

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
July 1, 2019
6:30 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
INVOCATION Pastor Bryant Evans, Eastern Shore Church of Christ
PLEDGE OF ALLEGIANCE

PRESENTATION: Daphne 5u T-Ball All-Star State Champions

3. **APPROVE MINUTES:** Council Meeting – June 17, 2019

4. **REPORTS OF STANDING COMMITTEES**

- A. **FINANCE COMMITTEE** – Conaway
Review the minutes from the June 17, 2019 meeting.
Sales Tax – April 2019 - \$1,486,830
Lodging Tax – April 2019 - \$104,865
Unrestricted Fund Balance – May 2019 - \$13,704,534
Total Cash Balance - \$23,268,760

MOTION to approve the LIT - \$1,500 – Legislative Budget.

- B. **BUILDINGS & PROPERTY COMMITTEE** – Goodlin
 - C. **PUBLIC SAFETY COMMITTEE** – Scott
 - D. **CODE ENFORCEMENT/ORDINANCE COMMITTEE** – Phillips
 - E. **PUBLIC WORKS COMMITTEE** – Coleman

5. **REPORTS OF SPECIAL BOARDS & COMMISSIONS**

- A. **BOARD OF ZONING ADJUSTMENTS** – Adrienne Jones
 - B. **DOWNTOWN REDEVELOPMENT AUTHORITY** – Conaway
 - C. **INDUSTRIAL DEVELOPMENT BOARD** - Rudicell
 - D. **LIBRARY BOARD** –Phillips
 - E. **PLANNING COMMISSION** – Scott
 - F. **RECREATION BOARD** – LeJeune
 - G. **UTILITY BOARD** – LeJeune

6. **MAYOR’S REPORT**

City Council Agenda – July 1, 2019

7. CITY ATTORNEY REPORT

8. DEPARTMENT HEAD REPORTS

9. CITY CLERK’S REPORT

10. PUBLIC PARTICIPATION

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

B. 2ND READ ORDINANCES:

2019-20 – Amend Job Classification Schedule – Information Technology Director

C. 1ST READ ORDINANCES:

2019-30 – Additional Appropriation: Corte Road/Austin Road Change Improvements Phase 1 and 2 - \$83,938

2019-31 – Additional Appropriation: Daphne Sports Complex: Excess Engineering Fees for 120 Day Contract Extension – Goodwyn, Mills & Caywood, Inc. - \$6,285

2019-32 – Additional Appropriation: Engineering Services for Bayfront Streetscape and Parking - \$10,000

2019-33 – Fire Code Ordinance

12. COUNCIL COMMENTS

13. ADJOURN

**June 17, 2019
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

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

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Pat Rudicell, Tommie Conaway, Doug Goodlin, Ron Scott, Joel Coleman and Angie Phillips

Council Member Absent: Robin LeJeune

Also Present: Candace Antinarella, City Clerk; Patrick Dungan, City Attorney; Kelli Reid, Finance Department; Adrienne Jones, Planning Director; Troy Strunk, Executive Director of City Development; Charlie McDavid, Athletic Director; Joey Wehrman, Facilities Director; James White, Fire Department; David Carpenter, Police Department; Tonja Young, Library Director; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Jessica Walker, St. Paul's Episcopal Church.

3. APPROVE MINUTES:

The minutes of the June 3, 2019 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilwoman Conaway said the committee met that afternoon. The minutes from that meeting will be in the next Council packet.

B. BUILDINGS & PROPERTY COMMITTEE

Councilman Goodlin said the May 2019 Building Reports are in the packet and next meeting will be July 8th at 5:15pm.

C. PUBLIC SAFETY COMMITTEE

Councilman Scott said minutes from the May 13, 2019 meeting are in the packet and the next meeting will be July 8th at 4:30pm.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilwoman Phillips said next meeting will be Monday, July 1st at 4:30pm.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the minutes from the Public Work Committee meeting on May 6 are in the packet along with the Beautification Committee April 2019 meeting minutes. He said the next meeting is July 1st at 5:30pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Adrienne Jones said there will be no meeting in July.

B. Downtown Redevelopment Authority

Councilwoman Conaway said the next meeting will be June 25th at 5:30pm.

**June 17, 2019
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

C. Industrial Development Board

Councilman Rudicell said the next meeting is June 18th at 4:30pm.

D. Library Board

Councilwoman Phillips said the next meeting is July 11th at 4:00pm. She said that the children's and teen's reading program is underway and encourages the public to get involved.

E. Planning Commission

Councilman Scott said the next meeting is June 27th at 5:00pm.

F. Recreation Board

Councilman LeJeune was absent. Councilman Rudicell asked the City Clerk if the recreation items discussed from the last Work Session be shared with the Council for review.

G. Utility Board

Councilman LeJeune was absent. There was no report.

6. MAYOR'S REPORT:

Mayor Haygood was absent.

7. CITY ATTORNEY REPORT:

City Attorney requested that the Council move to enter an executive session at the end of the agenda pursuant to Alabama Code Section 36-25A-7 to discuss preliminary economic development matters concerning trade or commerce. He advised the Council that the discussions would have a detrimental effect upon the competitive position of a party and/or upon the location, retention, expansion, or upgrading of a business entity in the City if disclosed outside of an executive session. He said no action would be needed from the Council.

8. DEPARTMENT HEAD COMMENTS:

No report from the Fire or Police Departments.

Troy Strunk said that the Building Department had issued 7 permits so far in June and were expecting to pick up 21 more.

City Clerk shared the Civic Center report from Mr. Williams. He stated that the Church of the Highlands will be hosting their Kids' Conference starting Monday, June 24th through Wednesday, June 26th beginning at 9:00am.

Tonya Young said the Library is very busy with the children's program. The students have had multiple classes including cooking and art.

Joey Wehrman gave the Facilities Report. He said that the parks are in full use. There were recently some adjustments to the restrooms at Trione Park as well as the scoring boxes being updated.

Troy Strunk said that Grounds Department will begin collecting the flags that were displayed for Flag Day.

9. CITY CLERK'S REPORT:

**MOTION by Councilman Coleman to approve the Daphne Witches Ride on October 27, 2019.
Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**June 17, 2019
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

MOTION by Councilwoman Conaway to approve the Daphmont Reunion – Maple Street Group on July 6, 2019 located at Maple Street in Daphne. Seconded by Councilwoman Phillips.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Coleman to authorize the Mayor to execute a lease agreement with Eastern Shore Repertory Theatre for use of Nicholson Center. Seconded by Councilman Goodlin. Councilman Coleman mentioned that this would be a five year agreement with ESRT.

MOTION CARRIED UNANIMOUSLY.

City Clerk notified the public of a special called meeting presented by the Baldwin County Commission in reference to a toll road from I-65 to I-10.

10. PUBLIC PARTICIPATION:

Public Participation opened at 6:44pm.

Jeannie Nelson, 1214 Randall Avenue, Daphne, shared her concern about the lack of help at the Daphne History Museum. She said she had heard there had recently been a part time position authorized, but none of them had heard about it being fulfilled.

Curt Fonger, 1443 Randall Avenue, Daphne, thanked the Department Heads for providing more details when they gave reports. He brought up a news story from WKRG concerning Daphne Recycling. He said he saw it mentioned on the City of Daphne Facebook page, but asked why it wasn't listed as news on the City of Daphne website.

Public Participation closed at 6:49pm.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

2019-44 – 2019-O-FY2019 Street Resurfacing Bid Award

2019-45 – Intergovernmental Service Agreement for Use of County Voting Machines, Custodian and Employees for Municipal Election

2019-46 – Declare Certain Property Surplus and Authorize the Mayor to Dispose of Such Property – Miscellaneous Vehicle/Equipment Parts and Chemicals

2019-47 – Declare Certain Property Surplus and Authorize the Mayor to Dispose of Such Property – Dance Flooring

MOTION by Councilwoman Conaway to waive the reading of Resolution 2019-44, 2019-45, 2019-46 and 2019-47. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to adopt Resolution 2019-44. Seconded by Councilman Scott. Councilwoman Conaway said this Resolution had previously been discussed in Finance Committee meeting. Councilman Rudicell said that the City is developing a 20 year road repaving plan.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to adopt Resolution 2019-45. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.

**June 17, 2019
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

**MOTION by Councilman Scott to adopt Resolution 2019-46. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2019-47. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

ORDINANCES:

2nd READ:

2019-27 – Additional Appropriation for First Responder Safe Room for Public Works - \$58,334

2019-28 - Appropriation – Daphne Sports Complex – Excess Engineering Fees for 120 Day Contract Extension - \$18,511

2019-29 – Additional Appropriation – Daphne Sports Complex Bleachers

**MOTION by Councilwoman Phillips to waive the reading of Ordinance 2019-27, 2019-28 and 2019-29.
Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to adopt Ordinance 2019-27. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to adopt Ordinance 2019-28. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to adopt Ordinance 2019-29. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

1st READ:

2019-20 – Amend Job Classification Schedule – Information Technology Director

Councilman Rudicell said that there is now a “drop date” to hire on this position. If it is not filled within the time frame given, it will be revisited.

12. COUNCIL COMMENTS:

**MOTION by Councilwoman Phillips to set up a special called work session on Monday, June 24th at 6:00pm to discuss the Daphne recycling program and the increased cost that is ongoing. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

Councilwoman Phillips said that at the last work session, Public Works Director Jeremy Sasser gave information on the recycling program and the growing costs.

Councilman Scott said there is no longer a market for recycling material anymore. The City currently pays \$29 a ton tipping fee to take the garbage to the County disposal area. He said this work session is very important and would like the public’s input.

**June 17, 2019
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Councilman Goodlin invited the public to the upcoming work session. He thanked Public Works for the repairs they made to the boardwalk on Highway 13.

Councilwoman Conaway said the next Education Advisory Committee meeting is Monday, June 24th at 11:00am.

Councilman Rudicell said the next few work sessions are being lined up. He said that they discussed recreation and budget in the previous work sessions. He said he would like to revisit these items.

City Attorney said “as a licensed attorney in good standing with the Alabama Bar, I certify that there is an appropriate reason to go into executive session under the provisions of the Alabama Open Meetings Act. I estimate that the session will last approximately 20 minutes and that the Council will not need to take any action following the session, so I recommend that the Chair state that the Council will not reconvene after the executive session. If such a motion is made and seconded, a majority of the Councilmembers present must adopt by roll call vote and the vote of each member must be recorded in the minutes.”

**MOTION by Councilman Scott to enter into Executive Session. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

City Clerk did a roll call vote.

Councilwoman Conaway	Aye
Councilman Coleman	Aye
Councilman Goodlin	Aye
Councilman Scott	Aye
Councilman LeJeune	Absent
Councilwoman Phillips	Aye
Council President Rudicell	Aye
MOTION CARRIED UNANIMOUSLY.	

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:03 P.M.

Respectfully submitted by,

Certification of Presiding Officer

Candace G. Antinarella, City Clerk

Pat Rudicell, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
JUNE 17, 2019
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:30 p.m.

Present were:

Chairman Mr. Pat Rudicell

Councilwoman Mrs. Tommie Conaway

Councilman Mr. Joel Coleman

Councilman Mr. Doug Goodlin

Councilman Mr. Ron Scott

Councilman Mrs. Angie Phillips

Also Present: Mayor Dane Haygood, Finance Director Mrs. Kelli Reid, Senior Accountant Mrs. Suzânn Henson, Human Resource Specialist Hannah Noonan, Benefits Coordinator Sherree Hilburn, Revenue Officer Courtney Coleman, Public Works Director Mr. Jeremy Sasser, Operations Director Mrs. Betsy Schneider, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Troy Strunk, Facilities Director Joey Werhman, and City Attorney Mr. Patrick Dungan. Also attending were Dewberry representatives: Mr. Logan Dunn and Mrs. Cathy Barnett.

II. PUBLIC PARTICIPATION

Mr. Gabrielle Tynes, Lagniappe Reporter introduced himself.

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were approved.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Noonan reviewed the Human Resource Report and noted two new positions including PW Service Worker Sr (Street) and IT Director was added after the report was submitted:

- Posted positions – 2
- Reviewing/Testing/Interviewing/Background check - 6
- Promotion/Internal Transfer - 1
- New Hires – 0
- Open positions – 2
- New Position (IT Director) pending adoption of Ordinance - 1

Mrs. Hinman provided the monthly Safety Committee meeting topics and other Human Resource projects and events.

Other HR projects/meetings/events:

- HR training for employees re: Harassment and Drug/Alcohol June 11-12, July 16-17
- New Employee Orientation June 21, 2019
- Employee Benefits Fair: July 30-31 and August 1

B. Overtime Report and Special Events Overtime Recap Report

The overtime report and special events overtime recap report was included in the packet.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – May, 2019

Mrs. Coleman reviewed the following reports and information:

- Code enforcement issued 16 warnings resulting in businesses becoming compliant and \$5,031.21 in revenue.
- New Businesses with a physical location in Daphne - 25 .

- Simplified Sellers Use Tax collections - \$41,798.89 and YTD collections - \$214,496.63.

BUSINESS LICENSE COUNT through 05/31/2019	
NEW Licenses	52
RENEWAL Licenses (2019)	93
PRIOR YEAR Licenses (2018 and Prior)	11
Total Issued THIS MONTH	156
Total Issued THIS MONTH - PREVIOUS YEAR	104
Net Gain/-Loss Current VS Previous Yr MONTH	+ 52
Total Issued YTD 2019	4,367
Total Issued YTD - PREVIOUS YEAR	4,099
Net Gain/-Loss Current VS Previous Yr YTD	+ 268

Business License Fee Historical Comparison 2018 / 2019				
	FY 18	FY 19	+/- Previous Year	Budget 2018 * \$2,215,000
October	\$5,258.84	\$7,486.91	\$2,228.07	(\$2,207,513.09)
November	\$8,566.59	\$3,983.03	(\$4,583.56)	(\$2,203,530.06)
December	\$41,564.84	\$2,614.81	(\$38,950.03)	(\$2,200,915.25)
January	\$1,420,279.64	\$1,409,468.98	(\$10,810.66)	(\$791,446.27)
February	\$569,031.88	\$698,411.44	\$129,379.56	(\$93,034.83)
March	\$183,259.10	\$169,548.90	(\$13,710.20)	\$76,514.07
April	\$29,229.51	\$48,761.33	\$19,531.82	\$125,275.40
May	\$15,686.44	\$28,001.93	\$12,315.49	\$153,277.33
Year to Date	\$2,272,876.84	\$2,368,277.33	\$95,400.49	\$218,277.33
* Amounts include penalty and interest.				

Mrs. Reid noted that this last weekend was the first weekend that Greeks Events and Catering operated the concession stand at the new Daphne Sports Complex. All went well.

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: April, 2019

Mrs. Henson reviewed the Sales & Use Tax Reports and Graphs: \$1,486,830 was collected for April, 2019 which was up \$152,561 from April 2018's collections:

- YTD Variance over Budget - \$ 133,815

B. Lodging Tax Collections, April, 2019

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for April, 2019 were \$104,865 which is down (\$6,306) from April 2018's collections .

- YTD Variance over Budget: \$26,944

C. Lodging Tax Fund : Statement of Rev over Exp, May, 2019

Mrs. Henson reviewed the Lodging Tax Statement of Revenues over Expenditure report for **May**, 2019.

- Unreserved balance for Bayfront related purchases - \$1,456,476
- Recreation related purchases - \$ 782,457

Mrs. Henson noted that recent expenditures for Lott Park Tennis Facility Lighting/Electrical Work - \$51,828 *are* reflected in the report.

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: May, 2019

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT						
As of May 31, 2019						
Account Type/Title	Bank / Brokerage	5/31/2019	4/30/2019	Increase (Decrease) from last Month	5/31/2018	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	Compass Bank1	\$ 7,607,138	\$ 8,441,100	\$ (833,962)	\$ 9,818,208	\$ (2,211,070)
CERTIFICATE OF DEPOSIT	Compass Bank	500,000	500,000	-	500,000	-
INVESTMENT FUND	Raymond James	5,574,858	5,500,211	74,647	5,256,468	\$ 318,390
CREDIT CARD ACCOUNT	Compass Bank3	22,538	14,936	7,602	10,172	\$ 12,366
Total Unrestricted Cash Balance		13,704,534	14,456,246	(751,713)	15,584,848	(1,880,315)
SPECIAL REVENUE FUNDS						
AGENCY FUNDS						
		3,420,240	3,601,240	(181,000)	3,663,661	(243,421)
CAPITAL PROJECT FUNDS						
CAPITAL RESERVE	Wells Fargo Bank1	4,177,303	4,594,867	(417,564)	2,423,672	1,753,631
2016 CAPITAL IMPROVEMENTS	Compass Bank	-	-	-	845,650	(845,650)
2017 CONSTRUCTION	Regions	-	356,662	(356,662)	8,430,197	(8,430,197)
2019 CAPITAL IMPROVEMENTS	Bryant Bank	914,542	-	914,542	-	914,542
		5,091,846	4,951,529	140,317	11,699,519	(6,607,673)
DEBT SERVICE FUNDS						
DEBT SERVICE	Wells Fargo Bank2	1,052,141	1,080,648	(28,507)	1,058,787	(6,646)
Total Restricted Cash Balance		9,564,227	9,633,417	(69,190)	16,421,967	(6,857,740)
Total City Cash Balance		\$ 23,268,760	\$ 24,089,663	\$ (820,903)	\$ 32,006,816	\$ (8,738,055)
		Encumbrance Total as of 5/31/2019			\$ 578,796.67	

Mrs. Reid noted the new 2019 Capital Improvements fund is listed on the Treasurer's report for May and that the balance is from the savings created from the partial refunding of the 2014 Warrant. Mrs. Reid also noted that the 2016 and 2017 funds closed out this fiscal year.

The Treasurer's Report as of MAY, 2019 Total Unrestricted Cash Balance - \$ 13,704,534 and Total City Cash Balance - \$23,268,760 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance is - \$ 578,796.67 as of May, 2019.

Mrs. Reid reviewed the Encumbrance Report and noted that several projects had started so those monies would be spent: Mechanical shop retaining wall, NRCS Emergency Watershed, Safe Room bid was just awarded, and the FS#5 project is progressing.

3. Outstanding Appropriations

Mrs. Reid discussed active projects: Corte Road, Joe Louis Patrick Park, Daphne Sports complex drainage, and road resurfacing projects. Mrs. Cathy Barnett, Dewberry discussed that Corte Road is basically on schedule.

4. Financial Overview: Debt Summaries & Monthly Financial Statements, April, 2019

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), **May, 2019**
 - o Jubilee Square: Debt payments are currently fully paid through December 2017 thus 17 months in arrears. Arrearage includes \$649,666 in principal and \$214,570 in interest

Monthly Financial Statements – April 2019 YTD Financial Highlights

General Fund:

	<u>FY 2019</u>	<u>FY 2018</u>	<u>Change</u>
• YTD Budgetary Net Income:	\$1,458,723	\$ 4,104,021	\$ (2,645,298)
• Total sales, use, and luxury tax collected for the year is approximately \$423,600 over prior year and \$134,000 over budgeted income			
• Investment and interest earnings are approximately \$296,000 over prior year to date collections			
• Ad Valorem Tax collections are approximately \$349,000 over prior year.			
• Unassigned Fund Balance: \$14,650,210			
• Outstanding Encumbrances: \$615,688			

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of April 30, 2019: \$36,120,897
- Outstanding Note Payable Balance as of April 30, 2019: \$779,102
- Outstanding Capital Lease Balance as of April 30, 2019:
 - o General Fund: \$1,112,984
 - o Enterprise Funds: \$375,258

Capital Project Funds (Capital Reserve, 2016 Construction, and 2017 Construction):

- YTD Park Improvements Expenditures: \$8,514,558
- YTD Corte Road Paving Expenditures: \$340,819
- The 2016 Construction was closed in February with all of the bond refunding proceeds being expended on Lott Park

Special Revenue Funds (11 separate funds):

- Lodging Tax Fund –
 - o Bayfront Unreserved Fund Balance: \$1,435,720
 - o Recreation Unreserved Fund Balance: \$815,554
 - o Total lodging tax collected year to date is approximately \$27,000 over prior year and budgeted income

Enterprise Funds (Solid Waste, Civic Center, and Bayfront):

- Year to date transfers for each of the enterprise funds were as follows:

	<u>FY 2019</u>	<u>FY 2018</u>	<u>Change</u>
Solid Waste Fund	\$ 163,104	\$ 185,602	\$ (22,498)
Civic Center Fund	\$ 17,895	\$ 141,454	\$ (123,559)
Bayfront Park Fund	\$ 80,902	\$ 100,542	\$ (19,640)

- Year to date revenue for a single vendor on a long term lease recognized by the Civic Center is \$120,000

5. Unfunded Future Projects Expenditure Summary

Mrs. Reid reviewed the Unfunded Future Projects Expenditure Summary. No appropriations have been made.

- Total Project Estimated Cost: \$8,850,000 - Total City Cost needing to be appropriated - \$6,632,000
- Annual Yearly Expenditures - \$1,650,000 - Total City Cost needing to be appropriated - \$1,650,000

Mrs. Reid discussed the project progress on the D'Olive Bay Boat Launch and Hwy98 Improvements (CR64 to Van Avenue).

6. Summary of Budgetary Amendments

Mrs. Reid reviewed the General Fund budgetary amendments made to the FY2019 Budget.

- Total Appropriations Year to Date – (\$2,788,417)
- Adjusted Expenses over Revenue – (\$2,727,017)

Mrs. Reid noted most appropriations monies have been spent and the FY2020 department budget worksheets have been sent to all departments.

B. Bills Paid Reports – May, 2019

The Bills Paid Report was submitted electronically.

VIII. BIDS (Resolution)

A. 2019-O-FY2019 Street Resurfacing

Mr. Sasser discussed the Street Resurfacing bid and the recommendation to award the bid to John G. Walton for in the amount of \$966,077 for specified streets and unit cost as bid. The following 20 roads are included in the bid:

1. Mill and Pave Sixth Ave South
2. Mill and Pave Ventura Circle
3. Mill and Pave Eisenhower Way
4. Mill and Pave Michael Loop
5. Mill and Pave Michael Circle
6. Mill and Pave Paige Circle
7. Mill and Pave Iris Circle
8. Mill and Pave Fifth Ave South
9. Mill and Pave Captain O'Neal Dr
10. Mill and Pave Golmon Circle
11. Mill and Pave Jason Circle
12. Mill and Pave Lancaster Way
13. Mill and Pave Lively Circle
14. Mill and Pave Jean Circle
15. Mill and Pave Shirley Circle
16. Mill and Pave Hanover Dr
17. Pave Only Pollard Rd
18. Pave Only County Road 64 from CR 13 Roundabout to AL HWY 181
19. Mill and Pave Wilson Ave from Pollard rd. to US HWY 98
20. Mill and Pave Old County Rd

Mr. Sasser explained that the bid cost was tied to the liquid asphalt index allowing some fluctuation in cost but he does not expect the cost to fluctuate more than a couple thousand dollars if any at all. Mr. Sasser explained that the index was included so that the cost bid would be lower because if it was not the original bid would have most likely been higher to compensate for potential cost increases in asphalt.

MOTION BY Mrs. Phillips to recommend to Council to award the 2019-O-Street Resurfacing bid to John G. Walton for in the amount of \$966,077 for specified streets and unit cost as bid. Seconded by Mr. Scott .

MOTION CARRIED UNANIMOUSLY

IX. APPROPRIATION REQUESTS: (Ordinance)

A. Daphne Sports Complex-Additional Appropriation – Extra Engineering Services-May 2019-HMR/GMC-\$6,285

Mrs. Reid noted the additional appropriation is for May 2019 and is part of the cost resulting from the 120 day contract extension. Mrs. Reid noted that HMR was purchased by GMC Network so this invoice has the new name.

MOTION BY Mrs. Phillips to recommend to Council to adopt the Ordinance amending the budget to appropriate \$6,285 from the General Fund to be transferred to the Capital Reserve Fund for additional engineering services required due to the 120 day extension for the Daphne Sports Complex. Seconded by Mr. Scott .

MOTION CARRIED UNANIMOUSLY

B. Bayfront Streetscape Improvements-Additional Appropriation: Engineering Services- Dewberry - \$10,000

Mrs. Reid noted that additional monies need to be appropriated to complete the design engineering phase of the project. Mrs. Reid noted that an invoice for \$8,268 is included in the packet and that \$10,000 is requested to cover additional cost.

MOTION BY Mr. Scott to recommend to Council to adopt an ordinance appropriating \$10,000 out of the Lodging Tax Fund for additional engineering services for the Bayfront Streetscape Improvements project. Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

C. Corte Road Additional Appropriation - \$83,938

Mrs. Barnett discussed the additional cost related to the project and the additional cost including granting access for existing property that lost access and some relocation work due to AT&T poles not relocated in time. A full summary of the additional cost was included in the packet. Mrs. Barnett noted that they will continue to negotiate lower cost for the items needed but they wanted to go ahead and present the estimated cost so the project could keep moving forward.

MOTION BY Mr. Scott to recommend to Council to adopt an ordinance appropriating \$83,938 from the General Fund and transferred to Capital Reserve Fund for the Corte Road project. Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

X. NEW BUSINESS

A. Legislative Training-Line Item Transfer Request - \$1,500

Mrs. Reid noted that the Mayor wanted the Council to approve the line item transfer requests from Council training budget since it is Council's budget. Discussion continued on Legislative's training budget and future training planned. Mrs. Reid noted just a motion is needed to approve the line item transfer.

MOTION BY Mr. Scott to recommend to Council to approve the transfer of \$1,500 from Council Training budget to Legislative Training budget. Seconded by Mr. Coleman .

MOTION CARRIED UNANIMOUSLY

B. Informational: Statutory Boards & Commissions – Insurance coverage under the City's policy

Mrs. Reid discussed the IDB's insurance requirements. Mrs. Henson noted that the IDB required a Certificate of Insurance be issued showing they had General Liability coverage on the DISC property in order to meet Grant requirements/receive grant funding. Included in the packet was insurance information from the City's insurance company clarifying that "the current Liability and Public Official policies provides coverage for the City and the Industrial Development Board at the DISC. The Industrial Development Board, as several incorporated boards in Daphne, is currently listed as an additional named insured. AMIC does this as an accommodation for the City and there is no real way to calculate an actual cost. If the Industrial Development Board wishes to purchase their own policies, General Liability and Directors and Officers, AMIC can provide them. Typically a 1,000,000 policy for both would be about \$2,300 a year. Property coverage can also

be provided if needed. Both General Liability and Directors and Officers would need to go together either on or separate from the City."

C. Lodging Tax – Bayfront Property acquisition loan payback

Mrs. Reid reviewed the Lodging Tax loan history and noted the debt is expected to be paid off in the next 10 – 10 ½ years.

XI. OLD BUSINESS

A. Nicholson Center Lease – Eastern Shore Repertory Theatre

Ms. Erin Langley discussed the summer programs schedule and the need for a change in the agreement to accommodate the changes. Mrs. Betsy Schneider stated that the change of hours of use change was made to allow for the summer program schedule. Discussion continued that a motion would be needed at the Council meeting following the Finance meeting when the topic was discussed.

XII. ADJOURN

The meeting adjourned at 5:55 p.m.

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2019 - 20**

Amend Job Classification Schedule: Information Technology Director

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

WHEREAS, the City of Daphne is the most populous city in Baldwin County in a society which has an ever expanding reliance on information technology in the increasing digital age; and

WHEREAS, the City of Daphne currently employs 302 part time and full time employees spread over thirteen office locations, fifteen departments and numerous other city facilities which stretch the demand on our IT infrastructure and support systems; and

WHEREAS, the City of Daphne IT Department has been traditionally composed of two employees – an IT Coordinator and an IT Technician; and

WHEREAS, in 2014 the City of Daphne previously recognized the need to explore adding a director level position to lead the City of Daphne's Information Technology (IT) efforts and created a job description for an IT Director position; and

WHEREAS, at the time the job description was created, The Archer Company reviewed the job description and recommended the position be classified as a Grade 36 in the City of Daphne Job Classification Schedule; and

WHEREAS, the City's IT Coordinator resigned to pursue other opportunities in January of 2019 and the City is currently operating with an IT Staff of one combined with the continued use of outside vendors; and

WHEREAS, the City finds it desirous to pursue hiring an IT Director by upgrading the existing IT Coordinator position to an Information Technology (IT) Director;

WHEREAS, due to the vacancies in the IT Department during FY19, an additional appropriation will not be necessary for the City to upgrade the IT Coordinator position to an IT Director position; and

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

1. The following is hereby incorporated into the City of Daphne Job Classification Schedule:

Grade 36: Information Technology Director

2. The City will pursue hiring an IT Director by upgrading the IT Coordinator position to an IT Director position.

3. In the event that the hiring process for an IT Director does not produce a viable candidate, the City may revert the IT Director position to the IT Coordinator position.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS
_____ day of _____, 2019.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE
ORDINANCE 2019-30**

**Additional Appropriation: Corte/Austin Road Improvements
Phase 1 and 2**

WHEREAS, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

WHEREAS, the City of Daphne is an incorporated municipality in Baldwin County and has experienced significant growth to the southeast that is currently served by County Road 13 and State Road 181; and

WHEREAS, the City of Daphne has taken an active role in transportation planning and improvements along these corridors and has identified a need for an additional east-west arterial connecting County Road 13 and State Road 181 with the ultimate objective to connect to U.S. Highway 98 via Johnson Road; and

WHEREAS, The Corte/Austin Road Improvements Phase 1 and 2 bids have been received and staff has reviewed the bids and determined that the low bid of Phase 1-\$834,627.05 and Phase 2-\$351,919.95 were reasonable; and

WHEREAS, total original project cost for Phase 1 and 2 was \$1,362,711 (\$1,186,547 + *Engineering fees (CE&I)*-\$176,164) with \$400,000 funding available from the Four and Seven Cent Gas Tax Funds and \$200,000 being provided by the Baldwin County Commission as approved in the FY2018 Budget; and

WHEREAS, The City of Daphne appropriated \$58,500 in Ordinance 2017-16 for survey, design and ROW mapping for services provided by Dewberry Engineers Inc. and \$5,800 in Ordinance 2017-72 for Geotechnical Material Testing, \$405,000 in Ordinance 2018-32 for Right of Way Acquisition costs, and 762,711 in Ordinance 2018-39 and \$35,522 in Ordinance 2019-04 for additional construction costs; however additional funding is needed for improvements to the project.

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

1. Funds in the amount of **\$83,938** from the **General fund to be transferred to the Capital Reserve Fund** are appropriated and made a part of the Fiscal Year 2019 budget for additional construction costs for the Corte Road Improvements – Phase 1 and Phase 2.
2. The construction contract timeframe will be extended twenty-two (22) days.
3. The Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate in such project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA this ____ day of _____, 2019.

Dane Haygood, Mayor

Attest:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE
ORDINANCE 2019-31**

**Appropriation: Daphne Sports Complex Phase: Excess Engineering Fees for 120 Day
Contract Extension – Goodwyn, Mills & Caywood, Inc.**

WHEREAS, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

WHEREAS, initial engineering fees were previously appropriated in Ordinance 2017-18 and 2018-19; and

WHEREAS, excess engineering services were performed for the Daphne Sports Complex Phase 2 & 3 to improve the plans and accommodate changes; and

WHEREAS, additional monies in the amount of \$106,622 were appropriated in Ord 2018-26, \$11,978 in Ord 2019-24 for February 2019 engineering fees, 18,511 in Ordinance 2019-28 for March – April 2019 engineering fees, and an additional appropriation in the amount of \$6,285 is needed for May 2019 engineering services performed during the 120 day contract extension timeframe: February, March, April, and May 2019.

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

- 1). Funds in the amount of \$6,285 from the General Fund and transferred to the Capital Reserve Fund are appropriated and made a part of the Fiscal Year 2019 budget for the additional cost for engineering services that were performed for the Daphne Sports Complex Phase 3 during the 120 day contract extension timeframe to accommodate changes and completion of the project.
- 2). The Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate in such project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2019.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE
ORDINANCE 2019-32**

**Additional Appropriation: Engineering Services for Bayfront Streetscape and
Parking**

WHEREAS, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

WHEREAS, Ordinance 2012-48 sets forth an allocation of Lodging Tax proceeds that may be used for Bayfront grounds/property improvements; and

WHEREAS, the Bayfront Streetscape and Parking Improvement project meets such criteria; and

WHEREAS, monies in the amount of \$86,700 were previously appropriated for engineering services and letting of the bid for the Bayfront Streetscape and Parking in Ordinance 2018-03; and

WHEREAS, further additional engineering services in the amount of \$10,000 are needed to complete the design engineering phase of the project.

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

1. Funds in the amount of **\$10,000** from the **Lodging Tax Fund** are appropriated and made a part of the Fiscal Year 2019 budget for Streetscape and Parking Improvement project.
2. The Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate in such project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA this ____ day of _____, 2019.

Dane Haygood, Mayor

Attest:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE
ORDINANCE 2019-33**

FIRE PREVENTION CODE FOR THE CITY OF DAPHNE

AN ORDINANCE TO REPEAL ORDINANCE NO. 2012-41 AND ADOPT THE 2018
INTERNATIONAL FIRE CODE WITH AMENDMENTS THERETO FOR THE CITY OF
DAPHNE, ALABAMA.

WHEREAS, the 2018 edition of the International Fire Code, copyrighted by the International Code Council, with amendments thereto, has heretofore been on file in the Office of the City Clerk of the City of Daphne, Alabama; and

WHEREAS, the City Council of the City of Daphne has determined that it is in the best interest of the health, safety, and welfare of its citizens to adopt the 2018 edition of the International Fire Code, as amended herein.

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

SECTION 1. ADOPTION OF THE INTERNATIONAL FIRE CODE, EDITION 2018

A.

Section 101.1 shall be deleted in its entirety and replaced with the following:

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

B.

Section 103.1 shall be deleted in its entirety and replaced with the following:

103.1 General.

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

C.

Section 103.2 Appointment of the Fire Code Official shall be deleted in its entirety.

D.

Section 105.6.32 shall be deleted in its entirety and replaced with the following:

105.6.32 Open Burning

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

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

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

E.

Section 105.7.1 shall be deleted in its entirety and replaced with the following:

105.7.1 Fixed Fire Extinguishing Systems Installation

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

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

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

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

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

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

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

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

E.1.

Section 105.7.1.1 shall be deleted in its entirety and replaced with the following:

105.7.1.1 Servicing Fixed Fire Extinguishing Systems

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

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

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

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

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

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

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

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

F.

Section 105.7.7 shall be deleted in its entirety and replaced with the following:

105.7.7 Fire Alarm System Installation

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

Stamped drawings from a licensed Engineer are required for any additions to an existing system.

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

Installer must possess a State Fire Alarm Permit issued by the State Fire Marshal's office.

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

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

Multi-Tenant Buildings. In multi-tenant buildings requiring automatic fire sprinkler systems, and where no fire alarm is required by Section 907, each tenant shall have at least one notification device (horn/strobe) to provide audible and visual notification upon activation of the listed sprinkler monitoring system.

Any multiple-family residential development that has a fire sprinkler system shall have a horn/strobe device located on the front side of the building visible from the roadway.

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

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

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

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

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

F.1.

Section 105.7.7.1 shall be deleted in its entirety and replaced with the following:

105.7.7.1 Servicing Fire Alarm Systems

No person shall engage in the business of servicing fire alarm systems without obtaining a permit from the Fire Code Official. The permit is good only for that calendar year of which it is issued. There is exception from the requirements of Section 105.7.7.1 installations of the following types:

- (1) One and two family dwellings
- (2) Any buildings with single station detectors only.

- (3) Owners of buildings may maintain their own systems as long as their maintenance person is certified by the manufacturer of the installed equipment or has National Institute for Certification in Engineering Technologies (NICET) level II in fire alarms.

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

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

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

G.

Section 105.7.8 shall be deleted in its entirety and replaced with the following:

105.7.8 Fire Pumps Installation

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

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

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

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

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

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

G.1.

Section 105.7.8.1 shall be added to read as follows:

105.7.8.1 Servicing Fire Pumps

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

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

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

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

H.

Section 105.7.26 shall be added to read as follows:

105.7.26 Portable Fire Extinguisher Service

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

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

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

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

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

I.

Section 105.7.27 shall be added to read as follows:

105.7.27 Install Automatic Fire Sprinkler Systems

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

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

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

Installer must possess a current City of Daphne business license.

Installer must have sprinkler plans stamped by a licensed Engineer and must be reviewed by the Fire Code Official before commencing installation.

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

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

Relocating more than three (3) sprinkler heads or adding any heads in an existing fire sprinkler system shall require a permit from the Bureau of Fire Prevention and stamped drawings from an Engineer.

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

I.1.

Section 105.7.27.1 shall be added to read as follows:

105.7.27.1 Servicing Fire Sprinkler Systems

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

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

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

Installer must possess a current City of Daphne business license.

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

The permit shall be valid only for the calendar year in which it is issued.

J.

Section 105.7.28 shall be added to read as follows:

105.7.28 Additional Permits

All permit requirements shall be followed.

Where work for which a permit is required by this code commences prior to obtaining said permit, the permit fee herein specified shall be doubled plus \$100.

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

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

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

General requirements for a permit are as follows:

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

K.

Section 110.4 shall be deleted in its entirety and replaced with the following:

110.4 Violation penalties

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters, repairs, or does work in violation of the approved construction documents or any directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Fire Code Violation, punishable by a fine as determined by the Municipal Court Judge or by imprisonment as determined by the Municipal Court Judge, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. See Section 105.7.28 for applicable exceptions.

K.1.

Section 112.4 shall be deleted in its entirety and replaced with the following:

112.4 Failure to comply

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable and subject to penalties as determined by the Municipal Court Judge.

L.

Section 307.2.1 shall be deleted in its entirety and replaced with the following:

307.2.1 Authorization

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

M.

Section 307.4.1 shall be deleted in its entirety and replaced with the following:

307.4.1 Bonfires

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

N.

Section 503.2.5 shall be deleted in its entirety and replaced with the following:

503.2.5 Dead ends

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus per the provisions in accordance with Appendix D, Table D103.1. and figure D103.4. A Geo grid type material may be used for the turnaround but must be outlined along the edges of the area to be used.

O.

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

P.

Section 506.1 shall be deleted in its entirety and replaced with the following:

506.1 Key boxes

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

P.1.

Section 506.1.1 shall be deleted in its entirety and replaced with the following:

506.1.1 Locks

An approved lock shall be installed on gates or similar barriers where required by the Fire Code Official. If gate access is required by the Fire Code Official, it shall be by a key switch of an approved type.

Q.

Section 507.5.1.1 shall be deleted in its entirety and replaced with the following:

507.5.1.1 Hydrant for Fire Sprinkler Systems and Standpipe Systems

Building equipped with a standpipe or fire sprinkler system installed in accordance with Chapter 9 shall have a fire hydrant within 100 feet of the FDC (fire department connection).

R.

Section 508.5.7 shall be added to read as follows:

508.5.7 Hydrant Outlet Location

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

S.

Section 905.3.1 shall be deleted in its entirety and replaced with the following:

905.3.1 Building height

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

T. Appendices

The following appendices to the International Fire Code, 2018 Edition, are hereby adopted as part of the Daphne Fire Code:

Appendix A, Board of Appeals

Appendix B, Fire Flow Requirements for Buildings

Appendix C, Fire Hydrant Locations and Distribution

Appendix D, Fire Apparatus Access Roads

SECTION 2: ORDINANCES REPEALED

Ordinance 2012-41 shall be repealed in its entirety and replaced with the provisions of this Ordinance. All other ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3: SEVERABILITY

If any provision of this Ordinance is held to be invalid or unenforceable for any reason, such holding shall not in any way affect the remaining portions hereof, which shall remain in full force and effect.

SECTION 4: EFFECTIVE DATE

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

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
DAPHNE THIS ____ DAY OF _____ 2019.**

Dane Haygood, Mayor

Date & Time Signed: _____

ATTEST:

Candace G. Antinarella, City Clerk