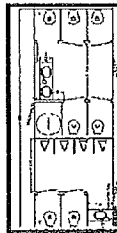
QTY	Description	Price	Extended
0	Floorplan 2 w/ 4 urinals 1 sink men's	\$300	\$0
0			\$0
0			\$0
0			\$0
0			\$0
Total:			\$0

NOTES/OPTIONS			
Quantity	Options	Price	Extended
0	200 Gallon Fresh Tank with Pumps	\$1,250	\$0
1	Pump to pull water from outside source	\$400	\$400
0	Sony AM/FM/CD Player with Aux Input	\$500	\$0
1	Heat strip for 13,500 BTU A/C - Upgrade**	\$300	\$300
0	Outlets and cords for Future Forced Air Heat** 750w	\$300	\$0
0	Forced Air Heaters 1500w/5200BTU hardwire**	\$1,290	\$0
0	Waste Tank Insulation and 110 tank heaters	\$1,520	\$0
0	Dakota winterization package 0 Degrees **	\$2,550	\$0
0	Vinyl Trailer Skirts	\$1,000	\$0
0	2.5 Gallon Water Heater**	\$775	\$0
0	65w Solar w/2 Group 31 Batteries for DC items	\$1,525	\$0
1	Spare Tire on Steel Rim, Mounted Front	\$550	\$550
0	Spare Tire on Aluminum Rim, Mounted Front	\$700	\$0
0	Aluminum Rims Per Trailer	\$600	\$0
0	Flushing White Urinal, Sloan (3)	\$600	\$0
1	Baby Changing Station, Vertical, Surf Mt.	\$600	\$600
0	Hands Free Faucets, SF-2350	\$1,200	\$0
0	Levered faucets - Brushed Nickel	\$100	\$0
0	Sanitary Napkin Disposal, Stainless (5)	\$225	\$0
0	Toilet Paper Dispensers (Double Roll) (7)	\$455	\$0
0	Paper Towel Dispensers, Stainless (3)	\$165	\$0
0	Soap Dispensers, Stainless (3)	\$150	\$0
0	Custom Exterior Colors	\$1,850	\$0
0	Door signs (1) Men's (1) Women's	\$150	\$0
0	Storage Solutions Box	\$300	\$0
0	15,000 BTU Air conditioners	\$500	\$0
0	See Additional Notes / Options Below		
Options Total			\$1,850

To choose an option above place appropriate number in quantity



Floorplan 1



Floorplan 2



Women's



Men's (Floorplan 1)



Exterior

Price: \$48,350

Options Total: \$1,850

Unit Total: \$50,200

Option Notes Charges: \$0

FOB Howe Indiana: \$50,200

Freight: \$0

Total: \$50,200

Delivery miles 0

QUOTE VALID FOR 15 DAYS

☐ Change Order Attached

Buildings & Property Committee Meeting
Monday, August 4, 2014
5:30 PM
Daphne City Hall- Executive Conference Room

Committee Minutes

Present: Councilman Joe Davis; Councilman Randy Fry; Councilman Pat Rudicell; Margaret Thigpen, Civic Center Director; Sarah Toulson, Assistant City Clerk (Recording Secretary); Richard Johnson, Public Works Director; Richard Merchant, Building Official; Frank Barnett, Maintenance Supervisor; David McKelroy, Parks and Recreation Director; Suzanne Henson, Senior Accountant; Selena Vaughn, Village Point Foundation; Lamar and Willet White; Mayor Dane Haygood; Councilman Robin Lejeune

Absent: Rick Whitehead

The meeting brought to order at 5:25 pm by Chairman Joe Davis.

1. Public Participation

Chairman Davis amended the agenda to allow Selena Vaughn and Lamar and Willet White to address the committee under Public Participation.

Selena Vaughn updated the committee regarding Village Point Foundation and Bayfront property activities. She reported that the Foundation was still working with an architect to finish plans for Village Point Park Preserve. She expressed the desire to working with Richard Johnson in the meantime to choose trash receptacles and benches for placement at the park.

Second, Ms. Vaughn reported that she and Mr. Johnson were still working on obtaining a lightning rod for Jackson's Oak. Mr. Johnson stated that he would follow up for the next Committee meeting.

Lastly, Ms. Vaughn expressed the need to have a quality trails map for the preserve, and eventually for all of the City parks created, showing locations for restrooms and picnic tables, and length and difficulty of various trails.

Mr. and Mrs. White addressed the committee as an update to the property located at 103 Gordon Loop.

The committee reviewed the submitted property appraisal.

Robin Lejeune arrived at 5:36 pm.

Richard Merchant pointed out that for the Whites to submit their application, the City would be required to sponsor, but would not be required to provide any part of the 25 percent match for

the buyout. He added that the demolition of the property by City employees could be an in-kind part of the match if chosen.

Mayor Dane Haygood arrived at 5:43 pm

The Committee then discussed various approaches to handling the 25 percent match, ranging from only providing demolition services to providing the demolition services plus a cash amount for the remainder of the match.

Motion by Mr. Fry to consider giving assistance to Lamar and Willet White in recovering 75 percent of the value of their home from FEMA, to include consideration of contributing an amount not to exceed between \$14,000 and \$20,000 plus demolition costs. Seconded by Mr. Rudicell. **Motion carried unanimously.**

2. Approval of Minutes: July 7, 2014

Mr. Merchant requested the minutes be amended under Public Participation as follows:

“The sponsorship would require ~~the city to provide~~ a 25 percent match, which could be provided by either the City or the applicant, with FEMA to buy out the property and use it for green space.”

Motion by Mr. Fry to adopt the July 7, 2014 minutes as amended. Seconded by Mr. Rudicell. **Motion carried unanimously.**

3. Civic Center & Bayfront report (July): Margaret Thigpen

Margaret Thigpen distributed and discussed her July report. July 2014 revenue totaled \$12,252.00, an increase from July 2013 levels. Year to Date revenues stood at \$168,451.50, above figures listed for FY2013. Additionally, Ms. Thigpen reported total deposits for July stood at \$6,211.50, and that the Civic Center has seen 10 events during July, for a total of 10 days used, not including setup days.

Ms. Thigpen then turned to Bayfront Pavilion, reporting revenues for July totaling \$8,777.00, above July 2013 levels, and year-to-date revenues totaling \$71,092.00, an increase from 2013 numbers. Additionally, Ms. Thigpen reported total deposits for July stood at \$6,060.00, and that Bayfront Pavilion has seen 11 events during July, for a total of 13 days used, not including setup days.

Ms. Thigpen listed a number of recently passed and upcoming events scheduled at the Civic Center which are listed on her report herein.

In addition, she updated the Committee on the following:

- Ms. Thigpen provided graphs requested by Mayor Haygood depicting revenue levels for the Civic Center and Bayfront Pavilion.
- She updated the committee regarding the Chiller for the Civic Center, stating the Chiller was installed and working properly.
- The roof repairs are underway.
- Ms. Thigpen is currently researching Hurricane/natural disaster policies for facilities. There is a need for a document to hand clients regarding natural disasters and cancellations. She plans to have something to show by the next Committee meeting.

4. Building inspection monthly reports (July): Richard Merchant

Mr. Richard Merchant reviewed the building report for the month of July. He reported 20 new residential construction projects initiated, and no new commercial development. The department issued 155 permits during July, with a total job cost of \$6,460,623.56 with permit fees totaling \$49,402.12.

5. Resolutions for Surplus Property

Ms. Suzanne Henson presented one resolution for surplus property, which is contained in the packet herein. She passed out an updated copy of the Resolution, which is also contained with the packet herein.

Motion by Mr. Fry to recommend the Resolution for Surplus Property for adoption by the City Council. Seconded by Mr. Rudicell. **Motion carried unanimously.**

6. Insurance Oversight:

Mayor Haygood updated the committee, stating that the issue was now being handled by the City Attorney.

7. Clarification of Gator Alley signage

No action taken by Committee. General discussion was had regarding Daphne's "Gator Alley" signage. The owner of "Alligator Alley," a separate business outside of Daphne, asked the City to consider changing the name of Gator Alley for clarification purposes.

8. Library Roof Repairs

Mr. Frank Barnett reported that the Library roof was eighteen years old, with some roof drains beginning to leak.

Motion by Mr. Fry to recommend to the Council to appropriate \$11,000 for the repair of the Library roof. Seconded by Mr. Rudicell. **Motion carried unanimously.**

9. Other Business

Councilman Fry mentioned that the dog park should have signage on Whispering Pines Road to alert more visitors to the existence of the park.

With no further business to discuss, the meeting was adjourned at 6:25, motion by Mr. Rudicell and seconded by Mr. Fry.

Public Safety Committee

Wednesday, August 13, 2014

Councilman Pat Rudicell
Councilman Randy Fry
Councilman Robin LeJeune
Councilman Ron Scott
Fire Chief James White
Public Works, Melvin McCarley

Police Chief David Carpenter
Captain Scott Taylor

Tracy Bishop - Secretary

Committee Members Attending:

Councilman Pat Rudicell, Councilman Robin LeJeune, Councilman Ron Scott, Lt. Kenny Hempfleng and Melvin McCarley.

CALL TO ORDER

Councilman Rudicell **convened** the meeting at 4:30 p.m.

PUBLIC PARTICIPATION – Discussion was had on the letter of concern for an application for business on Villa Drive. Several citizens voiced their concerns through letters on the traffic/safety and road conditions on Old County Road and Santa Rosa Avenue. Richard Johnson responded to this email sent to PSC by Adrienne Jones stating that he found no argument was provided based on problems with the maintenance conditions of the roads (which would be his department). Willie Robison and Adrienne Jones were in attendance. Lt. Hempfleng stated he would setup the speed trailer on Old County Road and Santa Rosa Avenue as well as conduct D-Runs with the patrol division. Melvin also agreed to place the traffic counters out as well. We will have the reports from these traffic studies at the October Public Safety Meeting.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Minutes from July 2014 were adopted. Motion was made by Councilman LeJeune and seconded by Councilman Scott. Motion passed.

POLICE DEPARTMENT

- A. New Business** –Lt. Hempfleng went over the stats and D-Runs. He advised that the speed trailer is on Bayview Drive right now, will be moved to Dunmoor S/D next, then on to Old County Road and Santa Rosa Avenue. Councilman LeJeune asked Lt. Hempfleng if he had heard the rumor on Facebook about gentlemen knocking on doors or ringing doorbells at night? Hempfleng stated he had read the rumors and they were just that. There is no truth to this. LeJeune also asked about the Cold Snap robbery in Fairhope and Hempfleng said that it was probably a local person. Councilman Rudicell said he had gotten the second call in four months from Ron Brown on Hillwood Drive about the Knights of Columbus Hall and parties going on there. Hempfleng stated he would talk to the Knights of Columbus about who they rent to. Mr. Brown was in attendance.

FIRE DEPARTMENT

- A: New Business** –Andy Ray went over the fire department stats.

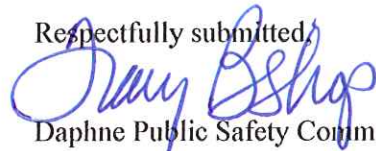
Old Business -

OTHER BUSINESS:

ADJOURN

There being no further business to discuss, Councilman LeJeune made a motion to adjourn the meeting at 5:15 p.m. Councilman Scott seconded. The next meeting will be Wednesday, September 10, 2014 at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,



Ray Bishop

Daphne Public Safety Committee

Monthly Report June 2014

5

CITY OF DAPHNE
FIRE DEPARTMENT MONTHLY REPORT
Report Period June 2014

	Current:	FY to Date:
Suppression:		
1-Fire/Explosion:	-	-
10-Fire, Other	2	7
11-Structure Fire/Commercial	0	3
11-Structure Fire/Residential	2	16
12-Fire in Mobile Property used as fixed structure	2	4
13-Mobile Property (vehicle) Fire	0	9
14-Natural Vegetation Fire	1	15
15-Outside Rubbish Fire	1	4
16-Special Outside Fire	1	2
17-Cultivated Vegetable Crop Fire	0	0
2-Overpressure Rupture:	0	0
3-Rescue Call and Emergency Medical Service Incidents:	154	989
4-Hazardous Conditions (No fire):	4	17
5-Service Call:	15	106
6-Good Intent Call:	11	63
7-False Alarm & False Call:	22	105
8-Severe Weather & Natural Disaster:	0	9
9-Other Situation:	1	2
Total Emergency Calls:	207	1441
Monthly Total Calls:	216	1446
Highest:		
	13:00	13:00
Lowest:		
	<1:00	<1:00
Average (Minutes/Seconds) :		
	4:55	4:55
Miscellaneous Reports:		
Training Hours	253.00	1939.76
Property Loss - \$	\$3500.00	\$210,100.00
Fire Personnel Injuries by Fire/Civilian Injuries by Fire	0	0
Advance Life Support Rescues	111	705
Number of Patients Treated	152	968
Child Passenger Safety Seat Inspections/Installations	7	52
Pre-Plans	31	209
Classes		
	4	28
Persons Attending		
	63	350
Plan Reviews		
	1	12
Final/Certificate of Occupancy	0	3
General/Annual Inspections	38	161
General/Re-Inspections (Violation Follow-up - Annual)	30	44
Business Licenses	10	43
All Other/Misc. Activities	21	68
Total Activities:	100	331

Authorized by:

James White

Code Enforcement / Ordinance Committee

Wednesday, August 13, 2014

1705 Main Street

Daphne, AL

Executive Conference Room

5:30 p.m.

Councilman Ron Scott, Chairman
Councilman Robin LeJeune

Councilman Pat Rudicell
Councilman Randy Fry

I. CALL TO ORDER / ROLL CALL:

There being a quorum present Councilman Scott called the meeting to order at 5:15 p.m.

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

Absent: Randy Fry.

Also present: Rebecca Hayes, City Clerk, recording secretary; Councilwoman Conaway; Councilman Joe Davis.

II. APPROVE MINUTES / July 11, 2014

There were no corrections to the July 11, 2014 minutes, and stand approved as written.

III. PUBLIC PARTICIPATION

No one spoke.

IV. ORDINANCE REVIEW

1. Amending Ordinances 2013-21 Council Rules of Procedure.

a.) Amendment: Setting committee and board agendas

The committee made the following recommendations to **amend Section XVIII:**

ADD:

- a.) Council may voluntarily serve on any committee or board with a minimum of three
- b.) Council President shall not chair a committee or board
- c.) Chairman of committee or board is selected by members of the committee or board
- d.) No councilmember shall chair more than one (1) committee or board
- e.) Committee meeting agenda shall be set by the committee chairman along with the department head associated with the committee
- f.) The Mayor may add any item to any committee or board agenda with notification of the committee or board chairman
- g.) The Mayor may not delete any committee or board agenda item without approval from committee or board chairman
- h.) Committee or board meetings shall not go more than 90 minutes unless it a special called meeting

Amend Section V:

Move Public Participation down after Report of Officers and before Resolutions, Ordinances and Other Business.

Amendments to the ordinance will be presented at the September meeting for review.

V. OTHER BUSINESS

The committee discussed combining some committees and having them on the same Monday. Example: Buildings and Property and Public Works on the same Monday, which ever they choose, and then moving Public Safety and Ordinance Committees to the Monday vacated.

VIII. NEXT MEETING

The next meeting will be September 10, 2014

IX. ADJOURN

There being no further business to discuss the meeting adjourned at 6:05 p.m.

Respectfully submitted

Rebecca A. Hayes,
Recording Secretary

REPORT OF SPECIAL BOARDS

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF JUNE 5, 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:

Billy Mayhand
Willie Robison, Chairman
Frank Lamb
Philip Durant
William Scully
Thomas Warner *Arrived at 6:01 p.m.

Members Absent:

Larry Cooke

Staff Present:

Adrienne D. Jones, Director of Community Development
Pat Johnson, Recording Secretary
Jennifer Holyfield, BZA Attorney

Chairman called for the **Approval of Minutes** of the May 1, 2014 meeting. There were no corrections, additions or deletions.

A **Motion** was made by **Mr. Lamb** and **Seconded** by **Mr. Mayhand** to **approve the minutes. There was no discussion on the motion.**

The Motion carried unanimously.

Chairman called the next item on the agenda, **Appeal #2014-07 Brent Harwood**, a request for a variance proposing to change the side setback to eight point five feet, in lieu of the required twenty five feet, for an alteration to an existing nonconforming structure as described in Article 9-2 of the Land Use & Development Ordinance. The property is 1501 U.S. Highway 98, which is zoned B-2, General Business.

Ms. Jones displayed a Power Point Presentation regarding the proposal beginning with a brief description of the Board of Zoning Adjustment's authority as provided in Article 21 and an excerpt from Article 9-2 regarding nonconformance in the Land Use & Development Ordinance. The site is zoned B-2 with twenty five foot corner side yard minimum requirement. She showed aerial imagery of the area.

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF JUNE 5, 2014 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

She displayed the original plat and re-subdivision of the Webb Family Limited Partnership's land and its relationship to the subject property in relation to the surrounding area. Rather than make a recommendation Ms. Jones presented three alternatives for the Board of Zoning Adjustment to consider along with the possible outcome from each one. If Approved... Possible Outcome: Owner has the right to expand as indicated or tear-down and rebuild entire structure at the same location in future. If Denied... Possible Outcome: owner has the right to continue using the building as-is subject to Article 9-2. If granted with limited Approval... Possible Outcome: The Board of Zoning Adjustment could approve the variance to allow the enclosure, but should be clear in its position that this building shall maintain its classification as a non-conforming structure and therefore it remains subject to the provisions of Article 9-2 of the Land Use & Development Ordinance.

Chairman opened the floor for discussion. The Board questioned the limited approval option described by Ms. Jones.

Ms. Jones stated with limited approval they will be able to enclose the garage as it exists, but remain a nonconforming structure subject to the provisions of Article 9-2 of the Land Use & Development Ordinance.

Chairman opened the floor for public participation.

Mr. Partridge, a representative for Dr. Harwood, stated my name is Bill Partridge, I am here to ask you to grant approval to enclose the carport and of course we know that the structure will remain nonconforming.

The Chairman stated thank you. 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. Scully and Seconded by Mr. Durant to approve Appeal #2014-07, Dr. Brent Harwood variance request to allow the removal of the existing carport and replace it with an enclosed addition of the same size, at the same location as the existing carport. The proposed addition would not increase the encroachment into the setback, and this building shall maintain its classification as a non-conforming structure thereby, remaining subject to the provisions of Article 9-2 of the Land Use & Development Ordinance. There was no discussion on the motion.

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF JUNE 5, 2014 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

Upon roll call vote, the motion carried unanimously.

Mr. Mayhand	Aye
Mr. Lamb	Nay
Mr. Durant	Aye
Mr. Robison	Aye
Mr. Scully	Aye

Chairman explained that the request was approved and the paperwork can be picked up around nine o'clock in the morning in Community Development. He also asked for an election of a Chairman Pro Tem to be placed on the next meeting agenda.

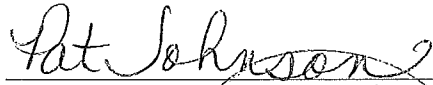
There being no other business the Chairman called for a **Motion to Adjourn**.

A **Motion** was made by **Mr. Lamb** and **Seconded** by **Mr. Mayhand** to adjourn. There was no discussion on the motion.

The Motion carried unanimously.

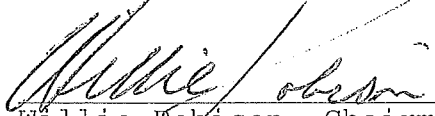
The meeting was adjourned at 6:23 p.m.

Respectfully submitted by:

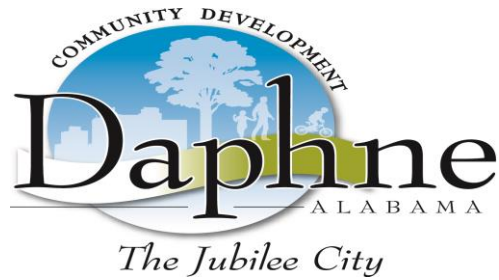


Pat Johnson, Recording Secretary

APPROVED: August 7, 2014



Willie Robison, Chairman



**CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT AGENDA
AUGUST 7, 2014 - 3:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

1. **CALL TO ORDER** - 3:00 p.m.
2. **CALL OF ROLL** - Present W. Robison, B. Mayhand, F. Lamb, P. Durant, L. Cooke, W. Scully
3. **APPROVAL OF MINUTES** - Approved

June 5, 2014

4. **OLD BUSINESS**
5. **NEW BUSINESS** - Upheld Appeal #1997-20 Interpretation of Special Exception for Medical Facility & Denied Secondary Special Exception request for non-medical professional office

Appeal #2014-08 101 Villa Dr LLC

A request to the City of Daphne Board of Zoning Adjustment has been filed for an interpretation of "Special Exception Variance" approved in Appeal #1997-20 in 1997, particularly in regard to the types of offices permitted in the Administrative Buildings. A second request, if granted, proposes to permit non-medical, professional-type offices to operate in the Administrative Buildings in addition to medical offices permitted by Appeal #1997-20. The property is 101 Villa Drive, which is zoned R-1, Low Density Single Family Residential.

6. **ADJOURNMENT** - 4:50 p.m.

REPORT OF OFFICERS



Robert Bentley
GOVERNOR

ALABAMA DEPARTMENT OF TRANSPORTATION

SOUTHWEST REGION
OFFICE OF REGION ENGINEER
1701 I-65 WEST SERVICE ROAD NORTH
MOBILE, ALABAMA 36618-1109
TELEPHONE: (251) 470-8200
FAX: (251) 473-3624



John R. Cooper
TRANSPORTATION DIRECTOR

July 15, 2014

The Honorable Dane Haygood
Mayor of Daphne
PO Box 400
Daphne, AL 36526

TD: Richard
7/25/14

Dear Mayor Haygood:

Re: MOA for Removal and Disposal of Storm Debris

Attached, please find a Memorandum of Agreement (MOA) detailing the responsibilities of the Alabama Department of Transportation and the City regarding the removal and disposal of storm debris from ALDOT maintained rights-of-way/roadways.

ALDOT is responsible for the first pass to remove the debris placed on the rights-of-way by storm events. After ALDOT completes the first pass, it will be the City's responsibility to remove any debris placed on the right-of-way. Please have the attached MOA executed and returned to this office by September 1, 2014. Should you have any questions, please contact Mr. Tommy Goodman, Maintenance Engineer, at (251) 450-2630.

Sincerely,

Vincent E. Calametti, P.E.
Region Engineer

VEC/TWG/bja

Attachment

c: File

MEMORANDUM OF AGREEMENT
BETWEEN THE STATE OF ALABAMA AND
THE _____ (COUNTY COMMISSION, MUNICIPALITY)
REGARDING REMOVAL AND DISPOSAL OF DEBRIS

This Memorandum of Agreement is made and entered into by and between the State of Alabama, acting by and through the Alabama Department of Transportation, hereinafter referred to as ALDOT; and the _____ (County Commission, Municipality), hereinafter referred to as (COUNTY, CITY); and

WHEREAS, ALDOT has control of and responsibility for maintenance and upkeep of the right of way on state roads and US routes; and

WHEREAS, a natural disaster or event that requires the removal of storm debris from the right of way on state roads and US routes could occur at any time; and

WHEREAS, after a first pass by ALDOT to remove storm debris from the right of way on state roads and US routes there is storm debris from private property that has been placed on state right of way; and

WHEREAS, ALDOT finds it to be in its best interest to have a Memorandum of Agreement with the (COUNTY, CITY) to perform debris removal operations on right of way on state roads and US routes in which debris was placed thereon by owners of private property; and

NOW, THEREFORE, the parties hereto agree as follows:

1. ALDOT authorizes the (COUNTY, CITY), its agent or its contractor to enter upon the state right of way at its discretion in order to arrange, order, gather, or otherwise marshal debris caused by or related to the debris resulting from an event or disaster and remove and dispose of the debris placed thereon by owners of private property.
2. This Agreement shall commence when executed by both parties and shall continue until terminated as provided herein, amended, or replaced with a new agreement. Except for as provided herein, this Agreement may be terminated with or without cause by either party upon ninety (90) days written notice. During a declared local, state, or federal state of emergency neither party shall be allowed to terminate this Agreement until the declared state of emergency has expired. If the (COUNTY, CITY) has authorized a contractor to remove debris in response to a disaster, the

terms of this Agreement shall survive the termination of Agreement for those areas which have been responded to prior to the termination until final payment and reimbursement is made for such debris removal.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date indicated below, and, each of the undersigned personally represent and warrant that they have the full right, power and authority to execute this Agreement on behalf of the respective parties.

ATTEST:

ALABAMA _____ (COUNTY, CITY),

As Clerk (Signature)

As Chairman (Signature)

Type Name of Clerk

Type Name of Chairman

Date: _____, 2014

Date: _____, 2014

APPROVED AS TO FORM:

Jim R. Ippolito, Jr.
Chief Counsel
Alabama Department of Transportation

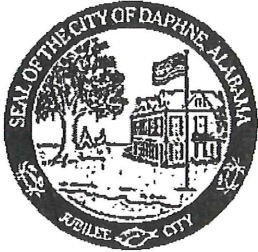
RECOMMENDED FOR APPROVAL:

John E. Lorentson, Deputy Director - Operations
Alabama Department of Transportation

APPROVED:

John R. Cooper, Director
Alabama Department of Transportation

Date: _____, 2014



City of Daphne Event Permit Application

Date of Application: JULY 24, 2014 Permit Requested: ☐ Event/Fundraiser ☒ Parade/Run ☐ Band

Contact Information

Organization Name: THE SCOTT WARD MEMORIAL FUND

Contact Name: ANDREA WARD E-mail Address: AEFWARD@GMAIL.COM

Address: 25130 AUSTIN ROAD, DAPHNE, AL 36526

Primary Phone Number: 251-591-3053 Secondary: 251-210-6185

Event Information

Event Name: THE SCOTT WARD "FIT FOR DUTY" 5K/FUN RUN Event Date: 11/15/2014

Event Location: WHISPERING PINES ROAD # Participants/Vehicles: 200 PARTICIPANTS

Start Time: 8:00 AM Stop Time: 10:00AM Assembly Time: 6:00AM SET UP

Special Requests: TO USE AL TRIONE PARK AS EVENT SET-UP LOCATION FOR: AWARD CEREMONY, PARKING FOR PARTICIPANTS, AND RESTROOM FACILITIES Road Closures Requested: ☒ Yes ☐ No

Special Instructions

I AM REQUESTING ROUTE # 4 .THANK YOU

Approval: Internal Use Only

Date Routed: 7/28/2014

Fire Dept: [Signature]

Police Dept: [Signature]

Public Works: [Signature]

Parks & Recreation: [Signature]

Only required if event interrupts traffic near Daphne parks

For Special Event/Band Permits:

Council Member: _____
District # Signature

For Parade/Run Permits & Use of City Grounds:

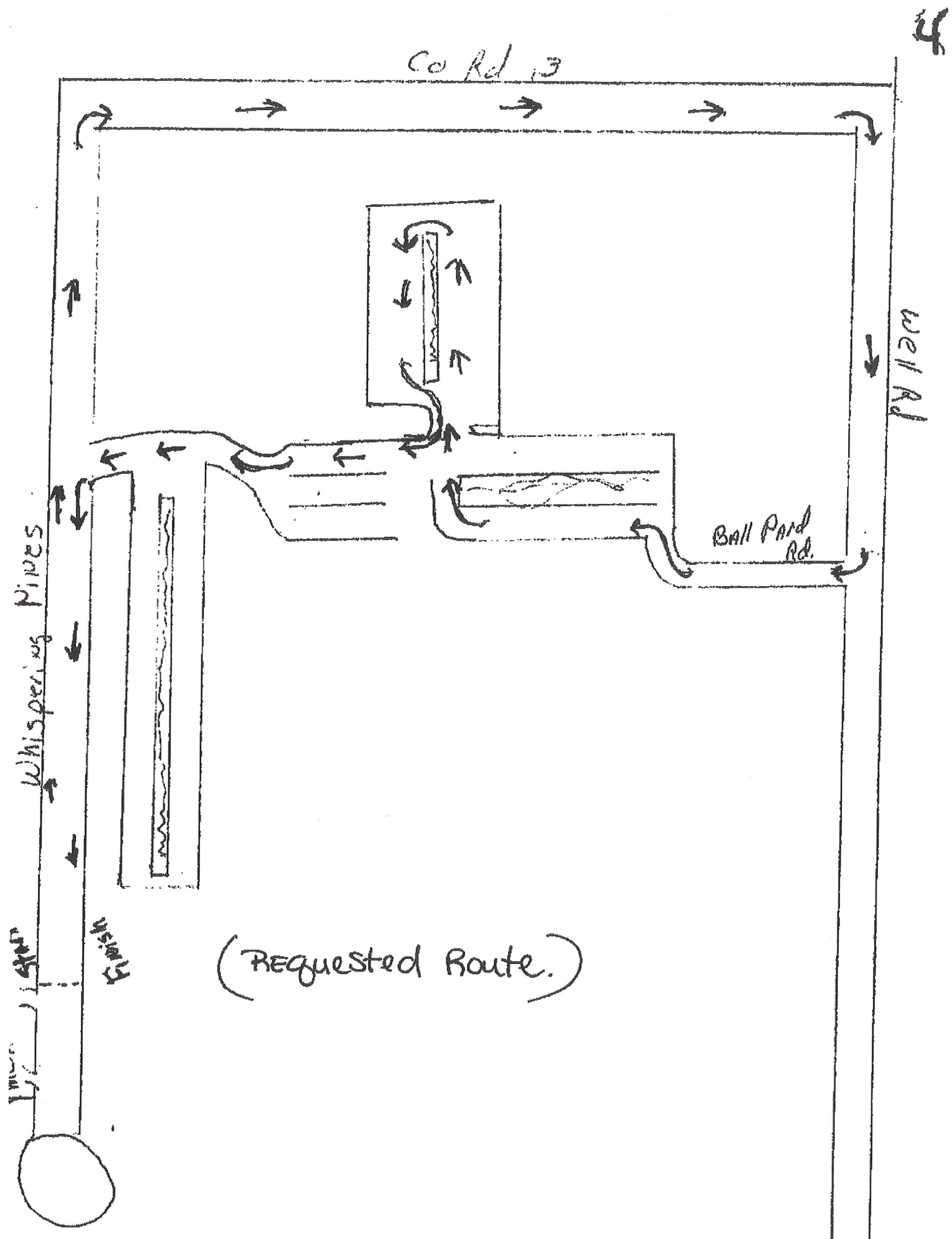
City Council: _____
Date of Approval

Parade/Run Permits ONLY

☐ Fee Paid: \$ _____ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☒ 4



RESOLUTIONS & ORDINANCES

RESOLUTION 2014 - 47

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

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

WHEREAS, the items listed below are recommended for disposal.

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

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

DEPT	EQ/VEH#	DESCRIPTION	VIN
Mechanical	7165	1987 Generator Briggs 10 HP 5.5KW Model 221432	
Mechanical	2527	1979 Generator Briggs 8HP 3KW Model 190437	A880251

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

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

Dane Haygood, Mayor

ATTEST:

Rebecca A. Hayes, City Clerk

RESOLUTION NO. 2014-49

2014-Q-PORTABLE RESTROOM

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 PORTABLE RESTROOM will exceed this amount; and

WHEREAS, Monies have been budgeted (\$45,000) for the purchase of a PORTABLE RESTROOM; and

WHEREAS, No bids were received and therefore can be negotiated; and

WHEREAS, Negotiated bids were received and staff has reviewed the negotiated bids for the PORTABLE RESTROOM (\$42,940 + \$2,030 shipping) and determined that the negotiated bid as presented is reasonable; and

WHEREAS, Staff recommends the negotiated bid for the PORTABLE RESTROOM be awarded to Jag Mobile Solutions.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the negotiated bid of Jag Mobile Solutions in the amount of \$44,970 (\$42,940 + \$2,030 shipping) for a Portable Restroom unit for BID SPECIFICATION NO. 2014-Q-PORTABLE RESTROOM.

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

ORDINANCE 2014-32

APPROPRIATION OF FUNDS: MAST ARM POLES & SIGNAL UPGRADE: JOHNSON ROAD & US HWY 98

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, Alabama Department of Transportation (ALDOT) will be reconfiguring the intersection of U.S. 98 and Johnson Road by shifting and adding turn lanes; and

WHEREAS, signals throughout the City are being systematically upgraded as needed for enhanced traffic flow and to allow the use of an Intelligent Traffic Signal System; and

WHEREAS, in addition to the reconfiguration of the turn lanes at U.S. and Johnson Road Mast Arm Poles & Signal Upgrades are needed for this upgrade; and

WHEREAS, ALDOT will reimburse the City 50% of the \$150,000 project cost for the Mast Arm Poles installation and Signal Upgrades.

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

1) funds in the amount of \$75,000 from General Fund be are hereby appropriated and made a part of the Fiscal Year 2014 budget for the Mast Arm Poles & Signal Upgrade at Johnson Road & US Highway 98 and

2) the Mayor is hereby authorized to execute any documents required in order for the City of Daphne to participate in such intersection project.

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, ALABAMA
ORDINANCE NO. 2014-33**

**Ordinance to Pre-zone Property Located
Northwest of the Intersection of County Roads 13 and 64
John White-Spunner, Kidco, L.L.C.; John White-Spunner Sidno, L.L.C. and Matt White**

WHEREAS, John White-Spunner, Kidco, L.L.C.; John White-Spunner & Sidno, L.L.C. and Matt White, as the owners of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property be pre-zoned from B-1, Professional Business Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne to B-2, General Business; and,

WHEREAS, said real property is Northwest of the intersection of County Roads 13 and 64, and more particularly described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 16, T5S-R2E, BALDWIN COUNTY, ALABAMA; THENCE ALONG THE SOUTH LINE OF SAID SECTION 16, T5S-R2E, RUN S 89° 57' 46" W 209.00 FEET TO A POINT; THENCE RUN N 00° 00' 46" W 38.76 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 (80' R/W); THENCE RUN N 00° 00' 23" E 170.24 FEET TO A POINT; THENCE RUN N 89° 55' 27" E 167.80 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 13 (80' R/W); THENCE ALONG SAID WEST RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 13 (80' R/W), RUN S 00° 36' 06" E 120.22 FEET TO A POINT; THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 13 (80' R/W), RUN S 44° 56' 44" W 70.85 FEET TO A POINT ON THE AFOREMENTIONED NORTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 (80' R/W); THENCE ALONG SAID NORTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 (80' R/W), RUN S 89° 57' 07" W 119.03 FEET TO THE POINT OF BEGINNING. CONTAINING 27,459 SQUARE FEET OR 0.6304 ACRE.

WHEREAS, at the City of Daphne Planning Commission meeting on June 26, 2014, the Commission considered said request and set forth a favorable recommendation to the City Council of the City of Daphne regarding said property pre-zoning request with the motion to set forth a favorable recommendation passing; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on August 4, 2014; and,

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

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

SECTION I: ZONING

That above described real property is hereby pre-zoned from B-1 Professional Business Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne to City of Daphne Zone B-2, General Business, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

SECTION II: REPEALER.

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

SECTION III: SEVERABILITY.

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

SECTION IV: EFFECTIVE AND EXPIRATION DATE.

This Ordinance, and in particular the pre-zoning shall take effect after the date of its approval by the City Council of the City of Daphne and publication as required by law. Pursuant to Code of Alabama (1975) Section 11-52-85, the zoning of the property, shall become effective upon the date the territory is annexed into the corporate limits, if any portion of the territory is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law then this pre-zoning shall be null and void.

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

Dane Haygood, Mayor

ATTEST:

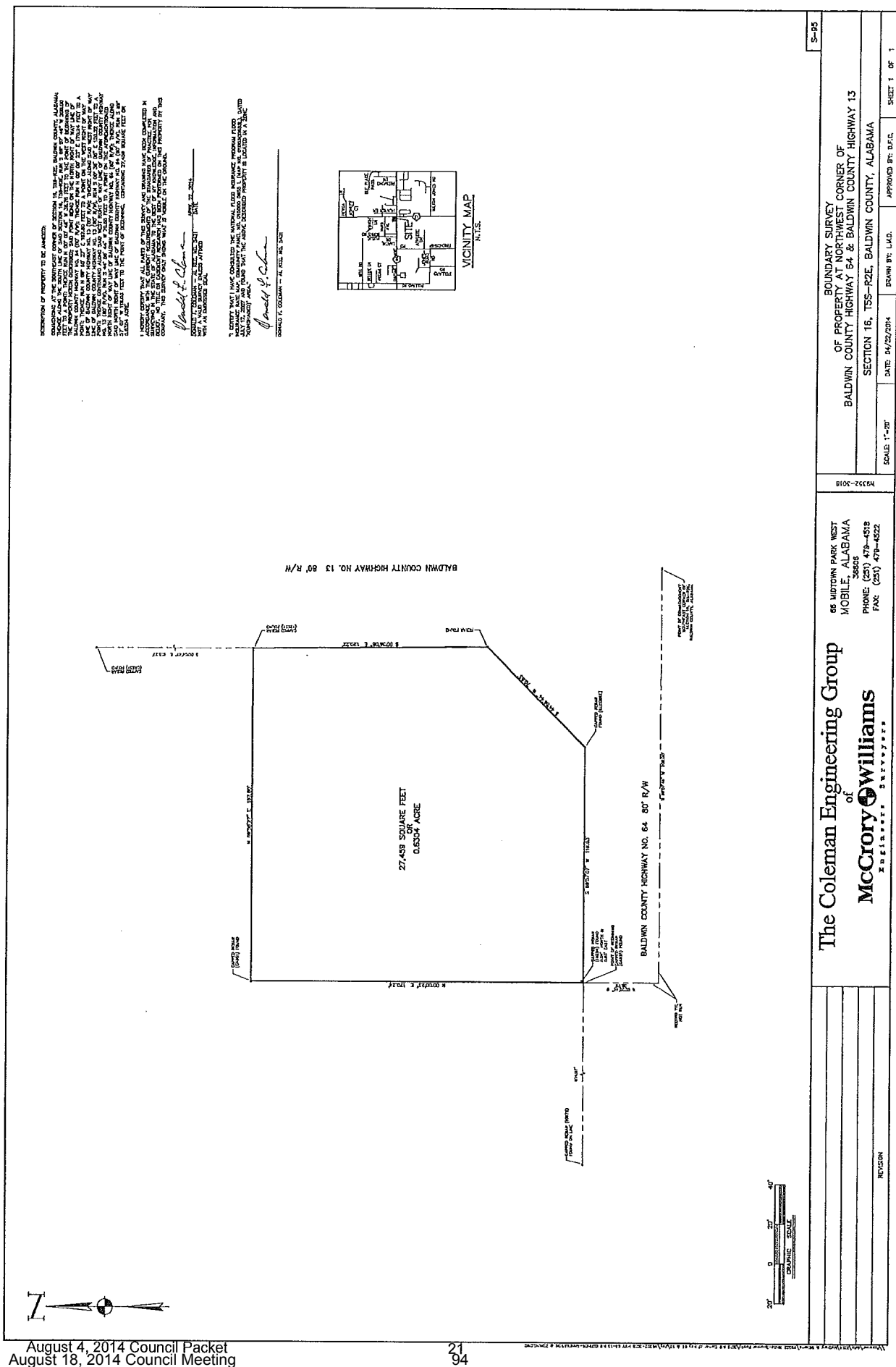
**Rebecca A. Hayes
City Clerk, MMC**

EXHIBIT "A"
REZONING APPLICATION
PROPERTY AT NW CORNER OF COUNTY HWYS 64 & 13
DESCRIPTION OF PROPERTY TO BE ANNEXED

LEGAL DESCRIPTION FOR JOHN WHITE-SPUNNER, KIDCO, LLC AND SIDNO, LLC:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 16, T5S-R2E, BALDWIN COUNTY, ALABAMA; THENCE ALONG THE SOUTH LINE OF SAID SECTION 16, T5S-R2E, RUN S 89° 57' 46" W 209.00 FEET TO A POINT; THENCE RUN N 00° 00' 46" W 38.76 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 (80' R/W); THENCE RUN N 00° 00' 23" E 170.24 FEET TO A POINT; THENCE RUN N 89° 55' 27" E 167.80 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 13 (80' R/W); THENCE ALONG SAID WEST RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 13 (80' R/W), RUN S 00° 36' 06" E 120.22 FEET TO A POINT; THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 13 (80' R/W), RUN S 44° 56' 44" W 70.85 FEET TO A POINT ON THE AFOREMENTIONED NORTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 (80' R/W); THENCE ALONG SAID NORTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 (80' R/W), RUN S 89° 57' 07" W 119.03 FEET TO THE POINT OF BEGINNING. CONTAINING 27,459 SQUARE FEET OR 0.6304 ACRE.

EXHIBIT "B"



**CITY OF DAPHNE, ALABAMA
ORDINANCE 2014-34**

**ORDINANCE TO ANNEX PROPERTY CONTIGUOUS
TO THE CORPORATE LIMITS OF THE CITY OF DAPHNE**

**Property Located
Northwest of the Intersection of County Roads 13 and 64
John White-Spunner, Kidco, L.L.C.; John White-Spunner Sidno, L.L.C.
and Matt White**

WHEREAS, on the 26th day of June, 2014, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

WHEREAS, said petition did contain the signatures of all owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

WHEREAS, after proper publication, a public hearing was held by the City Council on August 4, 2014 concerning the petition for annexation; and

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne on June 26, 2014 and an affirmative recommendation was approved for the City Council to consider said request for annexation and said property; and

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

SECTION ONE: ANNEXATION

The City Council of the City of Daphne, Alabama finds that and declares as the legislative body of the City of Daphne, Alabama that it is in the best interest of the citizens of the City of Daphne, Alabama and the citizens of the affected area, to bring the territory described in Section Two of this Ordinance into the City of Daphne, Alabama, and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, et seq., Code of Alabama, 1975; effective on publication as required by Section 11-42-21, Code of Alabama 1975, as amended.

SECTION TWO: DESCRIPTION OF TERRITORY

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

Owners: John White-Spunner, Kidco, L.L.C.; John White-Spunner & Sidno, L.L.C. and Matt White

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 16, T5S-R2E, BALDWIN COUNTY, ALABAMA; THENCE ALONG THE SOUTH LINE OF SAID SECTION 16, T5S-R2E, RUN S 89° 57' 46" W 209.00 FEET TO A POINT; THENCE RUN N 00° 00' 46" W 38.76 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 (80' R/W); THENCE RUN N 00° 00' 23" E 170.24 FEET TO A POINT; THENCE RUN N 89° 55' 27" E 167.80 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 13 (80' R/W); THENCE ALONG SAID WEST RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 13 (80' R/W), RUN S 00° 36' 06" E 120.22 FEET TO A POINT; THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 13 (80' R/W), RUN S 44° 56' 44" W 70.85 FEET TO A POINT ON THE AFOREMENTIONED NORTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 (80' R/W); THENCE ALONG SAID NORTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 (80' R/W), RUN S 89° 57' 07" W 119.03 FEET TO THE POINT OF BEGINNING. CONTAINING 27,459 SQUARE FEET OR 0.6304 ACRE.

SECTION THREE: MAP OF PROPERTY

The property hereby annexed into the City of Daphne, Alabama is set forth and described in Exhibit "B" and attached hereto a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this ordinance.

SECTION FOUR: PUBLICATION

This Ordinance shall be published as required by Section 11-42-21 Code of Alabama 1975, as amended, and the property described herein shall be annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama as required by Section 11-42-21, Code of Alabama 1975, as amended.

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

Dane Haygood, Mayor

ATTEST:

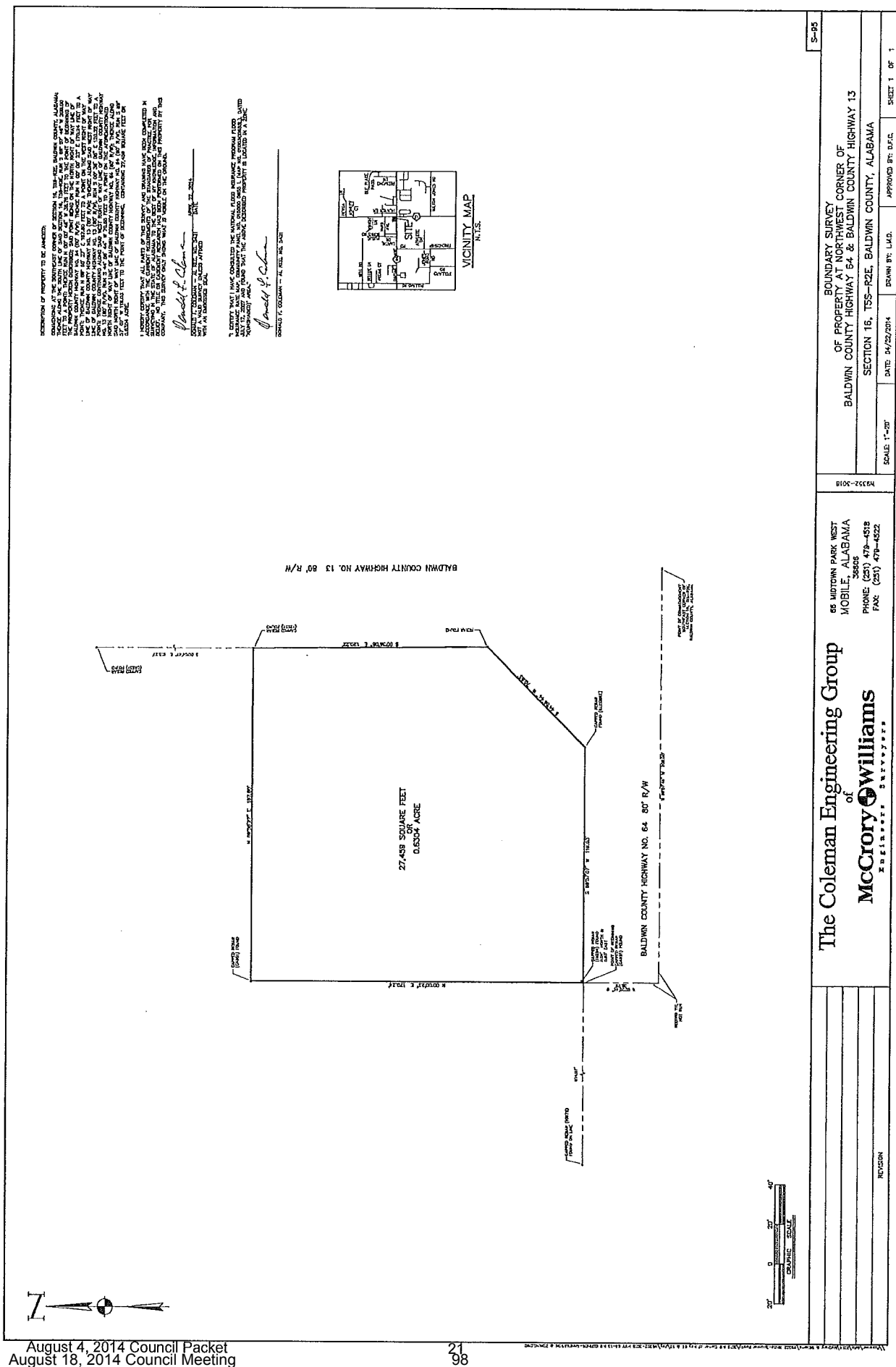
Rebecca A. Hayes, City Clerk

EXHIBIT "A"
REZONING APPLICATION
PROPERTY AT NW CORNER OF COUNTY HWYS 64 & 13
DESCRIPTION OF PROPERTY TO BE ANNEXED

LEGAL DESCRIPTION FOR JOHN WHITE-SPUNNER, KIDCO, LLC AND SIDNO, LLC:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 16, T5S-R2E, BALDWIN COUNTY, ALABAMA; THENCE ALONG THE SOUTH LINE OF SAID SECTION 16, T5S-R2E, RUN S 89° 57' 46" W 209.00 FEET TO A POINT; THENCE RUN N 00° 00' 46" W 38.76 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 (80' R/W); THENCE RUN N 00° 00' 23" E 170.24 FEET TO A POINT; THENCE RUN N 89° 55' 27" E 167.80 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 13 (80' R/W); THENCE ALONG SAID WEST RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 13 (80' R/W), RUN S 00° 36' 06" E 120.22 FEET TO A POINT; THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 13 (80' R/W), RUN S 44° 56' 44" W 70.85 FEET TO A POINT ON THE AFOREMENTIONED NORTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 (80' R/W); THENCE ALONG SAID NORTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 (80' R/W), RUN S 89° 57' 07" W 119.03 FEET TO THE POINT OF BEGINNING. CONTAINING 27,459 SQUARE FEET OR 0.6304 ACRE.

EXHIBIT "B"



**CITY OF DAPHNE
ORDINANCE 2014-35**

**ORDINANCE TO REPEAL AND REPLACE ORDINANCE 2008-19 TO
PROTECT THE AIR QUALITY IN THE CITY OF DAPHNE**

WHEREAS, Ordinance 2008-19 was approved and adopted February 18, 2008 to protect the public health and welfare by protecting the air quality within the City of Daphne; and

WHEREAS, the City Council has determined that various sections of Ordinance 2008-19 should be repealed and replaced to include E-Cigarettes and to eliminate any vagueness contained herein; and

WHEREAS, the City Council for the City of Daphne, Alabama has deemed it to be beneficial to the health, safety and welfare of the citizens of Daphne, Alabama to repeal Ordinance 2008-19 and replace the same with new standards as follows:

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

SECTION ONE: DEFINITIONS

The following words and phrases, whenever used in this Ordinance, shall be construed as defined in this Section:

- a. “Assisted Living Facility” means a living arrangement in which people with special needs, especially older people with disabilities reside in a facility that provide help with everyday tasks such as bathing, dressing, and taking medication.
- b. “Bar” means a stand-alone enclosed area in which the principal or sole purpose and business of the establishment is the serving of alcoholic beverages for consumption which comprises at least sixty percent (60%) or greater in gross sales. This term includes such establishments where the sale or service of food is made, but only if it is incidental to the service of alcoholic beverages. Bars must be posted off limits to minors and must not allow any minors inside.
- c. “Business” means a sole proprietorship, partnership, joint venture, corporation, or other business entity, either for-profit or not-for-profit,

includes retail establishments where goods or services are sold; professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered and private clubs.

- d. “E-cigs” means usage of any electronic cigarette (e-cig or e-cigarette), personal vaporizer (PV) or electronic nicotine delivery system (ENDS) or any battery powered device which simulates tobacco smoking.
- e. “Employee” means a person who is hired by another to perform a task or job in consideration for direct or indirect monetary wages, gain or profit, and a person who volunteers his or her services for a non-profit entity. This term includes independent contractors.
- f. “Employer” means a person, business, partnership, association, corporation, including a municipal corporation, trust, or non-profit entity that hires the services of one or more employees.
- g. “Enclosed Area” means that area between a floor and ceiling that is enclosed or is capable of being enclosed, on all sides by solid walls, windows, and/or doorways and which is climate controlled by a HVAC or similar air handling system.
- h. “Place of Employment” means an area under the control of an employer where employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles. A private residence is not a “Place of Employment” unless it is also used as a location of a business, child care, adult care or health care facility.
- i. “Private Club” means an organization, whether incorporated or not, that is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes at all times, which is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain, and which only sells alcoholic beverages incidental to its operation. The affairs and management of the organization are conducted by a board of directors, executive committee, or similar body chosen by the members at an annual meeting. The organization has established by-laws and/or a constitution to govern its activities. The organization has been granted an exemption from the payment of federal income tax under 26 U.S.C. Section 501. A private club is not open to the general public. A private club established for the purpose

of avoiding the prohibitions on smoking called for in this Ordinance shall be deemed a public place, however.

- j. “Public Place” means an enclosed area to which the general public is invited or is permitted, including but not limited to, banks educational facilities, health care facilities, hotel and motel lobbies, Laundromats, public transportation, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. A “Private Club” facility is a “Public Place” when being used for a function to which the general public is invited or allowed to attend. A private residence is not a “Public Place” unless it is used as a business location, child care, adult day care, or health care facility.
- k. “Retail tobacco store” means any retail establishment utilized primarily for the sale of tobacco products and smoking accessories in which the sale of other products, including food and beverages, does not exceed forty percent (40%) of gross revenues.
- l. “Smoking” means inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe, or other lighted tobacco product in any manner or form.
- m. “Sports Arena” means sports pavilions, stadiums, public recreational fields, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition, or witness sports or other events.

SECTION TWO: APPLICATION OF ORDINANCE TO CITY OWNED, OPERATED OR LEASED FACILITIES

All property, including building, vehicle, and parks which are owned, leased, or operated by the City of Daphne shall be subject to the provisions of this Ordinance.

SECTION THREE: PROHIBITION OF SMOKING IN PUBLIC PLACES

Smoking shall be prohibited in all enclosed Public Places, as well as the areas within a reasonable distance outside of the main entrance(s) of such Public Places, within the City of Daphne. E-Cigs shall be prohibited in all enclosed facilities that are owned, operated or leased by the City. For the purposes of this ordinance, City vehicles shall be considered enclosed facilities.

SECTION FOUR: PROHIBITION OF SMOKING IN PLACES OF EMPLOYMENT

Smoking shall be prohibited in all enclosed areas which are a place of employment. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, and all other enclosed areas. This prohibition on smoking shall be communicated to all existing employees by the effective date of this Ordinance and to all prospective employees upon their application of employment.

SECTION FIVE: PROHIBITION OF SMOKING IN OUTDOOR ARENAS AND STADIUMS

Smoking shall be prohibited in the seating areas of all outdoor sports arenas, stadiums, and amphitheaters, as well as in bleachers and grandstands for use by spectators at sporting and other public events.

SECTION SIX: REASONABLE DISTANCE

Smoking or E-Cigs shall be prohibited within a reasonable distance of twenty linear feet (20') outside all main entrances/exits to enclosed areas where smoking or E-Cigs, respectively are prohibited in this Ordinance.

SECTION SEVEN: WHERE SMOKING IS NOT PROHIBITED

Notwithstanding any other provision of this Ordinance to the contrary, the following areas shall be exempt from the prohibitions in this Ordinance:

- a. Private residences which are not also a place of employment, business or public place as herein defined.
- b. Hotel and motel rooms that are rented to guests and are designated as smoking rooms; provided, however, that no more than thirty percent (30%) of rooms rented to guests in a hotel or motel may be so designated. All smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into areas where smoking is prohibited under the provisions of this Ordinance. The status of rooms as smoking or non-smoking may not be changed, except to add additional non-smoking rooms.
- c. Private clubs when being used or occupied by its members and their guests only. This provision shall only apply when no individual under the age of nineteen (19) is present.

- d. Places of employment that do not meet the definition of an Enclosed Area (except those covered by the provisions of Section Five and Section Six).
- e. Bars.
- f. Private and semi-private rooms in assisted living facilities or long-term care facilities that are occupied by one or more persons, all of whom are smokers and have requested in writing to be placed in a room where smoking is permitted, provided that smoke from these places does not infiltrate into areas where smoking is prohibited under the provisions of this Ordinance.
- g. Retail tobacco stores, provided that no on premise consumption of alcoholic beverages is permitted and smoke from these establishments does not infiltrate into areas where smoking is prohibited under the provisions of this Ordinance.

SECTION EIGHT: DECLARATION OF ESTABLISHMENT AS NON-SMOKING

Notwithstanding any other provision of this Ordinance, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may designate the premises as a non-smoking place. Smoking shall be prohibited in any place in which a sign conforming to the requirements of Section 9(a) is posted. Any owner, operator, manager, or other person in control of private premises that complies with Section 9(a) of this Ordinance may also prohibit use of E-Cigs.

SECTION NINE: POSTING OF SIGNS

- a. “No Smoking” signs or the international “No Smoking” symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this Ordinance, by the owner, operator, manager, or other person in control of that place.
- b. Every public place and place of employment where smoking is prohibited by this Ordinance shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.

- c. All ashtrays shall be removed from any area where smoking is prohibited by this Ordinance by the owner, operator, manager, or other person having control of the area.

SECTION TEN: NON-RETALIATION; NON-WAIVER OF RIGHTS

- a. No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this Ordinance or reports or attempts to prosecute a violation of this Ordinance.
- b. An employee who works in a setting where an employer allows smoking does not waive or otherwise surrender any legal rights the employee may have against the employer or any other party.

SECTION ELEVEN: ENFORCEMENT

- a. This Ordinance shall be enforced by the Daphne Police Department or Code Enforcement Office as designated by the Mayor.
- b. Notice of the provisions of this Ordinance shall be given to all applicants for a business license in the City of Daphne.
- c. Any citizen who desires to register a complaint under this Ordinance may initiate enforcement with the Daphne Police Department.
- d. The Health Department, Police Department, Fire Department or their designees shall inspect for compliance with this Ordinance.
- e. An owner, manager, operator, or employee of an establishment regulated by this Ordinance shall inform persons violating this Ordinance of the appropriate provisions thereof.
- f. Notwithstanding any other provision of this Ordinance, an employee or private citizen may bring legal action to enforce this Ordinance.
- g. In addition to the remedies provided by the provisions of this Section, the City Clerk/Administrator or any person aggrieved by the failure of the owner, operator, manager, or other person in control of a public place or a place of employment to comply with the provisions of this Ordinance may apply for an injunction to enforce those provisions in any court of competent jurisdiction.

SECTION TWELVE: VIOLATION AND PENALTIES

- a. Any person who smokes in an area where smoking is prohibited by the provisions of this Ordinance shall, upon conviction, be guilty of an infraction punishable by a fine not to exceed FIFTY AND NO/100 DOLLARS (\$50.00) per occurrence plus court costs.
- b. A person who owns, manages, operates, or otherwise controls a public place or place of employment and who fails to comply with the provisions of the Ordinance shall be guilty of an infraction, punishable by:
 1. A fine not exceeding ONE HUNDRED AND NO/100 DOLLARS (\$100.00) for a first violation.
 2. A fine not exceeding TWO HUNDRED AND NO/100 DOLLARS (\$200.00) for a second violation within one (1) year.
 3. A fine not exceeding FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) for each additional violation within one (1) year.
- c. In addition to the fines established by this Section, violation of this Ordinance by a person who owns, manages, operates, or otherwise controls a public place or place of employment may result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.
- d. Violations of this Ordinance are hereby declared to be a public nuisance, which may be abated by the City Council by restraining order, preliminary and permanent injunction, or other means provided for by law. The City may take action to recover the costs of the nuisance abatement.
- e. Each day on which a violation of this Ordinance occurs shall be considered a separate and distinct violation.

SECTION THIRTEEN: SEVERABILITY

If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this Ordinance which may be given effect without

the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION FOURTEEN: REPEALER

Ordinance No. 2008-19 is hereby repealed in its entirety. All other City Ordinances or parts thereof in conflict with the provision of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION FIFTEEN: EFFECTIVE DATE

This Ordinance shall be effective immediately from and after the date of its adoption and its publication as required by law.

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

DANE HAYGOOD, MAYOR

ATTEST:

REBECCA A. HAYES, CITY CLERK

ORDINANCE 2014-37

Federal Emergency Management Agency (FEMA): Hazard Mitigation Grant Program (HMGP) Disaster Assistance for Lamar and Willet White, 104 Gordon Circle

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, on April the 29th and 30th the City of Daphne received 16.5" of rainfall which lead to severe flooding; and

WHEREAS, on May 2, 2014, FEMA declared the event a Major Disaster Declaration; Alabama *Severe Storms, Tornadoes, Straight line Winds, and Flooding (DR-4176)*; and

WHEREAS, the declaration activates the FEMA Hazard Mitigation Grant Program (HGMP). The HMGP provides grants to states and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Long-term mitigation measures may include but not be limited to; property acquisition and structure demolition, property acquisition and structure relocation, structure elevation, mitigation reconstruction, dry flood proofing, etc.; and

WHEREAS, the HGMP requires a state or local government sponsor; and 25% cost share for the grant; and

WHEREAS, the home of Lamar and Willet White, 104 Gordon Circle, Lot 30 Unit 21 in Lake Forest was flooded during the April 29-30th, 2014 disaster; and

WHEREAS, the Whites have requested to participate in the FEMA HMGP National Flood Insurance Program Buyout where the home would be purchased by FEMA with FEMA providing 75% of the approved market value of the residence; and with the homeowner or the sponsor providing the additional 25% share; and

WHEREAS, the White residence has an estimated market value of \$150,000;

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

Option A (Full Match)

- 1) The City of Daphne shall sponsor the approved qualifying grant application with the following conditions:
 - a. The property owner shall handle the entire FEMA HMGP application process; and
 - b. The City shall provide the 25% cost share for the grant. A General Fund appropriation not to exceed 25% of the FEMA approved market value of the

- c. home (\$37,500.00) less any in-kind labor/cash match as incurred for expenses such as demolition of the home shall be appropriated; and
 - d. The City will retain ownership of the vacant lot and shall deed restrict the lot to remain as floodway green space
- 2) The Mayor is hereby authorized to execute such proposal and any and all additional documents necessary to carry out the purpose of requesting such funds from FEMA; and

Option B (DEMO Only)

- 1) The City of Daphne shall sponsor the approved qualifying grant application with the following conditions:
 - a. The property owner shall handle the entire FEMA HMGP application process; and
 - b. The City shall provide the demolish expense cost share, not to exceed \$10,000. A General Fund appropriation not to exceed \$10,000 less any in-kind labor/cash match as incurred for expenses such as demolition of the home shall be appropriated; and
 - c. The City will retain ownership of the vacant lot and shall deed restrict The lot to remain as floodway green space
- 2) The Mayor is hereby authorized to execute such proposal and any and all additional documents necessary to carry out the purpose of requesting such funds from FEMA; and

Option C (Match Determined by Council)

- 1) The City of Daphne shall sponsor the approved qualifying grant application with the following conditions:
 - a. The property owner shall handle the entire FEMA HMGP application process; and
 - b. The City shall provide the (TBD%) cost share for the grant. A General Fund appropriation not to exceed (TBD)% of the FEMA approved market value of the home, less any in-kind labor/cash match as incurred for expenses such as demolition of the home; and
 - c. The City will retain ownership of the vacant lot and shall deed restrict the lot to remain as floodway green space
- 2) The Mayor is hereby authorized to execute such proposal and any and all additional documents necessary to carry out the purpose of requesting such funds from FEMA; and

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