



OPELIKA CITY COUNCIL
“ REGULAR MEETING AGENDA “
204 South 7th Street
July 19, 2016
TIME: 7:00 PM

1. CALL TO ORDER

2. ROLL CALL

1. Patricia Jones, Larry Gray, Dozier Smith T, David Canon, Eddie Smith

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. READING OF MINUTES

1. Council Meeting Minutes from the 7-05-16 CM.

6. UNFINISHED BUSINESS

7. REMARKS BY THE MAYOR

1. Building Inspections Reports - June, 2016
2. Proclamation - National Night Out.

8. CITIZEN COMMUNICATIONS

(Limit comments to five minutes or less)

9. REPORT OF DISBURSEMENTS

10. COMMITTEE REPORTS

11. GENERAL BUSINESS

1. Request for Temporary Street Closure for National Night Out.
2. Public Hearing to Authorize Demolition - 1113 Lake Street
3. Public Hearing for Fixing Costs of Demolition - 214 Byrd Avenue
4. Public Hearing for Fixing Costs of Demolition - 307 S. 2Nd Street

12. AWARDING OF BIDS

1. City Camera System - IT
2. Roll-Off Hauling - OES
3. 2016 City-Wide Restriping - ENG

13. RESOLUTIONS

1. Order a Demolition - 600 Meadow Avenue - Tabled.
2. Order a Demolition - 1003 Alton Court - Inspection. - Tabled
3. Order a Demolition - 806 Powledge Avenue - Tabled.
4. Expense Reports from Various Departments.

5. Designate City Personal Property Surplus & Authorize Disposal
6. Purchase - One (1) Kenworth with Pac-Mac Loader - OES
7. Authorize a Demolition - 1113 Lake Street
8. Fixing Costs of Demolition - 214 Byrd Avenue
9. Fixing Costs of Demolition - 307 S. 2Nd Street
10. License Agreement, ROW Encroachment, Springs Mill Lake - Eng.
11. Amend Tax Abatement Agreement, Cumberland Plastic Systems - ED.
12. Increasing Number of Field Service Technician Positions at OPS
13. Approving Amended Employment Contract
14. Declare Council Members Without Opposition Re-Elected.

14. ORDINANCES

15. APPOINTMENTS

16. ADJOURN



City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

CM MINUTES (ID # 1772)

Meeting: 07/19/16 07:00 PM
Department: City Clerk
Category: CM Minutes
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:

DOC ID: 1772

Council Meeting Minutes from the 7-05-16 CM.



OPELIKA CITY COUNCIL “ REGULAR MEETING MINUTES “

204 South 7th Street

July 5, 2016

TIME: 7:00 PM

1. Call to Order

President Smith called the council meeting to order at 7:00 PM and asked Mr. Shuman to call the roll.

2. Roll Call

All city council members were present.

1. Patricia Jones, Larry Gray, Dozier Smith T, David Canon, Eddie Smith

3. Invocation

The invocation was presented by Tom Tippet.

4. Pledge of Allegiance

The Pledge of Allegiance was lead by President pro-tem Patsy Jones.

5. Reading of Minutes

1. Minutes from the 6-21-16 City Council Meeting.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Larry Gray, Council Member

SECONDER: David Canon, Council Member

AYES: Jones, Gray, Smith T, Canon, Smith

6. Unfinished Business

7. Remarks By the Mayor

Mayor Fuller stated the city's fireworks show was fantastic and hoped everyone had a great 4th of July.

8. Citizen Communications

(Limit comments to five minutes or less)

Mattie Clark asked for the city to consider placing a 4-way stop at the intersection of Avenue C and 8th Street. Mayor Fuller said it would take a look at that.

9. Report of Disbursements

10. Committee Reports

11. General Business

1. Request by OPS for Temporary Street Closure of 1St Ave. on July 10Th.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Dozier Smith T, Council Member

SECONDER: Patricia Jones, President Pro-Tem

AYES: Jones, Gray, Smith T, Canon, Smith

12. Awarding of Bids

1. Bids 150-16 VMware Licensing and Maintenance - IT

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Larry Gray, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gray, Smith T, Canon, Smith

13. Resolutions

1. Resolution Order a Demolition - 600 Meadow Avenue - Tabled.
This resolution remained Tabled.
2. Resolution Order a Demolition - 1003 Alton Court - Inspection. - Tabled
This resolution remained Tabled.
3. Resolution Order a Demolition - 806 Powledge Avenue - Tabled.
This resolution remained Tabled.
4. Resolution 151-16 Purchase - Five (5) Air Packs with Kits - OFD.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: David Canon, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gray, Smith T, Canon, Smith
5. Resolution 152-16 Authorize Application for an Alabama Historic Preservation Grant.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Dozier Smith T, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gray, Smith T, Canon, Smith
6. Resolution 153-16 Annual MWPP Reports Sewer Treatment Plants - P/W.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: David Canon, Council Member
SECONDER: Larry Gray, Council Member
AYES: Jones, Gray, Smith T, Canon, Smith
7. Resolution 154-16 Request for a Special Use Permit, Verizon at 900 Preister Road.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Dozier Smith T, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gray, Smith T, Canon, Smith
8. Resolution 155-16 Request for a Special Use Permit, Verizon at 2404 Frederick Road.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: David Canon, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gray, Smith T, Canon, Smith
9. Resolution 156-16 Request for a Special Use Permit, Verizon at 2002 Steel Street.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Larry Gray, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gray, Smith T, Canon, Smith
10. Resolution 157-16 Barbasol Golf Championship Sponsorship.

RESULT: APPROVED [UNANIMOUS]

MOVER: David Canon, Council Member

SECONDER: Dozier Smith T, Council Member

AYES: Jones, Gray, Smith T, Canon, Smith

11. Resolution 158-16 Tax Abatement GSF, Lex Opelika & Wells Fargo Equipment Finance.

RESULT: APPROVED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: David Canon, Council Member

AYES: Jones, Gray, Smith T, Canon, Smith

12. Resolution 159-16 OPSone Branding Campaign by V3 Media Group - OPS.

RESULT: APPROVED [UNANIMOUS]

MOVER: David Canon, Council Member

SECONDER: Larry Gray, Council Member

AYES: Jones, Gray, Smith T, Canon, Smith

13. Resolution 160-16 Appoint City Clerk as the City Election & Absentee Manager.

RESULT: APPROVED [UNANIMOUS]

MOVER: Patricia Jones, President Pro-Tem

SECONDER: Dozier Smith T, Council Member

AYES: Jones, Gray, Smith T, Canon, Smith

14. Resolution 161-16 Proclaim August 2, 2016 as National Night Out in Opelika.

RESULT: APPROVED [UNANIMOUS]

MOVER: Larry Gray, Council Member

SECONDER: Patricia Jones, President Pro-Tem

AYES: Jones, Gray, Smith T, Canon, Smith

15. Resolution 162-16 Special Appropriation to Dixie Boys Baseball.

RESULT: APPROVED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: David Canon, Council Member

AYES: Jones, Gray, Smith T, Canon, Smith

14. Ordinances

There was no ordinances.

15. Appointments

There was no appointments.

16. Adjourn

These City Council meeting minutes of 7-05-16 are hereby adopted and approved this the ____ day of _____, 2016.

/s/

President of the City Council

City of Opelika, Alabama

ATTEST:

/s/

City Clerk - Treasurer

1. Motion to adjourn.

This city council meeting ended at 7:16 PM.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Patricia Jones, President Pro-Tem

SECONDER: Larry Gray, Council Member

AYES: Jones, Gray, Smith T, Canon, Smith



City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 07/19/16 07:00 PM
Department: Building Inspection
Category: Building Permit Report.
Prepared By: William Ott
Initiator: Jeff Kappelman
Sponsors:

MAYOR'S REMARKS (ID # 1771)

DOC ID: 1771

Building Inspections Reports - June, 2016

Monthly Building Permit Detail Report June, 2016

<u>Main Address</u>	<u>Permit Type</u>	<u>Work Class</u>	<u>Issue Date</u>	<u>Valuation</u>
604 SKI SPRAY PT	Building - Residential	New Single Family Detached	6/1/2016	\$100,000.00
3318 DOUBLE EAGLE LN	Building - Residential	Decks	6/1/2016	\$2,400.00
3150 CAPPS WAY	Building - Commercial	Hotels and Motels	6/2/2016	\$6,045,000.00
2800 SAMANTHA LN	Building - Residential	New Single Family Detached	6/3/2016	\$152,236.00
2711 SAMANTHA LN	Building - Residential	New Single Family Detached	6/3/2016	\$176,341.00
513 LORI LN	Building - Residential	New Single Family Detached	6/3/2016	\$254,804.00
3902 JUDSON CT	Building - Residential	New Single Family Detached	6/3/2016	\$130,294.00
2808 MATSU LN	Building - Residential	New Single Family Detached	6/3/2016	\$244,008.00
4210 ACADEMY DR	Building - Residential	New Single Family Detached	6/3/2016	\$357,731.00
2913 STILLWOOD WAY	Building - Residential	New Single Family Detached	6/3/2016	\$364,997.00
4206 ACADEMY DR	Building - Residential	New Single Family Detached	6/6/2016	\$357,382.00
1105 LIVE OAK CIR	Building - Residential	New Single Family Detached	6/7/2016	\$324,207.00
600 M L KING BLVD	Building - Residential	Alteration	6/7/2016	\$6,200.00
709 DOGWOOD AVE	Building - Residential	Accessory Buildings	6/7/2016	\$2,100.00
4195 OAK BOWERY RD	Building - Residential	New Single Family Detached	6/8/2016	\$191,168.00
2116 ANDREWS RD	Building - Residential	Detached Garage	6/8/2016	\$29,000.00
4705 PEBBLE SHORE DR	Building - Residential	Swimming Pool	6/9/2016	\$51,550.00
906 WESTPOINT PKWY	Building - Residential	Roofs	6/10/2016	\$6,440.00
490 CUSSETA RD	Building - Residential	Accessory Buildings	6/13/2016	\$1,425.00
605 LORI LN	Building - Residential	New Single Family Detached	6/14/2016	\$180,146.00
1023 RENFRO AVE	Building - Residential	New Single Family Detached	6/14/2016	\$250,000.00
2309 JEWELS WAY	Building - Residential	New Single Family Detached	6/14/2016	\$161,209.00
2001 GLENWOOD DR	Building - Residential	Roofs	6/14/2016	\$7,832.00
601 AVENUE B	Building - Residential	Roofs	6/14/2016	\$6,750.00
3604 DOUBLE EAGLE LN	Building - Residential	New Single Family Detached	6/14/2016	\$190,847.00

<u>Main Address</u>	<u>Permit Type</u>	<u>Work Class</u>	<u>Issue Date</u>	<u>Valuation</u>
3504 DOUBLE EAGLE LN	Building - Residential	New Single Family Detached	6/14/2016	\$174,522.00
2806 MATSU LN	Building - Residential	New Single Family Detached	6/14/2016	\$254,804.00
2000 STEEL ST	Building - Commercial	Communication Towers	6/14/2016	\$25,000.00
511 LORI LN	Building - Residential	New Single Family Detached	6/14/2016	\$152,236.00
2701 FREDERICK RD 307	Building - Commercial	Tenant Build Out	6/15/2016	\$91,400.00
515 N 10TH ST	Building - Residential	Alteration	6/15/2016	\$150,000.00
3503 MAPLE CREEK CT	Building - Residential	New Single Family Detached	6/16/2016	\$213,386.00
2305 JEWELS WAY	Building - Residential	New Single Family Detached	6/16/2016	\$163,325.00
3221 TURKEY TROT WAY	Building - Residential	Addition	6/16/2016	\$25,000.00
2203 COBBLESTONE DR	Building - Residential	New Single Family Detached	6/16/2016	\$215,078.00
3219 TURKEY TROT WAY	Building - Residential	Addition	6/16/2016	\$28,000.00
804 COLUMBUS PKWY STE 1	Building - Commercial	Alteration	6/21/2016	\$2,500.00
2308 COBBLESTONE DR	Building - Residential	New Single Family Detached	6/21/2016	\$165,770.00
109 BAY CT A	Building - Residential	Alteration	6/21/2016	\$12,000.00
18 JETER AVE	Building - Residential	Alteration	6/21/2016	\$9,515.00
109 BAY CT B	Building - Residential	Alteration	6/21/2016	\$12,000.00
814 GENEVA ST	Building - Commercial	Signs	6/22/2016	\$5,800.00
2502 LOWE ST	Building - Residential	Accessory Buildings	6/22/2016	\$3,500.00
2803 PEPPERELL PKWY	Building - Residential	Alteration	6/23/2016	\$10,000.00
3601 MAPLE CREEK CT	Building - Residential	New Single Family Detached	6/23/2016	\$242,412.00
501 LEE ST	Building - Residential	Alteration	6/27/2016	\$1,000.00
4317 PEBBLE SHORE DR	Building - Residential	Swimming Pool	6/27/2016	\$30,000.00
609 N 10TH ST	Building - Residential	Alteration	6/27/2016	\$25,000.00
515 FRUITWOOD CIR A	Building - Residential	Alteration	6/28/2016	\$77,417.00
507 GENEVA ST 323	Building - Residential	Five Plus Family Home	6/28/2016	\$95,000.00
507 GENEVA ST 314	Building - Residential	Five Plus Family Home	6/28/2016	\$95,000.00
507 GENEVA ST 322	Building - Residential	Five Plus Family Home	6/28/2016	\$95,000.00
507 GENEVA ST 324	Building - Residential	Five Plus Family Home	6/28/2016	\$95,000.00
1406 SANDRAY DR	Building - Residential	Accessory Buildings	6/28/2016	\$4,400.00
507 GENEVA ST 312	Building - Residential	Five Plus Family Home	6/28/2016	\$95,000.00

<u>Main Address</u>	<u>Permit Type</u>	<u>Work Class</u>	<u>Issue Date</u>	<u>Valuation</u>
507 GENEVA ST 321	Building - Residential	Five Plus Family Home	6/28/2016	\$95,000.00
507 GENEVA ST 311	Building - Residential	Five Plus Family Home	6/28/2016	\$95,000.00
507 GENEVA ST 313	Building - Residential	Five Plus Family Home	6/28/2016	\$95,000.00
1011 RENFRO AVE	Building - Residential	New Single Family Detached	6/29/2016	\$400,000.00
2430 VILLAGE PROFESSIONAL DR	Building - Commercial	Building Shell	6/30/2016	\$114,994.00
2109 SOCIAL CIR	Building - Residential	New Single Family Attached	6/30/2016	\$251,266.00
2113 SOCIAL CIR	Building - Residential	New Single Family Attached	6/30/2016	\$251,266.00
2115 SOCIAL CIR	Building - Residential	New Single Family Attached	6/30/2016	\$251,266.00
2111 SOCIAL CIR	Building - Residential	New Single Family Attached	6/30/2016	\$204,454.00
			Total	\$13,921,378.00

Taken From The Records Of The
Building Inspector



Jeff Kappelman
Building Official



*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 June, 2016

Work & Repair On Buildings:

Building Repairs	Commercial	Residential
Buildings Condemned	0	0
Buildings Demolished	0	0
Building Repairs	2	10
Plumbing Upgrades	2	5
Electrical Upgrades	2	5
Mechanical Upgrades	2	5
Reroofs And Roof Repairs	0	3
Mobile Home Services	0	0
Building Additions/Accessory Structures	0	10

Monthly Totals For June 2007-2016

2007	\$16,008,548.00
2008	\$4,266,723.00
2009	\$4,208,066.00
2010	\$3,892,714.00
2011	\$4,453,896.00
2012	\$7,083,887.00
2013	\$9,422,855.00
2014	\$5,372,951.00
2015	\$20,933,556.00
2016	\$13,921,378.00

Total Permits Issued:

3	New Buildings: Commercial	\$6,184,994.00
2	Commercial Renovations And Repairs	\$93,900.00
1	Signs	\$5,800.00
28	New Single Family Homes	\$6,375,155.00
23	Residential Repairs And Renovations	\$501,529.00
8	New Apartment Units	\$760,000.00
0	New Duplex Residences	\$0.00
65	Total Building Permits Issued	\$13,921,378.00

65

Total Permits Issued For June, 2016

\$13,921,378.00

TAKEN FROM THE RECORDS OF THE
BUILDING INSPECTOR

Jeff Kappelman
Jeff Kappelman
Building Official

Attachment: City Council Report - June, 2016 (1771 : Building Inspections Reports - June, 2016)

RESOLUTION NO. (ID # 1773)

Request for Temporary Street Closure for National Night Out.

Shuman, Robert

From: McEachern, John
Sent: Thursday, July 07, 2016 3:50 PM
To: Shuman, Robert; mattie clark
Cc: Foxe, K C; Holley, Bob; Fuller, Gary; Arrington, Barbara; Motley, Joey; Gunter, Jan
Subject: National Night Out Parade Route/Road Closure Request of City Council...

Mr. Shuman:

Please accept this parade route information/road closure request as it relates to the National Night Out event to be held on Tuesday, August 2nd, 2016. I submit this request to you and the City Council on behalf of Mattie Clark, Event Coordinator, for the National Night Out event.

1. The event is named: National Night Out Celebration and is sponsored by the National Night Out.
2. The date of the parade/march request is **Tuesday, August 2nd, 2016.**
3. The start time will be 5:00 p.m. and will end at 6:00 p.m. (this is the parade route event time)
 - **The actual time of the entire event is 5:00 p.m. – 8:30 p.m.**
4. Estimated number of participants is 300-400
5. In lieu of a detailed map, the parade route will be as follows: Begin on W.E. Morton Blvd. @ Antioch Baptist Church and proceed east towards Toomer Street. Turn left onto Toomer Street and proceed north until Carver Avenue. Turn right onto Carver Avenue (east) until entrance into Covington Park and end.

There is NO request for barricades, as the entire parade will be led and followed by marked police units which will block intersections.

Please feel free to contact me should you have any questions, and thank you for including this request in Minute Trak!

Thanks again Bob!

p.s. Last year's Resolution Number was 151-15

Chief McEachern



City Council

204 South 7Th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 1721)

Meeting: 07/19/16 07:00 PM
Department: Building Inspection
Category: Public Hearing
Prepared By: David Chapman
Initiator: Jeff Kappelman
Sponsors:
DOC ID: 1721

Public Hearing to Authorize Demolition - 1113 Lake Street

May 10, 2016

Bartlett Howard
d/b/a PM Holdings
134 Catherine Circle
Cartersville, GA 30120

LBJ & Associates
c/o L. Bernard Jackson
506 Avenue A
Opelika, AL 36801

LBJ & Associates
c/o L. Bernard Jackson
814 N. College Street
Auburn, AL 36830

NOTICE OF DANGEROUS BUILDING, FINDING OF PUBLIC NUISANCE AND ORDER TO REMEDY

This notice, finding and order is given pursuant to Ordinance No. 116-15 and Section 5-226 of the *Code of Ordinances* of the City of Opelika, Alabama, informing you that a building located within the City of Opelika, Alabama (the "City") is unsafe to the extent that it is a public nuisance and subject to demolition. According to the real property records of Lee County, Alabama, Bartlett Howard d/b/a PM Holdings is the owner of the real property described in this notice and Bartlett Howard is the person last assessing the subject property for state taxes. Bartlett Howard furnished to the City an unrecorded statutory warranty deed dated as of January 29, 2015 allegedly conveying the property described in this notice to LBJ & Associates. The building is located on the following described real property, to-wit, which is described hereinafter as the "Subject Property":

Street Address: 1113 Lake Street, Opelika, AL 36801

Legal Description: Lot 1-E, A, SUBDIVISION OF LOT 1-A, ZUBER VALLEY SUBDIVISION, SECOND ADDITION, according to and as shown by that certain map or plat thereof of record in Town Plat Book 17, Page 156, in the Office of the Judge of Probate of Lee County, Alabama.

Parcel Identification Number: 43-10-04-18-2-001-046.000

As the Building Official of the City of Opelika, the undersigned inspected the building on the Subject Property on May 5, 2016. Based upon said inspection, the building located on the Subject Property is deemed to be a “dangerous building” within the meaning of Ordinance No. 116-15 because of the following conditions and/or defects:

(Check all that apply)

- ☐ (1) The interior walls or other vertical structure members of the building list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.
- ☐ (2) Exclusive of foundation, the building shows thirty-three (33) percent or more of damage or deterioration of one (1) or more supporting members or fifty (50) percent of damage or deterioration of the non-supporting enclosing or outside walls or covering.
- ☐ (3) The building has improperly distributed loads upon the floors or roofs, or, in which the same are overloaded or which has insufficient strength to be reasonably safe for the purpose used.
- X (4) The building has been damaged by fire, wind, earthquake, flood, sinkhole, deterioration, neglect, abandonment, vandalism or other cause so as to become dangerous to life, health, property, morals, safety or general welfare of the public or the occupants.
- X (5) The building has become or is so damaged, dilapidated, decayed, unsafe, unsanitary, lacking in maintenance, vermin or rat-infested, containing filth or contamination, lacking proper ventilation, lacking sufficient illumination, or which so utterly fails to provide the amenities essential to decent living that it is unfit for human habitation, or is likely to cause sickness or disease, so as to work injury to the life, health, property, morals, safety or general welfare of the public or the occupants.
- X (6) The building has light, air, heating, cooling and sanitation facilities which are inadequate to protect the life, health, property, morals, safety or general welfare of the public or the occupants.
- ☐ (7) The building has inadequate facilities for egress in case of fire or panic, or has insufficient stairways, elevators, fire escapes or other means of ingress and egress to and from said building.

- ☐ (8) The building does not provide minimum safeguards to protect or warn occupants in the event of fire.
- ☐ (9) The building contains unsafe equipment, including any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers, or other equipment on the premises, or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property, morals, safety or general welfare of the public or the occupants.
- ☐ (10) The building is so damaged, decayed, dilapidated, structurally unsafe, or is of such faulty construction or unstable foundation that partial or complete collapse is possible.
- ☐ (11) The building has parts thereof which are so attached that they may fall and damage property or injure the public or the occupants.
- ☐ (12) The building, or any portion thereof, is clearly unsafe for its use or occupancy.
- X (13) The building is neglected, damaged, dilapidated, unsecured, or abandoned so as to become an attractive nuisance to children who might play in or on the building, structure, part of building or structure, party wall, or foundation to their danger, has become a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building, structure, part of building or structure, party wall, or foundation for committing a nuisance or an unlawful act.
- ☐ (14) The building has any portion remaining on a site after the demolition or destruction of the same or whenever the building, structure, part of building or structure, party wall, or foundation is abandoned so as to constitute such building, structure, part of building or structure, party wall, or foundation as an attractive nuisance or hazard to the public.
- X (15) The building is, because of its condition, unsafe, unsanitary, or dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants.

Attached hereto is a report which outlines the findings from said inspection and identifies specific code violations.

The Building Official further finds and determines that the building on the Subject Property is substantially damaged or decayed, or deteriorated from its original value or structure (not including the value of the land). The Building Official further finds and determines that the building on the Subject Property cannot be reasonably repaired so that it will no longer exist in violation of the terms of Ordinance No. 116-15 governing unsafe structures and dangerous buildings. The Building Official further finds that the building on the Subject Property is a fire hazard existing in violation of the terms of Ordinance No. 116-15, governing unsafe structures and dangerous buildings. The Building Official further finds that the building on the Subject Property is unsafe to the extent that it is a public nuisance.

NOTICE is hereby given to remedy the unsafe or dangerous condition by demolition of the building on the Subject Property within forty-five (45) days of this Notice to the Building Official's satisfaction. In the event that the owner does not comply within the time specified herein to the Building Official's satisfaction, the demolition shall be accomplished by the City and the cost thereof assessed against the Subject Property and such cost shall constitute a lien against the Subject Property.

The Building Official finds that the building on the Subject Property is in such condition as to make it dangerous to the life, health, property, morals, safety or general welfare of the public or the occupants. Therefore, the undersigned Building Official orders that the building on the Subject Property shall be and remain vacant until demolished.

Notice is hereby given that the City Council of the City of Opelika, Alabama, will hold a public hearing on Tuesday, July 19, 2016, at 7:00 p.m. in the City Council Chambers of the municipal building, 204 South 7th Street, Opelika, Lee County, Alabama, to discuss the findings of the Building Official. At that time, the City Council will consider the adoption of a resolution ordering the demolition of the building located on the Subject Property. At the public hearing, the City Council will receive any objections to the finding by the Building Official that the building or structure is unsafe to the extent of becoming a public nuisance. A written request for a public hearing is not necessary. At the public hearing, the City Council shall also receive any written objections to the findings by the Building Official. Any such written objection must be submitted to the City Clerk prior to the meeting of the City Council. All interested persons are invited to appear before the City Council in person or through his or her representative to show cause, if any, why his or her objection to the demolition of the building or structure should be sustained. No action shall be taken on the finding of the Building Official until determination is made thereon by the City Council. Upon the holding of the hearing, the City Council shall determine whether or not the building or structure is unsafe to the extent that it is a public nuisance. If it is determined by the City Council that the building or structure is unsafe to the extent that it is a public nuisance, the City Council shall order the demolition of the building or structure at the expense of the City and assess the expenses of the demolition against the land on which the building or structure stands or to which it is attached.

Any person aggrieved by the decision of the City Council may, within ten (10) days thereafter, appeal to the Circuit Court of Lee County, Alabama, upon the filing with the Clerk of the Circuit Court of Lee County, Alabama, notice of appeal and bond for security of costs in the form and amount to be approved by the Circuit Court. For further particulars, see Ordinance No. 116-15 and Section 5-227 of the *Code of Ordinances*. Anyone interested in the status of these proceedings may inquire with the Opelika City Clerk at 334-705-5110 or in person at the City Clerk's office located on the second floor of City Hall, 204 South 7th Street, Opelika, Alabama.

You will further take note that:

- (1) It is unlawful for any person, or for any agent, servant or employee of such person, to obstruct or interfere with the Building Official in carrying out the purposes of Ordinance No. 116-15.
- (2) It is unlawful for any person, or for any agent, servant or employee of such person, to mutilate, destroy, or tamper with this "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy".
- (3) It is unlawful for any person, or for any agent, servant or employee of such person, to enter, access or be upon any building that the Building Official has ordered to be vacated pursuant to this "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy".
- (4) It is unlawful for any person who has received this "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy" to sell, transfer, mortgage, lease, encumber or otherwise dispose of the building on the Subject Property to another until such person shall first furnish the grantee, transferee, mortgagee or lessee a true copy of this "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy" and shall furnish to the Building Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee acknowledging the receipt of this "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy" and fully accepting the responsibility without condition for making the corrections, repairs or demolitions required by this "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy".
- (5) It is unlawful for any person, owner or occupant of any building to refuse to permit entry into any building, structure or premises, or onto any property by the Building Official or his authorized representative after proper credentials are displayed at a reasonable hour for the purpose of inspection pursuant to Ordinance No. 116-15.

This office seeks and anticipates your cooperation and compliance in this matter. Positive efforts by citizens like yourself help make Opelika a better community.

If there is any other way this office can assist you in resolving this matter, please immediately call David Chapman, the Building Inspector assigned to your case at 334-705-5420.

Thank you in advance for your attention to this Notice and your prompt response.

DATED this the ____ day of May, 2016.

Sincerely,

Jeff Kappelman
Building Official of the City of Opelika, Alabama
700 Fox Trail
Opelika, AL 36801
334-705-5420

NOTICE OF REQUIRED REPAIRS

TO:

**Howard Bartlett
d/b/a PM Holdings
134 Catherine Circle
Cartersville, GA 30120**

**LBJ & Associates
c/o L. Bernard Jackson
506 Avenue A
Opelika, AL 36801**

**LBJ & Associates
c/o L. Bernard Jackson
814 N. College Street
Auburn, AL 36830**

Parcel #: 10-04-18-2-001-046.005
Property Address: 1113 Lake Street
Opelika, AL 36801

Date of Notice: May 10, 2016

This is to notify you of the repairs required to satisfy the minimum code requirements for the City of Opelika.

The repairs needed are listed below but not limited to the following:

Exterior:

- **Secure building to piers**
- **Replace all rotted out plywood/OSB.**
- **Install housewrap where missing.**
- **Install siding where missing.**
- **Install a landing and stairway to side entrance to conform to 2012 ICC International Residential Code.**
- **Remove dilapidated shed at back of property.**
- **Remove all debris from property.**
- **Cut all grass and weeds on entire property.**

Electrical: Have a licensed electrical contractor make necessary corrections to the existing electrical service. Install smoke detectors inside each bedroom and outside each bedroom. If any gas appliances exist, then CO detectors need to be installed outside the bedrooms. Install 2 separate 20 amp circuits in the kitchen, 20 amp laundry circuit, 220 V circuit for electric range if gas is not provided. Install 2 exterior outlets at grade. One in front, one in back.

Note: Only the exterior of this building has been inspected. I was not able to enter the building at time of inspection. Therefore, the condition of the walls, floor and floor covering, ceilings must be in good condition.

There must be a central source of heat, a water heater, plumbing fixtures and waste/vent must be in proper working order.

Please contact David Chapman of the Building Inspections Division office at (334) 705-5420 to answer any questions.

Dated this the 10th Day of May, 2016.

Sincerely,

**David R. Chapman
Building Inspector**



Attachment: Photos of 1113 Lake Street (1721 : Public Hearing to Authorize Demolition - 1113 Lake Street)



Attachment: Photos of 1113 Lake Street (1721 : Public Hearing to Authorize Demolition - 1113 Lake Street)



Attachment: Photos of 1113 Lake Street (1721 : Public Hearing to Authorize Demolition - 1113 Lake Street)



City Council

204 South 7th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 1729)

Meeting: 07/19/16 07:00 PM
Department: Building Inspection
Category: Public Hearing
Prepared By: David Chapman
Initiator: Jeff Kappelman
Sponsors:
DOC ID: 1729

Public Hearing for Fixing Costs of Demolition - 214 Byrd Avenue

NOTICE OF HEARING TO FIX THE AMOUNT OF ASSESSMENT FOR THE REMOVAL OF THE BUILDING LOCATED AT 214 BYRD AVENUE

Willie and Nellie Aldridge
1109 Ogletree Road
Auburn, AL 36830

NOTICE is hereby given that the building or structure located at 214 Byrd Avenue, Opelika, Alabama has been demolished and removed as authorized and provided for by Resolution No. 313-15. The property upon which said building or structure was located is more particularly described as follows:

From the point of intersection of the Northwesternly margin of Byrd Avenue with the Easterly margin of the Western railway of Alabama in the City of Opelika, Lee County, Alabama, run thence North 45 degrees 00 minutes East along the Northwesternly margin of Byrd Avenue 357.00 feet to the Point of Beginning of the property herein described and conveyed; from said Point of Beginning continue North 45 degrees 00 minutes East along the Northwesternly margin of Byrd Avenue, 72.4 feet; thence leaving said avenue, North 45 degrees 00 minutes West 100.00 feet; thence South 44 degrees 53 minutes West 67.2 feet; thence South 42 degrees 00 minutes East, 100.00 feet to the Point of Beginning. Situated in Opelika, Lee County, Alabama, and being a part of Lot C, Block 7, Township 19 North, Range 27 East, Opelika, Lee County, Alabama; said Byrd Lands being further shown on Totten's official real map of Opelika, recorded in Town Plat Book 2, Page 9, Lee County Probate Office.

Also being further described as Parcel Number 43-10-03-07-1-001-066.000, according to records maintained in the Lee County Revenue Commissioner's Office.

NOTICE is also given that the Building Official has caused to be prepared and submitted to the City Council a report showing all costs incurred in the demolition and removal of said building or structure. Said report has been delivered to the City Clerk of the City of Opelika and

is now open for inspection in the Office of the City Clerk of the City of Opelika in the Municipal Building of the City of Opelika, Alabama.

NOTICE is also given that the City Council of the City of Opelika will meet on Tuesday, July 19, 2016, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama to hear and determine any objections or defenses that might be filed to the fixing of costs by the City Council which it finds were reasonably incurred in the demolition and removal of said building or structure. The amount of said costs, as determined by the City Council, shall constitute a special assessment against the land upon which the building or structure was located, and shall constitute a lien on said property for the amount of the assessment. The lien shall be superior to all other liens on the property except prior recorded mortgages and other prior recorded security interests and liens for taxes and shall continue in force until paid.

This Notice is given under my hand on this the _____ day of June, 2016.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

Date: June 7, 2016

To: Guy Gunter

Re: Cost Assessment Resolutions

Guy,

The City of Opelika has completed the City Council mandated demolition of the following properties. The demolition of the properties was awarded to W. J. Cash Construction Company, Inc. Bid # 16012.

The following is a report of the demolition costs paid to perform the demolitions, title search, Lis Pendens, and certified letters costs incurred by the City Clerk and Building Inspection Dept.

<u>Address</u>	<u>Cost</u>	<u>Resolution #</u>
1. 307 S. 2 nd Street	\$4,412.86	096-15
2. 214 Byrd Avenue	\$4,689.98	313-15
 Total	 \$9,102.96	

If you, the administration, or the Council has any questions concerning this matter, feel free to contact me at 705-5420.

Sincerely,

David R. Chapman
Building Inspector

Cost Assessment Worksheet

Address	Costs
<u>214 Byrd Avenue</u>	
Title Search	\$55.00
Lis Pendens	\$14.00
Release of Lis Pendens	\$8.00
Certified Letters	\$6.49
Certified Letters/Bob Shuman	\$6.49
Demolition Cost	\$4,600.00
Total	\$4,689.98



City Council

204 South 7th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 1731)

Meeting: 07/19/16 07:00 PM
Department: Building Inspection
Category: Public Hearing
Prepared By: David Chapman
Initiator: Jeff Kappelman
Sponsors:

DOC ID: 1731

Public Hearing for Fixing Costs of Demolition - 307 S. 2Nd Street

NOTICE OF HEARING TO FIX THE AMOUNT OF ASSESSMENT FOR THE REMOVAL OF THE BUILDING LOCATED AT 307 S. 2ND STREET

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

NOTICE is hereby given that the building or structure located at 307 S. 2nd Street,

Opelika, Alabama has been demolished and removed as authorized and provided for by

Resolution No. 096-15. The property upon which said building or structure was located 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.

NOTICE is also given that the Building Official has caused to be prepared and submitted to the City Council a report showing all costs incurred in the demolition and removal of said building or structure. Said report has been delivered to the City Clerk of the City of Opelika and is now open for inspection in the Office of the City Clerk of the City of Opelika in the Municipal Building of the City of Opelika, Alabama.

NOTICE is also given that the City Council of the City of Opelika will meet on Tuesday, July 19, 2016, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama to hear and determine any objections or defenses that might be filed to the fixing of costs by the City Council which it finds were reasonably incurred in the demolition and removal of said building or structure. The amount of said costs, as determined by the City Council, shall constitute a special assessment against the land upon which the building or structure was located, and shall constitute a lien on said property for the amount of the assessment. The lien shall be superior to all other liens on the property except prior recorded mortgages and other prior recorded security interests and liens for taxes and shall continue in force until paid.

This Notice is given under my hand on this the _____ day of June, 2016.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

Date: June 7, 2016

To: Guy Gunter

Re: Cost Assessment Resolutions

Guy,

The City of Opelika has completed the City Council mandated demolition of the following properties. The demolition of the properties was awarded to W. J. Cash Construction Company, Inc. Bid # 16012.

The following is a report of the demolition costs paid to perform the demolitions, title search, Lis Pendens, and certified letters costs incurred by the City Clerk and Building Inspection Dept.

<u>Address</u>	<u>Cost</u>	<u>Resolution #</u>
1. 307 S. 2 nd Street	\$4,412.86	096-15
2. 214 Byrd Avenue	\$4,689.98	313-15
 Total	 \$9,102.96	

If you, the administration, or the Council has any questions concerning this matter, feel free to contact me at 705-5420.

Sincerely,

David R. Chapman
Building Inspector

Cost Assessment Worksheet

Address	Costs
<u>307 S. 2nd Street</u>	
Title Search	\$68.00
Lis Pendens	\$11.00
Release of Lis Pendens	\$8.00
Certified Letters	\$12.98
Certified Letters/Bob Shuman	\$12.88
Demolition Cost	\$4,300.00
Total	\$4,412.86



City Council

204 South 7Th Street
Opelika, AL

SCHEDULED

BIDS 163-16

Meeting: 07/19/16 07:00 PM
Department: Purchasing and Revenue
Category: Bid
Prepared By: Angela Norrell
Initiator: Angela Norrell
Sponsors:
DOC ID: 1780

City Camera System - IT

RESOLUTION NO. _____

WHEREAS, the Purchasing Department solicited sealed bids for a contract for the City Camera System for the Information Technology Department; and

WHEREAS, Auburn Audio Visual was the lowest bidder, but did not meet specifications; and

WHEREAS, Vision Security Technologies submitted the low bid meeting the specifications; and

WHEREAS, this is a budgeted purchase from Capital Expenditures;

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

1. That the bid be awarded to Vision Security Technologies.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Vision Security Technologies on their bid meeting specifications for a total amount of \$193,428.44.
3. That the Controller is authorized to adjust the budget as necessary for this contract.
4. That the Mayor is hereby authorized to sign all documents pertaining to this contract.

APPROVED AND ADOPTED this the ____ day of _____, 2016.

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

Bids 163-16

Meeting of July 19, 2016

ATTEST:

Robert G. Shuman
City Clerk - Treasurer

FACT SHEET

SUBJECT: Sealed Bid #16010 – We are asking the Council to approve a contract for the City Camera System

FACTS:

- Bid opening date – 5/31/16
- User department(s) – Information Technology
- The bid was mailed to 52 vendors
- 6 bids were received
- Budgeted contract
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend contract be awarded to Vision Security Technologies on their low bid meeting specifications in the amount of \$193,428.44.**

DESCRIPTION: CITY CAMERA SYSTEM
6 BIDS RECEIVED

		ITEM 1: CAMERA SYSTEM HARDWARE ITEM 2: INSTALLATION & TRAINING ITEM 3: YEARLY MAINTENANCE SUPPORT				
VENDOR	PRE-BID CONF	ITEM 1:	ITEM 2:	ITEM 3:	DISC	DEL
A3						
ACCESS CONTROL GROUP	√					
ACCU-TECH CORPORATION						
A-COM PROTECTION SERVICES INC	√					
ADAPTTOSOLVE INC						
ADORAMA INC						
ADT SECURITY SERVICES						
ADVANCED COVERT TECHNOLOGY INC	√					
ADVANCED MEDIA TECHNOLOGIES						
AFFORDCOM						
ALEXANDER SYSTEMS	√					
AMERICAN LOCK & KEY INC						
ATD AMERICAN COMPANY						
AUBURN AUDIO VISUAL	√	\$ 96,194.22	\$ 30,000.00	\$ 6,000.00	--	30 days
AUBURN ELECTRICAL CONSTRUCTION CO						
B & H PHOTO - VIDEO INC						
BUILDING SYSTEMS TECHNOLOGY	√					
CBE INC	√					
CELPLAN TECHNOLOGIES INC	√	\$ 73,603.39	\$ 108,480.00	\$ 17,844.17	--	120 days
COACH COMM						
COLUMBUS COMMUNICATION INC						
COMMUNICATIONS & ELECTRONICS INC						
COOPERCRAFT COMMUNICATIONS						
COPELAND SECURITY GROUP	√					
DIGITAL GROUP LLC	√	\$ 326,039.00	\$ 165,817.00	\$ 5,686.00	2% net 10,1% net 15	60 days
DIGITEL CORPORATION						
DPS GROUP						
GORRIE REGAN	√					
GOSS ELETRIC	√					
GRAYBAR	√					
GT DISTRIBUTORS OF GEORGIA INC						
HARRIS SECURITY						

BID# 16010 DATE: 5/31/16 DEPT: INFORMATION TECHNOLOGY					52 VENDORS IN	12.1.a
DESCRIPTION: CITY CAMERA SYSTEM					6 BIDS RECEIVED	
		ITEM 1: CAMERA SYSTEM HARDWARE				
		ITEM 2: INSTALLATION & TRAINING				
		ITEM 3: YEARLY MAINTENANCE SUPPORT				
VENDOR	PRE-BID CONF	ITEM 1:	ITEM 2:	ITEM 3:	DISC	DEL
HEWLETT PACKARD						
HITACHI DATA SYSTEMS						
IMI-EXACQ						
ITS						
JIM PROMOTIONS & UNIFORMS INC						
KUSTOM SIGNALS INC						
MEDIA INTEGRATED NETWORKS INC						
MOFFITT TECHNOLOGY	√					
MOTOROLA SOLUTIONS INC						
NETRIX LLC						
PCMG INC						
PINNACLE NETWORK						
SPECIALTY OPTICAL SYSTEMS INC						
STAR ASSET SECURITY LLC						
SURVEILLANCE-VIDEO.COM						
VIGILANT SOLUTIONS INC						
VION CORP						
VISION SECURITY TECHNOLOGIES	√	\$ 121,008.44	\$ 66,020.00	\$ 6,400.00	--	30 days
WILSON SHAW IT						
WORKABLE SOLUTIONS						
ADS Security	√					
Alabama Controls, Inc.	√					
Ball Electronics	√					
Bosch Security Solutions	√					
CRV Surveillance	√					
DCR Security	√					
Hikusion	√					
LEK Technology	√					
NCS	√					
P.G. Wells Enterprises, Inc.	√	\$ 200,000.00	\$ 69,333.00	\$300.00+\$65/hr/empl	.5% net 10,.25% net 15	30 days
Securadyne Systems	√	\$ 164,422.00	\$ 88,459.00	Incl.	1% net 10	21 days



City Council

204 South 7Th Street
Opelika, AL

SCHEDULED

BIDS 164-16

Meeting: 07/19/16 07:00 PM
Department: Purchasing and Revenue
Category: Bid
Prepared By: Angela Norrell
Initiator: Angela Norrell
Sponsors:
DOC ID: 1781

Roll-Off Hauling - OES

RESOLUTION NO. _____

WHEREAS, the Purchasing Department opened sealed bids for a contract for Roll-Off Hauling for the Opelika Environmental Services Department; and

WHEREAS, Waste Management of AL submitted the sole bid meeting specifications; and

WHEREAS, this is a budgeted purchase;

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

1. That the contract be awarded to Waste Management of AL on their sole bid meeting specifications.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Waste Management of AL on an as needed basis.
3. That the Controller is authorized to adjust the budget as necessary for this purchase.
4. That the Mayor is hereby authorized to sign all documents pertaining to this purchase.

APPROVED AND ADOPTED this the ____ day of _____, 2016.

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

Bids 164-16

Meeting of July 19, 2016

ATTEST:

Robert G. Shuman
City Clerk - Treasurer

FACT SHEET

SUBJECT: Sealed Bid #16024 – We are asking the Council to approve a contract for Roll-Off Hauling

FACTS:

- Bid opening date – 7/5/16
- User department – Opelika Environmental Services
- The bid was mailed to 7 vendors
- 1 bid was received
- Budgeted contract
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend the contract be awarded to Waste Management of AL on their sole bid meeting specifications.**

[illegible]



City Council

204 South 7Th Street
Opelika, AL

SCHEDULED

BIDS 165-16

Meeting: 07/19/16 07:00 PM
Department: Purchasing and Revenue
Category: Bid
Prepared By: Angela Norrell
Initiator: Angela Norrell
Sponsors:
DOC ID: 1786

2016 City-Wide Restriping - ENG

RESOLUTION NO. _____

WHEREAS, the Purchasing Department solicited sealed bids for a Contract for 2016 City-Wide Restriping for the Engineering Department; and

WHEREAS, Ozark Striping Company, Inc. was the sole bidder meeting specifications;

WHEREAS, this is a budgeted Contract;

WHEREAS, the funds will come from the 2011 Road Bond Fund;

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

1. That the bid be awarded to Ozark Striping Company, Inc. on their sole bid meeting specifications.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Ozark Striping Company, Inc. in the amount of \$215,780.50.
3. That the Controller be authorized to adjust the budget as necessary for this purchase.
4. That the Mayor is hereby authorized to sign all documents pertaining to this Contract.

APPROVED AND ADOPTED this the ____ day of _____, 2016.

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

ATTEST:

Robert G. Shuman

Bids 165-16

Meeting of July 19, 2016

City Clerk - Treasurer

FACT SHEET

SUBJECT: Sealed Bid #16026 – We are asking the Council to approve a contract for 2016 City-Wide Restriping

FACTS:

- Bid opening date – 7/13/16
- User department – Engineering
- The bid was mailed to 6 vendors
- 1 bid was received
- Ozark Striping Company, Inc. submitted the lowest bid meeting specifications
- Budgeted contract
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend the bid be awarded to Ozark Striping Company, Inc. on their low bid meeting specifications in the amount of \$215,780.50.**

2016 City Wide Restriping -- Schedule of Items

NO.	ALDOT NO.	DESCRIPTION	QUANTITY	UNITS	COST	EXTENSION
Ozark Striping Company Inc						
1	701A-000	Solid Yellow, Class 1, Type A, Traffic Stripe	6.75	Mile	\$625.00	\$ 4,218.75
2	701A-001	Solid White, Class 1, Type A, Traffic Stripe	0.50	Mile	\$625.00	\$ 312.50
3	701B-000	Dotted, Class 2, Type A, Traffic Stripe (5" wide)	2675.00	LF	\$ 2.00	\$ 5,350.00
4	701G-000	Solid White, Class 2, Type A Traffic Stripe, (4" Wide)	4.35	Mile	\$ 2,775.00	\$ 12,071.25
5	701G-001	Solid Yellow, Class 2, Type A, Traffic Stripe (4" Wide)	11.85	Mile	\$ 2,775.00	\$ 32,883.75
6	701G-002	Broken Yellow, Class 2, Type A, Traffic Stripe (4" Wide)	6.10	Mile	\$ 1,825.00	\$ 11,132.50
7	701G-003	Broken White, Class 2, Type A, Traffic Stripe (4" Wide)	1.50	Mile	\$ 1,825.00	\$ 2,737.50
8	701G-200	Solid White, Class 2, Type A, Traffic Stripe (5" Wide)	14.45	Mile	\$ 2,990.00	\$ 43,205.50
9	701G-301	Solid White, Class W, Type A, Traffic Stripe (4" Wide)	380.00	LF	\$ 5.00	\$ 1,900.00
10	701G-300	Solid Yellow, Class W, Type A, Traffic Stripe (4" Wide)	380.00	LF	\$ 5.00	\$ 1,900.00
11	703A-000	Traffic Control Markings, Class 2, Type A	6025.00	Sq Ft	\$ 4.75	\$ 28,618.75
12	703B-000	Traffic Control Ledgends, Class 2, Type A	1830.00	Sq Ft	\$ 5.00	\$ 9,150.00
13	703H-000	Specialty Traffic Control Markings (Bicycle Lane Symbols)	950.00	Sq Ft	\$ 36.50	\$ 34,675.00
14	705A-000	Pavement Markers, Class A, Type 2-D (2 sided yellow)	3415.00	Each	\$ 5.00	\$ 17,075.00
15	705A-001	Pavement Markers, Class A, Type 2-C (1 white 1 red)	610.00	Each	\$ 5.00	\$ 3,050.00
16	705A-002	Pavement Markers, Class A, Type 1-A (1 side white)	1180.00	Each	\$ 5.00	\$ 5,900.00
17	705A-003	Pavement Markers, Class A, Type 1-B (1 side yellow)	270.00	Each	\$ 5.00	\$ 1,350.00
18	705A-004	Pavement Markers, Class A, Type 2-E (1 yellow 1 red)	50.00	Each	\$ 5.00	\$ 250.00
Total (Items 1-18)						\$ 215,780.50

RESOLUTION NO. (ID # 1474)

Order a Demolition - 600 Meadow Avenue - Tabled.

RESOLUTION NO. _____

**RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR
STRUCTURE LOCATED AT 600 MEADOW AVENUE, OPELIKA, ALABAMA 36801,
PARCEL ID NO.: 43-10-04-18-3-001-001.000 IN COMPLIANCE WITH SECTIONS
11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16,
INCLUSIVE, OF THE CODE OF ALABAMA, AND IN COMPLIANCE WITH
ORDINANCE NO. 116-15.
OF THE CITY OF OPELIKA, ALABAMA**

WHEREAS, the Building Official of the City of Opelika, Alabama, determined that the condition of the building or structure located at 600 Meadow Avenue, Opelika, Alabama, 36801, Parcel I.D. Number: 43-10-04-18-3-001-001.000, (hereinafter the Subject Property”) is in such condition as to make it dangerous to the life, health, property, morals, safety or general welfare of the public or the occupants; and

WHEREAS, The Buryl C. Jones Revocable Trust is the record owner of the above-described property as shown from a search of records of the Office of the Judge of Probate of Lee County, Alabama; and

WHEREAS, Selwyn Jones, as Trustee of the Buryl C. Jones Revocable Trust, is the person last assessing the subject property for state taxes; and

WHEREAS, there are no mortgagees or lienholders of record as shown from a search of records of the Office of the Judge of Probate of Lee County, Alabama; and

WHEREAS, a “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy” was sent via certified mail, properly addressed, and postage prepaid to The Beryl C. Jones Revocable Trust, Selwyn Jones, Trustee, 3640 Robert E Lee Drive, Millbrook, AL 36054; and

WHEREAS, contemporaneous with the filing of the “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy”, a copy of the same was posted at or within three (3) feet of an entrance to the building on the subject property; and

WHEREAS, a Lis Pendens Notice was duly filed of record in the Office of the Judge of Probate of Lee County, Alabama, as required by Ordinance No. 116-15; and

WHEREAS, notice that the subject property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is subject to demolition and that a public hearing would be held on a certain date was given to all interested parties as required by law; and

WHEREAS, Tuesday, February 16, 2016 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 600 Meadow Avenue is unsafe to the extent that it creates a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, February 16, 2016, 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 600 Meadow Avenue, 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 hereby finds and determines that the building or structure located at 600 Meadow Avenue, Opelika, Alabama, Parcel I.D. Number: 43-10-04-18-3-001-001.000, is unsafe to the extent that it creates a public nuisance to the citizens of Opelika, Alabama, and is due to be condemned and demolished in compliance with §§11-40-30 through 11-40-36 and §§11-53B-1 through 11-53B-16, inclusive of the *Code of Alabama*, and Ordinance No. 116-15 of the City of Opelika, Alabama, which Ordinance is codified at Sections 5-221 through 5-238, inclusive of the *Code of Ordinances* of the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

Lot 12 in Meadow Park Subdivision, Unit No. One, in the City of Opelika, Alabama, according to and as shown by a plat of Meadow Park Subdivision, Unit No. One, as the same appears of record in the Office of the Judge of Probate of Lee County, Alabama, in Town Plat Book 3 at Page 39; together with all improvements thereon, and appurtenances thereunto appertaining.

Also being further described as Parcel Number 43-10-04-18-3-001-001.000, 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 twenty (20) days from the date of this resolution if an appeal has not been taken to the Circuit Court. The 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 costs 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 ____ day of _____ 2016.

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

ATTEST:

CITY CLERK

Cc: The Buryl C. Jones Revocable Trust
Selwyn Jones, Trustee
3640 Robert E. Lee Drive
Millbrook, AL 36054

RESOLUTION NO. (ID # 1607)

Order a Demolition - 1003 Alton Court - Inspection. - Tabled

RESOLUTION NO. _____

**RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR
STRUCTURE LOCATED AT 1003 ALTON COURT, OPELIKA, ALABAMA 36801,
PARCEL ID NO.: 43-09-06-13-4-001-044.000 IN COMPLIANCE WITH SECTIONS
11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16,
INCLUSIVE, OF THE CODE OF ALABAMA, AND IN COMPLIANCE WITH
ORDINANCE NO. 116-15.
OF THE CITY OF OPELIKA, ALABAMA**

WHEREAS, the Building Official of the City of Opelika, Alabama, determined that the condition of the building or structure located at 1003 Alton Court, Opelika, Alabama, 36801, Parcel I.D. Number: 43-09-06-13-4-001-044.000, (hereinafter the Subject Property”) is in such condition as to make it dangerous to the life, health, property, morals, safety or general welfare of the public or the occupants; and

WHEREAS, Marvin Dooley is the record owner of the above-described property as shown from a search of records of the Office of the Judge of Probate of Lee County, Alabama; and

WHEREAS, Paul Pollard is the person last assessing the subject property for state taxes; and

WHEREAS, Paul Pollard and AVCO Financial Services, Inc., are the mortgagees of record as shown from a search of records of the Office of the Judge of Probate of Lee County, Alabama; and

WHEREAS, a “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy” was sent via certified mail, properly addressed, and postage prepaid to Paul Pollard, 1005 Alton Court, Opelika, AL 36801; AVCO Financial Services, Inc., 3715 Pepperell Parkway, Opelika, AL 36801 and Marvin Dooley, 515 Fox Run Parkway, #9A, Opelika, AL 36801; and

WHEREAS, contemporaneous with the filing of the “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy”, a copy of the same was posted at or within three (3) feet of an entrance to the building on the subject property; and

WHEREAS, a Lis Pendens Notice was duly filed of record in the Office of the Judge of Probate of Lee County, Alabama, as required by Ordinance No. 116-15; and

WHEREAS, notice that the subject property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is subject to demolition and that a public hearing would be held on a certain date was given to all interested parties as required by law; and

WHEREAS, Tuesday, May 17, 2016 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 building located at 1003 Alton Court is unsafe to the extent that it creates a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, May 17, 2016, 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 1003 Alton Court, 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 hereby finds and determines that the building or structure located at 1003 Alton Court, Opelika, Alabama, Parcel I.D. Number: 43-09-06-13-4-001-044.000, is unsafe to the extent that it creates a public nuisance to the citizens of Opelika, Alabama, and is due to be condemned and demolished in compliance with §§11-40-30 through 11-40-36 and §§11-53B-1 through 11-53B-16, inclusive of the *Code of Alabama*, and Ordinance No. 116-15 of the City of Opelika, Alabama, which Ordinance is codified at Sections 5-221 through 5-238, inclusive of the *Code of Ordinances* of the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

Lot #13 and the East half of Lot #14, Block B, JOHNSTON SUBDIVISION, according to and as shown by that certain map or plat thereof of record in Town Plat Book 3 at Page 57 in the Office of the Judge of Probate of Lee County, Alabama.

Also being further described as Parcel Number 43-09-06-13-4-001-044.000, 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 twenty (20) days from the date of this resolution if an appeal has not been taken to the Circuit Court. The 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 costs 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 ____ day of _____ 2016.

PRESIDENT OF THE CITY COUNCIL OF THE

CITY OF OPELIKA, ALABAMA

ATTEST:

CITY CLERK

Cc: Marvin Dooley
515 Fox Run Parkway, #6D
Opelika, AL 36801

Paul Pollard
1005 Alton Court
Opelika, AL 36801

AVCO Financial Services, Inc.
3715 Pepperell Parkway
Opelika, AL 36801



Attachment: Photos of 1003 Alton Court (1607 : Order a Demolition - 1003 Alton Court - Tabled)



Attachment: Photos of 1003 Alton Court (1607 : Order a Demolition - 1003 Alton Court - Tabled)



Attachment: Photos of 1003 Alton Court (1607 : Order a Demolition - 1003 Alton Court - Tabled)

RESOLUTION NO. (ID # 1720)

Order a Demolition - 806 Powledge Avenue - Tabled.

RESOLUTION NO. _____

**RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR
STRUCTURE LOCATED AT 806 POWLEDGE AVENUE, OPELIKA, ALABAMA
36801, PARCEL ID NO.: 43-10-04-18-3-002-027.001 IN COMPLIANCE WITH
SECTIONS**

**11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16,
INCLUSIVE, OF THE *CODE OF ALABAMA*, AND IN COMPLIANCE WITH
ORDINANCE NO. 116-15.**

OF THE CITY OF OPELIKA, ALABAMA

WHEREAS, the Building Official of the City of Opelika, Alabama, determined that the condition of the building or structure located at 806 Powledge Avenue, Opelika, Alabama, 36801, Parcel I.D. Number: 43-10-04-18-3-002-027.001, (hereinafter the Subject Property”) is in such condition as to make it dangerous to the life, health, property, morals, safety or general welfare of the public or the occupants; and

WHEREAS, John Robert Brooks/Mattie Mann is the record owner of the above-described property as shown from a search of records of the Office of the Judge of Probate of Lee County, Alabama; and

WHEREAS, John Robert Brooks is the person last assessing the subject property for state taxes; and

WHEREAS, Portfolio Recovery Associates, LLC, has a judgment lien on the subject property as shown from a search of records of the Office of the Judge of Probate of Lee County, Alabama; and

WHEREAS, a “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy” was sent via certified mail, properly addressed, and postage prepaid to John Robert Brooks, 706 Powledge Avenue, Opelika, AL 36801 and Portfolio Recovery Associates, LLC, 120 Corporate Blvd, Suite 1, Norfolk, VA 23502; and

WHEREAS, contemporaneous with the filing of the “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy”, a copy of the same was posted at or within three (3) feet of an entrance to the building on the subject property; and

WHEREAS, a Lis Pendens Notice was duly filed of record in the Office of the Judge of Probate of Lee County, Alabama, as required by Ordinance No. 116-15; and

WHEREAS, notice that the subject property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is subject to demolition and that a public hearing would be held on a certain date was given to all interested parties as required by law; and

WHEREAS, Tuesday, June 7, 2016 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 building located at 806 Powledge Avenue is unsafe to the extent that it creates a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, June 7, 2016, 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 806 Powledge Avenue, 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 hereby finds and determines that the building or structure located at 806 Powledge Avenue, Opelika, Alabama, Parcel I.D. Number: 43-10-04-18-3-002-027.001, is unsafe to the extent that it creates a public nuisance to the citizens of Opelika, Alabama, and is due to be condemned and demolished in compliance with §§11-40-30 through 11-40-36 and §§11-53B-1 through 11-53B-16, inclusive of the *Code of Alabama*, and Ordinance No. 116-15 of the City of Opelika, Alabama, which Ordinance is codified at Sections 5-221 through 5-238, inclusive of the *Code of Ordinances* of the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

A certain house and lot, in the City of Opelika, Lee County, Alabama, containing one acre and more particularly described as follows: Commencing at an iron post joining what is known as the Dent lot, now owned by Mrs. G.L. Holleya and running south 320 feet; thence east 80 feet; thence north 320 feet; thence west 80 feet; to the beginning point, being a portion of a ten acre lot known as the Hurst lot, lying in the northwest corner of said ten acre lot.

Also being further described as Parcel Number 43-10-04-18-3-002-027.001, 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 twenty (20) days from the date of this resolution if an appeal has not been taken to the Circuit Court. The 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 costs 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 ____ day of _____ 2016.

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

ATTEST:

CITY CLERK

Cc: John Robert Brooks
706 Powledge Avenue
Opelika, AL 36801

Portfolio Recovery Associates, LLC
120 Corporate Blvd, Ste. 1
Norfolk, VA 23502

RESOLUTION NO. 166-16

Expense Reports from Various Departments.

RESOLUTION NO. _____

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

-) 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
-----	-----	
Jon Hayes	Accounting	115.84
Brent Poteet	OPS	51.85

-) 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 ____ day of _____, 2016.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - City Treasurer

EXPENSE REPORT

PERIOD ENDING 5-4-16

NAME Jon HayesDEPARTMENT Accounting

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

DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS Itemize Below			ENTERTAIN- MENT Itemize Below	MISC. EXPENSES Itemize Below	DAILY TOTAL
			AIR, RAIL, ETC.	RENTAL CAR, LIMO, ETC.	LOCAL TAXI, TOLLS & PUB- LIC TRANSIT	AUTO EXPENSES Itemize Below	BREAKFAST	LUNCH	DINNER			
SUN							115	84				115 84
MON												
TUE												
WED												
THU												
FRI												
SAT												
WEEKLY CATEGORY TOTALS							115	84				115 84

WEEKLY TOTAL OF EXPENSES *

ITEMIZED ENTERTAINMENT AND BUSINESS MEALS					
DATE	NAME OF PERSON(S) ENTERTAINED; COMPANY, TITLE	TIME & PLACE	NATURE & PURPOSE OF ENTERTAINMENT	AMOUNT	% OR \$ ALLOCATED TO BUSINESS
			Agree To P.O. _____ Exts Verified _____ Footing Verified _____ Inv. Price Bio Price _____ Ok To Pay _____ A/C # Verified _____		

NUMBER OF DAYS AWAY FROM HOME

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

NATURE OR PURPOSE OF TRAVEL

Incl Phoenix, AZ
Munis Conference

METHOD OF REIMBURSEMENT

☐ DEDUCT FROM
MY ADVANCE

OR

☐ MAIL
TO:

ITEMIZED AUTOMOBILE EXPENSES		
DATE	MILEAGE, GAS, PARKING, REPAIRS, ETC.	AMOUNT
	Misc Mileage (See attached spreadsheet)	115 84

ITEMIZED MISCELLANEOUS EXPENSES		
DATE	ITEMS	AMOUNT

 SIGNATURE Jon Hayes
 APPROVED BY Christopher M. Hayes

NAME

DEPARTMENT

Brent Poteet

OPS

DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS Itemize Below			ENTERTAIN- MENT Itemize Below	MISC. EXPENSES Itemize Below	DAILY TOT.
			AIR RAIL, ETC	RENTAL CAR LIMO ETC.	LOCAL TAXI, TOLLS & PUB- LIC TRANSIT	AUTO EXPENSES Itemize Below						
SUN												0.
MON												0.
TUE						51.85						51.
WED												0.
THU												0.
FRI												0.
SAT												0.
WEEKLY CATEGORY TOTALS \$		0.00	0.00	0.00	0.00	51.85	0.00	0.00	0.00	0.00	0.00	51.

DATE	NAME OF PERSON(S) ENTERTAINED; COMPANY, TITLE	TIME & PLACE	NATURE & PUPOSE OF ENTERTAINMENT	AMOUNT	% OR \$ ALLOCATED TO BUSINESS
		Agree To P.O. _____			
		Exts Verified _____			
		Footing Verified _____			
		Inv. Price Bio Price _____			
		Ok To Pay _____			
		A/C # Verified _____			

ITEMIZED AUTOMOBILE EXPENSES

DATE	MILEAGE, GAS, PARKING REPAIRS, ETC.	AMOUNT
7/12	Fuel for City Vehicle	51.85

ITEMIZED MISCELLANEOUS EXPENSES

DATE	ITEMS	AMOUNT

WEEKLY TOTAL EXPENSES

NUMBER OF DAYS AWAY FROM HOME

3

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

0%

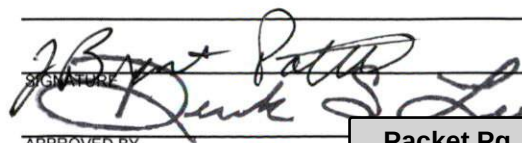
NATURE OR PURPOSE OF TRAVEL

16th Annual ECA Government Affairs Conferenc

METHOD OF REIMBURSEMENT

☐ DEDUCT FROM
MY ADVANCE

☒ MAIL TO

APPROVED BY

RESOLUTION NO. 167-16

Designate City Personal Property Surplus & Authorize Disposal**RESOLUTION NO. _____**

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 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.	1999 Dodge Durango 1B4HR28Y6XF539015	N/A

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.

ADOPTED AND APPROVED this the _____ day of _____, 2016.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer

RESOLUTION NO. 168-16

Purchase - One (1) Kenworth with Pac-Mac Loader - OES**RESOLUTION NO. _____**

WHEREAS, Opelika Environmental Services desires to purchase One (1) Kenworth with Pac-Mac Loader with warranty option utilizing the NJPA Coop Contract; and

WHEREAS, Ingram Equipment is the Contract Vendor for the One (1) Kenworth with Pac-Mac Loader; and

WHEREAS, funding in the amount of \$67,674.00 will come from Automobiles & Trucks, \$50,238.00 will come from Fuel, Oil & Lubricants, \$14,000.00 will come from Small Tools, and \$4,560.00 will come from Equipment Repairs & Maintenance;

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

1. That the purchase be awarded to Ingram Equipment utilizing the NJPA Coop Contract.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Ingram Equipment in the amount of \$136,472.00.
3. The Controller is authorized to adjust the budget as necessary for this purchase.
4. That Mayor Gary Fuller is hereby authorized to execute all documents pertaining to this purchase.

APPROVED AND ADOPTED this the ____ day of _____, 2016.

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

ATTEST:

Robert G. Shuman
City Clerk - Treasurer



CONTRACT PRICING WORKSHEET
for SOLID WASTE VEHICLES In The State Of Alabama

This Form must be prepared by Contractor, and provided to End User.

Buying Agency:	CITY OF OPELIKA	Contractor:	INGRAM EQUIPMENT/NAFG
Contact Person:	TERRY WHITE	Prepared By:	JEFF MARTIN (jmartin@ingramequipment.net)
Phone/Fax:		Phone/Fax:	205-663-3946/205-663-4816
Location City, State:	OPELIKA, ALABAMA	Contract No.:	102811-NAF
Date:	5/20/16	Product Code:	KW-PACMAC
Product Description:	KENWORTH WITH PAC-MAC LOADER		

[illegible]

QTY	DESCRIPTION	QTY	DESCRIPTION
1	2017 KENWORTH T370 SA		

Subtotal B: (Chassis)		\$ 86,327.00
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B. FREIGHT/DELIVERY			
	F.O.B. POINT	OPELIKA, ALABAMA	INCLUDED
		Subtotal C: (Body & Chassis)	\$ 145,412.00

C. Discounts/Credits (Trade-In, etc.)					
TRADE-IN: 2007 FREGHTLINER M2 106 W/ RAMER SHUTTLE LOADER AND TRAILER (BASED ON TERMS AND CONDITIONS ATTACHED)					\$ (13,500.00)

				TOTAL LESS TAXES	\$ 131,912.00
TAXABLE AMOUNT		N/A			
STATE		0.000%		\$	-
COUNTY		0.000%		\$	-
CITY		0.000%		\$	-
F.E.T.		12.00%		\$	-
			X		1

	TOTAL NET DELIVERED	\$ 131,912.00
--	---------------------	---------------

Customer Signature:	Comments: Local Taxes To Be Paid Separately By Customer
Customer PO #	Terms: Net at Delivery
Date:	

Attachment: 7-19-16 - ONE (1) KENWORTH WITH PAC-MAC LOADER - NJPA CONTRACT - CNCL PKT (168-16 : Purchase - One (1) Kenworth

RESOLUTION NO. (ID # 1722)

Authorize a Demolition - 1113 Lake Street

RESOLUTION NO. _____

**RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR
STRUCTURE LOCATED AT 1113 LAKE STREET, OPELIKA, ALABAMA 36801,
PARCEL ID NO.: 43-10-04-18-2-001-046.005 IN COMPLIANCE WITH SECTIONS
11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16,
INCLUSIVE, OF THE CODE OF ALABAMA, AND IN COMPLIANCE WITH
ORDINANCE NO. 116-15.
OF THE CITY OF OPELIKA, ALABAMA**

WHEREAS, the Building Official of the City of Opelika, Alabama, determined that the condition of the building or structure located at 1113 Lake Street, Opelika, Alabama, 36801, Parcel I.D. Number: 43-10-04-18-2-001-046.005, (hereinafter the Subject Property”) is in such condition as to make it dangerous to the life, health, property, morals, safety or general welfare of the public or the occupants; and

WHEREAS, Bartlett Howard, d/b/a PM Holdings, is the record owner of the above-described property as shown from a search of records of the Office of the Judge of Probate of Lee County, Alabama; and

WHEREAS, Bartlett Howard, d/b/a PM Holdings is the person last assessing the subject property for state taxes; and

WHEREAS, Bartlett Howard furnished to the City an unrecorded statutory warranty deed dated as of January 29, 2015 allegedly conveying the property described in this Resolution to LBJ & Associates; and

WHEREAS, LBJ & Associates is purportedly the fee simple owner of the above-described property; and

WHEREAS, a “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy” was sent via certified mail, properly addressed, and postage prepaid to LBJ & Associates, c/o L. Bernard Jackson, and Bartlett Howard, d/b/a PM Holdings, 134 Catherine Circle, Cartersville, GA 30120; and

WHEREAS, contemporaneous with the filing of the “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy”, a copy of the same was posted at or within three (3) feet of an entrance to the building on the subject property; and

WHEREAS, a Lis Pendens Notice was duly filed of record in the Office of the Judge of Probate of Lee County, Alabama, as required by Ordinance No. 116-15; and

WHEREAS, notice that the subject property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is subject to demolition and that a public hearing would be held on a certain date was given to all interested parties as required by law; and

WHEREAS, Tuesday, July 19, 2016 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 building located at 1113 Lake 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, July 19, 2016, 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 1113 Lake 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 hereby finds and determines that the building or structure located at 1113 Lake Street, Opelika, Alabama, Parcel I.D. Number: 43-10-04-18-2-001-046.005, is unsafe to the extent that it creates a public nuisance to the citizens of Opelika, Alabama, and is due to be condemned and demolished in compliance with §§11-40-30 through 11-40-36 and §§11-53B-1 through 11-53B-16, inclusive of the *Code of Alabama*, and Ordinance No. 116-15 of the City of Opelika, Alabama, which Ordinance is codified at Sections 5-221 through 5-238, inclusive of the *Code of Ordinances* of the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

Lot 1-E, A, SUBDIVISION OF LOT 1-A, ZUBER VALLEY SUBDIVISION, SECOND ADDITION, according to and as shown by that certain map or plat thereof of record in Town Plat Book 17, Page 156, in the Office of the Judge of Probate of Lee County, Alabama.

Also being further described as Parcel Number 43-10-04-18-2-001-046.005, 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 twenty (20) days from the date of this resolution if an appeal has not been taken to the Circuit Court. The 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 costs 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 ____ day of _____ 2016.

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

ATTEST:

CITY CLERK

Cc: Bartlett Howard
d/b/a PM Holdings
134 Catherine Circle
Cartersville, GA 30120

LBJ & Associates
c/o L. Bernard Jackson
506 Avenue A
Opelika, AL 36801

LBJ & Associates
c/o L. Bernard Jackson
814 N. College Street
Auburn, AL 36830

RESOLUTION NO. 169-16

Fixing Costs of Demolition - 214 Byrd Avenue

RESOLUTION NO. _____

RESOLUTION FIXING AMOUNT OF ASSESSMENT FOR
DEMOLITION AND REMOVAL OF BUILDINGS
LOCATED AT 214 BYRD AVENUE

WHEREAS, the building or structure located at 214 Byrd Avenue, Opelika, Alabama has been demolished and removed as provided for by Resolution No. 313-15, and the Building Official of the City of Opelika has caused to be prepared a report showing the costs incurred in the demolition and removal of said building or structure and the amount proposed to be assessed against the land upon which said building or structure was located; and

WHEREAS, said report was heretofore delivered to the City Clerk of the City of Opelika and was open for inspection in the Office of the City Clerk of the City of Opelika; and

WHEREAS, the 19th day of July, 2016, at 7:00 p.m. in the City Council Chambers in the Municipal Building in the City of Opelika was the date, time and place heretofore appointed to hear and determine any objections or defenses that might be filed to the fixing of said costs, the proposed assessment, or the amount thereof; and

WHEREAS, the City Clerk has heretofore given notice of said meeting at which the fixing of said costs shall be considered by first class mail to all entities having an interest in the property; and

WHEREAS, the City Council met at the designated time and place to pass upon all such objections to and protests against the proposed assessment; and

WHEREAS, the President of the City Council presided over said public hearing and opened the floor for comments from the public and any persons interested in said assessment or the amount thereof; and

WHEREAS, the City Council has considered all evidence and other matters in relation to the proposed assessment and the members of the Council are of the opinion that the amount to be assessed against said property should be in accordance with the amount shown on the report heretofore delivered by the Building Official to the City Council.

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

1. That the sum of \$4,689.98 is hereby determined to be the amount reasonably incurred in the demolition and removal of the building located at 214 Byrd Avenue, Opelika, Alabama and said assessment shall constitute a special assessment against the following described real property:

From the point of intersection of the Northwesternly margin of Byrd Avenue with the Easterly margin of the Western railway of Alabama in the City of Opelika, Lee County, Alabama, run thence North 45 degrees 00 minutes East along the Northwesternly margin of Byrd Avenue 357.00 feet to the Point of Beginning of the property herein described and conveyed; from said Point of Beginning continue North 45 degrees 00 minutes East along the Northwesternly margin of Byrd Avenue, 72.4 feet; thence leaving said avenue, North 45 degrees 00 minutes West 100.00 feet; thence South 44 degrees 53 minutes West 67.2 feet; thence South 42 degrees 00 minutes East, 100.00 feet to the Point of Beginning. Situated in Opelika, Lee County, Alabama, and being a part of Lot C, Block 7, Township 19 North, Range 27 East, Opelika, Lee County, Alabama; said Byrd Lands being further shown on Totten's official real map of Opelika, recorded in Town Plat Book 2, Page 9, Lee County Probate Office.

Also being further described as Parcel Number 43-10-03-07-1-001-066.000, according to records maintained in the Lee County Revenue Commissioner's Office.

Payment of the assessment shall be made in the manner and as provided in Section 11-40-35, *Code of Alabama*, 1975.

2. If the owner of said property shall elect to pay said assessment in installments, the principal amount of said assessment shall bear interest at the rate of _____ percent per annum.

3. The City Clerk is hereby directed to mail, by certified mail, a copy of this resolution to the owner of the property as the information appears on the records of the Office of the Revenue Commissioner and the Office of the Judge of Probate of Lee County, Alabama.

ADOPTED AND APPROVED this the ____ day of _____ 2016.

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

ATTEST:

CITY CLERK

RESOLUTION NO. 170-16

Fixing Costs of Demolition - 307 S. 2Nd Street

RESOLUTION NO. _____

RESOLUTION FIXING AMOUNT OF ASSESSMENT FOR
DEMOLITION AND REMOVAL OF BUILDINGS
LOCATED AT 307 S. 2ND STREET

WHEREAS, the building or structure located at 307 S. 2nd Street, Opelika, Alabama has been demolished and removed as provided for by Resolution No. 096-15, and the Building Official of the City of Opelika has caused to be prepared a report showing the costs incurred in the demolition and removal of said building or structure and the amount proposed to be assessed against the land upon which said building or structure was located; and

WHEREAS, said report was heretofore delivered to the City Clerk of the City of Opelika and was open for inspection in the Office of the City Clerk of the City of Opelika; and

WHEREAS, the 19th day of July, 2016, at 7:00 p.m. in the City Council Chambers in the Municipal Building in the City of Opelika was the date, time and place heretofore appointed to hear and determine any objections or defenses that might be filed to the fixing of said costs, the proposed assessment, or the amount thereof; and

WHEREAS, the City Clerk has heretofore given notice of said meeting at which the fixing of said costs shall be considered by first class mail to all entities having an interest in the property; and

WHEREAS, the City Council met at the designated time and place to pass upon all such objections to and protests against the proposed assessment; and

WHEREAS, the President of the City Council presided over said public hearing and opened the floor for comments from the public and any persons interested in said assessment or the amount thereof; and

WHEREAS, the City Council has considered all evidence and other matters in relation to the proposed assessment and the members of the Council are of the opinion that the amount to be assessed against said property should be in accordance with the amount shown on the report heretofore delivered by the Building Official to the City Council.

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

1. That the sum of \$4,412.86 is hereby determined to be the amount reasonably incurred in the demolition and removal of the building located at 307 S. 2nd Street, Opelika, Alabama and said assessment shall constitute a special assessment against the following described real property:

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.

Payment of the assessment shall be made in the manner and as provided in Section 11-40-35, *Code of Alabama*, 1975.

2. If the owner of said property shall elect to pay said assessment in installments, the principal amount of said assessment shall bear interest at the rate of _____ percent per annum.

3. The City Clerk is hereby directed to mail, by certified mail, a copy of this resolution to the owner of the property as the information appears on the records of the Office of the Revenue Commissioner and the Office of the Judge of Probate of Lee County, Alabama.

ADOPTED AND APPROVED this the ____ day of _____ 2016.

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

ATTEST:

CITY CLERK

RESOLUTION NO. 171-16

License Agreement, ROW Encroachment, Springs Mill Lake - Eng.

RESOLUTION NO. _____

**RESOLUTION APPROVING RIGHT-OF-WAY ENCROACHMENT LICENSE
AGREEMENT WITH CHAPMAN H, LLC**

WHEREAS, Chapman H, LLC (hereinafter referred to as “Licensee”) is the record owner of a 79.391 acre Planned Unit Development (hereinafter the “PUD”) entitled “The Springs of Mill Lake” located on the south side of U.S. Highway 280; and

WHEREAS, the City of Opelika, Alabama (the “City”) owns the rights-of-way of a divided two-lane entrance road from U.S. Highway 280 to the PUD designated Willow View Drive (“the Entrance Road”); and

WHEREAS, Licensee has requested permission from the City o to use a portion of the right-of-way of the Entrance Road to construct, erect and maintain decorative entrance improvements and landscaping; and

WHEREAS, a Right-Of-Way Encroachment Agreement (hereinafter referred to as the “License Agreement”) has been prepared and submitted to the City Council for approval, and the City Council has determined that it is now in the best interest of the City and its citizens to approve said License Agreement; and

WHEREAS, the City is willing to grant to Licensee a license to construct, erect, use and maintain the decorative Entrance Road improvements and landscaping within the right-of-way of the Entrance Road subject to the covenants and conditions contained in said License Agreement.

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

Alabama, as follows:

1. That the proposed Right-Of-Way Encroachment License Agreement to be entered into between the City, as Licensor, and Chapman H, LLC, as Licensee, a copy of which is attached hereto as Exhibit "A", is hereby approved, authorized, ratified and confirmed.

2. That the Mayor is hereby authorized and directed to execute and deliver said License Agreement on behalf of the City, and the City Clerk is hereby authorized to attest the same.

3. That this Resolution shall take effect upon its passage and adoption by the City Council.

ADOPTED AND APPROVED this the _____ day of _____, 2016.

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

ATTEST:

CITY CLERK

**STATE OF ALABAMA
COUNTY OF LEE**

RIGHT-OF-WAY ENCROACHMENT LICENSE AGREEMENT

THIS RIGHT-OF-WAY ENCROACHMENT LICENSE AGREEMENT (hereinafter the “Agreement”) is made and entered into at Opelika, Alabama this the ____ day of _____, 2016, by and between **THE CITY OF OPELIKA, ALABAMA**, a municipal corporation (hereinafter the “City”) and **CHAPMAN H, LLC**, an Alabama limited liability company (hereinafter the “Licensee”).

RECITALS:

WHEREAS, Licensee is the record owner of a 79.391 acre Planned Unit Development (hereinafter the “PUD”) entitled “The Springs of Mill Lake” located on the south side of U.S. Highway 280; and

WHEREAS, the City owns the right-of-way of a divided two-lane entrance road from U.S. Highway 280 to the PUD designated Willow View Drive (hereinafter “the Entrance Road”); and

WHEREAS, Licensee desires to use a portion of the right-of-way of the Entrance Road (hereinafter referred to as the “Licensed Area”) as more particularly described in Exhibit “A”, attached hereto and incorporated by reference and made a part hereof to construct, erect and maintain decorative entrance improvements and landscaping upon the Licensed Area; and

WHEREAS, the decorative entrance improvements consist mostly of footings, stone veneer walls, stone veneer columns and overhead elements as described on Exhibit “B”, attached hereto and incorporated herein by reference; and

WHEREAS, the City has agreed to grant to Licensee a temporary and non-exclusive license and privilege to use the Licensed Area described above for the specific uses set forth in this Agreement.

AGREEMENT

NOW, THEREFORE, for and in consideration of the mutual covenants and obligations contained herein and other good and valuable consideration, the parties agrees as follows:

1. **Incorporation of Recitals.** The foregoing recitals are hereby incorporated into this Agreement in their entirety.
2. **Grant of License.** The City hereby grants to Licensee a temporary and non-exclusive license, privilege and permission to use the Licensed Area described above for the construction, erection and maintenance of decorative entrance improvements and landscaping. The City agrees that Licensee may construct, install, maintain and repair, at Licensee's expense, decorative entrance improvements and landscaping as shown on Exhibit "B" attached hereto including, but not limited to the footings, stone veneer walls, stone veneer columns and overhead decorative elements. No improvements shall be installed as to obstruct the field of vision of motorists or pedestrians along the Entrance Road right-of-way and U.S. Highway 280. In all cases, sight distance shall meet the requirements set forth in the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways. Licensee agrees that no improvement shall be made except as depicted on Exhibit "A", Exhibit "B" or subsequent approved amendments thereto.
3. **Term.** This Agreement and the License granted to Licensee hereunder shall commence as of the date of this Agreement and shall continue until terminated in accordance with the terms of this Agreement.

4. **Consideration.** The License and privilege granted by this Agreement is given to the Licensee as an accommodation to the Licensee without consideration.

5. **No Interest in Land.** The Licensee hereby acknowledges title of the City to the public right-of-way of the Entrance Road described above and agrees never to assail, resist or deny such title. Licensee understands, acknowledges and agrees that this Agreement does not create an interest or estate in Licensee's favor in the City right-of-way. The City retains legal possession of the full boundaries of its right-of-way, and this Agreement merely grants to Licensee a privilege and license to use the Licensed Area described above throughout the term of this Agreement. The City retains the right to use the Licensed Area in a manner not inconsistent with the rights herein granted to Licensee.

6. **No Vested Rights.** Notwithstanding any expenditure of money, time and/or labor by Licensee on or within the Licensed Area, this Agreement shall in no event be construed to create an assignment coupled with an interest or any vested rights in favor of Licensee. Licensee shall expend any time, money or labor on or in the Licensed Area at Licensee own risk and peril.

7. **Maintenance.** As an important condition of the City's agreeing to this License, Licensee agrees that the decorative Entrance Road improvements and landscaping within the Licensed Area shall be maintained at all times in a safe, neat, sightly, and good physical condition in accordance with all requirements of the City's ordinances and building codes. During the term of this Agreement, Licensee shall, at Licensee's sole cost and expense, maintain the decorative Entrance Road improvements and landscaping within the Licensed Area in good condition and in compliance with any applicable requirements of law. The City shall be the sole judge of the quality of the maintenance and, upon written notice from the City to Licensee stating in general terms how and in what manner maintenance is required, Licensee shall be

required to perform such maintenance. If Licensee shall fail to do so, then the City shall have the right to perform such maintenance, the full and complete cost of which shall be borne by Licensee. Licensee covenants and agrees to reimburse the City its full cost and expense for such maintenance.

8. **Compliance With Law.** Licensee shall adhere to and comply with all ordinances, laws, rules and regulations that may pertain to or apply to the Licensed Area and the Licensee's use thereof. Licensee agrees and warrants that it shall procure any licenses, permits or permission as required by law, if any, to conduct or engage in the use of the Licensed Area described herein. Licensee shall perform under this Agreement in accordance with all applicable legal requirements.

9. **Construction Activities.** Licensee shall comply with all laws pertaining to construction on public property and, notwithstanding the Licensee's indemnification of the City as set forth herein, no construction activity will unduly increase the City's liability to third parties at any time. Licensee is responsible for obtaining any necessary permits prior to performing any work on the Licensed Area. All work including, but not limited to excavations by Licensee on or within the Licensed Area and public right-of-way shall be properly safeguarded for the prevention of accidents and at all times during such work or at such other times as activities performed under the authority of this Agreement create any hazard or source of danger to any person or vehicle using the Licensed Area or public right-of-way, Licensee shall provide and maintain sufficient barriers, danger signals, lanterns, detours and take such other measures or precautions as the City shall reasonably direct.

10. **Utilities.** Licensee shall pay all charges for services or utilities furnished to the Licensed Area or used in connection with its use of the Licensed Area, and shall pay all deposits,

connection fees, charges and meter rentals required by the supplier of any such service, including the City.

11. **Indemnification.** To the fullest extent permitted by law, Licensee agrees to indemnify, defend and hold harmless the CITY, its officers, agents, servants, employees, boards and commissions from and against any and all claims, losses, damage or liability (including reasonable attorney's fees) whatsoever arising out of the use of the Licensed Area by the Licensee and the construction, erection and maintenance of the decorative Entrance Road improvements and landscaping, including, but not limited to all claims, demands, damages and liabilities arising directly or indirectly from personal injury, including death and property damages caused by the construction, erection, use and maintenance of the decorative Entrance Road improvements and landscaping. In the event of any action against the City, its officers, agents, servants, employees, boards or commissions covered by the foregoing duty to indemnify, defend and hold harmless, such actions shall be defended by legal counsel of the City's choosing. The provisions of this paragraph shall survive any termination and/or expiration of this Agreement.

12. **Access.** The City's employees and representatives shall have access to and across the Licensed Area at all times and, in the event of an emergency, at any time for inspection or repair of publicly owned utilities and structures and for fire and police department purposes.

13. **Security Measures.** Licensee hereby acknowledges that the City has no obligation whatsoever to provide security. Licensee assumes all responsibility for the security and protection of the decorative improvements and landscaping within the Licensed Area.

14. **No Liens.** Licensee shall pay or cause to be paid all costs and charges for work done by it or caused to be done by it in, on or to the Licensed Area and for all materials furnished

for or in connection with such work. Licensee shall keep the Licensed Area free from any mechanics' liens, vendor's liens or any other liens arising out of any work performed, materials furnished or obligations incurred by Licensee.

15. **Insurance.** The Licensee shall exercise the rights, privileges and permission granted herein at Licensee's own risk. Licensee agrees to maintain a general liability insurance policy having a minimum coverage of \$2,000,000 and name the City as an additional insured for the purposes of this License.

16. **Termination.** This Agreement and the License herein granted to Licensee may be terminated by either party for any reason or no reason upon giving one hundred eighty (180) days written notice. In addition, this Agreement may be terminated by the City upon thirty (30) days written notice to Licensee of a breach of any term or condition of this Agreement.

17. **Removal of Encroachments upon Termination.** At such time as this Agreement and License herein granted to Licensee is terminated, Licensee shall remove, at the Licensee's sole cost and expense, any and all encroachments or improvements on or maintained by Licensee in the City's right-of-way.

18. **Breach and Limitation of Damages.** If either party violates or breaches any term of this Agreement, such violation or breach shall be deemed to constitute a default and the other party shall have the right to seek such administrative, contractual or legal remedies as may be suitable for such violation or breach; provided, however, that in no event shall the City be liable to Licensee for monetary damages of any kind relating to or arising from any breach of this Agreement, and that no action of any kind shall be commenced by Licensee against the City for monetary damages. In the event any legal action is brought by the City for the enforcement of any obligations of Licensee relating to or arising from this Agreement and the City is the

prevailing party in such action, the City shall be entitled to recover from Licensee reasonable attorney's fees.

19. **Notices.** Any notice required or permitted under this Agreement shall be in writing and shall be sufficient if personally delivered or mailed by certified mail, return receipt requested, addressed as follows:

To the City:
Mayor
City of Opelika
P.O. Box 390
Opelika, AL 36803

To the Licensee:
Chapman H, LLC
168 Ashton Lane
Auburn, AL 36830

Notices mailed in accordance with the provisions of this paragraph shall be deemed to have been given on the third business day following the mailing. Notices personally delivered shall be deemed to have been given upon delivery.

20. **No Joint Venture or Partnership.** This Agreement shall not be construed so as to create a joint venture, partnership, employment or other agency relationship between the parties hereto.

21. **No Personal Liability.** No official, officer, agent or employee of the City shall be charged personally or held contractually liable under any term or provision of this Agreement, or because of their execution, approval or attempted execution of this Agreement.

22. **Severability.** The terms of this Agreement shall be severable. In the event any of the terms or provisions of this Agreement are deemed to be void or otherwise unenforceable, for any reason, the remainder of this Agreement shall remain in full force and effect.

23. **Governing Law.** This Agreement shall be subject to and governed by the laws of the State of Alabama. The venue for the resolution of any disputes or the enforcement of any

rights arising out of or in connection with this License Agreement shall be in the Circuit Court of Lee County, Alabama.

24. **References in Agreement.** All references in this Agreement to the singular shall include the plural where applicable, and all references to the masculine shall include the feminine and vice versa.

25. **Multiple Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

26. **Paragraph Headings.** Paragraph headings are inserted for convenience only and in no way limit or define the interpretation to be placed upon this Agreement.

27. **Binding Agreement on the Parties.** This Agreement shall be binding on the parties hereto and their respective successors and permitted assigns.

28. **Assignment.** This Agreement and the obligations herein may not be assigned without the express written consent of each of the parties hereto.

29. **Entire Agreement.** This Agreement and its exhibits constitute the entire agreement and understanding between the parties and supersedes any prior agreement or understanding relating to the subject matter of this Agreement.

30. **Modification.** This Agreement may be changed, modified or amended only by a duly authorized written instrument executed by the parties hereto. Each party agrees that no representations or warranties shall be binding upon the other party unless expressed in writing herein or in a duly authorized and executed amendment hereof.

IN WITNESS WHEREOF, the parties have hereunto have caused this Agreement to be executed as of this the ____ day of _____, 2016.

THE CITY OF OPELIKA, ALABAMA

By: _____
GARY FULLER, ITS MAYOR

ATTEST:

CITY CLERK

STATE OF ALABAMA
 COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that GARY FULLER and ROBERT G. SHUMAN, whose names as Mayor and City Clerk respectively, of the City of Opelika, Alabama, are signed to the foregoing instrument, and who are known to me, acknowledged before me this day, that, being informed of the contents of said instrument they, as such officers and with full authority, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office this the ____ day of _____, 2016.

 NOTARY PUBLIC
 MY COMMISSION EXPIRES:_____

CHAPMAN H, LLC

By: _____
Its Managing Member

STATE OF ALABAMA
 COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Allen Harris, whose name as Managing Manager of CHAPMAN H, LLC, is signed to the foregoing instrument, and who is known to me, acknowledged before me this day, that, being informed of the contents of said instrument he, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office this the ____ day of _____, 2016.

 NOTARY PUBLIC
 MY COMMISSION EXPIRES: _____



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Design Studio**

Site Planning
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Signage & Wayfinding
Landscape Architecture

www.edsyncweb.com
Duane: 205-585-8414
Dave: 205-223-6367



ChapmanH, LLC

The Spring of Mill Lakes

2901 Birmingham Highway, Opelika, Alabama

REVISIONS

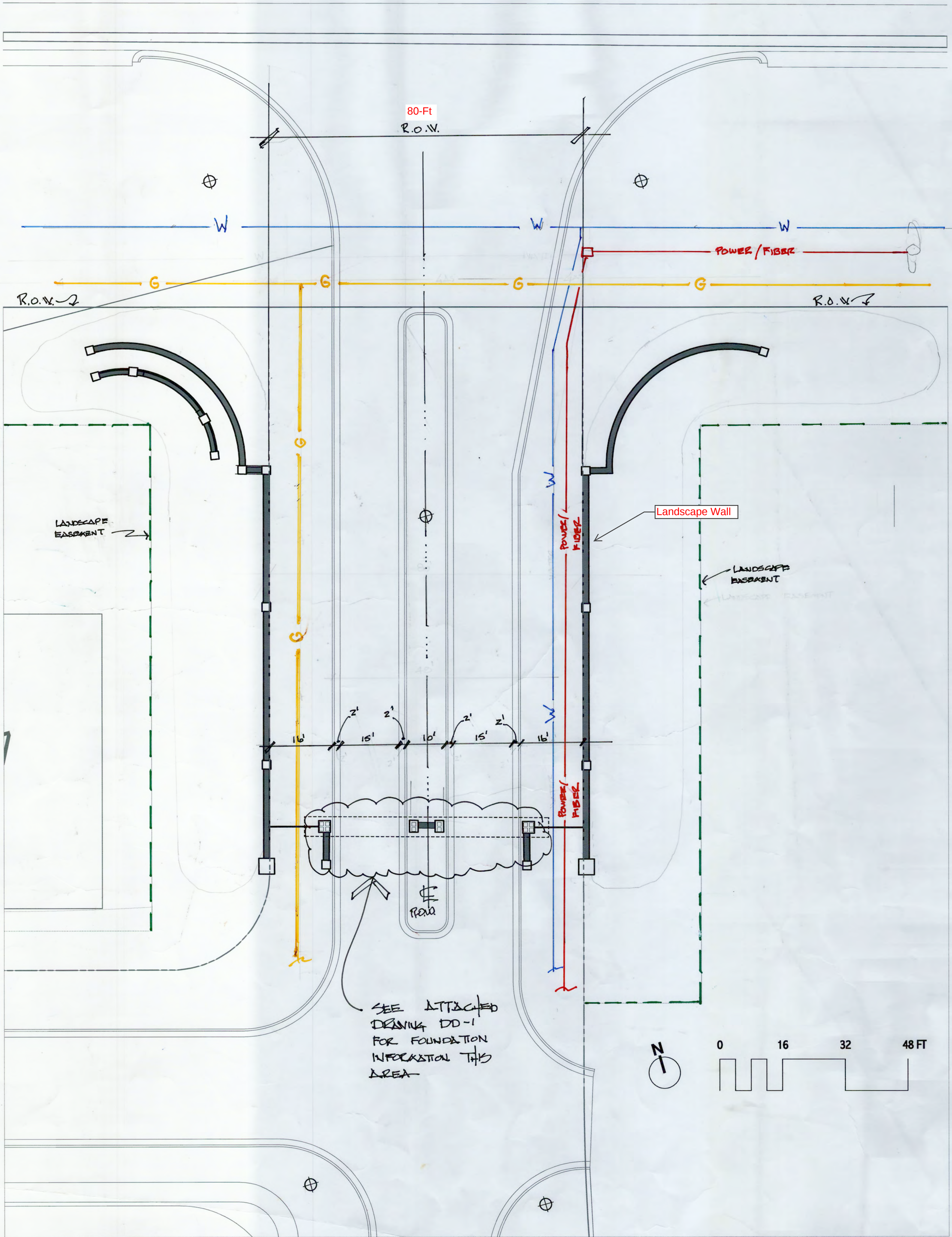
DATE: June 9, 2016
SCALE: 1/16"=1'
PROJECT MANAGER: Duane Pritchett
DRAWN: drp
REVIEWED: die
PROJECT NO: 2016-0075

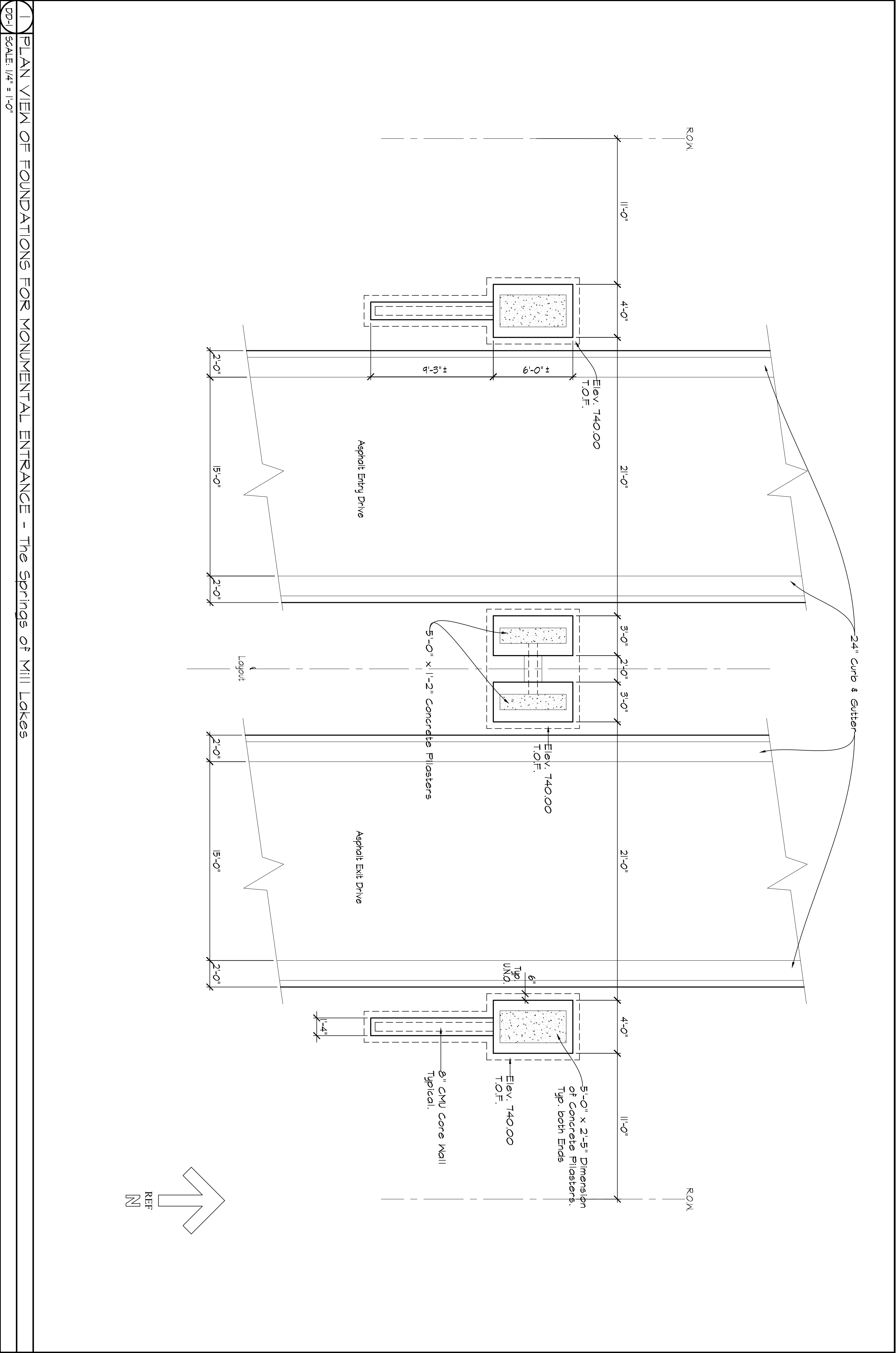
SHEET TITLE :
Dimensional Layout

SHEET NUMBER:

L2

SEQUENCE: 2 of 6





- GENERAL NOTES:**
1. Dimensions shown are designed so base of stone columns are at top of curb elevation. Contractor to consider East-West grade change, if any.
 2. North & South stone veneers of all four columns are plumb. East & West stone veneer of all four columns are battered approximately $\frac{3}{4}$ " : 12".
 3. Stone veneers of wing walls @ center wall are all plumb.
 4. Layout these Entrance Monuments from the centerline of the entire island, which is the centerline of the 80' R.O.W. that separates the Entering / Leaving lanes.
 5. Structural Engineer to determine if low concrete kneewall between center columns is necessary.
 6. The horizontal layout information on this sheet is established such that the finish stone veneer on the East/West face of columns is minimum of 1'-0" behind the back of curb.



Foundation for Monumental Entrance
FOR
Springs of Mill Lakes
Opelika, Alabama

DATE: 7-6-2016
RELEASED FOR:

.....

Foundation
View
-

DD-1

RESOLUTION NO. 172-16

Amend Tax Abatement Agreement, Cumberland Plastic Systems - ED.

RESOLUTION NO. _____

**RESOLUTION AMENDING RESOLUTION NO. 337-15 AND
AUTHORIZING AMENDMENTS TO TAX ABATEMENT AGREEMENT
WITH CUMBERLAND PLASTIC SYSTEMS, LLC**

WHEREAS, on July 7, 2015, pursuant to Resolution No. 169-15, the Opelika City Council authorized the execution of Tax Abatement Agreements (the “original Tax Abatement Agreements”) with Cumberland Plastic Systems, LLC (“Cumberland”) and Spartan Partners, LLC (“Spartan”); and

WHEREAS, the original Tax Abatement Agreements estimated the total capital investment in the Project at nine million, seven hundred forty thousand, one hundred and ninety dollars (\$9,740,190.00); and

WHEREAS, on August 18, 2015, pursuant to Resolution No. 211-15, the City Council amended Resolution No. 169-15 to reflect an aggregate capital investment of \$10,740,190.00 and approved an amended Tax Abatement Agreement with Spartan; and

WHEREAS, on December 15, 2015, pursuant to Resolution No. 337-15, the City Council amended Resolution No. 211-15 to reflect an aggregate capital investment by Cumberland and Spartan of \$12,740,190.00; and

WHEREAS, Spartan’s Amended Tax Abatement Agreement reflects the correct estimated capital investment by Spartan in the amount of \$8,040,190.00; and

WHEREAS, Cumberland has now determined that its estimated capital investment in the Project will be \$6,200,000.00; and

WHEREAS, the estimated capital investment by Cumberland will increase by the additional sum of \$1,500,000.00 from \$4,700,000.00 to \$6,200,000.00; and

WHEREAS, Cumberland and Spartan have now determined that their total estimated capital investment in the Project will be fourteen million, two hundred and forty thousand, one hundred and ninety dollars (\$14,240,190.00); and

WHEREAS, the City Council desires to amend Resolution No. 337-15 to reflect a total estimated capital investment by Cumberland and Spartan of \$14,240,190.00; and

WHEREAS, the City, as the Granting Authority, and Cumberland have determined to amend the Tax Abatement Agreement with Cumberland to reflect an estimated capital investment by Cumberland of six million, two hundred thousand dollars (\$6,200,000.00).

NOW, THEREFORE, BE IT RESOLVED by the City Council (hereinafter called the “Council”) of the City of Opelika, Alabama (hereinafter called the “City”) that Resolution No. 337-15 is hereby amended and restated to read as follows:

Section 1. **FINDINGS.** The Council hereby finds and declares that the following facts are true and correct:

(a) Cumberland Plastic Systems, LLC, d/b/a Cumberland Plastic Solutions (“Cumberland”) proposes to lease the Benteler building located at 4401 Northpark Drive (the “Facility” or “Project”) presently owned by Spartan Partners, LLC (“Spartan”);

(b) Cumberland is a world class leader in plastic injection molding utilizing innovative combinations of materials, the integration of manufacturing processes, as well as state-of-the-art technology and equipment;

(c) Cumberland proposes to produce plastic parts for the automotive, industrial, agricultural and consumer goods markets at its facility in Opelika;

(d) Spartan will be required to make numerous physical modifications to the Facility to accommodate the production, distribution and manufacturing needs of Cumberland;

(e) The Project will require capital contributions by Cumberland to acquire and install new manufacturing machinery, equipment and other personal property at the facility;

(f) The Project will consist of the existing building, the construction of building improvements and the acquisition and installation of new manufacturing machinery, equipment and other personal property at the Facility;

(g) The Project will require a capital investment by Cumberland together with Spartan within the City of Opelika, Alabama (the “City”) of approximately fourteen million two hundred forty thousand one hundred and ninety dollars (\$14,240,190.00) and is expected to result in the creation of approximately 131 new jobs;

(h) The Project is estimated to be placed in service by December 15, 2016;

(i) The Project will be operated by Cumberland as an “industrial or research enterprise” as defined under Alabama Code §40-9B-3(a)(10);

(j) Cumberland’s NAICS Code 326100 meets the qualifications of an industrial or research enterprise in accordance with §40-9B-3(6), *Code of Alabama*, as amended;

(k) Pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1, et seq, *Code of Alabama*, 1975) (the “Act”), Cumberland and Spartan have requested from the City the abatement of (a) all state and local non-education ad valorem taxes (property taxes) for a period of ten (10) years; and (b) all construction related transaction taxes (sales and use taxes), except those construction related transaction taxes levied for educational purposes or for capital improvements for education;

(l) Pursuant to the authority granted to the City under Article IV of Chapter 51 of Title 11, *Code of Alabama*, Cumberland and Spartan have requested from the City a complete exemption of non-educational City ad valorem taxes for the project for a period of fifteen (15) years;

(m) The City has considered the requests of Cumberland and Spartan and each of their respective completed forms CO:CAA Application to Local Abatement Authority for Abatement of Taxes filed by Cumberland and Spartan with the City in connection with their request (separately the “Abatement Application” or collectively “Abatement Applications”);

(n) The City has found the information contained in the Abatement Applications to be sufficient to permit the City to make a reasonable cost/benefit analysis of the proposed Project and to determine the economic benefits to the community;

(o) According to the Abatement Applications, the Project will require an aggregate initial capital investment of approximately fourteen million two hundred forty thousand one hundred and ninety dollars (\$14,240,190.00) which includes the existing building, new building improvements, the acquisition of new machinery, equipment and personal property to be purchased and installed at the Facility and related costs;

(p) The City Council hereby ratifies and confirms the amended Abatement Agreement by and between the City and Spartan as approved by Resolution No. 211-15;

(q) The City Council has been furnished a copy of a Second Amended Tax Abatement Agreement (the “Second Amended Abatement Agreement”) by and between the City and Cumberland, and the City Council has determined that the general terms of such amended Tax Abatement Agreement are acceptable to the City in principle;

(r) Cumberland is duly qualified to do business in the State of Alabama and has power to enter into and to perform and observe the agreements and covenants on its part contained in the Second Amended Abatement Agreement;

(s) Spartan is duly qualified to do business in the State of Alabama and has power to enter into and to perform and observe the agreements and covenants on its part contained in the amended Abatement Agreement;

(t) The City represents and warrants to Cumberland and Spartan that the City has the power under the Constitution and the laws of the State of Alabama (including particularly the provisions of the Act) to carry out the provisions of the original Tax Abatement Agreement with Cumberland; the Second Amended Tax Abatement Agreement with Spartan and the amended Tax Abatement Agreement with Cumberland;

(u) The City wishes to secure the numerous and significant benefits to the City, its business community and residents that will likely result from the Project.

Section 2 TAX ABATEMENTS PURSUANT TO THE TAX INCENTIVE ACT.

Approval is hereby given to the Abatement Application of Cumberland and the Abatement Application of Spartan and abatement is hereby authorized of (1) all state and local non-educational property taxes for a period of ten (10) years; and (2) all construction-related transactions (sales and use) taxes, except those construction-related transaction taxes levied for educational purposes or for capital improvements for education.

Section 3. EXEMPTION FOR NON-EDUCATIONAL CITY AD VALOREM

TAXES. In addition, pursuant to Title 11, Article 4 of Chapter 51, *Code of Alabama*, the City agrees to grant to Cumberland and Spartan a complete exemption for non-educational City ad valorem taxes for a period of fifteen (15) years.

Section 4. NON ABATEMENT OF TAXES FOR SCHOOL PURPOSES. The abatements and exemptions granted herein do not include any ad valorem (property) taxes or construction related transaction taxes earmarked for city and county schools and school district purposes. The tax abatements and exemptions for ad valorem taxes under paragraphs 2 and 3 shall not exceed the maximum abatement allowed by state law.

Section 5. EXECUTION OF SECOND AMENDED TAX ABATEMENT

AGREEMENT. The Mayor and the City Clerk are hereby authorized and directed to execute the amended Tax Abatement Agreement with Cumberland and such other ancillary documents and agreements as may be necessary to provide the abatements and exemptions granted in paragraphs 1 and 2 above.

Section 6. **DELIVERY OF DOCUMENTS.** A certified copy of this resolution, with Applications, the amended Tax Abatement Agreement with Spartan and the Second Amended Tax Abatement Agreement with Cumberland, shall be forwarded to Cumberland and Spartan to deliver to the appropriate taxing authorities and to the Alabama Department of Revenue in accordance with the Act.

Section 7. **AUTHORIZATION OF ACTIONS ON BEHALF OF THE CITY.** The officers of the City and any person or persons designated and authorized by any officers of the City to act in the name and on behalf of the City, or any one or more of them, are authorized to do or cause to be done or performed in the name and on behalf of the City such other acts and to execute and deliver or caused to be executed and delivered in the name and on behalf of the City such other notices, certificates, assurances, or other instruments or other communications under the seal of the City, or otherwise, as they or any of them deem necessary or advisable or appropriate in order to carry into effect the intent of the provisions of this resolution.

Section 8. **INTENTION TO SUPPLEMENT RESOLUTION NO. 337-15.** This resolution amends Resolution No. 337-15 adopted by the City Council on December 15, 2015 by increasing the total estimated capital investment by Cumberland and Spartan to \$14,240,190.00. This Resolution also approves the amended Tax Abatement Agreement between the City and Cumberland to reflect a capital investment by Cumberland of \$6,200,000. The provisions of this Resolution amend and supplement Resolution Nos. 169-15, 211-15 and 337-15.

Section 9. **EFFECTIVE DATE.** This resolution shall take effect upon passage and adoption by the City Council.

ADOPTED AND APPROVED this the _____ day of _____, 2016.

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

ATTEST:

CITY CLERK

RESOLUTION NO. 173-16

Increasing Number of Field Service Technician Positions at OPS

RESOLUTION NO. _____

**RESOLUTION AMENDING THE ORGANIZATIONAL CHART OF
OPELIKA POWER SERVICES BY INCREASING THE AUTHORIZED
NUMBER OF POSITIONS OF FIELD SERVICES TECHNICIAN**

WHEREAS, the Mayor has submitted his recommendation to the City Council to modify the organizational chart of Opelika Power Services (“OPS”) of the City of Opelika (the “City”); and

WHEREAS, the Mayor and Director of OPS have recommended increasing the number of Field Services Technicians from three (3) to five (5); and

WHEREAS, the City Council hereby finds and determines that said plan of reorganization is in the best interest of OPS.

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

1. That the number of authorized positions in the existing job classification of Field Services Technician at pay grade 16 is hereby increased from three to five.
2. That the Director of OPS and Controller are hereby authorized and directed to modify the organizational chart of OPS to implement the changes in personnel as contemplated by this Resolution.
3. That the Controller is authorized to make the appropriate budget adjustments to

implement this Resolution. Any deficiency in the Salaries and Wages Account of OPS resulting from the reorganization approved herein shall be paid from the Unassigned Fund Balance Account.

4. That this Resolution shall take effect upon its passage and adoption by the City Council.

ADOPTED AND APPROVED this the _____ day of _____, 2016.

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

ATTEST:

CITY CLERK

Adding Two Additional Field Service Technicians (FST)

Fact Sheet

After receiving an RFP for the continuation of On Trac, Inc. to do residential fiber installs we did an analysis to determine most economical way to move forward as installs per week has reached a steady state.

- The first contract period with On Trac has expired.
- Current proposal has a minimum weekly install amount of \$9000 with two adders
 - \$577 for their office/warehouse space
 - \$500 for supervision
- The three year contract has a guaranteed amount of over \$1.4M without adders and \$1.57M with adders.
- Utilizing current staff and the addition of two new FSTs can reduce our cost compared to the RFP
 - Savings over \$600K over the three year period
 - Amount includes the following
 - Full benefits
 - Raises during the three year period
 - Estimated overtime amounts
 - Initial capital investment for equipment
 - Operating expenses for equipment
 - One additional employee that is not requested at this time
 - Does not include potential insurance increases
 - Current insurance will cover us but some claims may rise
 - Current FSTs already do some residential and most commercial installs
- Material cost are the same as OPS already provides

Recommendation: We add the two additional slots for FSTs and begin doing all residential and commercial installs with internal resources.

RESOLUTION NO. 174-16

Approving Amended Employment Contract

RESOLUTION NO. _____

**APPROVING SECOND AMENDMENT TO
EMPLOYMENT CONTRACT BETWEEN THE CITY OF
OPELIKA, ALABAMA AND ROBERT L. HOLLEY**

WHEREAS, on November 20, 2013, the City of Opelika, Alabama (the “City”) and Robert L. Holley entered into an Employment Contract; and

WHEREAS, Robert L. Holley seeks to amend the Employment Contract to reflect a change in compensation from \$30,000.00 to \$15,700.00; and

WHEREAS, the City Council has been furnished a Second Amendment to Employment Contract between the City and Robert L. Holley, and the City Council has determined that the terms of said Amended Contract are acceptable to the City.

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

1. That the Second Amendment to Employment Contract (the “Amended Contract”) to be entered into between the City and Robert L. Holley, a copy of which is attached hereto and marked as Exhibit “A”, be and the same is hereby approved, authorized, ratified and confirmed in the form substantially submitted to the City Council with such changes thereto (by addition, deletion or substitution) as the Mayor shall approve, which approval shall be conclusively evidenced by the execution and delivery of said Amended Contract.

2. That the Mayor is hereby authorized and directed to execute and deliver said Amended Contract in the name and on behalf of the City of Opelika and the City Clerk is hereby authorized and directed to attest the same.

3. That this Resolution shall take effect upon its passage and adoption by the City Council.

ADOPTED AND APPROVED this the ____ day of _____, 2016.

PRESIDENT OF THE CITY COUNCIL
OF THE CITY OF OPELIKA

ATTEST:

CITY CLERK

STATE OF ALABAMA)
 :
 COUNTY OF LEE) SECOND AMENDMENT TO EMPLOYMENT
 : CONTRACT BY AND BETWEEN THE CITY OF
) OPELIKA AND ROBERT L. HOLLEY

THIS SECOND AMENDMENT (“Amendment”) to the Employment Contract made by and between the **CITY OF OPELIKA, ALABAMA**, a municipal corporation, hereinafter called “Employer”, and **ROBERT L. HOLLEY**, hereinafter called “Employee”, is effective the ____ day of July, 2016.

WITNESSETH:

WHEREAS, on November 20, 2013, Employer and Employee entered into an Employment Contract; and

WHEREAS, effective January 1, 2016, the Employment Contract was amended to increase the Employee’s annual salary to \$30,000.00; and

WHEREAS, Employer and Employee agree to amend the Employment Contract as set forth below.

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the Employment Contract as follows:

1. Section III is hereby amended to read as follows:

SECTION III. COMPENSATION

Beginning August 1, 2016, as compensation for his services, Employer shall pay Employee an annual salary of \$15,700.00, payable in installments at the same time as classified employees of the City are paid. All compensation paid to Employee by Employer shall be subject to customary withholding and employment taxes as required by law.

2. Except as provided in this Amendment, each and every term and condition of the Employment Contract shall remain unchanged.

IN WITNESS WHEREOF, the City of Opelika has caused this Amendment to be signed and executed in its behalf by its Mayor, and duly attested by its City Clerk, and the Employee has signed and executed this Amendment the day and year first above written.

THE CITY OF OPELIKA, ALABAMA

By: _____
GARY FULLER, ITS MAYOR

ATTEST:

ROBERT G. SHUMAN, CITY CLERK

ROBERT L. HOLLEY

STATE OF ALABAMA
COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that GARY FULLER and ROBERT G. SHUMAN, whose names as Mayor and City Clerk, respectively, of the City of Opelika, Alabama, a municipal corporation, are signed to the foregoing instrument who are known to me, acknowledged before me on this day, that, being informed of the contents of said instrument they, in their capacity as Mayor and City Clerk for the City of Opelika, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office this the _____ day of July, 2016.

NOTARY PUBLIC
MY COMMISSION EXPIRES:_____

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority, a Notary Public in and for said county and state, hereby certify that ROBERT L. HOLLEY, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of said conveyance, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office this the _____ day of July, 2016.

NOTARY PUBLIC
MY COMMISSION EXPIRES:_____

RESOLUTION NO. 175-16

Declare Council Members Without Opposition Re-Elected.

RESOLUTION NO. _____

RESOLUTION DECLARING ELECTION OF OFFICERS WITHOUT OPPOSITION

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government; and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended; and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy, or has been nominated for an office to be held pursuant to Sections 11-46-20 through 11-46-73 of the *Code of Alabama* of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be declared elected to such office, and the Mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but shall immediately file a written statement with the governing body of the municipality, attested by the City Clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person; and

WHEREAS, Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person; and

WHEREAS, the Mayor of the City of Opelika has filed a written statement with the governing body of the municipality, attested by the City Clerk, certifying the fact that only one person filed a statement of candidacy for the office of Council Member Place Number 3 prior to the deadline and that the name of that person who filed such statement was Dozier Smith T; and

WHEREAS, the Mayor of the City of Opelika has filed a written statement with the governing body of the municipality, attested by the City Clerk, certifying the fact that only one person filed a statement of candidacy for the office of Council Member Place Number 4 prior to the deadline and that the name of that person who filed such statement was C.E. (Eddie) Smith, Jr.; and

WHEREAS, the Mayor of the City of Opelika has filed a written statement with the governing body of the municipality, attested by the City Clerk, certifying the fact that only one person filed a statement of candidacy for the office of Council Member Place Number 5 prior to the deadline and that the name of that person who filed such statement was David Canon, Jr.

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

1. That Dozier Smith T be and he is hereby declared duly elected to the office of Council Member Place Number 3 of the City of Opelika, Alabama, for the term of office commencing on the first Monday of November, 2016; and
2. That the Mayor of the City of Opelika be and he is hereby directed to issue a certificate of election to Dozier Smith T for the office of Council Member Place Number 3 for such term pursuant to the provisions of Section 11-46-25 of the Alabama Code, as amended.
3. That C.E. (Eddie) Smith, Jr., be and he is hereby declared duly elected to the office of Council Member Place Number 4 of the City of Opelika, Alabama, for the term of office commencing on the first Monday of November, 2016; and
4. That the Mayor of the City of Opelika be and he is hereby directed to issue a certificate of election to C.E. (Eddie) Smith, Jr., for the office of Council Member Place Number 4 for such term pursuant to the provisions of Section 11-46-25 of the Alabama Code, as amended.
5. That David Canon, Jr., be and he is hereby declared duly elected to the office of Council Member Place Number 5 of the City of Opelika, Alabama, for the term of office commencing on the first Monday of November, 2016; and
6. That the Mayor of the City of Opelika be and he is hereby directed to issue a certificate of election to David Canon, Jr., for the office of Council Member Place Number 5 for such term pursuant to the provisions of Section 11-46-25 of the Alabama Code, as amended.

ADOPTED AND APPROVED this the ____ day of _____, 2016.

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

ATTEST:

CITY CLERK