

CITY OF OPELIKA
Minutes of City Council Meeting – April 21, 2015

The City Council of the City of Opelika met in regular session on the above date in the Council Chambers at City Hall.

President Eddie Smith called the meeting to order at 7:00 p.m. asking City Clerk Bob Shuman to call the roll.

PRESENT AND PRESIDING: Eddie Smith

MEMBERS PRESENT: Patricia Jones, Larry Gray, Dozier Smith T, David Canon

MEMBERS ABSENT: None.

President Smith called on the Reverend Tom Tippet to provide the invocation.

President Smith asked Emily Rajan and Taylor White, seniors at Opelika High School, to come up front to lead the Pledge of Allegiance.

READING OF MINUTES:

Mr. Canon made the motion to approve the City Council meeting minutes of April 7, 2015 and was seconded by Mr. Smith T. Designated item no. 1. Said minutes were approved as prepared with the following vote:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None.

UNFINISHED BUSINESS –

REMARKS BY THE MAYOR – Gary Fuller

Mayor Fuller called on Joey Motley, City Administrator, to provide the March 2015 Building Inspection report. Designated item no. 2.

Mayor Fuller presented a Proclamation for the 2015 Relay for Life.

Mayor Fuller recognized Dr. Farrell Seymore as the Alabama Secondary Principle of the Year.

Mayor Fuller recognized Sgt. Ben Blackburn as the Police Officer of the Quarter.

Mayor Fuller presented Captain Scott McBurney of the Fire Department with a performance award.

Mayor Fuller recognized Stephanie Durbin with the Fireman of the Year award.

Mayor Fuller presented service pins and recognition to employees from various departments.

CITIZENS COMMUNICATION –

Dick Lane and Bo Hill thanked Mayor Fuller and the City Council for their support of the Rally for Marriage that will be held on May 2nd at 9:30am in front of the Lee County Courthouse and invited everyone to come.

REPORT OF DISBURSEMENTS – none.

COMMITTEE REPORTS – none.

GENERAL BUSINESS –

Bob Shuman, City Clerk, presented a request from the 280 Big Cat for a beer & wine off premise license. Designated item no. 3. Mr. Smith T made the motion to approve with a seconded provided by Mr. Canon. The following vote was recorded:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

Mr. Shuman presented a public hearing for a demolition at 307 South 2nd Street. Designated item no. 4. President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said demolition. No one came forward to speak. President Smith closed the public hearing.

AWARDING OF BIDS –

RESOLUTION NO. 089-15

Custodial services for the P&R department. Designated item no. 5. Ms. Jones made the motion to approve and was seconded by Mr. Smith T. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

RESOLUTION NO. 090-15

Uniform cleaning for the Police department. Designated item no. 6. Mr. Gray made the motion to approve and was seconded by Mr. Canon. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

RESOLUTION NO. 091-15

Uniform cleaning for the Fire department. Designated item no. 7. Mr. Smith T made the motion to approve and was seconded by Mr. Canon. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

RESOLUTIONS – Guy Gunter.

RESOLUTION NO. 092-15

Expense reports from various departments. Designated item no. 8. Mr. Smith T made the motion to approve and was seconded by Mr. Gray. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

RESOLUTION NO. 093-15

A travel advance for an employee in OPS. Designated item no. 9. Mr. Canon made the motion to approve and was seconded by Ms. Jones. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

RESOLUTION NO. 094-15

To designate city personal property as surplus and authorize disposal. Designated item no. 10. Mr. Smith T made the motion to approve and was seconded by Ms. Jones. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

RESOLUTION No. 095-15

To purchase two (2) Chevy Tahoes for the Fire department. Designated item no. 11. Mr. Canon made a motion to approve and was seconded by Mr. Smith T. After the council had discussed the resolution in full, the question being put as to the passage of said motion and adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

RESOLUTION NO. 096-15

To authorize a demolition at 307 South 2nd Street. Designated item no. 12. Mr. Gray made the motion to approve and was seconded by Ms. Jones. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

RESOLUTION NO. 097-15

A grant application for bullet proof vest for OPD. Designated item no. 13. Mr. Canon made the motion to approve and was seconded by Mr. Gray. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

RESOLUTION NO. 098-15

A grant application to ALDOT for bicycle lanes. Designated item no. 14. Mr. Smith T made the motion to approve and was seconded by Ms. Jones. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

RESOLUTION NO. 099-15

A special appropriation to Main Street for the 2015 Film Night. Designated item no. 15. Mr. Canon made the motion to approve and was seconded by Mr. Gray. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

ORDINANCES –

The following ordinances were on this agenda for a 2nd reading.

ORDINANCE NO. 107-15

To amend the City Code of Ordinances, Chapter 26, encroachments in the public right of way, public easements, public grounds, etc. Designated item no. 16. Mr. Smith T made the motion to approve this ordinance and was seconded by Mr. Canon. After the council had discussed the ordinance in full, the question being put as to the passage of said motion and the adoption of said ordinance, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

ORDINANCE NO. 108-15

To amend the zoning ordinance & map, VC, GC district, I-1, GC district and VR-1 district to a C-3 for a parcel known as Smallwood Park. Designated item no. 17. Mr. Canon made the motion to approve this ordinance and was seconded by Mr. Smith T. After the council had discussed the ordinance in full, the question being put as to the passage of said motion and the adoption of said ordinance, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None.

ORDINANCE NO. 109-15

To amend the City's Personnel Policies & Procedures Manual. Designated item no. 18. Mr. Smith T made the motion to approve this ordinance and was seconded by Mr. Canon. After the council had discussed the ordinance in full, the question being put as to the passage of said motion and the adoption of said ordinance, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None.

The following Ordinances were presented for a 1st reading:

ORDINANCE NO. 110-15

To amend the City Code of Ordinances, Chapter 28, Sec. 28-406, deposits – OPS. Designated item no. 19. This ordinance was introduced by Mr. Canon.

Then Mr. Smith T made the motion to suspend the rules and consider this ordinance for approval. Ms. Jones provided a second to said motion. The following vote was recorded:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None.

Then Mr. Gray made the motion to approved said ordinance with a second provided by Mr. Canon. After the council had discussed the ordinance in full, the question being put as to the passage of said motion and the adoption of said ordinance, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith
VOTING NAY: None.

APPOINTMENTS –

1. To reappoint Johnny Ivey to the MPO Citizen Advisory Committee. Mr. Gray made the motion to approve and was seconded by Mr. Smith T. The following vote was recorded:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith
VOTING NAY: None..

ADJOURN –

At approximately 7:58 pm since there was no further City business to be considered, Ms. Jones made the motion to adjourn with a second provided by Mr. Gray. The following vote was recorded:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith
VOTING NAY: None

These City Council meeting minutes are hereby adopted and approved this the ____ day of _____, 2015.

President of the City Council
City of Opelika, Alabama

ATTEST:

R.G. “Bob” Shuman, CMC
City Clerk – Treasurer



*Rich in heritage,
with a vision
for the future*

Planning Department - Building Inspections Division

Telephone 334-705-5420

Fax 334-705-5159

Monthly Permits For March, 2015

Work & Repair On Buildings:

Building Repairs	Commercial	Residential
Buildings Condemned	0	0
Buildings Demolished	0	0
Building Repairs	0	0
Plumbing Upgrades	2	4
Electrical Upgrades	4	9
Mechanical Upgrades	1	0
Reroofs And Roof Repairs	0	0
Mobile Home Services	0	0
Building Additions/Accessory Structures	0	0

Monthly Totals For March 2006-2015

2006	\$8,898,925.00
2007	\$9,038,290.00
2008	\$11,125,217.00
2009	\$3,990,674.00
2010	\$4,607,791.00
2011	\$2,005,394.00
2012	\$5,987,841.00
2013	\$5,267,854.00
2014	\$3,207,661.00
2015	\$5,635,875.00

INSPECTION REQUEST TOTAL

388

Total Permits Issued:

0	New Buildings: Commercial	\$0.00
11	Commercial Renovations And Repairs	\$2,729,008.00
3	Signs	\$13,443.00
7	New Single Family Homes	\$1,652,881.00
15	Residential Repairs And Renovations	\$481,058.00
0	New Apartment Units	\$0.00
0	New Duplex Residences	\$0.00
36	Total Building Permits Issued	\$4,876,390.00
27	Electrical Permits	\$114,060.00
26	Plumbing Permits	\$506,040.00
16	HVAC Permits	\$139,385.00
105	Total Permits Issued For March, 2015	\$5,635,875.00

TAKEN FROM THE RECORDS OF THE
BUILDING INSPECTOR

Jeff Kappelman

Jeff Kappelman
Chief Building Inspector



*Rich in heritage,
with a vision
for the future*

Planning Department - Building Inspections Division

Telephone 334-705-5420

Fax 334-705-5159

Year To Date Report - 2015

Building Repairs	Commercial	Residential
Buildings Condemned	0	2
Buildings Demolished	1	10
Building Repairs	20	26
Plumbing Upgrades	13	27
Electrical Upgrades	21	53
Mechanical Upgrades	13	8
Reroofs And Roof Repairs	6	10
Mobile Home Services	0	1
Building Additions/Accessory Structures	0	25

Yearly Totals For Oct. 1st - Sept. 30th	
2006	\$156,630,888.00
2007	\$129,263,598.00
2008	\$127,407,288.00
2009	\$67,359,271.00
2010	\$96,662,342.00
2011	\$45,352,237.00
2012	\$178,221,004.00
2013	\$61,881,917.00
2014	\$79,409,560.00
2015	\$121,702,242.00

INSPECTION REQUEST TOTAL	2,042
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14	New Buildings: Commercial	\$92,275,340.00
38	Commercial Renovations And Repairs	\$4,991,357.00
18	Signs	\$111,693.00
70	New Single Family Homes	\$16,579,194.00
87	Residential Repairs And Renovations	\$1,353,189.00
0	New Apartment Units	\$0.00
0	New Duplex Residences	\$0.00
227	Total Building Permits Issued	\$115,310,773.00

151	Electrical Permits	\$2,144,598.00
125	Plumbing Permits	\$2,062,623.00
97	HVAC Permits	\$2,184,248.00

600	Total Issued for FY 2015	\$121,702,242.00
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Jeff Kappelman
JEFF KAPPELMAN
Chief Building Inspector

CITY OF OPELIKA - PLANNING DEPARTMENT
BUILDING INSPECTION DIVISION
MARCH, 2015 - MONTHLY BUILDING PERMIT DETAIL REPORT

PERMIT DATE	CONTRACTOR	STREET NUMBER	STREET NAME	OWNER	JOB DESCRIPTION	JOB COST
03/02/15	G & G Electronics	1101	Spring Drive	LCYDC-Safe Space	Commercial Fire Alarm	\$4,770.00
03/02/15	Holland Homes	6032	Lafayette Parkway	John Coggins	Residential Addition	\$81,969.00
03/02/15	Albert Swipes	3808	Flintwood Lane	Albert Snipes	Residential Accessory Building	\$2,874.00
03/03/15	Superior Roofing	300	2ND Avenue	Hal Smith	Commercial Roof Replacement	\$6,458.00
03/03/15	Rickey Jones	1801	Foxfire Lane	Rickey Jones	Residential Accessory Building	\$4,026.00
03/03/15	Atlas Signs Holding, Inc.	3792	Pepperell Parkway	Harbor Freight	Commercial Signage	\$7,800.00
03/03/15	Builders Professional Group, LLC	1102	Hampstead Lane	Builders Professional Group, LLC	Residential New Single Family	\$180,835.00
03/03/15	Builders Professional Group, LLC	3012	Stillwood Way	Builders Professional Group, LLC	Residential New Single Family	\$328,596.00
03/05/15	The Letlow Company	1703	Morris Avenue	Kathleen Chapman	Residential Addition	\$306,000.00
03/09/15	J & L Contractors	1101	Spring Drive	LCYDC-Safe Space	Commercial Interior Renovation	\$101,000.00
03/09/15	Harwood, LLC	1624	3RD Avenue	Hardwood, LLC	Residential Repairs	\$15,000.00
03/10/15	Signs, Inc.	1459	Fox Run Parkway	Marco's Pizza	Commercial Signage	\$4,643.00
03/10/15	Lawn Master Outdoor Living	4240	Anderson Road	Warren Stiles	Residential Accessory Building	\$6,000.00
03/10/15	Gold Hill Construction	403	Pleasant Drive	Millie Calloway	Residential Emergency Repairs	\$5,190.00
03/11/15	Bailey-Harris Construction Co.	2000	Pepperell Parkway	EAMC	Commercial Renovation Interior	\$1,023,567.00
03/11/15	Conner Brother's Construction	3309	Double Eagle Lane	Retirement Systems of AL	Residential New Single Family	\$168,041.00
03/11/15	Conner Brother's Construction	2206	Quail Ridge	Retirement Systems of AL	Residential New Single Family	\$204,145.00
03/12/15	Alan Yates	901	Morris Avenue	Joyce Delamar	Residential Deck Addition	\$15,000.00
03/13/15	Harry Nolen	816	N Railroad Avenue	Harry Nolen	Commercial Exterior Repair	\$2,650.00
03/13/15	Scott Fowler Construction	3607	Anderson Road	Austin Hagan	Residential Interior Renovation	\$3,800.00
03/16/15	Chainstore Construction, Inc.	2900	Pepperell Parkway	Wal-Mart	Commercial Remodel	\$888,777.00
03/16/15	Chainstore Construction, Inc.	2450	Enterprise Drive	Kroger	Commercial Remodel	\$76,929.00
03/16/15	Ramsey & Sons	2929	McKinley Drive	Builders Professional Group, LLC	Residential Roof Replacement	\$6,800.00
03/16/15	Opelika-Auburn Roofing	308	Hill Crest Court	Tom Brantley	Residential Roof Replacement	\$6,324.00
03/17/15	Below the Bridge/Mattress	126	S 10TH Street	Jamie Cooper	Commercial Signage	\$1,000.00
03/18/15	Monroe Roofing Co.	3501	Birmingham Hwy	SKI Lodge Apis	Multi-Family Bldg. Roof Replacement	\$17,500.00
03/18/15	Dack Homes West	3806	Granite Court	DRI Fieldstone	Residential New Single Family	\$191,264.00
03/18/15	His Misc. Projects	2304-A	Gateway Drive	Paul Ciavarelli	Commercial Interior Renovation	\$2,348.00
03/18/15	Riverchase Homes	1307	Live Oak Circle	Adam Shears	Residential New Single Family	\$285,000.00
03/18/15	Riverchase Homes	1309	Live Oak Circle	Jake Thompson	Residential New Single Family	\$295,000.00
03/23/15	Affordable Roofing	1200	India Road	Russell Nix	Residential Roof Replacement	\$4,075.00
03/24/15	Central Removal & Restoration	2740	Village Professional Drive	EAMC	Commercial Tenant Build Out	\$373,000.00
03/24/15	Scott Contracting	2015	Interstate Drive	Aspen Dental	Commercial Tenant Build Out	\$232,009.00
03/26/15	Richard Zayas	313	Autumn Way	Richard Zayas	Residential Swimming Pool	\$20,000.00

PERMIT DATE	CONTRACTOR	STREET NUMBER	STREET NAME	OWNER	JOB DESCRIPTION	JOB COST
03/26/15	Giulietta McClelland	901	E Towne Lake Parkway	Giulietta McClelland	Residential Accessory Building	\$1,000.00
03/30/15	Home Improvement	116	Hamer Place	Darlene Frazier	Residential Roof Replacement	\$3,000.00

Total \$4,876,390.00

TAKEN FROM THE RECORDS OF THE BUILDING INSPECTOR


JEFF KAPPELMAN
Chief Building Inspector



Revenue Department
City of Opelika
204 South Seventh Street
Opelika, Alabama 36801
(334) 705-5160 or (334) 705-5162
Fax: (334) 705-5163

CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

Instructions: Select the schedule of the Controlled License for which you are applying.
Check each license applicable.

- | | | |
|--|---------------|------------|
| ☐ BEER WHOLESale | Schedule #70 | \$ 250.00 |
| ☐ WINE WHOLESale | Schedule #71 | \$ 275.00 |
| ☐ BEER & WINE WHOLESale | Schedule #72 | \$ 525.00 |
| ☐ LOUNGE RETAIL LIQUOR CLASS 1 | Schedule #73 | \$2,000.00 |
| ☐ RESTAURANT RETAIL LIQUOR | Schedule #74 | \$1,000.00 |
| ☐ PRIVATE CLUB LIQUOR | Schedule #75 | \$1,000.00 |
| ☒ RETAIL WINE OFF PREMISE | Schedule #76 | \$ 75.00 |
| ☐ RETAIL WINE ON PREMISE | Schedule #77 | \$ 300.00 |
| ☐ RETAIL BEER ON PREMISE | Schedule #78 | \$ 75.00 |
| ☒ RETAIL BEER OFF PREMISE | Schedule #79 | \$ 50.00 |
| ☐ LOUNGE RETAIL LIQUOR CLASS 2
(PACKAGE STORE) | Schedule #80 | \$2,250.00 |
| ☐ SPECIAL RETAIL BEER AND WINE LICENSE FOR PUBLIC AND PRIVATE GOLF COURSES. | | |
| | Schedule # 81 | \$ 250.00 |
| ☐ SPECIAL EVENTS RETAIL LICENSE | Schedule # 82 | \$ 100.00 |
| ☐ BREWPUB | Schedule # 28 | \$ 750.00 |
| ☐ MANUFACTURER | Schedule # 28 | \$ 500.00 |
| ☐ DANCE HALL | Schedule #16 | \$ 110.00 |
| ☐ SPECIAL RETAIL MORE THAN 30 DAYS | Schedule #16 | \$ 250.00 |



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

APPLICANT INFORMATION

Date of Application:

1/16/2015

Legal Business Name:

ZBO BC LLC

Doing Business as (DBA):

280 B16 CAT

Applicant's Name:

William K York Jr

Applicant's Address:

2689 CARMICHAEL CT - PHOENIX AZ 85030

Applicant's Phone:

Date of Birth:

Driver License #:

State:

AL

Social Security Number:

Business Address:

1100 Columbus Pkwy/CLARK-AR 36801

Mailing Address:

(if different from Business Location)

Length of time at this location:

Ness

Name of Previous Tenant:

(if any)

280 Big Cat Inc

What other businesses will be conducted in association with the license(s) being applied for on this form?

CONVENIENCE STORE

Will alcoholic beverages be warehoused at any location other than above location? If yes, list the location below.

No

If this is an application for dance hall, give a description of the type of music which will be played (band, jukebox, etc.)

~~AG~~

If this is an application for private club, have you attached the required Articles of Incorporation and a list of the 150 paid-up members?

No



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

OWNERSHIP AND MANAGEMENT INFORMATION

Furnish the name, title, date of birth, current residence address and length of time living there for managers, partners of a partnership or members of an association, or all officers and directors of a corporation:

NAME	TITLE	BIRTH DATE	Citizen Yes/No	CURRENT RESIDENCE ADDRESS	How Long?
William E. Jones	Manager	3/2/61	Y	2657 Corewood Ct - Auburn	2 months
John Lee Campbell	" "	5/11/73	Y	" "	" "

Are all of the above U.S. Citizens? ☒ Yes ☐ No. If no, list name and give alien status:

List the previous address of any of the above-listed persons who have not resided at their current residence address for at least five years: (Must go back five years).

8215 Southport Terrace Duluth GA 30097

- 8 yrs -

Has the applicant, whether an individual, partner, or association member or officer and/or directors of a corporation ever been refused a federal, state or local permit or license or had permit or license revoked for the sale of alcoholic beverages?

☐ Yes ☒ No. If yes, give details:



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

CONVICTION INFORMATION

List your complete conviction record below, including convictions for driving while intoxicated: List CONVICTIONS of the Applicant, Partners or Association Members, Officers or Directors of the Corporation, whether they occurred in this city or any other jurisdiction. Exclude minor traffic violations. Attach background checks for each.

☒ I do not have any convictions according to the above instructions.

☒ I do have convictions as follows:

NAME	CONVICTION	DATE	LOCATION/JURISDICTION

NOTE: You must list all CONVICTIONS for your application to receive consideration by the City Council. Failure to do so may result in your application being denied for consideration.

You may list any comments concerning the above CONVICTION(S) if you desire.

I hereby affirm that I have attached a certified copy of the police arrest record which details ALL CONVICTIONS as per the above instructions. I understand that unless I furnish said required certified documentation, my application may be refused for consideration by the City Council as an incomplete application.

SIGNED

DATE



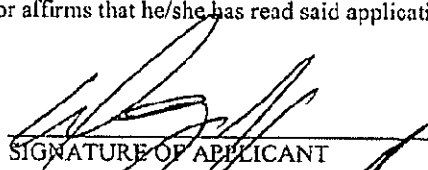
CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

AFFIRMATION OF STATEMENTS

The applicant hereby agrees, if the controlled license is issued, to comply with and fully observe all provisions of the CODE OF ORDINANCES OF THE CITY OF OPELIKA, and all the laws of the State of Alabama pertaining to a business of this type. The applicant further agrees, if the Controlled License is issued, to obey all rules and regulations promulgated by the Alabama Alcoholic Beverage Control Board, if applicable. The applicant understands that should he/she or it violate any of the provisions of any the laws of the State of Alabama, or any of the ordinances of the City of Opelika, Alabama, his/her or its license shall be subject to revocation. The applicant further understands that any application submitted which is incomplete or that contains false or inaccurate information shall be rejected and the processing of the application stopped. The applicant further understands that as a licensee, he/she or it will be held responsible for the actions and conduct of employees under their supervision while performing duties for him/her.

The applicant hereby agrees to release or provide all information relating to criminal convictions for use in processing and approval of this application.

The applicant for a Controlled License herein, hereby swears or affirms that he/she has read said application and all statements herein, and that facts set forth herein, are true and correct.

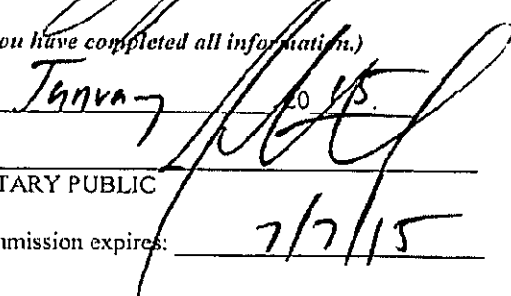

SIGNATURE OF APPLICANT

(Please initial each page to indicate that you have completed all information.)

Sworn to and subscribed before me on this the 16th day of

January

2015


NOTARY PUBLIC

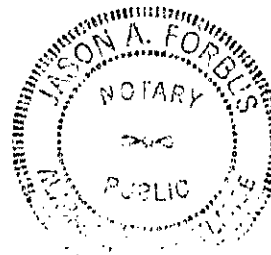
Commission expires: 7/7/15

SEAL

FINAL INSTRUCTIONS:

Attach the following (where applicable):

- ☐ Form #0653 Site Plan Review
- ☐ Form #0652 License Requirements Verification
- ☐ A site plan and floor plan showing the following:
 - All rooms and their dimensions
 - Use of each room,
 - All exits
 - Fire extinguisher locations
 - Rest room/s
 - Parking with number and size of spaces identified.
- ☐ Certified Record of Criminal Convictions
- ☐ Articles of Incorporation (for private club only)
- ☐ List of paid members (for private club only)



XXXX STATE ABI SEARCH RESULT AND RAP SHEET XXXXXXXXXXXX

121501300

YORK, JENNIFER GAIL

53592643

RESULT NON IDENT

.02733705

CERTIFIED COPY
OF
ABI DOCUMENT

ALABAMA ABC ENFORCEMENT - R #4

XXXXXXXXXX STATE ABI SEARCH RESULT AND RAP SHEET XXXXXXXXXXXXX

TCN:8121501301

NAME:YORK, WILLIAM KENNETH JR

SOC:183564378

ABI RESULT:ON IDENT

SID:AL02733628

CERTIFIED COPY
OF
ABI DOCUMENT

ALABAMA ABC ENFORCEMENT - R #4

TO BE COMPLETED BY CITY OFFICIALS (IN ORDER PRESENTED)

1) LEE COUNTY HEALTH DEPARTMENT PERMIT NUMBER N/A

Martha E. Wright
LICENSE AND TAX EXAMINER/DATE

2) I HAVE REVIEWED THE PLANS AND/OR INSPECTED THE PREMISES AND CERTIFY THAT ALL APPLICABLE BUILDING AND ZONING CODES HAVE BEEN COMPLIED WITH AND THAT THE FOLLOWING INFORMATION IS ACCURATE:

- A. FLOOR SPACE OF CUSTOMER AREA _____
- B. ZONING DISTRICT C-3, GC
- C. MAXIMUM OCCUPANCY _____
- D. PARKING REQUIREMENT EXISTING DEVELOPMENT

I FURTHER CERTIFY THAT BUILDINGS NOT YET COMPLETED WILL MEET ALL APPLICABLE BUILDING AND ZONING CODES BEFORE A CERTIFICATE OF OCCUPANCY IS ISSUED.

COMMENTS: CHANGE OF BUSINESS OWNERSHIP

Mark D. Jones 04-10-15
ZONING ADMINISTRATOR / DATE

Jeff Knebelman 4/10/15
BUILDING OFFICIAL / DATE

3) ENGINEERING DEPARTMENT HAS INSPECTED THE PLANS AND/OR PREMISES AND CERTIES THAT ALL PROVISIONS OF THE CITY CODE APPLICABLE TO ENGINEERING HAVE BEEN SATISFIED.

[Signature] 4/10/2015
ENGINEERING OFFICIAL / DATE

4) I HAVE INSPECTED THE PLANS AND/OR PREMISES AND CERTIES THAT ALL PROVISIONS OF THE APPLICABLE FIRE SAFETY CODES HAVE BEEN SATISFIED. I ALSO CERTIFY THAT ANY BUILDING NOT YET COMPLETED WILL BE INSPECTED IN ORDER TO ASSURE COMPLIANCE PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY.

R. Scott Muburns 4/10/15
FIRE INSPECTOR / DATE

5) THE POLICE DEPARTMENT HAS PERFORMED ALL REQUIRED BACKGROUND CHECKS AND HAS ATTACHED ANY REPORTS RECEIVED
COMMENTS: _____

[Signature] 04/14/2015
POLICE CHIEF / DATE

6) I HAVE REVIEWD THIS APPLICATION AND FIND THAT IT IS COMPLETE AND THAT ALL INSPECTIONS AND CERTIFICATIONS HAVE BEEN PERFORMED AND THAT THIS APPLICATION IS READY TO PRESENT TO THE COUNCIL.

[Signature] 4-14-2015
PURCHASING/REVENUE MANAGER / DATE

7) () APPROVED () DISAPPROVED BY CITY COUNCIL ON _____

CITY CLERK / DATE

NOTICE OF PUBLIC HEARING

TO: Sirco, Inc.
206 S. 8th Street
Opelika, AL 36801

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika, Alabama, will hold a public hearing on Tuesday, April 21, 2015, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Lee County, Alabama, to consider the adoption of a resolution ordering the demolition of building or structure located at 307 South 2nd Street in the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

Lot F in Block 10 of the Byrd Lands, according to as shown by Totten's Official Real Estate Map of the City of Opelika, 1930, recorded in Town Plat Book 2, at Page 9 in the Office of the Judge of Probate of Lee County, Alabama; together with all improvements thereon and appurtenances thereunto appertaining.

Being the same property conveyed by deed from Conral L. Cloetta and wife, Ellen D. Cloetta, to Sadie Simon, August 22, 1978 and recorded in records of deeds in Vol. Book 1039 at Page 634, in the Office of the Judge of Probate of Lee County, Alabama.

Also being further described as Parcel Number 43-10-03-08-2-002-151.000, according to records maintained in the Lee County Revenue Commissioner's Office.

At said public hearing, the City Council will determine whether the building or structure located at 307 South 2nd Street is unsafe to the extent it creates a public nuisance which shall be abated by removal or demolition of said building at the owner's expense; and, if so, will order the abatement of said nuisance and the demolition of said building or structure. If abatement and demolition are ordered, the cost of abatement and demolition shall be assessed against the above-described property and shall constitute a lien on the property. The amount of the lien shall be

added to the ad valorem tax bill on the property and shall be collected as if it were a tax and remitted to the municipality.

All interested persons are invited to appear before the Council in person or through his or her representative to show cause, if any, why his or her objection to the demolition and/or removal of said building or structure should be sustained. Written objections may also be filed with the City Clerk before the meeting of the Council.

This Notice is given pursuant to the provisions of §11-40-32, *Code of Alabama*. Reference is hereby made to the Resolution on file in the office of the Municipal Clerk for further particulars.

This Notice is given under my hand this the 19th day of March, 2015.



CITY CLERK OF THE CITY OF
OPELIKA, ALABAMA

Shuman, Robert

From: Jones, Jill P
Sent: Monday, March 16, 2015 3:03 PM
To: Kappelman, Jeffery
Cc: Chapman, David R.; Kelley, Gerald E. "Jerry"; Shuman, Robert; Fuller, Gary; Arrington, Barbara; Motley, Joey
Subject: Lis Pendens Notice and Notice of Public Hearing—307 South 2nd Street
Attachments: RESOLUTION ordering demolition 307 South 2nd Street 031615.docx; Sirco 307 South 2nd Street 031615.docx; NOTICE OF PUBLIC HEARING -- Demolition 031615.docx

Jeff,

*cm 4/21/15
NPH / Res. order Demo*

Attached are the Lis Pendens notice and the Notice of Public Hearing for 307 South 2nd Street.

If the Lis Pendens Notice is satisfactory, please sign the same where indicated, have it notarized, and record said document in the Probate Office of Lee County, Alabama. Also, attached for your review is a proposed Resolution ordering the demolition of the building. Please review all documents for accuracy and let me have your comments and suggestions.

If you have any questions, please don't hesitate to call me.

Guy Gunter

Jill P. Jones
Administrative Assistant
City Attorney's Office
City of Opelika, Alabama
25 South 6th Street
Opelika, AL 36801

(334) 705-2075 (Office)
(334) 705-5155 (FAX)

jjones@ci.opelika.al.us
www.opelika.org

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RESOLUTION NO. 089-15

WHEREAS, the Purchasing Department opened sealed bids for a contract for Custodial Services for the Parks and Recreation Department; and

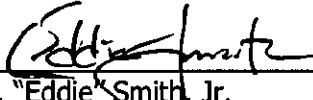
WHEREAS, American Facility Services, Inc. submitted the lowest bid meeting specifications; and

WHEREAS, this is a budgeted contract

NOW, THEREFORE, BE IT RESOLVED by the City of Opelika, Alabama as follows:

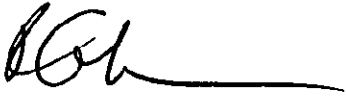
1. That the contract be awarded to American Facility Services, Inc. on their low bid meeting specifications
2. That the Mayor be authorized to execute all documents pertaining to this contract
3. The Controller is authorized to adjust the budget as necessary for this purchase
4. That the Purchasing-Revenue Manager be authorized to issue a purchase order to American Facility Services, Inc. The amount charged per month for the first, second and third year is \$4,600.00 per month. The amount charged for additional services is \$13.00 per hour.

APPROVED AND ADOPTED this the 21st day of April 2015.



C. E. "Eddie" Smith, Jr.
President of the City Council
City of Opelika, Alabama

ATTEST:



Robert G. Shuman
City Clerk - Treasurer

FACT SHEET

SUBJECT: Sealed Bid #B15-015 – We are asking the Council to approve a contract for Custodial Services

FACTS:

- Bid opening date – 4/6/15
- User department – Parks and Recreation
- The bid was mailed to 19 vendors
- 8 bids were received
- American Facility Services, Inc. submitted the lowest bid meeting specifications
- Budgeted contract
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend contract be awarded to American Facility Services, Inc. on their low bid meeting specifications**

Norrell, Angela

From: Finley, Lillie
Sent: Tuesday, April 14, 2015 11:58 AM
To: Norrell, Angela
Subject: FW: Custodial contract

Use this email as the recommendation.

Thanks,
Lillie

From: McLeod, John F
Sent: Tuesday, April 14, 2015 9:14 AM
To: Finley, Lillie
Cc: Bailey, Sam; Agee, Tommie; Pope, Reid; Huling, John
Subject: Custodial contract

Good morning Lillie

Sam and I talked and we do not feel that we have enough time to cancel the bid. When American facilities services gets the contract if they fail and have to be released could we then rebid the contract? Hopefully they are going to be able to do what they say they can do and we save \$51,000 a year.

So let's let AFS know that they have it.

Thanks

Mac

John F. McLeod
Opelika Parks and Recreation
Systems Coordinator
jfmcleod@opelika-al.gov
Office 334-705-5564
Cell 334-740-9501

My Dad always said "Don't tell me what you can't do tell me what you can do. Be as good as the best and better than the rest."

RESOLUTION NO. 090-15

WHEREAS, the Purchasing Department opened sealed bids for a contract to provide Uniform Cleaning for the Police Department; and

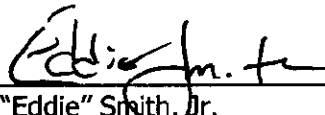
WHEREAS, Downtown Cleaners, Inc. submitted the lowest bid meeting specifications; and

WHEREAS, this is a budgeted contract

NOW, THEREFORE, BE IT RESOLVED by the City of Opelika, Alabama as follows:

1. That the contract be awarded to Downtown Cleaners, Inc. on their low bid meeting specifications
2. That the Mayor be authorized to execute all documents pertaining to this contract
3. The Controller is authorized to adjust the budget as necessary for this purchase
4. That the Purchasing-Revenue Manager be authorized to issue a purchase order to Downtown Cleaners, Inc. on an as needed basis

APPROVED AND ADOPTED this the 21st day of April 2015.



C. E. "Eddie" Smith, Jr.
President of the City Council
City of Opelika, Alabama

ATTEST:



Robert G. Shuman
City Clerk - Treasurer

FACT SHEET

SUBJECT: Sealed Bid #B15-016 – We are asking the Council to approve a contract for Uniform Cleaning

FACTS:

- Bid opening date – 4/13/15
- User department – Police
- The bid was mailed to 4 vendors
- 2 bids were received
- Downtown Cleaners, Inc. submitted the lowest bid meeting specifications
- Budgeted contract
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend contract be awarded to Downtown Cleaners, Inc. on their low bid meeting specifications**

Norrell, Angela

From: Clark, Ed
Sent: Monday, April 13, 2015 2:24 PM
To: Finley, Lillie; Norrell, Angela
Subject: Uniform Cleaning

The Uniform Cleaning bid submitted by Downtown Cleaners is acceptable. We would like to accept the contract and begin using them ASAP.

Cr in Ed Clark

RESOLUTION NO. 091-15

WHEREAS, the Purchasing Department opened sealed bids for a contract to provide Uniform Cleaning for the Fire Department; and

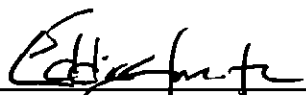
WHEREAS, Main Street Cleaners submitted the sole bid meeting specifications; and

WHEREAS, this is a budgeted contract

NOW, THEREFORE, BE IT RESOLVED by the City of Opelika, Alabama as follows:

1. That the contract be awarded to Main Street Cleaners on their sole bid meeting specifications
2. That the Mayor be authorized to execute all documents pertaining to this contract
3. The Controller is authorized to adjust the budget as necessary for this purchase
4. That the Purchasing-Revenue Manager be authorized to issue a purchase order to Main Street Cleaners on an as needed basis

APPROVED AND ADOPTED this the 21st day of April 2015.



C. E. "Eddie" Smith, Jr.
President of the City Council
City of Opelika, Alabama

ATTEST:



Robert G. Shuman
City Clerk - Treasurer

FACT SHEET

SUBJECT: Sealed Bid #B15-017 – We are asking the Council to approve a contract for Uniform Cleaning

FACTS:

- Bid opening date – 4/13/15
- User department – Fire
- The bid was mailed to 3 vendors
- 1 bid was received
- Main Street Cleaners submitted the sole bid meeting specifications
- Budgeted contract
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend contract be awarded to Main Street Cleaners on their sole bid meeting specifications**

[illegible]

Norrell, Angela

From: Adkins, Terry
Sent: Tuesday, April 14, 2015 2:45 PM
To: Norrell, Angela
Subject: RE: Bid Recommendation

Angela, It is my understanding that we had only one bid submitted for the Uniform Cleaning for the Opelika Fire Department. I recommend that we accept the only bid from the Main Street Cleaners.

From: Norrell, Angela
Sent: Tuesday, April 14, 2015 2:13 PM
To: Evans, Carrie L.
Cc: Adkins, Terry
Subject: Bid Recommendation

Don't forget to send us the recommendation for the uniform cleaning bid today if you would like it to go to council on 4/21/15.

Thank you!

Angela Norrell

Purchasing
City of Opelika
P.334.705.5120
F.334.705.5163

RESOLUTION 092-15

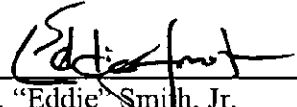
BE IT RESOLVED, by the City Council of the City of Opelika, Alabama, as follows:

- 1) That the following employees were required by the City of Opelika to travel on City business and/or attend a training session, meeting or conference.

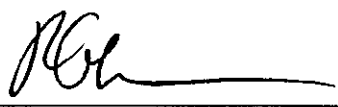
Employee	Department	\$ Amount
<u>Russell Jones</u>	<u>Accounting</u>	<u>\$ 188.60</u>
<u>TARA BRYAN</u>	<u>Municipal Court</u>	<u>160.03</u>
<u>Grant Fountain</u>	<u>Municipal Court</u>	<u>178.88</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- 2) That attached is an expense report(s) prepared, dated and signed by the City employee or official covering the various expenses incurred on said trip and reviewed/approved by the City's accounting department and City official(s).
- 3) That the Opelika City Council hereby approves the attached expense reports for reimbursement to said City employee or official.
- 4) That the Mayor and/or appropriate City official is hereby directed and authorized to take the necessary steps so a check can be prepared covering the attached expense reports.
- 5) That the City Treasurer is authorized to sign said check so it can be delivered to the appropriate City employee or official.

ADOPTED and APPROVED this the 21st day of April, 2015.


 C. E. "Eddie" Smith, Jr.
 President City Council
 City of Opelika, Alabama

Attest:


 Robert G. Shuman, CMC
 City Clerk – City Treasurer

EXPENSE REPORT

NAME Russell Jones DEPARTMENT Accounting PERIOD ENDING 4/24/15

ITEMIZE ALL REIMBURSABLE EXPENSES IN APPROPRIATE BLANKS - ITEMIZE ANY NON-REIMBURSABLE EXPENSES ON REVERSE OF LAST COPY.

DATE	DAY	CITY AND STATE	TRANSPORTATION				BUSINESS MEALS			ENTERTAINMENT Itemize Below	MISC EXPENSES Itemize Below	DAILY TOTAL
			LODGING	AIR, RAIL, ETC	RENTAL CAR, LIMO, ETC.	LOCAL TAXI, Tolls, & PUBLIC TRANSIT	AUTO EXPENSES Itemize Below	BREAKFAST	LUNCH			
	SUN											\$
	MON											\$
	TUE											\$
4/1	WED	Mileage going to - (TUSCALOOSA, AL)						94.30				\$ 94.30
4/2	THU	Mileage coming back from - (TUSCALOOSA, AL)						94.30				\$ 94.30
	FRI											\$
	SAT											\$
WEEKLY CATEGORY TOTALS			\$	\$	\$	\$	\$	\$ 188.60	\$	\$	\$	\$ 188.60

WEEKLY TOTAL OF EXPENSES ↑

ITEMIZED ENTERTAINMENT AND BUSINESS MEALS					
DATE	NAME OF PERSON(S) ENTERTAINED; COMPANY, TITLE	TIME & PLACE	NATURE & PURPOSE OF ENTERTAINMENT	AMOUNT	ALLOCATED TO BUSINESS

NUMBER OF DAYS AWAY FROM HOME

2 DAYS

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

0

NATURE OR PURPOSE OF TRAVEL

Certified Governmental Accounting Technician Program Class!

METHOD OF REIMBURSEMENT

MAIL TO: ACCT

REGIONS

ITEMIZED AUTOMOBILE EXPENSES			ITEMIZED MISCELLANEOUS EXPENSES		
DATE	MILEAGE, GAS, PARKING, REPAIRS, ETC	AMOUNT	DATE	ITEMS	AMOUNT
4/1/15	164 miles x .575	94.30			
4/2/15	164 miles x .575	94.30			

SIGNATURE

APPROVED BY

MAIL TO: ACCT

EXPENSE REPORT

NAME

Tara Bryan

DEPARTMENT

Municipal Court

PERIOD ENDING

04/03/15

DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS			ENTERTAINMENT Reimburse Below	MISC EXPENSES Reimburse Below	DAILY TOTAL	
			AIR RAIL, ETC	RENTAL CAR LIMO ETC	LOCAL TAXI TOLLS & PUBLIC TRANSPORT	MILEAGE Reimburse Below	BREAKFAST	LUNCH	DINNER				
SUN												0.00	
MON												0.00	
TUE												0.00	
WED	B'ham, AL									15.07		15.07	
THU	B'ham, AL									25.36		25.36	
FRI	B'ham, AL											0.00	
SAT												0.00	
WEEKLY CATEGORY TOTALS \$											0.00	0.00	160.03

WEEKLY TOTAL EXPENSES

NUMBER OF DAYS AWAY FROM HOME

2

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

0

NATURE OR PURPOSE OF TRAVEL

Magistrate Maintenance Fees

METHOD OF REIMBURSEMENT

☒ MAIL TO

MY ADVANCE

Snail to Municipal Court

ITEMIZED AUTOMOBILE EXPENSES

DATE	MILEAGE GAS, PARKING REPAIRS, ETC	AMOUNT
4-1-15	104 X 2 = 208	
through 4-3-15	208 X .575 =	119.60

ITEMIZED MISCELLANEOUS EXPENSES

DATE	ITEMS	AMOUNT

APPROVED BY

Tara Bryan

APPROVED BY

Tara Bryan

EXPENSE REPORT

PERIOD ENDING

04/03/15

NAME

Name W. Grant Fountain

DEPARTMENT

Municipal Court

Department

DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS			ENTERTAINMENT Amount Below	MISC EXPENSES 100% Below	DAILY TOTAL				
			AIR RAIL ETC	RENTAL CAR LIMO ETC	LOCAL TAXI, TOLLS & PUB- LIC TRANSIT	Miscellaneous Below	BREAKFAST	LUNCH	DINNER							
SUN												0.00				
MON												0.00				
TUE												0.00				
WED	B'ham, AL									30.36		30.36				
THU	B'ham, AL									28.92		28.92				
FRI	B'ham, AL											0.00				
SAT												0.00				
WEEKLY CATEGORY TOTALS \$											0.00	0.00	59.28	0.00	0.00	178.88

WEEKLY TOTAL EXPENSES

NUMBER OF DAYS AWAY FROM HOME

2

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

NATURE OR PURPOSE OF TRAVEL

Magistrate Training
Regional Seminar

METHOD OF REIMBURSEMENT

☐ DEDUCT FROM☒ MY ADVANCEMAIL TO
Municipal Court

ITEMIZED MISCELLANEOUS EXPENSES

DATE	ITEMS	AMOUNT

ITEMIZED AUTOMOBILE EXPENSES

DATE	MILEAGE, GAS, PARKING REPAIRS, ETC	AMOUNT
4/1/15	104 X 2 = 208	
through	208 X .575 =	119.60
4-3-15		

APPROVED BY

APR 1 2015 190462 3001

SIGNATURE

APPROVED BY

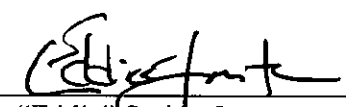
RESOLUTION NO. 093-15

WHEREAS, Field Services Technician, Thad Jones, is requesting a travel advance from the City Treasury for the purpose of attending the Fiber Optics 1-2-3 Training Course and Exam in Spartanburg, South Carolina from June 1, 2015 through June 5, 2015.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika, Alabama, a Municipal Corporation, as follows:

- 1) That the Opelika Power Services Director is hereby authorized to process the appropriate paperwork to the Accounting Department so a check for Six Hundred Fifty Dollars (\$650.00) can be prepared payable to Thad Jones.
- 2) That the City Treasurer is hereby authorized and directed to sign said advance check for \$650.00 payable to Thad Jones for travel expenses while attending the Fiber Optics 1-2-3 Training Course and Exam.
- 3) That said Field Services Technician shall present an itemized expense report immediately upon his return to the City.

APPROVED and ADOPTED this the 21st day of April, 2015.


C.E. "Eddie" Smith, Jr.
President City Council
Opelika, Alabama

ATTEST: 
Robert G. Shuman, CMC
City Clerk - Treasurer

Fact Sheet

Subject:

Travel Advance

Facts:

Field Services Technician, Thad Jones, is attending a Fiber Optics 1-2-3 Training Course and Exam in Spartanburg, South Carolina, which begins on June 1, 2015.

Thad is requesting the following, all at estimated costs:

- Five breakfast meals at \$50.00

- Five lunch meals at \$75.00

- Five dinner meals at \$125.00

- Four nights in hotel at \$250.00

- Two Fuel fill-ups for a City vehicle at \$150.00

Recommendations:

The Council to approve the travel advance for Thad Jones during the April 21, 2015 Council Meeting.

RESOLUTION NO. 094-15

WHEREAS, the City of Opelika, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Alabama Code of 1975 authorizes the Municipal Governing body to dispose of unneeded personal property;

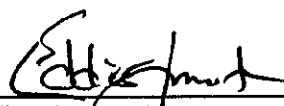
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika, Alabama as follows:

SECTION 1. That the following personal property owned by the City of Opelika, Alabama, is no longer needed for public or municipal purposes:

No.	Qty	Unit	Item Description	Fixed Asset #
1.	1	Ea	2000 Ford F150 4x4 1FTRF18W7YNB88129	87002052
2.	2	Ea	Wood Desks W/Pedestals	N/A
3.	1	Ea	2010 Ford Crown Victoria 2FABP7BV4AX116123	87002672

SECTION 2. That the Mayor is hereby authorized and directed to dispose of the personal property owned by the City of Opelika, Alabama, described in Section 1 above. If any such property has marketable value, the Mayor shall receive bids or quotations for such property and shall sell the same to the highest bidder. If the property has no marketable value, the Mayor may dispose of such property in the most economical and feasible manner available to him.

APPROVED AND ADOPTED this the 21st day of April, 2015.



 C. E. "Eddie" Smith, Jr.
 President of the City Council
 City of Opelika

ATTEST:



Robert G. Shuman
City Clerk - Treasurer

4

RESOLUTION NO. 095-15

WHEREAS, the Opelika Fire Department desires to purchase two (2) 2015 Chevrolet Tahoes utilizing the State of Alabama Contract #T191; and

WHEREAS, a 2010 Dodge Charger in the Opelika Fire Department was involved in an accident and totaled. One of the Chevrolet Tahoes will replace the 2010 Dodge Charger that was totaled in the accident; and

WHEREAS, Assurance America Insurance Co. will reimburse the City to replace the 2010 Dodge Charger; and

WHEREAS, Donohoo Chevrolet is the State Contract Vendor for the two (2) 2015 Chevrolet Tahoes; and

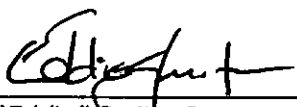
WHEREAS, \$18,300.00 is budgeted in Capital Outlay

WHEREAS, balance of purchase in the amount of \$40,531.84 will come from the Unassigned Fund Balance

NOW, THEREFORE, BE IT RESOLVED by the City of Opelika, Alabama as follows:

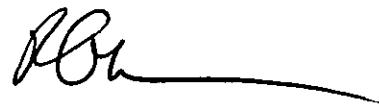
1. That the purchase be awarded to Donohoo Chevrolet utilizing the State of Alabama Contract.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Donohoo Chevrolet in the amount of \$58,831.84.
3. The Controller is authorized to adjust the budget as necessary for this purchase.

APPROVED AND ADOPTED this the 21st day of April 2015.



C. E. "Eddie" Smith, Jr.
President of the City Council
City of Opelika, Alabama

ATTEST:



Robert G. Shuman
City Clerk - Treasurer

STANDARD SPECIFICATIONS/FEATURES

CHEVROLET IMPALA

4012398	00003	070-08-086459	21978.61000 EACH	203196009-02 STIVERS FORD LINCOLN INC STIVERS FORD LINCOLN INC	NET
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STANDARD SPECIFICATIONS/FEATURES

FORD INTERCEPTOR SEDAN FWD

4013103	00004	070-08-089721	23688.00000 EACH	630946096-01 BEN ATKINSON MOTORS INC	NET
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STANDARD SPECIFICATIONS/FEATURES

DIVISION OF PURCHASING
CONTRACT NOTICE OF AWARD

COMMODITY LISTING

PAGE: 12

CONTRACT NUMBER/LINE #	COMMODITY NUMBER COMMODITY DESCRIPTION	UNIT PRICE MEASURE	VENDOR # NAME	TERMS
	DODGE CHARGER			
4012863	00005 070-08-081308	33789.00000 EACH	463580891-01 DONOHOO CHEVROLET	NET
	VEHICLE, FULL-SIZE SUV, LAW ENFORCEMENT (SEVERE SERVICE, NOT PURSUIT RATED)			
	STANDARD SPECIFICATIONS/FEATURES			
	CHEVROLET SUBURBAN			
4012863	00006 070-08-081310	28330.00000 EACH	463580891-01 DONOHOO CHEVROLET	NET
	VEHICLE, FULL-SIZE SUV, LAW ENFORCEMENT 2-WHEEL DRIVE (PATROL RATED)			
	STANDARD SPECIFICATIONS/FEATURES			
	CHEVROLET TAHOE PPV			
4012863	00007 070-08-081317	30542.00000 EACH	463580891-01 DONOHOO CHEVROLET	NET
	VEHICLE, FULL-SIZE SUV, LAW ENFORCEMENT 4-WHEEL DRIVE (NOT PURSUIT RATED)			
	STANDARD SPECIFICATIONS/FEATURES			
	CHEVROLET TAHOE SSV			
4013104	00009 070-08-081349	26157.00000 EACH	462736679-02 OPELIKA CHRYSLER DODGE JEEP RA	NET
	VEHICLE, FULL-SIZE SUV, LAW ENFORCEMENT, (NOT PURSUIT RATED)			

DIVISION OF PURCHASING
CONTRACT NOTICE OF AWARD

COMMODITY LISTING

PAGE: 13

CONTRACT NUMBER/LINE #	COMMODITY NUMBER COMMODITY DESCRIPTION	UNIT PRICE MEASURE	VENDOR # NAME	TERMS
	STANDARD SPECIFICATIONS/FEATURES			
	DODGE DURANGO SSV			
4012401	00010 070-08-081350	25740.00000 EACH	943367946-00 CHUCK STEVENS AUTOMOTIVE INC	NET
	VEHICLE, FULL-SIZE SUV, LAW ENFORCEMENT, (NOT PURSUIT RATED)			
	STANDARD SPECIFICATIONS/FEATURES			
	FORD EXPEDITION SSV			
4012713	00011 070-08-081305	24933.00000 EACH	630367773-02 WOODY ANDERSON FORD COMMERCIAL FLEET DEPARTMENT	NET
	VEHICLE, FULL-SIZE SUV, LAW ENFORCEMENT			
	STANDARD SPECIFICATIONS/FEATURES			
	FORD INTERCEPTOR UTILITY AWD			
4012863	00012 070-08-081345	19991.00000 EACH	463580891-01 DONOHOO CHEVROLET	NET
	VEHICLE, FULL-SIZE TRUCK, LAW ENFORCEMENT (NOT PURSUIT RATED)			

Prepared By:
Jake Harris
DONOHOO CHEVROLET
1000 GREENHILL BLVD. NW
FORT PAYNE, AL 35967
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jharris@donohoochevrolet.com

** Stock Unit **

2015 Fleet/Non-Retail Chevrolet Tahoe 2WD 4dr Commercial CC15706

SELECTED MODEL & OPTIONS

SELECTED MODEL - 2015 Fleet/Non-Retail CC15706 2WD 4dr Commercial

<u>Code</u>	<u>Description</u>	<u>Invoice</u>
CC15706	2015 Chevrolet Tahoe 2WD 4dr Commercial	\$28,330.00

SELECTED VEHICLE COLORS - 2015 Fleet/Non-Retail CC15706 2WD 4dr Commercial

<u>Code</u>	<u>Description</u>
-	Interior: No color has been selected.
-	Exterior 1: <i>White, Black, Silver Ice, Tungsten, or Champagne Silver</i>
-	Exterior 2: No color has been selected.

SELECTED OPTIONS - 2015 Fleet/Non-Retail CC15706 2WD 4dr Commercial

CATEGORY

<u>Code</u>	<u>Description</u>	<u>Invoice</u>
REQUIRED OPTION		
AVF	2015 INTERIM PROCESSING CODE (Required on all interim models produced starting in October 2014.)	\$0.00
SUSPENSION PKG		
Z56	SUSPENSION, HEAVY-DUTY, POLICE-RATED front, independent torsion bar, and stabilizer bar and rear, multi-link with coil springs (Included and only available with (9C1) Police Vehicle only)	INC
EMISSIONS		
FE9	EMISSIONS, FEDERAL REQUIREMENTS	\$0.00
ENGINE		
L83	ENGINE, 5.3L ECOTEC3 V8 WITH ACTIVE FUEL MANAGEMENT, DIRECT INJECTION AND VARIABLE VALVE TIMING includes aluminum block construction (355 hp [265 kW] @ 5600 rpm, 383 lb-ft of torque [518 N-m] @ 4100 rpm) (STD)	\$0.00
TRANSMISSION		
MYC	TRANSMISSION, 6-SPEED AUTOMATIC, ELECTRONICALLY CONTROLLED with overdrive and tow/haul mode (STD)	\$0.00

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

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2015 Fleet/Non-Retail Chevrolet Tahoe 2WD 4dr Commercial CC15706

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2015 Fleet/Non-Retail CC15706 2WD 4dr Commercial

CATEGORY

<u>Code</u>	<u>Description</u>	<u>Invoice</u>
RADIO		
IO3	AUDIO SYSTEM, AM/FM STEREO WITH CD PLAYER AND AUXILIARY INPUT JACK includes 2 USB ports and 1 SD card reader (STD)	\$0.00
ADDITIONAL EQUIPMENT		
9C1	IDENTIFIER FOR POLICE PATROL VEHICLE (Must be specified.)	INC
NZZ	FRONT UNDERBODY SHIELD (Included and only available with (9C1) Police Vehicle)	INC
K4B	BATTERY, AUXILIARY, 730 CCA	INC
—	POWER SUPPLY, 100-AMP, AUXILIARY BATTERY, REAR ELECTRICAL CENTER (Included and only available with (9C1) Police Vehicle only)	INC
—	POWER SUPPLY, 50-AMP, POWER SUPPLY, AUXILIARY BATTERY passenger compartment wiring harness (Included and only available with (9C1) Police Vehicle only)	INC
—	POWER SUPPLY, 120-AMP, (4) 30-AMP CIRCUIT, PRIMARY BATTERY relay controlled, passenger compartment harness wiring (Included and only available with (9C1) Police Vehicle only)	INC
KW7	ALTERNATOR, 170 AMPS, HIGH OUTPUT (Included and only available with (9C1) Police Vehicle only)	INC
C5U	GVWR, 6800 LBS. (3084 KG) (Included and only available with (9C1) Police Vehicle)	INC
RM7	WHEEL, 17" X 8" (43.2 CM X 20.3 CM) FULL-SIZE, STEEL SPARE includes P265/60R17 V-rated tire (Included and only available with (9C1) Police Vehicle)	INC
—	LUGGAGE RACK, DELETE (Included and only available with (9C1) Police Vehicle only)	INC
6J7	FLASHER SYSTEM, HEADLAMP AND TAILLAMP, DRL COMPATIBLE with control wire (Requires (9C1) Police Vehicle)	\$435.60 ✓
7X6	SPOTLAMP, LEFT-HAND (Requires (9C1) Police Vehicle. Not available with (7X7) left and right-hand spotlamps.)	\$431.20 ✓

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2015 Fleet/Non-Retail Chevrolet Tahoe 2WD 4dr Commercial CC15706

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2015 Fleet/Non-Retail CC15706 2WD 4dr Commercial

CATEGORY

<u>Code</u>	<u>Description</u>	<u>Invoice</u>
ADDITIONAL EQUIPMENT		
AKO	GLASS, DEEP-TINTED (all windows, except light-tinted glass on windshield and driver- and front passenger-side glass) (Included and only available with (9C1) Police Vehicle only)	INC
AKX	WINDSHIELD, SOLAR ABSORBING, SHADED UPPER (Included and only available with (9C1) Police Vehicle only)	INC
AKK	WINDSHIELD STYLE, ACOUSTIC LAMINATED GLASS (Included and only available with (9C1) Police Vehicle only)	INC
—	EXTERIOR ORNAMENTATION DELETE (Included and only available with (9C1) Police Vehicle only)	INC
6J3	WIRING, GRILLE LAMPS AND SIREN SPEAKERS (Requires (9C1) Police Vehicle)	\$80.96 ✓
6J4	WIRING, HORN AND SIREN CIRCUIT (Requires (9C1) Police Vehicle)	\$36.08 ✓
—	DOOR HANDLES, BODY-COLOR (Included and only available with (9C1) Police Vehicle only)	INC
UN9	RADIO SUPPRESSION PACKAGE, WITH GROUND STRAPS (Included and only available with (9C1) Police Vehicle)	INC
AG1	SEAT ADJUSTER, DRIVER 10-WAY POWER (Requires (AZ3) 40/20/40 split-bench front seat. Not available with (H2G) Jet Black vinyl seats)	\$0.00
AG2	SEAT ADJUSTER, FRONT PASSENGER 6-WAY POWER	INC
ATD	SEAT DELETE, THIRD ROW PASSENGER (Included with (9C1) Police Vehicle) (Deletes rear storage compartment.) *CREDIT*	INC
—	INSTRUMENTATION, ANALOG with certified 150 mph speedometer, odometer with trip odometer, engine hour meter, fuel level, voltmeter, engine temperature, oil pressure and tachometer (Included and only available with (9C1) Police Vehicle only)	INC
6N6	DOOR LOCKS AND HANDLES, INSIDE REAR DOORS INOPERATIVE (doors can only be opened from outside) (Requires (9C1) Police Vehicle)	\$51.92 ✓
—	KEY, 2-SIDED (Included and only available with (9C1) Police Vehicle only)	INC
6N5	SWITCHES, REAR WINDOW INOPERATIVE (rear windows can only operate from driver's position) (Requires (9C1) Police Vehicle)	\$50.16 ✓

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2015 Fleet/Non-Retail Chevrolet Tahoe 2WD 4dr Commercial CC15706

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2015 Fleet/Non-Retail CC15706 2WD 4dr Commercial

CATEGORY

<u>Code</u>	<u>Description</u>	<u>Invoice</u>
ADDITIONAL EQUIPMENT		
—	THEFT-DETERRENT SYSTEM, VEHICLE, PASS-KEY III (Included and only available with (9C1) Police Vehicle only)	INC
—	POWER OUTLETS, 4 AUXILIARY, 12-VOLT includes 1 on the instrument panel, 1 in armrest, and 2 in the cargo area (Included and only available with (9C1) Police Vehicle)	INC
UE0	ONSTAR DELETE (Deletes (UPF) bluetooth for phone.)	INC
—	SAFETY BELTS, 3-POINT, DRIVER AND FRONT PASSENGER IN ALL SEATING POSITIONS (Included and only available with (9C1) Police Vehicle only)	INC
SPECIAL EQUIPMENT OPTIONS		
5T5	SEATS, 2ND AND 3RD ROW VINYL WITH FRONT CLOTH SEATS Provides vinyl second and third row seats and cloth front seats (Requires (H0U) Jet black trim)	\$0.00
VPV	SHIP THRU, PRODUCED IN ARLINGTON ASSEMBLY and shipped to Kerr Industries and onto Arlington Assembly	INC
OPTIONS TOTAL		\$1,085.92

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2015 Fleet/Non-Retail Chevrolet Tahoe 2WD 4dr Commercial CC15706

PRICING SUMMARY

PRICING SUMMARY - 2015 Fleet/Non-Retail CC15706 2WD 4dr Commercial

	<u>Invoice</u>
Base Price	\$ 28,330.00
Total Options:	+ \$ 1,085.92
	<u>\$ 29,415.92</u>
	/// EACH

* Surveillance Feature - ADD \$75.00

Toggle Switch installed to kill head lights & tail lights.
(This also severely dims dash lights for maximum security.)

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RESOLUTION NO. 096-15

**RESOLUTION ORDERING THE DEMOLITION OF THE
BUILDINGS LOCATED AT 307 SOUTH 2ND STREET**

WHEREAS, any incorporated municipality of the State of Alabama may, after notice as provided in Section 11-40-31, demolish building and structure, or parts of buildings and structures, party walls, and foundations when found by the governing body of the municipality to be unsafe to the extent of being a public nuisance from any cause; and

WHEREAS, on January 7, 2015, the Building Official of the City of Opelika gave notice to remedy the unsafe or dangerous condition of the building or structure located at 307 South 2nd Street, Opelika, Alabama, to the person or persons, firm, association, or corporation last assessing said property for state taxes, by certified mail, as provided in Section 11-40-31, *Code of Alabama*; and

WHEREAS, Tuesday, April 21, 2015 at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Lee County, Alabama, was fixed as the time and place when and where the City Council will meet to determine whether or not the buildings located at 307 South 2nd Street is unsafe to the extent that it creates a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, April 21, 2015, at the aforesaid time and place for the purpose of conducting said public hearing; and

WHEREAS, the President of the City Council of the City of Opelika presided over said public hearing and opened the floor for comments from the public and any persons interested in the real property located at 307 South 2nd Street, Opelika, Alabama; and

WHEREAS, the City Council has considered all of the evidence and other matters in relation to said alleged public nuisance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Opelika, as follows:

1. The City Council finds and declares that the building or structure at 307 South 2nd Street, Opelika, Alabama, is unsafe to the extent that it creates a public nuisance, and it is advisable and in the public interest that said building or structure should be demolished and removed at the owner's expense. The property referred to above is more particularly described as follows:

Lot F in Block 10 of the Byrd Lands, according to as shown by Totten's Official Real Estate Map of the City of Opelika, 1930, recorded in Town Plat Book 2, at Page 9 in the Office of the Judge of Probate of Lee County, Alabama; together with all improvements thereon and appurtenances thereunto appertaining.

Being the same property conveyed by deed from Conral L. Cloetta and wife, Ellen D. Cloetta, to Sadie Simon, August 22, 1978 and recorded in records of deeds in Vol. Book 1039 at Page 634, in the Office of the Judge of Probate of Lee County, Alabama.

Also being further described as Parcel Number 43-10-03-08-2-002-151.000, according to records maintained in the Lee County Revenue Commissioner's Office.

2. The Mayor is hereby authorized and directed to cause said building or structure to be demolished and removed after the expiration of ten (10) days from the date of this resolution. Demolition may be accomplished by the municipality by the use of its own forces, or it may be provided by contract for the demolition. The municipality may sell or otherwise dispose of salvaged materials resulting from the demolition. All employees, contractors and duly authorized agents of the City are authorized to enter upon said property for said purpose.

3. Any person aggrieved by the decision of the City Council may, within ten (10) days hereafter, appeal to the Circuit Court upon filing with the Clerk of the Court notice of appeal and a bond for security of cost in the form and amount approved by the Circuit Clerk.

4. Upon the demolition and removal of said building or structure, the Building Official shall make a report to the City Council of the cost. The City Council shall thereafter adopt a resolution fixing the costs which it finds were reasonably incurred in the demolition and removal of said building or structure and assess the costs against said property. The proceeds of any monies received from the sale of salvaged materials from the building or structure shall be used or applied against the cost of the demolition and removal. The fixing of costs by the City Council shall constitute a special assessment against the lot or lots, parcel, or parcels of land upon which the building or structure was located and shall constitute a lien on the property for the amount of the assessment.

5. The City Clerk is hereby directed to mail, by certified mail, a copy of this resolution to the owners and lien holders of the property as the information appears on the records of the office of the Tax Assessor and in the Office of the Judge of Probate of Lee County, Alabama.

ADOPTED AND APPROVED this the 21st day of April 2015.



PRESIDENT OF THE CITY COUNCIL OF THE
CITY OF OPELIKA, ALABAMA

ATTEST:



CITY CLERK

Cc: Sirco, Inc.
206 South 8th Street
Opelika, AL 36801

RESOLUTION NO. 097-15

WHEREAS, The City of Opelika participates each year in the application of a Bureau of Justice Assistance Bulletproof Vest Partnership (BVP) Grant; and

WHEREAS, The total amount of the Grant Application is \$12,997.25 (Twelve Thousand Nine Hundred Ninety-Seven Dollars and 25/100); and

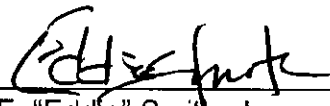
WHEREAS, The City of Opelika is required to provide a 50% match of all funds appropriated; and

WHEREAS, The Mayor's signature is required for this Grant application.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika, Alabama, a municipal corporation, as follows:

1. The mayor of the City of Opelika is authorized to sign all documents pertaining to this grant application.

APPROVED and ADOPTED this the 21st day of April 2015.


C.E. "Eddie" Smith, Jr.
President of the City Council
City of Opelika, Alabama

ATTEST:



Robert G. Shuman, CMC
City Clerk – Treasurer

FACT SHEET

SUBJECT: Allow the mayor to sign an application for a 2015 Bureau of Justice Assistance Bulletproof Vest Partnership (BVP) Grant

FACTS:

- The City of Opelika, participates each year in the application for a Bureau of Justice Assistance Bulletproof Vest Partnership (BVP) Grant.
- The amount of the grant application is \$12,997.25 (Twelve Thousand Nine Hundred Ninety-Seven dollars and 25/100).
- There is a 50% matching fund required from the City of Opelika
- The Mayor is required to sign the grant application.

RECOMMENDATIONS:

- The Council's approval for the mayor to sign the application for this grant.

Resolution no. 098-15

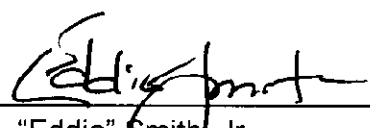
WHEREAS, the Alabama Department of Transportation has the authority to award grants for under the Transportation Alternatives Program; and

WHEREAS, the City of Opelika recognizes the need to provide safe bicycle lanes as an alternative form of transportation.

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

1. Authorization is given to submit a Grant Application under said program in the amount of \$ 153,558;
2. Authorization is given to the Mayor to sign any and all documents to secure said grants.
3. The City will contribute 20% of the total project cost or \$ 38,390 and the cost of design engineering.
4. The City will see the project through to completion and be responsible for maintenance of the improvements upon completion.

APPROVED AND ADOPTED, this 21st day of April, 2015.


C. E. "Eddie" Smith, Jr
President City Council
Opelika, Alabama

ATTEST:



Robert G. Shuman, CMC
City Clerk -Treasurer

RESOLUTION EXPLANATION

PURPOSE: Authorize submission of a Grant Application and commit the local share

PROGRAM: Transportation Alternatives Program (TAP)

AGENCY: Alabama Department of Transportation

DEADLINE: May 1, 2015

GRANT: \$ 153,558 (80%)

LOCAL: \$ 38,390 (20%) and Design Engineering estimated at \$ 10,000

TOTAL: \$ 191,948

PROJECT DESCRIPTION:

The proposed project is the realignment of lanes and markings along Samford Avenue from Opelika High School west to the Historic Railroad District and then extending west along First Avenue to the Piggly Wiggly Shopping Center developing dedicated bicycle lane along this approximate 1.7 mile route.

PREPARED BY: Louise Campbell, L.P. Campbell Company

RESOLUTION NO. 099-15

WHEREAS, Opelika City Council and Mayor, Gary Fuller appreciates and fully supports Opelika Main Street with an annual appropriation; and

WHEREAS, Opelika Mainstreet has the need for additional funds to assist in funding an event called the "Opelika Film Night" for 2015, and

WHEREAS, Ward 1 President Pro-tem Patricia Jones, Ward 2 Councilman Larry Gray, Ward 3 Councilman Dozier Smith T, Ward 4 Council President Eddie Smith and Ward 5 Councilman David Canon would like to use their discretionary funds to assist in covering the expenses associated with the 2015 Opelika Film Night.

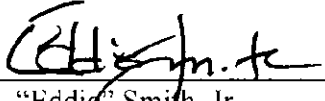
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika, Alabama, a municipal corporation, as follows:

1. The City Council approves a special appropriation of \$1,500.00 to Opelika Main Street with said funds designated to assist in covering the expenses involved with the 2015 Opelika Film Night.
2. The Mayor and the Controller is hereby authorized and directed to make the budget adjustments to the appropriate account(s) as detailed below:

Patricia Jones	Ward 1	From reserve fund.	\$300.00
Larry Gray	Ward 2	From current year acct.	\$300.00
Dozier Smith T	Ward 3	From current year acct.	\$300.00
Eddie Smith	Ward 4	From reserve fund.	\$300.00
David Canon	Ward 5	From current year acct.	\$300.00

3. That the City Council hereby declares and determines that said expenditure of these public funds will serve a public purpose for the City of Opelika.
4. The City Clerk-Treasurer is hereby authorized and directed to prepare the appropriate documents so the following check can be prepared:
 - a. \$1,500.00 payable to the Opelika Main Street and earmarked and designated to be used as explained in number 1. above.

ADOPTED and APPROVED this the 21st day of April, 2015.


 C. E. "Eddie" Smith, Jr.
 President City Council
 City of Opelika, Alabama

Attest:


 Robert G. Shuman, CMC
 City Clerk - Treasurer



Post Office Box 2464 • Opelika, AL 36803-2464 • 334.745.0466



opelikamainstreet.org • info@opelikamainstreet.org

TO: Opelika City Council
RE: Opelika Film Night

We are excited to announce our second season of Opelika Film Night slated for three weeks in June! This is a project that we feel everyone in Opelika and the surrounding areas love, and we appreciate the opportunity to share it with you. We hope that you will choose to partner with us to make it happen. Opelika Main Street will produce the Opelika Film Night series to be held outdoors adjacent to the historic Opelika Train Depot. This event is an opportunity to bring the community together during the summer to enjoy family-friendly movies.

Communities as close as Auburn and Columbus host similar evenings, but we will produce ours a little differently. We will be showing very special movies, and we will add in some extra bonuses. Movies begin at dusk and pre-movie activities begin at 6pm. The pre-movie activities are a chance for families and friends to spend time together on the grassy lawn enjoying a picnic dinner together, playing games and visiting with others. (Games provided by Opelika Parks and Recreation.) Families are encouraged to bring their own lawn chairs and blankets. Picnic dinners will be available from a different downtown restaurant each month, or attendees may simply eat at one of our restaurants before arriving at the Depot. Before each movie our community film expert, Alison Kovak, will speak briefly about the movie being shown that night. We like to consider it a fun educational experience.

To make an event like this happen, we will need financial support. Rental fees of a projector, large screen, licensing fees and sound system can be costly. We would like to officially request \$1500 from city council so that we can insure this event happens and happens in the most quality manner possible.

We also ask that you help us spread the word about this fun event, and please don't hesitate to ask any questions that you may have.

Thank you for considering our request.

Pam Powers-Smith, Director Opelika Main Street
and the Opelika Main Street Board of Directors

ORDINANCE NO. 107-15

AN ORDINANCE REGULATING ENCROACHMENTS IN THE
PUBLIC RIGHTS-OF-WAY, PUBLIC EASEMENTS, PUBLIC
GROUND OR LAND DEDICATED TO PUBLIC USE

BE IT ORDAINED by the City Council (the "Council") of the City of Opelika, Alabama (the "City") as follows:

Section 1. **Amendment.** That Chapter 26 of the *Code of Ordinances* of the City of Opelika, Alabama, is hereby amended by adding an Article to be numbered IX, which said article shall read as follows:

IX. Encroachments.

Sec. 26-275. Definitions.

For the purposes of this Article, the following words and phrases shall have the following meanings:

(a) **"Building Official"** means the chief building inspector of the Building Inspection Division or his or her designee.

(b) **"City"** means the City of Opelika, Alabama.

(c) **"Encroachment"** means any object, fixture or obstruction that intrudes on or invades on, above or under a public right-of-way, a public easement, public grounds or land dedicated to public use, diminishing its length, width, height or depth of area.

(d) **"Property Owner"** or **"Owner"** means a person, persons, corporation, partnership, limited liability company or any other entity holding fee title to real property. If more than one person or entity owns the subject real property, "Property Owner" or "Owner" refers to each person or entity holding any portion of the fee interest in the property and the property owner's obligations in this article are joint and several as to each property owner.

(e) **"Right-of-Way"** and **"Public Right-of-Way"** means the surface and space above or below an improved or unimproved public street, road, boulevard, alley, avenue, lane, highway, sidewalk, bicycle lane, public easement, public grounds or land dedicated to public use, including those portions that are unpaved. Without limiting the above, the unpaved shoulder or unpaved median of a public street, road, boulevard, alley, avenue, highway or lane is included as part of the right-of-way as defined herein.

(f) **"Structure"** means anything constructed or erected with a fixed location on or in the ground or attached to something having a fixed location on or in the ground. The word shall include but not be limited to buildings, manufactured homes, walls, fences, billboards, poster panels, swimming pools, posts and poles, including basketball posts.

Sec. 26-276. Encroaching structures—prohibited.

It shall be unlawful for any person to construct, erect, build, own, maintain, use or occupy any house, building, structure or encroachment of any kind located in or on a public right-of-way, public easement, public grounds or land dedicated to the public in the City without first obtaining the consent of the City Council. Past tolerance of an encroachment or failure to enforce the prohibition against encroachment shall not be grounds for continued existence of a nonconforming encroachment.

Sec. 26-277. Exemptions.

The following uses are exempt from the requirements of this article:

- (a) Driveways (including paved, masonry, concrete, asphalt, etc.) must meet sight distance requirements of the Public Works Manual and must be constructed in compliance with City requirements for stormwater drainage/piping.
- (b) City owned or City-controlled appurtenances, including but not limited to traffic signal equipment, traffic or roadway signs, and lighting equipment.
- (c) United States mail regular drop-off and collection boxes.
- (d) Appurtenances of a utility company or public entity with an existing franchise or other contract with the City.
- (e) Private mailboxes installed in accordance with applicable design criteria established by the United States Postal Service.
- (f) Fire hydrants or water valves owned or controlled by the Utilities Board of the City pursuant to its franchise from the City.
- (g) Encroachments approved by the City Council.
- (h) Any appurtenance exempt by law from the City's authority.

Sec. 26-278. Notice to owner.

The Building Official, through his agents, shall notify by certified mail, return receipt requested, personal service or by any other method of service available pursuant to Rule 4 of *The Alabama Rules of Civil Procedure*, the owner of the abutting real property of the location and description of the encroachment and the duty to remove said encroachment within ten (10) days from the date of the notice. Notice by certified mail shall be deemed to be received seventy-two (72) hours after it is mailed. The notice shall be sent to the person shown by the records of the County to have been the last person assessed for the payment of ad valorem taxes on the property where the violation is alleged to exist. The Building Official shall also attach a copy of the notice to the encroachment directing the owner of the real property to remove the encroachment within ten (10) days and shall take a photograph of the encroachment with the notice attached. The removal period provided in the copy of the attached notice shall correspond to the ten day removal period stated in the notice delivered through the mail.

If the owner of the real property upon receipt of the removal notice is unable to comply with the order of the Building Official for some reasonable cause, the Building Official may grant an extension of time. However, if the encroachment constitutes an immediate hazard, the Building Official may cause it to be removed immediately.

Sec. 26-279. Removal by Building Official.

If upon the expiration of the time set out in the notice served under the provisions of Section 26-178 the encroachments are not removed, the Building Official shall have them removed. The costs of removal shall be paid by the person committing the violation. The costs of removal shall constitute a lien upon the property. The City shall owe no compensation for the removal of non-conforming encroachments.

Sec. 26-280. Liability.

This article shall not be construed to create or hold the City responsible or liable for any damage to persons or property by reason of any inspection or notification authorized herein or for the failure to inspect or notify nor create any liability upon the City or any official, agent or employee. To the fullest extent allowed by law, the right-of-way user shall be liable to the City for any damage or loss occasioned by any act or omission occurring in connection with his, her or its encroachment and the right-of-way user shall fully indemnify, hold harmless and defend the City, its officers and employees against any and all suits, actions, indigents, losses, costs, demands, claims, expenses (including

attorney's fees) damages and liabilities arising from or connected with any such encroachment.

Sec. 26-281. Penalties for violations.

Violations of the provisions of this article or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this article or who fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than thirty (30) days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing contained herein shall prevent the City from taking such other lawful actions as are necessary to prevent or remedy any violation.

Sec. 26-282. Severability.

If any section, clause, sentence or phrase of this article is held to be invalid or unconstitutional by any court of competent jurisdiction, then such holding shall in no way affect the validity of the remaining portion of this article.

Section 2. **Conflict.** All ordinances or parts thereof which are in conflict with the provisions of this Ordinance are hereby repealed in their entirety to the extent of such conflict.

Section 3. **Publication.** The City Clerk of the City of Opelika, Alabama is hereby authorized and directed to cause this Ordinance to be published one (1) time in a newspaper of general circulation published in the City of Opelika, Lee County, Alabama.

ADOPTED AND APPROVED this the 21st day of April, 2015.



PRESIDENT OF THE CITY COUNCIL OF THE
CITY OF OPELIKA, ALABAMA

ATTEST:



CITY CLERK

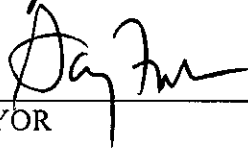
TRANSMITTED TO MAYOR on this the 22nd day of April, 2015.



CITY CLERK

ACTION BY MAYOR

APPROVED this the 22nd day of April, 2015.



MAYOR

ATTEST:



CITY CLERK

CITY OF OPELIKA

P. O. Box 390
Opelika, Alabama 36803

Certification of advertising:

I, Robert G. Shuman, City Clerk of the City of Opelika, Alabama, do hereby certify that

Ordinance number 107-15 was adopted and approved on 4-21-15

and published in the:

☒ Opelika - Auburn News

☐ Opelika Observer

a newspaper of general circulation in the City of Opelika, Alabama one (1) time on

the 26th day of April, 2015.

Dated this the 27th day of April, 2015.



R. G. Shuman, CMC
City Clerk – Treasurer
Opelika, Alabama

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cm 4-7-15

ORDINANCE NO. 108-15

AN ORDINANCE TO AMEND THE ZONING
ORDINANCE AND ZONING MAP OF THE CITY OF OPELIKA

BE IT ORDAINED by the City Council (the "City Council") of the City of Opelika,
Alabama (the "City") as follows:

Section 1. That Ordinance 124-91 entitled "Zoning Ordinance City of Opelika, Alabama", adopted on September 17, 1991, and the Zoning Map of the City of Opelika provided for and referred to therein, as previously amended and/or modified, be and the same is hereby amended by rezoning or redistricting the parcel of land hereinafter in this section described, so as to change such parcel from one class of district to another class of district as follows, to-wit:

- (a) From a VC, GC District (Village Commercial, Gateway Corridor District), a I-1, GC District (Institutional, Gateway Corridor District) and a VR-1 District (Village Residential District) to a C-3, GC District (General Commercial, Gateway Corridor District), the parcel of land hereinafter described:

Commencing at the Southeast corner of Section 15, Township 19 North, Range 26 East, Lee County, Alabama; thence North 00° 15' 40" West, a distance of 182.70 feet to a point on the southerly margin of the Westerly Railway of Alabama; thence North 00° 15' 40" West, a distance of 104.19 feet to a point on the northerly margin of the Westerly Railway of Alabama; thence along said Railway North 00° 16' 39" West, a distance of 26.00 feet; thence leaving said Railway North 00° 16' 39" West, a distance of 500.50 feet to the POINT OF BEGINNING of Parcel 3; from said POINT OF BEGINNING North 39° 31' 49" West, a distance of 1149.30 feet; thence North 02° 52' 33" East, a distance of 484.34 feet to a point on the southerly margin of US Highway No 29; thence along said southerly margin North 76° 35' 52" East, a distance of 238.40 feet; continue North 79° 37' 04" East, a distance of 219.00 feet to a point on the westerly margin of 30th Street ; thence along said westerly margin South 54° 32' 48" East, a distance of 76.40 feet; continue South 50° 40' 45" East, a distance of 91.17 feet; continue South 51° 09' 46" East, a distance of 92.40 feet; continue South 51° 03' 27" East, a distance of 91.91 feet; continue South 50° 41' 01" East, a distance of 50.00 feet; thence leaving said westerly margin South 39° 07' 32" West, a distance of 172.00 feet; thence South 50° 40' 32" East, a distance of 62.32 feet; thence South 00° 17' 44" East, a distance of 860.46 feet; thence South 00° 16' 39" East, a distance of 128.26 feet; thence South 00° 16' 39" East, a distance of 53.79 feet to the POINT OF BEGINNING; said described tract containing 15.858 Acres, more or less.

The above-described parcel is located at the Southwest quadrant of the intersection of Pepperell Parkway (U.S. Highway 29) and 30th Street and was formerly developed and used as Smallwood Park.

Section 2. Any ordinance or part thereof in conflict with provisions of this Ordinance be and the same are hereby repealed.

Section 3. This Ordinance shall be published in a newspaper of general circulation in the City of Opelika, Lee County, Alabama.

ADOPTED AND APPROVED this the 21st day of April, 2015.



PRESIDENT OF THE CITY COUNCIL OF THE
CITY OF OPELIKA, ALABAMA

ATTEST:



CITY CLERK

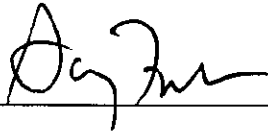
TRANSMITTED TO MAYOR on this the 22nd day of April, 2015.



CITY CLERK

ACTION BY MAYOR

APPROVED this the 22nd day of April, 2015.



MAYOR

ATTEST:



CITY CLERK

CITY OF OPELIKA

P. O. Box 390
Opelika, Alabama 36803

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the 26th day of April, 2015.

Dated this the 27th day of April, 2015.



R. G. Shuman, CMC
City Clerk – Treasurer
Opelika, Alabama

**AN ORDINANCE APPROVING AND ADOPTING AMENDMENTS TO THE
PERSONNEL POLICIES AND PROCEDURES MANUAL
OF THE CITY OF OPELIKA, ALABAMA**

WHEREAS, the City of Opelika, Alabama, (the "City") has previously adopted general provisions pertaining to personnel rules and regulations, including, but not limited to, staffing, separations, disciplinary actions, grievance procedures, compensation and employee benefits, which are set forth in the "Policies and Procedures of the City of Opelika" (hereinafter referred to as the "Personnel Manual"); and

WHEREAS, City staff has recommended to the City Council that the Personnel Manual be updated at the present time to provide for additional policies and principles pertaining to the administration of City employees and personnel; and

WHEREAS, the City Council recognizes that periodic adjustments must be made to the Personnel Manual in order to keep the Manual current and consistent with state and federal labor and employment law requirements, as well as policies, procedures, guidelines, rules and regulations established by the City on a local level for employees; and

WHEREAS, the City Council has determined that it is in the best interest of the public health, safety and general welfare to amend the Personnel Manual at this time as recommended by City staff to update the policies, procedures, guidelines, rules and regulations.

NOW, THEREFORE, BE IT ORDAINED by the City Council (the "Council") of the City of Opelika, Alabama (the "City") as follows:

Section 1. **Amendments.** That the Personnel Manual of the City of Opelika adopted on November 19, 2002, as previously amended, is further amended in the following respects:

- (a) That Section 1.2 is hereby amended to read as follows:

Section 1.2 Scope.

The provisions of the City of Opelika Personnel Policies and Procedures as established herein shall apply to all individuals employed by the City except:

- (a) elected officials;
- (b) members of appointed boards, commissions, and committees;
- (c) outside attorneys and similar individuals employed in their professional capacity;
- (d) judges of any court;
- (e) contract employees, except to the extent that the provisions of these policies are incorporated into and made a part of the employment contract;
- (f) independent contractors under contract with the City; and
- (g) students or interns assigned to the City as part of a curriculum of study in which said student or intern is engaged.

- (b) That Section 1.13.14 of is hereby amended to read as follows:

Section 1.13.14 Part-Time Employee

An employee of the City employed in an on-going position in which the employee is normally scheduled to work twenty-nine (29) hours or less per week.

- (c) That Section 2.1.1 is hereby amended to read as follows:

2.1.1 Equal Employment Opportunity.

The City of Opelika recognizes that, as a public body, it is responsible for the general well being of its residents. As one of the major employers of Lee

County, this responsibility extends to providing job opportunities and employment.

It is the policy of the City of Opelika to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, age, disability, marital status, citizenship or any other characteristic protected by law. The City of Opelika prohibits any such discrimination or harassment.

The City of Opelika shall take necessary and affirmative action to eliminate equal opportunity barriers and to prohibit discrimination and/or preferred treatment concerning any individual on the basis of political or religious affiliations; on the basis of race, creed, color, disability, national origin, sex or age (except where age or physical requirements constitute a bona fide occupational qualification necessary for proper and efficient functioning in the job) and, on the basis of any other non-merit factor.

Equal employment opportunity, free of discriminatory practices shall be enforced in all facets of employment including, but not limited to, appointment, recruitment, testing, promotion, terms and conditions of employment, compensation, benefits, training, discipline, appeals, layoffs, and terminations.

It shall be the practice of the City of Opelika, through the efforts of the Department of Human Resources, to apply modern management principles and procedures to operate, efficiently and economically, a sound human resources management program.

The Director of Human Resources shall be responsible for distribution and discussion of this equal employment opportunity policy with Department Heads, Division Managers, Supervisors and other employees, to assure understanding and reasonable and consistent application.

Department Heads and Division Managers shall conduct personnel management operations in accordance with this equal employment opportunity policy.

Department Heads and Division Managers shall provide employees and applicants alleging discrimination accessibility to those who can respond to and assist the individual, in order to ensure that their rights are not violated and to decrease the necessity to seek assistance through outside investigating agencies.

- (d) That Section 2.1.3 is hereby amended to read as follows:

Section 2.1.3 Harassment Policy

It is the policy of the City of Opelika to provide a work environment free from all forms of harassment. The City of Opelika does not tolerate harassment of employees and others based on, or related to, sex, race, color, national origin, religion, age or disability. This policy applies to the actions of Department Heads, Division Managers, Supervisors, co-workers, independent contractors and any other individual who comes into contact with an employee while an employee is performing his/her job duties. Department Heads, Division Managers, Supervisors and employees who violate this policy are subject to severe discipline, including termination of employment.

Retaliation against individuals who report harassment is strictly forbidden. Any Department Head, Division Manager, Supervisor or other employee who is found to have taken any adverse action against an individual because of an individual's good-faith report or complaint of harassment is subject to severe discipline, including termination of employment. This may apply even if it is determined that harassment report or complaint is not valid.

(A) Harassment.

A course of conduct directed at a specific person or a specific group of people that causes substantial emotional distress in such person or group of people and serves no legitimate purposes.

(B) Sexual Harassment.

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For purposes of this policy, sexual harassment is defined (in the Equal Employment Opportunity Commission Guidelines), as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of

a sexual nature when, for example (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwarranted sexual advances or requests for sexual favors; sexual jokes and innuendos; verbal abuse of a sexual nature; commentary about an individual's body; sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; displaying in the workplace sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature. In addition, pinching, brushing against another person's body and subtle pressure for sexual favors is considered harassment.

No Supervisor shall threaten or insinuate either by explicit or implied actions, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, classification (grade or step), assigned duties, or any other condition of employment or career development.

(C) Race, Color, Religion, National Origin, Age and Disability Harassment.

(1) Race, color, religion, national origin, age and disability harassment is defined as unwelcome statements, name-calling or other verbal or physical conduct based upon an employee's race, color, national origin, age or disability when any of the following occurs:

(a) Submission to such conduct is made a term or condition of an individual's continued employment, promotion or other condition of employment;

(b) Submission to or rejection of such conduct is used as a basis for employment decisions affecting an employee or job applicant; or

(c) Such conduct is intended to interfere or results in interference with an employee's work performance or creates an intimidating, hostile or offensive work environment.

(2) Prohibited actions include but are not limited to: use of derogatory terms or descriptions of an individual or group of individuals based on race, color, religion, national origin, age or disability; stating stereotypical classifications concerning the race, color, religion, national origin, age or disability of an employee or group of employees; display of signs, pictures, cartoons, written statements or other material that denigrates or discriminates against any employee(s) based on one's race, color, religion, national origin, age or disability; and general harassment, pushing, shoving or other intentional acts perpetrated in whole, or in part, because of the employee's race, color, religion, national origin, age or disability. In addition, harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening bullying, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

(D) Harassing conduct in the workplace, whether committed by supervisors or non-supervisory personnel is prohibited. For the purposes of this policy, the workplace shall include any place where an employee of the City of Opelika is required to perform his/her official duties of employment. Employees while on duty are specifically prohibited from engaging in harassing behavior, as defined in this section, towards other employees, officials or private citizens.

(e) That Section 2.2.1 is hereby amended to read as follows:

Section 2.2.1. Prohibited Conduct.

The City of Opelika will not tolerate workplace violence. All employees, customers and vendors should be treated with courtesy and respect at all times.

Employees are expected to refrain from fighting, “horseplay” or other conduct that may be dangerous to others. Conduct that threatens, intimidates or coerces another employee, customer or vendor will not be tolerated by the City of Opelika. Violent acts or threats made by an employee against another person or property are cause for severe discipline including termination of employment.

Prohibited conduct includes:

1. Causing physical injury to another person;
2. Making threatening remarks;
3. Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
4. Intentionally damaging City property or property of another employee;
5. Possessing, brandishing or using a weapon that is not required by the individual’s position while in the workplace, except as allowed by State law;
6. Engaging in behavior that subjects another individual to extreme emotional distress;
7. Committing injurious acts motivated by, or related to, domestic violence or harassment;
8. Retaliating against any employee who, in good faith, reports a violation of this or any other policy.

(f) That Section 3.3 is hereby amended to read as follows:

Section 3.3 Part-Time Service

The part-time service will include those individuals who are employed in positions, which are considered to be on going in nature but in which the incumbents will normally be scheduled to work twenty-nine (29) hours or less per week, (forty-six (46) hours for fire protection employees who are regularly scheduled to work twenty-four (24) hour shifts). The incumbents of part-time service positions will normally be scheduled to work in each pay period.

(g) That the Policy Manual is hereby amended by adding a section to be numbered 4.2.7, which section shall read as follows:

Section 4.2.7 Immigration Reform and Control Act

All new employees, regardless of employment status, are required by the Immigration Reform and Control Act of 1986 to complete a government form I-9 before, or immediately following, employment. This form attests to the individuals’ eligibility for employment in the United States. Certain documents, which will prove an individual’s eligibility for employment in the United States, must be presented to the person processing the employment papers. Each newly hired employee must present either an original document which establishes both employment authorization and identity or an original document which establishes employment authorization and a separate original document which establishes identity. Establishing and maintaining eligibility for employment in the United States is a condition of employment.

(h) That the Policy Manual is hereby amended by adding a section to be numbered 4.2.8, which section shall read as follows:

Section 4.2.8 Residence Requirements

There is no residence requirement for employees of the City of Opelika, except that, as a condition of employment, the Mayor may require key managerial, professional and policy-making employees directly appointed by him to reside within the City limits. A list of key employees appears in Section 5.12 below.

(i) That Section 4.4.3 is hereby amended to read as follows:

Section 4.4.3 Application Forms.

All applications for employment will be submitted via the City of Opelika's website. Applications should be submitted in accordance with the vacancy notice or advertisement instructions. Applications are accepted for vacant positions, except as listed below. Public safety positions require a lengthy application process. For this reason, Public Safety job postings may be posted prior to an actual vacancy.

- (j) That Section 4.4.5 is hereby amended to read as follows:

Section 4.4.5 Selection Committees.

The Human Resources Department will ensure that all qualified applications are reviewed and ranked. The Human Resources Director or the appointing authority may convene a selection committee to assist in the evaluation and ranking of each application. Such committee will be made up of knowledgeable individuals from the department in which the vacancy exists and other departments as established by the Human Resources Department. Normally, each applicant will be ranked according to his/her possession of the job-related qualifications required for the job. However, when necessary to meet a City affirmative action goal the requirements of the City's Affirmative Action Plan will also be considered.

- (k) That the Policy Manual is hereby amended by adding a section to be numbered 4.8, which subsection shall read as follows:

Section 4.8 Exempt Positions

Sections 4.4, 4.5 and 4.6 cover all City positions except the following managerial, professional and policy-making positions appointed directly by the Mayor:

City Administrator
City Attorney
City Engineer
Opelika Power Services Director
Planning Director
Economic Development Director
Human Resources Director
Fire Chief
Police Chief
Controller
Chief Technology Officer
Purchasing-Revenue Manager
Municipal Court Clerk
Solid Waste Director
Community Relations Officer
Administrative Assistant to the Mayor
Manager of Marketing
Manager of Fiber Services
Assistant Director of Opelika Power Services
Assistant Chief of Police

- (l) That Section 5.4 is hereby amended to read as follows:

Section 5.4 Probationary Period

An employee who is assigned to a new job or promoted to a higher grade in accordance with the provisions of this section will serve a probationary period in his/her new position. All employees except those in positions that require that

the incumbent meet minimum standards as established by the City and/or law will serve a six (6) month probationary period in their new job. Any probation period may be extended by the Department Head for an additional six (6) months for inadequate job performance, extended absences from work, any misconduct or any violation of rules and policies as outlined in this Policy and Procedure Manual or within departmental rules and procedures.

In the event an employee fails to satisfactorily perform the functions of the position at any time during the probationary period, then the employee serving the probationary period may be demoted to the former classification if there is a vacancy in such classification, or may be reassigned to any other comparable classification for which the employee is qualified, subject to the approval of the Mayor. The employee may be terminated only if there is no vacancy in any such other comparable classification.

(m) That Section 5.7.1 is hereby amended to read as follows:

Section 5.7.1 General.

It is the policy of the City of Opelika to provide promotional opportunities whenever possible to qualified employees. Employees are encouraged to qualify themselves for advancement by developing new skills, by expanding the knowledge of their work, by assuming greater responsibilities, and by maintaining a high level of job performance, service, interest, and loyalty.

The selection of candidates shall be determined in a manner whereby those individuals having demonstrated the required knowledge, skills, abilities and personal characteristics, while possessing the greatest potential qualities of leadership for the higher position, may be selected, regardless of race, creed, color, national origin, religion, political affiliations, sex, age or physical ability (except where age or physical ability is an essential bona fide occupational qualification).

Positions above the entrance level not governed by specific promotional requirements and procedures shall be filled by promotion of employees or by recruitment from outside the City service, with view toward the selection of the best available candidate for each position. When an employee's qualifications are regarded as equal to or higher than outside applicants, the employee shall be given the preference.

Promotional procedures may vary according to the particular classification and/or department. In some instances, specific written procedures may be designated depicting the method of qualifying for eligibility as well as the minimum requirements necessary for obtaining the higher classification.

If formal written procedures do not exist for certain classifications and/or departments, the following criteria and principles shall be observed:

(A) There must be an authorized, vacant position;

(B) An employee seeking a promotion shall have performed satisfactorily in his/her present position;

(C) An employee seeking a promotion shall meet the job qualification standards as stated in the job specifications;

(D) Qualification evaluation methods shall be reasonable, applied with fairness and equity to all eligible candidates, and developed with the intent of obtaining the highest degree of validity and reliability possible under the specific circumstances; and

(E) Selection shall be made from among the best-qualified candidates, without discrimination among them for any reason such as race, sex, age, color, religion, political affiliation, disability or national origin.

Any formal or written promotional procedures governing a particular classification and/or department must have the approval of the Mayor and the Human Resources Department, with a copy being on file in the Department of Human Resources. The Director of Human Resources shall have the responsibility for properly announcing and coordinating the promotional process in accordance with established and approved procedures. Departmental promotional rules shall not conflict with the rules and policies contained in this general policy, especially the City's Affirmative Action Plan and the goals established hereunder.

Except as provided in Section 5.7.4, only full-time employees of the City of Opelika are eligible for consideration for promotion under this Policy. Probationary employees (whether initial, promotional, or disciplinary) are not eligible for consideration for promotion.

(n) That the plus and minus form for the Opelika Fire Department in Section 5.8.5 is deleted and replaced with a new form. The new Plus and Minus form is attached hereto as Exhibit "A".

(o) That Section 5.10 is hereby amended to read as follows:

Section 5.10 Demotion/Reclassification to a Lower Graded Position

(A) Demotion.

Demotion is a move of an employee to a position or classification having a lower starting salary or range. An employee may be demoted to a position of a lesser grade for which qualified when:

(1) A budgeted vacancy exists and the employee voluntarily requests a lower classification; or

(2) An employee in a promotional probationary status does not perform satisfactorily in his/her current position. (See Section 5.4); or

(3) When an employee is unable to perform the essential functions of the job as a result of a permanent physical or mental impairment that substantially limits one or more major life activities; or

(4) The employee is to be demoted as a disciplinary measure.

If the provisions of this section conflict with any necessary or required remedy or action under the State Workers' Compensation laws, the federal American with Disabilities Act or any other federal or state laws, then any such necessary or required remedy or action shall take priority over the provisions of this section.

(p) That the Policy Manual is hereby amended by adding a section to be numbered 5.11, which section shall read as follows:

Section 5.11 Transfer

A transfer is the movement of an employee from one division of a department to another or from one department to another.

(A) Transfers by the Mayor.

(1) Any time a vacancy occurs in a position of employment, the Mayor, following the required advertisement process, is authorized to and may make an interdepartmental transfer to such position of employment if a qualified person is available in another department and such person either requests or consents to the transfer.

(2) The Mayor is authorized to make a transfer, without advertising the position, in the following circumstances:

(a) To reassign an employee who has been reclassified to a lower graded position; or

(b) To accommodate an employee pursuant to the Americans with Disabilities Act, the Family Medical Leave Act or other federal or state laws.

(B) Transfers by a Department Head.

A Department Head is authorized to make transfers within his/her department by transferring an employee from another position of a same or similar class having the same maximum pay rate involving the performance of similar duties and requiring essentially the same basic qualifications. Such transfers may be voluntary or involuntary.

(q) That the Policy Manual is hereby amended by adding a section to be numbered 5.12, which section shall read as follows:

Section 5.12 Positions Exempt from Promotion Policy

All classified full-time employees are covered by the Policies on Promotion except for the following managerial, professional and policy-making positions and approved directly by the Mayor:

City Administrator
City Attorney
City Engineer
Opelika Power Services Director
Planning Director
Economic Development Director
Human Resources Director
Fire Chief
Police Chief
Controller
Chief Technology Officer
Purchasing-Revenue Manager
Municipal Court Clerk
Solid Waste Director
Community Relations Officer
Administrative Assistant to the Mayor
Manager of Marketing
Manager of Fiber Services
Assistant Director of Opelika Power Services
Assistant Chief of Police

(r) That subsections (c), (i), (o), (n), and (cc), of Section 8.2.1 Group One Offenses are amended to read as follows:

Section 8.2.1 Group One Offenses

(c) **Conduct Unbecoming an Employee**—Conduct or actions while on or off duty, which tends to bring discredit upon the City and its employees; which

adversely affects the morale or efficiency, or public respect for, the employee's assigned department; or which otherwise threatens order, safety or health.

(i) **Falsification** – Falsification, misrepresentation or suppression of any information including, but not limited to, employment applications, employee reports, reports, or timecards required by or supplied to any governmental agency including, but not limited to the City of Opelika.

(o) **Harassment**—Harassment as defined in Section 2.1.3 of another City employee or of a private citizen while on duty.

(n) **Political Activities**—Political activities in violation of the legal regulations governing municipal employees.

(cc) **Unauthorized Release of Information**—Inappropriate use or unauthorized release of privileged or confidential information including unauthorized access to, disclosure of or inappropriate use of protected health information or other privileged or confidential information.

(s) That Section 8.2.1 Group One Offenses is amended by adding the following subsections:

(ff) **Failure to Obtain or Maintain License**—Failure to obtain or maintain a license or certificate required as a condition of employment.

(gg) **Information Technology Acceptable Use Policy Violations.**—Violations of policies, procedures and standards relating to the Information Technology Acceptable Use Policy as provided in Executive Regulation No. 15.

(hh) **Work Place Violence.** Violations of the work place violence policy contained in Section 2.2 of this Manual.

(ii) **Repetitive Acts of Misconduct**—Habitual or repetitive of misconduct, violations of policy and/or infractions of rules and regulations.

(t) That Section 8.2.2 Group Two Offenses is hereby amended by adding the following subsections to read as follows:

(d) **Gambling**—Gambling or gambling-related conduct during work hours or on City property including, but not limited to, inviting or soliciting a gambling wager or attempting to collect or collecting on a gambling debt.

(r) **Misuse of Sick Leave Rules**—Wrongful use of sick leave or failure to otherwise comport with the sick leave policy contained in Section 10.4.2 of this Manual.

(s) **Neglect**—Neglect or carelessness resulting in damage to public property, or injury to another human being, and/or failure to report accidents of personal injury or property damage.

(u) That Section 9.1.2 is hereby amended to read as follows:

Section 9.1.2 Intent of Grievance Procedures.

The intent of the City grievance procedure is to provide a standard process for speedy investigation and resolution of employee grievances and/or appeal of certain disciplinary actions. Nothing should be interpreted herein to prevent any eligible employee from presenting his/her grievance formally free from fear, interference, restraint, discrimination, coercion or reprisal.

(A) Acceptable Reasons for Grievance.

(1) Unsafe working conditions;

(2) Retaliation by a supervisor against an employee for exercising a right protected by law; complying with any law; reporting a violation of any law to the proper government authority; or reporting fraud, waste, or abuse to the proper government authority.

(3) Misapplication of law, ordinance, or policy affecting matters of conditions of employment.

(4) Termination of employment, demotion, suspension without pay or final written warning.

- (5) Promotional by-passing where there is evidence of arbitrariness and capriciousness. Arbitrariness and capriciousness are defined as an unreasonable action in disregard of the facts or without a determining principle.
- (6) Discrimination or harassment as defined in Section 2.1.3 herein.
- (7) Retaliation as defined in Section 1.12.5.2 herein.
- (8) Unauthorized or inappropriate use or disclosure of protected health information as defined by HIPAA regulations.

(B) Unacceptable Reasons for Grievance

- (1) To resolve personal differences between/among employees;
- (2) To contest the City's pay plan or classification schedule, or to appeal Citywide pay reductions which are part of a general plan to reduce salaries and wages, when such reductions are pro-rated to all employees;
- (3) To resolve complaints of alleged violations under the Americans with Disabilities Act (reference Section 9.4 for ADA grievance procedure);
- (4) To contest the content or validity of an adopted, approved ordinance or properly enacted resolution of the City Council;
- (5) To contest any disciplinary action resulting in an oral reprimand, a written warning or written reprimand (except a final written warning) or imposed probation to an employee;
- (6) To contest any action or matter falling within management rights or management discretion;
- (7) To contest non-selection for advancement or promotion, except as provided in subsection A above;
- (8) To contest an employee performance appraisal; or
- (9) To contest any action that does not pertain directly, personally and solely to the employee's own employment except for a grievance filed pursuant to Section 9.1(A)7 on behalf of another employee.

- (v) That Section 9.1.3 is hereby amended to read as follows:

Section 9.1.3 Definition of Grievance.

Within the City of Opelika, a grievance is defined as either:

- (a) an allegation by an eligible employee that a City official, officer or supervisor has improperly applied, or failed to apply the policies, procedures and/or rules of the City of Opelika; or
- (b) an appeal by an eligible employee that a disciplinary action taken against him/her resulting in termination of employment, demotion or suspension without pay was improper.

- (w) That Section 10.1 is hereby amended to read as follows:

Section 10.1 Hours of Operation

The Mayor will, in coordination with the City Council, establish the hours that the City offices and departments will be open for business and/or manned. Normally, such hours of operations will be between 8:00 a.m. and 5:00 p.m., Monday through Friday. However, some activities, such as public safety are required to operate on a twenty-four (24) around the clock basis and other activities, such as parks and recreation, public works, library and Opelika Power Services may be required to work expanded hours of operation to provide needed services for the citizens of the City of Opelika. The scheduling of employees as needed to efficiently and effectively perform needed activities during the hours of operation as established for each department will be the responsibility of the Department Head. Scheduling of employees and their attendance at work will be in accordance with the guidelines of this section.

- (x) That Section 10.1.3.3 is hereby amended to read as follows:

Section 10.1.3.3 Part-Time Service Schedules

The hours that part-time service employees work in their regularly scheduled workweek period will be established by their Department Head based upon the hours approved by the Mayor. Normally, part-time service employees will be scheduled to work twenty-nine (29) hours or less in their workweek.

(y) That Section 11.7.4.1 is hereby amended to read as follows:

Section 11.7.4.1 Merit Increase

A pay increase may be provided annually to an eligible employee as a merit increase if such employee has a favorable rating on his/her performance appraisal for each twelve months of satisfactory or above satisfactory service or his latest performance appraisal. Each employee will be evaluated in November of each year and a merit increase of 0% to 10% will be awarded to employees as determined by the Mayor, as compensation for their performance during the rating period. All merit increases shall become effective the first pay period in December, following the performance appraisal. An eligible employee may also be entitled to receive any merit increase authorized by the City Council.

(z) That Section 11.7.5.2 is hereby amended to read as follows:

Section 11.7.5.2 Promotions.

When an employee is promoted to a position having a higher salary range (generally a position of increased responsibility or complexity of duties), he/she will receive a salary adjustment either to the entry level of the salary range of the new position or to a salary rate which is at least three percent (3%) above the employee's salary before promotion, whichever is the higher amount. The actual amount of increase will be approved by the Mayor based upon a recommendation from the Human Resources Director and the employee's Department Head. However, an employee's pay rate may not exceed the maximum pay rate for the new classification. If an employee fails to complete the probationary period after a promotion and is demoted to his/her former classification, the employee will be placed within the same grade in the lower graded classification but will be eligible for any pay adjustments to the extent the employee would have received such increases had the employee still been serving in the previous grade classification.

(aa) That Section 11.7.5.3 is hereby amended to read as follows:

Section 11.7.5.3 Demotions/Reclassifications to Lower Graded Positions.

(A) If demoted for cause (disciplinary action), the rate of pay in the lower classification shall be set by the Mayor in consideration of the cause, but in no case shall be higher than the maximum rate of the lower classification. The rate of pay shall be at least three percent (3%) below his/her previous rate of pay, but in no case shall be lower than the minimum rate of the new position.

(B) For an employee demoted upon request, the rate shall be determined after considering the length of service in the higher class, prior positions held, and the reasons for requesting the demotion, but in no event shall the rate exceed the maximum rate of the new position. The new rate of pay shall be set by the Director of Human Resources with the approval of the Mayor.

(C) If an employee is placed in a lower graded position (through no fault of his/her own, as a result of a job reclassification action or reduction in force), the employee shall retain his/her current rate of pay.

(D) For an employee accommodated for medical reasons to a position of lower grade, the rate shall be determined by the Mayor after considering the length of service in the higher classification and prior positions held. With the approval of the Mayor, the employee's rate may exceed the maximum rate of the new position.

(E) For demotions or placements in a position of lower grade, the employee's anniversary date will remain unchanged.

(bb) That Section 11.7.6 is hereby amended to read as follows:

Section 11.7.6 Temporary Assignments

When an employee is temporarily assigned to a position of a higher pay grade than his/her regular job, his/her pay will remain the same if such assignment does not exceed thirty (30) consecutive scheduled work days (fourteen (14) continuously scheduled work days for fire protection employees who are regularly scheduled to work twenty-four (24) hour work days). If the employee remains in the temporary assignment for more than thirty (30) consecutive workdays (fourteen (14) for fire protection employees) his/her pay will be adjusted to at least the entry-level pay of the pay grade of the temporary job for the remainder of such assignment. At that time the employee will be retroactively paid from the beginning of the assignment. However, the employee's adjusted pay will be at least three (3) percent above his/her regular pay. Upon termination of the temporary assignment, the employee's pay will revert to his/her regular pay. If an employee is temporarily assigned to a position that has a lower pay range than his/her regular pay grade, his/her pay will remain the same as before the temporary assignment.

(cc) That Section 12.4.2.1 is hereby amended to read as follows:

Section 12.4.2.1 Life and Accidental Death Plan

Generally, eligible employees are covered on the first of the month following a thirty (30) day waiting period. Each employee will be required to complete, during his/her initial processing, those necessary forms to designate his/her beneficiaries. Upon separation an employee may convert such coverage to an individual policy in accordance with the terms and conditions of the group policy. Qualifying for a waiver of premium because of a disability or any benefits payable under the Accidental Death and Dismemberment benefit will be in accordance with the terms of the group policy. Review your employee insurance handbook and/or contact the Human Resources Department for further details.

(dd) That the Policy Manual is hereby amended by adding a new section to be numbered 16, which section shall read as follows:

Section 16 FLSA Safe Harbor Policy

It is the City of Opelika's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that employees are paid properly for all time worked and that no improper deductions are made, you must record correctly all work time and review your paychecks promptly to identify and to report all errors.

Section 16.1 Review Your Pay Stub.

The City of Opelika makes every effort to ensure its employees are paid correctly. Occasionally, however, mistakes can happen. When mistakes do happen and are called to its attention, the City of Opelika will promptly make any corrections necessary. Please review your pay stub when you receive it to make sure it is correct. If you believe a mistake has occurred or if you have any questions, please use the reporting procedure outlined below.

Section 16.2 Non-Exempt Employees.

If you are classified as a non-exempt employee, you must maintain a record of the total hours you work each day. These hours must be accurately recorded on a

time card that will be provided to you by your supervisor. Each employee must sign his/her time card to verify that the reported hours worked are complete and accurate. Your time card must accurately reflect all regular and overtime hours worked, any absences, late arrivals, early departures and meal breaks. At the end of each week, you should submit your completed time card to your supervisor for verification and approval. When you receive each pay check, please verify immediately that you were paid correctly for all regular and overtime hours worked each work week.

Unless you are authorized by a supervisor, you should not work any hours that are not authorized. Do not start work early, finish work late, work during a meal break or perform any other extra or overtime work unless you are authorized to do so and that time is recorded on your time card. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you may perform but fail to report on your time card. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to, and including, termination of employment.

It is a violation of the City of Opelika's policy for any employee to falsify a time card, or to alter another employee's time card. It is also a serious violation of City policy for any employee or manager to instruct another employee to incorrectly or falsely report hours worked or alter another employee's time card to under- or over-report hours worked. If any manager or employee instructs you to (1) incorrectly or falsely under- or over-report your hours worked, or (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, you should report it immediately to the Human Resources Department.

Section 16.3 Exempt Employees.

If you are classified as an exempt salaried employee, you will receive a salary that is intended to compensate you for all hours you may work for the City of Opelika. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

Under federal and state law, your salary is subject to certain deductions. For example, absent contrary state law requirements, your salary can be reduced for the following reasons:

- (1) Full day absences for personal reasons;
- (2) Full day absences for sickness or disability;
- (3) Full day disciplinary suspensions for infractions of the City's written policies and procedures;
- (4) Family and Medical Leave absences (either full or partial day absences); and
- (5) The first or last week of employment in the event you work less than a full week.

Your salary may also be reduced for certain types of deductions such as your portion of health, dental or life insurance premiums; state, federal or local taxes, social security; or voluntary contributions to a 401(k) or pension plan. In any work week in which you performed any work, your salary will not be reduced for any of the following reasons:

- (1) Partial day absences for personal reasons, sickness or disability;
- (2) Your absence on the day before or after a paid holiday or because the facility was closed on a scheduled work day;
- (3) Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work; or
- (4) Any other deductions prohibited by state or federal law.

Section 16.4 To Report Concerns or Obtain More Information.

If you have questions about deductions from your pay, please immediately contact Human Resources. If you believe you have been subject to any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to your supervisor. If the supervisor is unavailable or if you believe it would be inappropriate to contact that person (or if you have not received a prompt and fully acceptable reply), you should immediately contact the Human Resources Director, the Controller or the Assistant Controller. If you are unsure of who to contact if you have not received a satisfactory response within five (5) business days after reporting the incident, please immediately contact the City Administrator or Mayor's office.

Every report will be fully investigated and corrective action will be taken where appropriate, up to and including termination of employment for any employee(s) who violate this policy. In addition, the City of Opelika will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the City's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to, and including, termination of employment.

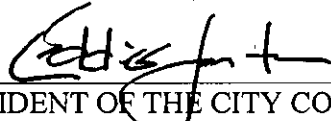
Section 2. Severability. The provisions of this ordinance are severable. If any section, subsection, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall not affect the validity of the remaining portions of this ordinance.

Section 3. Cumulative of All Other Ordinances. The provisions of this ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the subject matter as covered herein, provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

Section 4. Effective Date. This ordinance shall become effective upon its passage, approval and publication as required by law.

Section 5. Publication. The City Clerk of the City of Opelika, Alabama is hereby authorized and directed to cause this Ordinance to be published one (1) time in a newspaper of general circulation published in the City of Opelika, Lee County, Alabama.

ADOPTED AND APPROVED this the 21st day of April, 2015.



PRESIDENT OF THE CITY COUNCIL OF THE
CITY OF OPELIKA, ALABAMA

ATTEST:



CITY CLERK

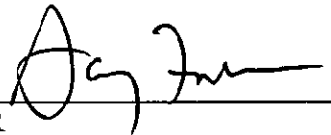
TRANSMITTED TO MAYOR on this the 22nd day of April, 2015.



CITY CLERK

ACTION BY MAYOR

APPROVED this the 22nd day of April, 2015.



MAYOR

ATTEST:



CITY CLERK

Exhibit "A"

PLUS AND MINUS FORM FOR THE OPELIKA FIRE DEPT

Name: _____ Position: _____ Rank: _____

1. Education

Closely Related: Assoc. Degree +1, Bachelor's Degree +2, Master's Degree +3
Related: Assoc. Degree +.5, Bachelor's Degree +1, Master's Degree +1.5

2. Required Promotional Training (see table in the instructions)
1/2 point per course

3. Job Related Training (within past 5 years)

60-100 hours - +1 201-300 hours - +3 Over 400 - +5
101-200 hours - +2 301-400 - +4

4. Attendance (during last 12 months)

Absent 48 hours or less during last 12 months - +1
Absent more than 48 hours but less than 120 hours - 0
Absent more than 120 hours -1

5. Length of Service

0-2 years 0 points 6-8 years +2 12-15 years +4
3-5 years +1 9-11 years +3 Over 15 +5

6. Disciplinary Actions (within past 3 years)

Note: If a person has more than one disciplinary action in connection with the same incident, only the highest discipline meted will be scored

Counseling session -.5 x _____ = _____
Verbal Warning -1.0 x _____ = _____
Written Warning -2.0 x _____ = _____
Final Written Warning* -3.0 x _____ = _____
Suspension* -4.0 x _____ = _____

Total

**Employees with final written warnings and/or suspensions within the past 18 months are ineligible for promotion.*

7. Awards and Commendations (within past 3 years)

Note: If a person receives more than one commendation or award related to the same incident, only the one with the highest value will be used.

Citizen Letter (Related to job duties) =+0.10
Civic Club Award (Rotary, etc.) =+1.00
Departmental Commendation (Lifesaver award) =+2.00

8. Evaluation scoring method – average of previous three evaluation periods

Number one: _____ Exceeds Standards----- +2
Number two: _____ Meets Standards----- +1
Number three: _____ Needs Improvement----- +0
Average: _____ Not Satisfactory----- -1

TOTAL FACTORS

TEST RESULTS FROM ASSESSMENT CENTER

SUM OF FACTORS AND TEST RESULTS

PROMOTION DECISION: () YES () NO

CITY OF OPELIKA

P. O. Box 390
Opelika, Alabama 36803

Certification of advertising:

I, Robert G. Shuman, City Clerk of the City of Opelika, Alabama, do hereby certify that

Ordinance number 109-15 was adopted and approved on 4-21-15

and published in the:

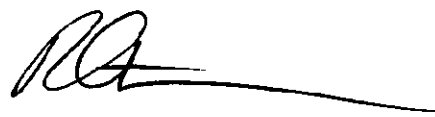
 Opelika - Auburn News

X Opelika Observer

a newspaper of general circulation in the City of Opelika, Alabama one (1) time on

the 24th day of April, 2015.

Dated this the 24th day of April, 2015.



R. G. Shuman, CMC
City Clerk – Treasurer
Opelika, Alabama

AN ORDINANCE AMENDING SECTION 28-406--DEPOSITS OF THE
CODE OF ORDINANCES OF THE CITY OF OPELIKA

BE IT ORDAINED by the City Council (the "Council") of the City of Opelika, Alabama (the "City") as follows:

Section 1. **Amendment** That Section 28-406 of the *Code of Ordinances* of the City of Opelika, Alabama, is hereby amended to read as follows:

Sec. 28-406. – Deposits.

A deposit may be required at the option of OPS from an applicant for services to guarantee the payment of all bills and the protection of OPS' equipment on the customer's premises. For residential customers, the deposit will be in the form of cash. For commercial and industrial customers, the deposit will be in the form of cash, approved surety bond or irrevocable letter of credit. Electric and refuse deposits are required and must be paid at the time of application. Telecom deposits may be required according to the customer's credit rating. Deposits are not billable. When service is terminated, deposits may be applied by OPS against any unpaid bills of the customer. If any balance remains after such application is made, said balance shall be refunded to the customer. OPS may require a separate deposit for each customer account. Deposits remain on file until services are disconnected or final billed or the deposit is refunded to the customer. Deposit amounts are as follows:

Electric Residential Deposit:	Based on Experian National Risk Model = \$75.00 (Green)
	Based on Experian National Risk Model = \$150.00 (Red and Yellow)
Electric Commercial Deposit:	\$200.00 minimum or two times the estimated high bill at location. The minimum deposit is based on a formula of \$0.30 cents/square foot for commercial accounts and \$0.45 cents/square foot for industrial accounts. OPS will also consider the type of business that will be occupying the space. For example, OPS may require a higher deposit for a restaurant than a book store based on electrical usage.
Garbage/Refuse Deposit:	\$25.00
Telecom Residential Deposit:	Based on Experian National Risk Model = \$0.00 (Green)
	Based on Experian National Risk Model = \$75.00 (Yellow)
	Based on Experian National Risk Model = \$150.00 (Red)
Credit Scores:	Green 685—850

	Yellow 630—684
	Red 0—629
Note: A yellow flagged customer may have a deposit waived based on past bill payment experience with OPS. If a customer wanting telecom service has no non-sufficient funds or returned checks, they may qualify for no deposit for telecom services. A CSR will make that determination based on a customer's past payment experience and the Experian risk model information. All customers that are flagged yellow will be considered equally when determining their qualification for deposit waiver.	
Telecom Business Deposit:	\$200.00 or the total of one month's service fees, whichever is higher.

Section 2. **Repealer Clause.** All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the section hereby adopted are repealed.

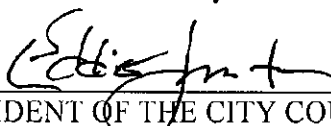
Section 3. **Severability.** If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of any competent jurisdiction, said section shall not affect any other section, clause, provision or portion of this Ordinance which is not in or of itself invalid or unconstitutional.

Section 4. **Construction.** If any section, paragraph, sentence or word of this Ordinance or the section hereby adopted be declared for any reason to be invalid, it is the intent of the City Council that it would have passed all other portions of this Ordinance and the section hereby adopted independent of the elimination therefrom of such portion that may be declared invalid.

Section 5. **Effective Date.** This Ordinance and the section hereby adopted shall take effect and be enforced immediately upon its adoption and publication as required by law.

Section 6. **Publication.** The City Clerk of the City of Opelika is hereby authorized and directed to cause a copy of this Ordinance to be published in a newspaper of general circulation in the City of Opelika, Alabama.

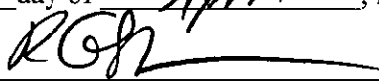
ADOPTED AND APPROVED this the 21st day of April, 2015.



 PRESIDENT OF THE CITY COUNCIL OF THE
 CITY OF OPELIKA, ALABAMA

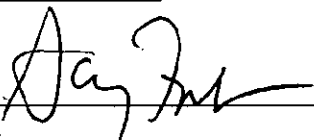
ATTEST: 

 CITY CLERK

TRANSMITTED TO MAYOR on this the 22nd day of April, 2015.


 CITY CLERK

ACTION BY MAYOR
 APPROVED this the 22nd day of April, 2015.



 MAYOR

ATTEST: 

 CITY CLERK

CITY OF OPELIKA

P. O. Box 390
Opelika, Alabama 36803

Certification of advertising:

I, Robert G. Shuman, City Clerk of the City of Opelika, Alabama, do hereby certify that

Ordinance number 110-15 was adopted and approved on 4-21-15

and published in the:

 Opelika - Auburn News

X Opelika Observer

a newspaper of general circulation in the City of Opelika, Alabama one (1) time on

the 24th day of April, 2015.

Dated this the 24th day of April, 2015.



R. G. Shuman, CMC
City Clerk – Treasurer
Opelika, Alabama

Bob,

Guy asked me to send you the originals for the Vacation of Public Alley between Clearmont Circle and Rocky Brook Road. I do not have the original. I emailed Gene Ward, adjacent property owner to the vacation, about the originals. Mr. Ward initiated the vacation of alley and was in contact with all the other adjacent property owners about signing the petition.

MARTY

Rec
6/29/15