



OPELIKA CITY COUNCIL
“ REGULAR MEETING MINUTES “
204 South 7th Street
October 2, 2018
TIME: 7:00 PM

1. Call to Order

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

2. Roll Call

All city council members were present.

1. Patricia Jones, Tiffany Gibson-Pitts, Dozier Smith T, David Canon, Eddie Smith

3. Invocation

Pastor Henry Smith provide the invocation.

1. Pastor Henry Smith.

4. Pledge of Allegiance

Myles and Kevin lead the Pledge of Allegiance.

1. Myles Tatum and Kevin Carter from Northside Intermediate School.

5. Reading of Minutes

1. Minutes from the 9-18-18 City Council Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tiffany Gibson-Pitts, Council Member
SECONDER:	David Canon, Council Member
AYES:	Jones, Gibson-Pitts, Smith T, Canon, Smith

6. Unfinished Business

7. Remarks By the Mayor

Mayor Fuller shared with the audience that his new Commission on Crime and Violence consisting of 32 citizens has met. Four sub-committees have been formed with 8 members per committee. The four sub-committees are Family, Youth, Education and Resources. This will be a team effort and I will keep you informed as we move forward to stop the shootings, crime and violence in Opelika.

1. Recognition of Captian Bobby Kilgore by Lee Co. EMA, PIO Task Force.
Mayor Fuller and the Lee Co. EMA recognized Captain Bobby Kilgore for his leadership in pulling together the PIO Task Force.
2. Regonize the Opelika Track Team - State Champions.
Mayor Fuller and the Track coaches from P&R, recognized all the members of the Opelika P&R Track Team for being State Champions.
3. Employee service awards.
Mayor Fuller recognized city employees from various departments for their many year of service ranging from 5 years to 30 years.
4. Drawing of the annual Safety grand prize winners.

Mayor Fuller and President Smith pulled the winning names for the annual City safety awards. The winners were, T.J. White from IT, Michael Rogers from OPD and Michael Patterson from OFD.

8. Citizen Communications

(Limit comments to five minutes or less). No one came forward to speak.

9. Report of Disbursements

10. Committee Reports

11. General Business

1. Public Hearing - Weed Abatement Assessment - 12 E Johnson Ave

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

2. Public Hearing - Weed Abatement Assessment - 104 Cottage Ct.

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

3. Public Hearing - Weed Abatement Assessment - 106 Cottage Ct.

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

4. Public Hearing - Weed Abatement Assessment - 108 Cottage Ct.

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

5. Public Hearing - Weed Abatement Assessment - 3500 3Rd Ave

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

6. Public Hearing - Weed Abatement Assessment - 3501 Pepperell Pkwy

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

7. Public Hearing - Weed Abatement Assessment - 3502 3Rd Ave

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

8. Public Hearing, Fix Assessment for Demolition - 207 Raintree Street

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said demolition.

Jeffery Preston stated there is a company out of Birmingham that would have been cheaper to use for this demolition. Mr. Preston questioned the cost of the demolition and said it was excessive and asked if the City could work with him. Mr. Preston asked what his options were.

Guy Gunter, City Attorney, stated that Mr. Preston could appeal to Circuit Court. The City awards the demolition to the lowest bidder.

President Smith closed the public hearing.

9. Public Hearing, Fix Assessment for Demolition - 1106 Magnolia Street

President Smith asked for the minutes to reflect the same comments made for 207 Raintree Street since this property is owned by the same property owner.

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said demolition.

Jeffery Preston stated there is a company out of Birmingham that would have been cheaper to use for this demolition. Mr. Preston questioned the cost of the demolition and said it was excessive and asked if the City could work with him. Mr. Preston asked what his options were. Guy Gunter, City Attorney, stated that Mr. Preston could appeal to Circuit Court. The City awards the demolition to the lowest bidder. President Smith closed the public hearing.

12. Awarding of Bids

1. Bids Nine (9) Recycling Cardboard Trailers-OES

RESULT: APPROVED [UNANIMOUS]
MOVER: Patricia Jones, President Pro-Tem
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

13. Resolutions

1. Resolution Expense reports from various departments.

RESULT: APPROVED [UNANIMOUS]
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

2. Resolution Designate City Personal Property Surplus and Authorize Disposal

RESULT: APPROVED [UNANIMOUS]
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

3. Resolution Purchase-Animal Transport Van Conversion-Sole Source-OES

RESULT: APPROVED [UNANIMOUS]
MOVER: Dozier Smith T, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

4. Resolution Purchase-One (1) 2019 Chevrolet Express Cargo Van-State Contr-OES

RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

5. Resolution Purchase-Six Hundred Twenty Four (624) Toter 96 Gal Carts-Sourcewell Contr-OES

RESULT: APPROVED [UNANIMOUS]
MOVER: Dozier Smith T, Council Member
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

6. Resolution Purchase-Three (3) Nissan Frontier King Cabs-Sourcewell Contr-INSP/REV/PW

RESULT: APPROVED [UNANIMOUS]
MOVER: Dozier Smith T, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

7. Resolution Purchase-One (1) 2020 Peterbilt 348-Sourcewell Contr-OES

- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Patricia Jones, President Pro-Tem |
| | SECONDER: | David Canon, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
8. Resolution Purchase-One (1) 2019 Peterbilt 220 33K-Sourcewell Contr-OES
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | David Canon, Council Member |
| | SECONDER: | Patricia Jones, President Pro-Tem |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
9. Resolution Purchase-One (1) 2019 Peterbilt 520 RH-Sourcewell Contr-OES
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | David Canon, Council Member |
| | SECONDER: | Dozier Smith T, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
10. Resolution Refund of Opening/Closing Fees of a Grave.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Patricia Jones, President Pro-Tem |
| | SECONDER: | Tiffany Gibson-Pitts, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
11. Resolution Weed Abatement Assessment - 12 E Johnson Ave
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Tiffany Gibson-Pitts, Council Member |
| | SECONDER: | Dozier Smith T, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
12. Resolution Weed Abatement Assessment - 104 Cottage Ct.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | David Canon, Council Member |
| | SECONDER: | Tiffany Gibson-Pitts, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
13. Resolution Weed Abatement Assessment - 106 Cottage Ct.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Dozier Smith T, Council Member |
| | SECONDER: | David Canon, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
14. Resolution Weed Abatement Assessment - 108 Cottage Ct
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Patricia Jones, President Pro-Tem |
| | SECONDER: | Dozier Smith T, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
15. Resolution Weed Abatement Assessment - 3500 3Rd Ave
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Tiffany Gibson-Pitts, Council Member |
| | SECONDER: | David Canon, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
16. Resolution Weed Abatement Assessment - 3501 Pepperell Pkwy

- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | David Canon, Council Member |
| | SECONDER: | Dozier Smith T, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
17. Resolution Weed Abatement Assessment - 3502 3Rd Ave
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Dozier Smith T, Council Member |
| | SECONDER: | Tiffany Gibson-Pitts, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
18. Resolution Fix Assessment for Demolition - 207 Raintree Street
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Dozier Smith T, Council Member |
| | SECONDER: | Tiffany Gibson-Pitts, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
19. Resolution Fix Assessment for Demolition - 1106 Magnolia Street
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | David Canon, Council Member |
| | SECONDER: | Patricia Jones, President Pro-Tem |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
20. Resolution Request from Sprint for a Special Use Permit for 3460 US Highway 280.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Patricia Jones, President Pro-Tem |
| | SECONDER: | David Canon, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
21. Resolution Annual Contract with Lee Co. Rabies Officer.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Patricia Jones, President Pro-Tem |
| | SECONDER: | David Canon, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
22. Resolution Annual Appropriation Contract with Humane Society.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Tiffany Gibson-Pitts, Council Member |
| | SECONDER: | David Canon, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
23. Resolution Annual Appropriation Contract with OIDA.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Dozier Smith T, Council Member |
| | SECONDER: | Tiffany Gibson-Pitts, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
24. Resolution Special Appropriation for the East Alabama Community Ballet.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | David Canon, Council Member |
| | SECONDER: | Patricia Jones, President Pro-Tem |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
25. Resolution Special Appropriation for Lee Co. Young Leaders.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

26. Resolution Special Appropriation for 20 Under 40 Program.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Dozier Smith T, Council Member
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

27. Resolution Alabama Recycling Fund Grant Agreement with ADEM.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Dozier Smith T, Council Member
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

28. Resolution Annual appropriation contract with Envsion Opelika Foundation.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

14. Ordinances

1. Ordinance Amend Zoning Ord & Map, 1500 Block West Point Parkway, R-3 to PUD,
 2Nd Reading

RESULT: **SECOND READING AND APPROVED [UNANIMOUS]**
MOVER: David Canon, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

2. Ordinance Amend City Code, Chapter 16, Add Article XVI, Truck Routes - 2Nd
 Reading.

RESULT: **SECOND READING AND APPROVED [UNANIMOUS]**
MOVER: Dozier Smith T, Council Member
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

3. Ordinance Amend City Code, Section 19-1, Offenses Under State Law; Penalties - 2Nd
 Reading.

RESULT: **SECOND READING AND APPROVED [UNANIMOUS]**
MOVER: David Canon, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

15. Appointments

1. Nomination of the Honorable John Wesley McCollum, Jr. as a part-time Municipal
 Judge.

President Smith stated, the Honorable John Wesley McCollum, Jr. has been nominated as a part-time Municipal Judge.

2. Resolution Appoint the Honorable John Wesley McCollum, Jr. as a part-time Municipal
 Judge.

Ms. Pitts stated Mr. McCollum lives in Auburn and asked in the future, we should make every effort to appoint a Judge that live in Opelika. President Smith stated Mr. McCollum owns property in Opelika and will be building a new home on that property. Mr. Canon stated for the record, the City has two part-time Municipal Judges. Mayor Fuller stated in the near future, he will designate Ben Hand as the senior presiding Municipal Judge. Guy Gunter stated that Mr. McCollum's appointment as Municipal Judge will be effective January 2, 2019 since the current Municipal Judge, Kenneth Wilkes, will be stepping down because of the State Law age requirements.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Canon, Council Member
SECONDER:	Dozier Smith T, Council Member
AYES:	Jones, Gibson-Pitts, Smith T, Canon, Smith

16. Adjourn

The City Council meeting minutes of October 2, 2018 are hereby adopted and approved this the 16th day of October, 2018.

/s/ Eddie Smith

President of City Council

City of Opelika, Alabama

ATTEST:

/s/ R. G. Shuman

R. G. "Bob" Shuman, CMC

City Clerk - Treasurer

1. Motion to adjourn.

**City Council**

204 South 7Th Street
Opelika, AL

ADOPTED**CM MINUTES (ID # 3067)**

Meeting: 10/02/18 07:00 PM

Department: City Clerk

Category: CM Minutes

Prepared By: Robert Shuman

Initiator: Robert Shuman

Sponsors:

DOC ID: 3067

Minutes from the 9-18-18 City Council Meeting.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith



OPELIKA CITY COUNCIL

“ REGULAR MEETING MINUTES “

204 South 7th Street

September 18, 2018

TIME: 7:00 PM

1. Call to Order

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

2. Roll Call

All council members were present.

1. Patricia Jones, Tiffany Gibson-Pitts, Dozier Smith T, David Canon, Eddie Smith

3. Invocation

The Reverend Clifford Jones provided the invocation.

1. Reverend Clifford Jones from Greater Peace Baptist Church.

4. Pledge of Allegiance

Kate and Kinzlee lead the Pledge of Allegiance.

1. Kate Edwards and Kinzlee Foster from the Southview Primary School.

5. Reading of Minutes

1. Minutes from the 9-04-18 City Council Meeting.

RESULT: APPROVED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: David Canon, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

6. Unfinished Business

7. Remarks By the Mayor

1. Financial Reports August 2018

Mayor Fuller reminded the city council members, the City August 2018 financial statements was in their agenda packet and to give me or Joey Motley a call should they have any questions.

2. August 2018 Monthly Building Report

Mayor Fuller called on Joey Motley, City Administrator, to present a summary of the August 2018 building report.

3. Reappoint John Pruitt to the Opelika Housing Authority. New Term ends 10-18-2023.

Mayor Fuller re-appointed Mr. John Pruitt to another term on the Opelika Housing Authority with a new term that ends on 10-18-2023.

4. Recognize Keep Opelika Beautiful - Yard of the Year awards.

Mayor Fuller and Tipi Miller, Executive Director of KOB, presented the Yard of the Year awards for each city council ward.

5. Recognize Dixie Youth Ozone baseball team - 2nd Place in the State.

Mayor Fuller recognized the coaches and members of the Dixie Youth Ozone baseball team for coming in 2nd place at the State tournament and for doing a great job in representing the City of Opelika.

8. Citizen Communications

(Limit comments to five minutes or less)

Sarah Gill, owner of Mama Mocha's on 1st Avenue thanked Mayor Fuller and the City Council for the improvements to 1st Avenue. My new business is doing well and look forward to building my legacy here in Opelika. I am currently importing 5000 pounds of coffee each month, selling breakfast and also cater as well. I live in the Pepperell Village and I am so happy to be part of the Opelika community.

9. Report of Disbursements

10. Committee Reports

11. General Business

1. Request for Think Pink Walk on October 6Th.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Patricia Jones, President Pro-Tem

SECONDER: Tiffany Gibson-Pitts, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

2. Request for Life Chain 2018 on October 7Th.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Dozier Smith T, Council Member

SECONDER: David Canon, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

3. Request for Prayer Force Walk on Sat. Oct. 20Th

RESULT: **APPROVED [UNANIMOUS]**

MOVER: David Canon, Council Member

SECONDER: Tiffany Gibson-Pitts, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

4. JK Food Mart Request Beer and Wine Off-Premise License.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Dozier Smith T, Council Member

SECONDER: David Canon, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

5. Public Hearing, Weed Abatement Assessment - 308 Brannon Ave

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed assessment. No one came forward to speak. President Smith closed the public hearing.

6. Public Hearing - Weed Abatement Assessment - 509 1St Avenue

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed assessment. No one came forward to speak. President Smith closed the public hearing.

7. Public Hearing - Weed Abatement Assessment - 1109 Magnolia St.

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed assessment. No one came forward to speak. President Smith closed the public hearing.

8. Public Hearing - Weed Abatement Assessment - 1733 1St Ave

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed assessment. No one came forward to speak. President Smith closed the public hearing.

9. Public Hearing, Project Agreement with Southside Opelika, LLC.

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said project agreement. No one came forward to speak. President Smith closed the public hearing.

10. Public Hearing, Amend Zoning Ord & Map: 1500 Block West Point Parkway, R-3 to PUD

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said rezoning from an R-3 to a PUD. No one came forward to speak. President Smith closed the public hearing.

12. Awarding of Bids

13. Resolutions

1. Resolution 211-18 Designate City Personal Property Surplus and Authorize Disposal

RESULT: APPROVED [UNANIMOUS]

MOVER: Tiffany Gibson-Pitts, Council Member

SECONDER: Dozier Smith T, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

2. Resolution 212-18 Expense Reports from Various Departments.

RESULT: APPROVED [UNANIMOUS]

MOVER: David Canon, Council Member

SECONDER: Patricia Jones, President Pro-Tem

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

3. Resolution 213-18 Emergency Repairs-Pipe Supports-WWTP

RESULT: APPROVED [UNANIMOUS]

MOVER: Patricia Jones, President Pro-Tem

SECONDER: Dozier Smith T, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

4. Resolution 214-18 Weed Abatement Assessment - 308 Brannon Avenue

RESULT: APPROVED [UNANIMOUS]

MOVER: Tiffany Gibson-Pitts, Council Member

SECONDER: Dozier Smith T, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

5. Resolution 215-18 Weed Abatement Assessment - 509 1St Avenue

RESULT: APPROVED [UNANIMOUS]

MOVER: Tiffany Gibson-Pitts, Council Member

SECONDER: David Canon, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

6. Resolution 216-18 Weed Abatement Assessment - 1109 Magnolia St

RESULT: APPROVED [UNANIMOUS]

MOVER: Patricia Jones, President Pro-Tem

SECONDER: Dozier Smith T, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

7. Resolution 217-18 Weed Abatement Assessment - 1733 1St Ave

RESULT: APPROVED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: Patricia Jones, President Pro-Tem

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

8. Resolution 218-18 Annual Renewal General Liability Insurance - H/R.

- RESULT:** APPROVED [UNANIMOUS]
MOVER: Dozier Smith T, Council Member
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
9. Resolution 219-18 Engagement Letter for Auditing Services - Acct.
RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
10. Resolution 220-18 Adjust Scope of I-85 Connector Project.
RESULT: APPROVED [UNANIMOUS]
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
11. Resolution 221-18 Renewal for Broadband Services with Charter Communications - OPS.
RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
12. Resolution 222-18 Project Agreement for Southside Opelika, LLC
RESULT: APPROVED [UNANIMOUS]
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
13. Resolution 223-18 Special Appropriation for Sportsplex Health Fair.
RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
14. Resolution 224-18 Reserve Current Year Descriptionary Balance for Each Council Member.
RESULT: APPROVED [UNANIMOUS]
MOVER: Patricia Jones, President Pro-Tem
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
15. Resolution 225-18 Agreement with ALDOT for 1St Ave. TAP Grant - Eng.
RESULT: APPROVED [UNANIMOUS]
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
16. Resolution 226-18 Project Time Extension for Hanwha.

RESULT: APPROVED [UNANIMOUS]
MOVER: Dozier Smith T, Council Member
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

14. Ordinances

1. Ordinance 017-18-ORD Annexation of Property at 465 Lee Road 174 - 2Nd Reading.

RESULT: SECOND READING AND APPROVED [UNANIMOUS]

MOVER: David Canon, Council Member

SECONDER: Dozier Smith T, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

2. Ordinance Amend Zoning Ord & Map, 1500 Block West Point Parkway, R-3 to PUD, 1St Reading

This ordinance was introduced by Mr. Canon.

RESULT: FIRST READING INTRODUCED

3. Ordinance Amend City Code, Chapter 16, Add Article XVI, Truck Routes - 1St Reading.

This ordinance was introduced by Mr. Smith T.

RESULT: FIRST READING INTRODUCED

4. Ordinance Amend City Code, Section 19-1, Offenses Under State Law; Penalties - 1St Reading.

This ordinance was introduced by Mr. Smith T.

RESULT: FIRST READING INTRODUCED

15. Appointments

1. Reappoint Brent Poteet to the Board of Adj. & Appeals. Term ends 10-01-2022.

RESULT: APPROVED [UNANIMOUS]

MOVER: David Canon, Council Member

SECONDER: Patricia Jones, President Pro-Tem

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

2. Reappoint Raymond Williams to the Board of Adj. & Appeals. Term ends 10-01-2022.

RESULT: APPROVED [UNANIMOUS]

MOVER: Patricia Jones, President Pro-Tem

SECONDER: Dozier Smith T, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

3. Reappoint Kenneth Burton to the Lee Co. Youth Dev. Board. Term ends 10-01-2022.

RESULT: APPROVED [UNANIMOUS]

MOVER: Patricia Jones, President Pro-Tem

SECONDER: David Canon, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

4. Reappoint Robert Elliott to the Library Board. Term ends 10-19-2022.

RESULT: APPROVED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: Tiffany Gibson-Pitts, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

5. Reappoint Jill Jones to the Library Board. Term ends 10-19-2022.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

16. Adjourn

The City Council meeting minutes of September 18, 2018 are hereby adopted and approved this the ____ day of _____, 2018.

/s/

 President of City Council
 City of Opelika, Alabama

ATTEST:

/s/

 R. G. "Bob" Shuman, CMC

City Clerk - Treasurer

1. Motion to adjourn.

Mayor Fuller called on Leigh Krehling to introduce Taylor McAlister who is an AU student working as an intern for the Community Relations department in the Mayor's office. The council meeting ended at 7:42 pm.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 3070)**

Meeting: 10/02/18 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: Jerry Bush

Initiator: Lillie Finley

Sponsors:

DOC ID: 3070

Public Hearing - Weed Abatement Assessment - 12 E Johnson Ave

COMMENTS - Current Meeting:

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

WEED ABATEMENT INVOICE

Date: 09/24/2018

**To: Matthew Pitts
31 Lee Rd 616
Auburn Al. 36830**

**Property Address:
12 E Johnson Ave
Opelika Al. 36801
Parcel # 10-04-17-2-000-013.000**

On August 18, 2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement: 132.58

Certified mail: 13.34

Misc.

Total 145.32

Attachment: Weed Invoice 12 E Johnson Ave (3070 : Public Hearing - Weed Abatement Assessment - 12 E Johnson Ave)

To: Matthew Pitts
31 Lee Rd 616
Auburn Al. 36830

**NOTICE OF PUBLIC HEARING ON COST OF
ABATEMENT OF WEED NUISANCE LOCATED AT
12 E Johnson Ave Tax parcel 43-10-04-17-2-000-013.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 12 E Johnson Ave Parcel No. 013.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$145.32.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama, on the 2nd day of October, 2018

You are further notified that the cost of abating such nuisance, if confirmed by the City Council, shall constitute a weed lien on said property and shall be turned over to the Revenue Commissioner of Lee County, Alabama to add the amount of such weed lien to the next regular bill of taxes levied against said property.

Dated this the 24th day of September, 2018.

Jerry Bush
Code Compliance

Cc: Joey Motley – City Administrator
Lillie Finley-Revenue Manager
Guy. F. Gunter, III – City Attorney

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 3078)**

Meeting: 10/02/18 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: Jerry Bush

Initiator: Lillie Finley

Sponsors:

DOC ID: 3078

Public Hearing - Weed Abatement Assessment - 104 Cottage Ct.

COMMENTS - Current Meeting:

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

WEED ABATEMENT INVOICE

Date: 9/24/2018

To: PNC Mortgage Property Preservation
3232 Newmark Dr. (B6-YM13-01-3)
Miamisburg, OH 45342

Property Address:
104 Cottage Ct
Opelika Al. 36801
Parcel # 03-09-30-0-000-115.000

On 8/30/2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement:	<u>96.00</u>
Certified mail:	<u>13.34</u>
Misc.	<u> </u>
Total	<u>109.34</u>

Attachment: WEED INVOICE 104 Cottage Ct (3078 : Public Hearing - Weed Abatement Assessment - 104 Cottage Ct.)

To: **PNC Mortgage Property Preservation**
3232 Newmark Dr. (B6-YM13-01-3)
Miamisburg, OH 45342

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 104 Cottage Ct., Parcel 03-09-30-0-000-115.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 104 cottage Ct., Parcel No. 115.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$109.34.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama, on the 2nd day of October, 2018.

You are further notified that the cost of abating such nuisance, if confirmed by the City Council, shall constitute a weed lien on said property and shall be turned over to the Revenue Commissioner of Lee County, Alabama to add the amount of such weed lien to the next regular bill of taxes levied against said property.

Dated this the 24th day of September, 2018.

 Jerry Bush
 Code Compliance Officer

Cc: Joey Motley – City Administrator
 Lillie Finley – Purchasing-Revenue Manager
 Guy. F. Gunter, III – City Attorney

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 3080)**

Meeting: 10/02/18 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: Jerry Bush

Initiator: Lillie Finley

Sponsors:

DOC ID: 3080

Public Hearing - Weed Abatement Assessment - 106 Cottage Ct.

COMMENTS - Current Meeting:

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

WEED ABATEMENT INVOICE

Date: 09/24/2018

**To: PNC Mortgage Property Preservation
3232 Newmark Dr. (B6-YM13-01-3)
Miamisburg, OH 45342**

**Property Address:
106 Cottage Ct.
Opelika Al. 36801
Parcel # 03-09-30-0-000-116.000**

On 08/30/2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement: 80.00

Certified mail: _____

Misc. _____

Total 80.00

Attachment: WEED INVOICE 106 Cottage Ct (3080 : Public Hearing - Weed Abatement Assessment - 106 Cottage Ct.)

To: **PNC Mortgage Property Preservation**
3232 Newmark Dr. (B6-YM13-01-3)
Miamisburg, OH 45342

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 106 Cottage Ct., Parcel 03-09-30-0-000-116.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 106 Cottage Ct., Parcel No.116.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$80.00.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama, on the 2nd day of October, 2018.

You are further notified that the cost of abating such nuisance, if confirmed by the City Council, shall constitute a weed lien on said property and shall be turned over to the Revenue Commissioner of Lee County, Alabama to add the amount of such weed lien to the next regular bill of taxes levied against said property.

Dated this the 24th day of September, 2018.

 Jerry Bush
 Code Compliance Officer

Cc: Joey Motley – City Administrator
 Lillie Finley – Purchasing-Revenue Manager
 Guy. F. Gunter, III – City Attorney

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 3082)**

Meeting: 10/02/18 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: Jerry Bush

Initiator: Lillie Finley

Sponsors:

DOC ID: 3082

Public Hearing - Weed Abatement Assessment - 108 Cottage Ct.

COMMENTS - Current Meeting:

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

WEED ABATEMENT INVOICE

Date: 9/24/2018

**To: PNC Mortgage Property Preservation
3232 Newmark Dr. (B6-YM13-01-3)
Miamisburg, OH 45342**

Property Address:
108 Cottage Ct.
Opelika Al. 36801
Parcel # 03-09-30-0-000-117.000

On 8/30/2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement: 80.00

Certified mail: _____

Misc. _____

Total	<u>80.00</u>
-------	--------------

Attachment: WEED INVOICE 108 Cottage Ct. (3082 : Public Hearing - Weed Abatement Assessment - 108 Cottage Ct.)

To: **PNC Mortgage Property Preservation**
3232 Newmark Dr. (B6-YM13-01-3)
Miamisburg, OH 45342

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 108 Cottage Ct., Parcel 03-09-30-0-000-117.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 108 Cottage Ct., Parcel No. 117.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$80.00.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama, on the 2ndst day of October, 2018.

You are further notified that the cost of abating such nuisance, if confirmed by the City Council, shall constitute a weed lien on said property and shall be turned over to the Revenue Commissioner of Lee County, Alabama to add the amount of such weed lien to the next regular bill of taxes levied against said property.

Dated this the 24 day of September, 2018.

 Jerry Bush
 Code Compliance Officer

Cc: Joey Motley – City Administrator
 Lillie Finley – Purchasing-Revenue Manager
 Guy. F. Gunter, III – City Attorney

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 3072)**

Meeting: 10/02/18 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: Jerry Bush

Initiator: Lillie Finley

Sponsors:

DOC ID: 3072

Public Hearing - Weed Abatement Assessment - 3500 3Rd Ave

COMMENTS - Current Meeting:

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

WEED ABATEMENT INVOICE

Date: 09/24/2018

To: Ozarkga LLC
7201 Shadow Valley Rd
Rogers, Arkansas 72758

Property Address:
3500 3rd Ave
Opelika Al. 36801

Parcel # 09-05-15-4-000-045.000

On August 14, 2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement: 110.99

Certified mail: _____

Misc.

Total	<u>110.99</u>
-------	---------------

Attachment: WEED INVOICE 3500 3rd Ave (3072 : Public Hearing - Weed Abatement Assessment - 3500 3Rd Ave)

To: **Ozarkga LLC**
7201 Shadow Valley Rd
Rogers, Arkansas 72758

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 3500 3rd Ave, Parcel 09-05-15-4-000-045.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 3500 3rd Ave, Parcel No. 045.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$110.99.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama, on the 2nd day of October, 2018.

You are further notified that the cost of abating such nuisance, if confirmed by the City Council, shall constitute a weed lien on said property and shall be turned over to the Revenue Commissioner of Lee County, Alabama to add the amount of such weed lien to the next regular bill of taxes levied against said property.

Dated this the 24th day of September, 2018.

 Jerry Bush
 Code Compliance Officer

Cc: Joey Motley – City Administrator
 Lillie Finley – Purchasing-Revenue Manager
 Guy. F. Gunter, III – City Attorney

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 3076)**

Meeting: 10/02/18 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: Jerry Bush

Initiator: Lillie Finley

Sponsors:

DOC ID: 3076

Public Hearing - Weed Abatement Assessment - 3501 Pepperell Pkwy

COMMENTS - Current Meeting:

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

WEED ABATEMENT INVOICE

Date: 09/24/2018

**To: Ozarkga LLC
7201 Shadow Valley Rd
Rogers, Arkansas 72758**

**Property Address:
3501 Pepperell Pkwy
Opelika Al. 36801**

Parcel # 09-05-15-4-000-024.000

On August 14, 2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement:	<u>462.19</u>
Certified mail:	<u>13.34</u>
Misc.	<u> </u>
Total	<u>475.53</u>

Attachment: WEED INVOICE (3076 : Public Hearing - Weed Abatement Assessment - 3501 Pepperell Pkwy)

To: **Ozarkga LLC**
7201 Shadow Valley Rd
Rogers, Arkansas 72758

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 3501 Pepperell Pkwy, Parcel 09-05-15-4-000-024.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 3501 Pepperell Pkwy, Parcel No. 024.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$475.53.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama, on the 2nd day of October, 2018.

You are further notified that the cost of abating such nuisance, if confirmed by the City Council, shall constitute a weed lien on said property and shall be turned over to the Revenue Commissioner of Lee County, Alabama to add the amount of such weed lien to the next regular bill of taxes levied against said property.

Dated this the 24th day of September, 2018.

 Jerry Bush
 Code Compliance Officer

Cc: Joey Motley – City Administrator
 Lillie Finley – Purchasing-Revenue Manager
 Guy. F. Gunter, III – City Attorney

Attachment: Weeds, NPH-Resolution, cost to abate, (3076 : Public Hearing - Weed Abatement Assessment - 3501 Pepperell Pkwy)

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 3074)**

Meeting: 10/02/18 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: Jerry Bush

Initiator: Lillie Finley

Sponsors:

DOC ID: 3074

Public Hearing - Weed Abatement Assessment - 3502 3Rd Ave

COMMENTS - Current Meeting:

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said weed abatement assessment. No one came forward to speak. President Smith closed the public hearing.

WEED ABATEMENT INVOICE

Date: 09/24 /2018

**To: Ozarkga LLC
7201 Shadow Valley Rd
Rogers, Arkansas 72758**

**Property Address:
3502 3rd Ave
Opelika AL 36801**

Parcel # 09-05-15-4-000-046.000

On August 14, 2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement: 110.97

Certified mail: _____

Misc. _____

Total 110.97

Attachment: WEED INVOICE 3502 3rd Ave (3074 : Public Hearing - Weed Abatement Assessment - 3502 3Rd Ave)

To: **Ozarkga LLC**
7201 Shadow Valley Rd
Rogers, Arkansas 72758

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 3502 3rd Ave, Parcel 09-05-15-4-000-046.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 3502 3rd Ave, Parcel No. 046.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$110.97.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama, on the 2nd day of October, 2018.

You are further notified that the cost of abating such nuisance, if confirmed by the City Council, shall constitute a weed lien on said property and shall be turned over to the Revenue Commissioner of Lee County, Alabama to add the amount of such weed lien to the next regular bill of taxes levied against said property.

Dated this the 24th day of September, 2018.

 Jerry Bush
 Code Compliance Officer

Cc: Joey Motley – City Administrator
 Lillie Finley – Purchasing-Revenue Manager
 Guy. F. Gunter, III – City Attorney



City Council

204 South 7Th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 3002)

Meeting: 10/02/18 07:00 PM
Department: Building Inspection
Category: Public Hearing
Prepared By: David Chapman
Initiator: Jeff Kappelman
Sponsors:
DOC ID: 3002

Public Hearing, Fix Assessment for Demolition - 207 Raintree Street

NOTICE OF HEARING TO FIX THE AMOUNT OF ASSESSMENT FOR THE REMOVAL OF THE BUILDING LOCATED AT 207 RAINTREE STREET

Jeffery Layne Preston
1201 Auburn Street
Opelika, AL 36801

NOTICE is hereby given that the building or structure located at 207 Raintree Street, Opelika, Alabama has been demolished and removed as authorized and provided for by Resolution No. 076-18. The property upon which said building or structure was located is more particularly described as follows:

Lot Number Two (2) in Block Four (4), according to and as shown on the plat of the subdivision of the Palmer Property, which plat is of record in Town Plat Book 2 at Page 11 in the Office of the Judge of Probate of Lee County, Alabama; together with any and all improvements thereon and all appurtenances thereunto appertaining.

Also being further described as Parcel Number 43-10-03-08-2-001-121.000, 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, October 2, 2018, 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 _____, 2018.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

COMMENTS - Current Meeting:

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said demolition.

Jeffery Preston stated there is a company out of Birmingham that would have been cheaper to use for this demolition. Mr. Preston questioned the cost of the demolition and said it was excessive and asked if the City could work with him. Mr. Preston asked what his options were.

Guy Gunter, City Attorney, stated that Mr. Preston could appeal to Circuit Court. The City awards the demolition to the lowest bidder.

President Smith closed the public hearing.

Cost Assessment Worksheet

Address	Costs
<u>207 Raintree Street</u>	
Title Search	\$69.00
Lis Pendens	\$14.00
Release of Lis Pendens	\$8.00
Certified Letters	\$6.70
Certified Letters/Bob Shuman	\$13.40
Demolition Cost	\$6,275.00
Total	\$6,386.10



City Council

204 South 7th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 3004)

Meeting: 10/02/18 07:00 PM
Department: Building Inspection
Category: Public Hearing
Prepared By: David Chapman
Initiator: Jeff Kappelman
Sponsors:

DOC ID: 3004

Public Hearing, Fix Assessment for Demolition - 1106 Magnolia Street

NOTICE OF HEARING TO FIX THE AMOUNT OF ASSESSMENT FOR THE REMOVAL OF THE BUILDING LOCATED AT 1106 MAGNOLIA STREET

Jeffery Layne Preston
1201 Auburn Street
Opelika, AL 36801

NOTICE is hereby given that the building or structure located at 1106 Magnolia Street, Opelika, Alabama has been demolished and removed as authorized and provided for by Resolution No. 026-18. The property upon which said building or structure was located is more particularly described as follows:

Commencing at the intersection of the Southeasterly margin of Lake Street, with the Southwesterly margin of Magnolia Street in the City of Opelika, Alabama, and run thence South 32 degrees 12 minutes East, along the Southwesterly margin of Magnolia Street, 146 feet to the point of beginning of the lot here to be described and conveyed; from said point of beginning, continue South 32 degrees 12 minutes East, along the Southwesterly margin of Magnolia Street, 65 feet to the North edge of a culvert; run thence South 3 degrees 59 minutes West, along the West bank of a stream, 60 feet; run thence North 72 degrees 58 minutes West, 63 feet to a fence; run thence North 14 degrees 26 minutes East, along said fence, 110 feet to the point of beginning; together with all improvements thereon.

Also being further described as Parcel Number 43-10-04-18-2-001-038.001, 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, October 2, 2018, 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 _____, 2018.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

COMMENTS - Current Meeting:

President Smith asked for the minutes to reflect the same comments made for 207 Raintree Street since this property is owned by the same property owner.

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said demolition.

Jeffery Preston stated there is a company out of Birmingham that would have been cheaper to use for this demolition. Mr. Preston questioned the cost of the demolition and said it was excessive and asked if the City could work with him. Mr. Preston asked what his options were.

Guy Gunter, City Attorney, stated that Mr. Preston could appeal to Circuit Court. The City awards the demolition to the lowest bidder.

President Smith closed the public hearing.

Cost Assessment Worksheet

Address	Costs
<u>1106 Magnolia Street</u>	
Title Search	\$68.00
Lis Pendens	\$14.00
Release of Lis Pendens	\$8.00
Certified Letters	\$6.70
Certified Letters/Bob Shuman	\$13.40
Demolition Cost	\$6,425.00
Total	\$6,535.10



City Council

204 South 7Th Street
Opelika, AL

ADOPTED

BIDS (ID # 3084)

Meeting: 10/02/18 07:00 PM
Department: Purchasing and Revenue
Category: Bid
Prepared By: Angela Norrell
Initiator: Lillie Finley
Sponsors:
DOC ID: 3084

Nine (9) Recycling Cardboard Trailers-OES

RESOLUTION NO. _____

WHEREAS, the Purchasing Department opened sealed bids for the purchase of Recycling Cardboard Trailers for the Opelika Environmental Services Department; and

WHEREAS, Wilhite Trailer & Auto Sales submitted the sole bid meeting specifications; and

WHEREAS, this is a budgeted purchase from ADEM Grant funds;

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

1. That the bid be awarded to Wilhite Trailer & Auto Sales on their sole bid meeting specifications.
2. That the Purchasing-Revenue Manager be authorized to issue a purchase order to Wilhite Trailer & Auto Sales for nine (9) Recycling Cardboard Trailers in the amount of \$21,703.68.
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 purchase.

APPROVED AND ADOPTED this the _____ day of _____, 2018.

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

ATTEST:

Robert G. Shuman
City Clerk - Treasurer

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Patricia Jones, President Pro-Tem
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

FACT SHEET

SUBJECT: Sealed Bid – Bid #18037 – Purchase –Recycling Cardboard Trailers

FACTS:

- Bid opening date – 9/17/18
- User Department – Environmental Services
- The bid was mailed to 12 vendors
- 1 bid was received
- Budgeted contract
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend the bid be awarded to Wilhite Trailer & Auto Sales on their sole bid meeting specifications for nine (9) Recycling Cardboard Trailers in the amount of \$21,703.68.**

$$2,411 \cdot 52 \times$$
$$9 \cdot =$$
$$21,703 \cdot 68 \times$$
$$0 \cdot *$$

RESOLUTION NO. (ID # 3103)

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 employee(s) were required by the City of Opelika to travel on City business and/or attend a training session, meeting or conference.

Employee	Department	\$ Amount
-----	-----	-----
Matt Battles	P&R	283.40
Brian Anyadike	OFD	
188.44		
Zack Hester	OPS	48.16
Shane Childs	OPS	1,132.97
Derek S. Lee	OPS	494.40
Lori Huguley	ED	664.66

-) 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.
- 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(s) can be prepared covering the attached expense report(s).

- 5) That the City Treasurer is authorized to sign said check(s) so it can be delivered to the appropriate City employee or official.

ADOPTED and APPROVED this the ____ day of _____, 2018.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - City Treasurer

EXPENSE REPORT

PERIOD ENDING

9-20-18

NAME

Matt Battles

DEPARTMENT

Department Parks & Recreation

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			
9/17/2018						141.70						141.70
20-Sep						141.70						141.70
												0.00
												0.00
												0.00
												0.00
												0.00
												0.00
WEEKLY CATEGORY TOTALS \$		0.00	0.00	0.00	0.00	283.40	0.00	0.00	0.00	0.00	0.00	283.40

WEEKLY TOTAL EXPENSES

DATE	NAME OF PERSON(S) ENTERTAINED; COMPANY, TITLE	TIME & PLACE	NATURE & PUPOSE OF ENTERTAINMENT	AMOUNT	% OR \$ ALLOCATED TO BUSINESS
					100%
					100%
					100%
					100%
					100%
					100%

NUMBER OF DAYS AWAY FROM HOME

4

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

0%

NATURE OR PURPOSE OF TRAVEL

ARPA Fall Workshop

METHOD OF REIMBURSEMENT

☐ DEDUCT FROM
MY ADVANCE☒ MAIL TOSend check to Matt at
Benson Rec

Signature: *Matt Battles* 2450925

Approved: *Sam Battles*

ITEMIZED AUTOMOBILE EXPENSES		
DATE	MILEAGE, GAS, PARKING REPAIRS, ETC.	AMOUNT
9/17	POV Mileage 260mi @ 54.5c	141.70
9/20	POV Mileage 260mi @ 54.5c	141.70
	Total	283.40

ITEMIZED MISCELLANEOUS EXPENSES		
DATE	ITEMS	AMOUNT
	ARPA Fall Workshop	
	ARPA Fall Workshop	
	ARPA Fall Workshop	
	ARPA Fall Workshop	
	ARPA Fall Workshop	

NAME Brian AnyadikeDEPARTMENT Fire Dept
Department

EXPENSE REPORT

PERIOD ENDING 9-20-18

DAY	CITY AND STATE	LODGING	TRANSPORTATION			AUTO EXPENSES Itemize Below	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		BREAKFAST	LUNCH	DINNER			
SUN												0.00
MON												
TUE												0.00
WED												0.00
THU	<u>Montgomery, AL</u>										<u>188.44</u>	<u>188.44</u>
FRI												0.00
SAT												0.00
WEEKLY CATEGORY TOTALS \$		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	<u>188.44</u>

WEEKLY TOTAL EXPENSES 188.44

DATE	NAME OF PERSON(S) ENTERTAINED; COMPANY, TITLE	TIME & PLACE	NATURE & PURPOSE OF ENTERTAINMENT	AMOUNT	% OR \$ ALLOCATED TO BUSINESS

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

Travel expenses + exam fees for Paramedic Exam

METHOD OF REIMBURSEMENT

DEDUCT FROM
MY ADVANCE

MAIL TO

ITEMIZED AUTOMOBILE EXPENSES		
DATE	MILEAGE, GAS, PARKING REPAIRS, ETC.	AMOUNT

ITEMIZED MISCELLANEOUS EXPENSES		
DATE	ITEMS	AMOUNT
<u>9-20-18</u>	<u>Paramedic Exam Fee</u>	<u>125.00</u>
<u>9-20-18</u>	<u>mileage to testing site / Montgomery, AL</u>	<u>63.44</u>

SIGNATURE

APPROVED BY

EXPENSE REPORT

PERIOD ENDING

9-22-18

NAME

Zack Hester

DEPARTMENT

OPS

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												0.00
MON												0.00
TUE												0.00
WED												0.00
THU												0.00
FRI												0.00
SAT 9-22	Pembroke, NC							48.16				48.16
WEEKLY CATEGORY TOTALS \$		0.00	0.00	0.00	0.00	0.00	0.00	48.16	0.00	0.00	0.00	48.16

WEEKLY TOTAL EXPENSES

DATE	NAME OF PERSON(S) ENTERTAINED: COMPANY, TITLE	TIME & PLACE	NATURE & PURPOSE OF ENTERTAINMENT	AMOUNT	% OR \$ ALLOCATED TO BUSINESS

NUMBER OF DAYS AWAY FROM HOME

11 Days

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

0%

NATURE OR PURPOSE OF TRAVEL

Storm Restoration in the Carolina's after Hurricane
Florance

METHOD OF REIMBURSEMENT

☐ DEDUCT FROM
MY ADVANCE☒ MAIL TO

Send Check to OPS Admin

ITEMIZED AUTOMOBILE EXPENSES		
DATE	MILEAGE, GAS, PARKING REPAIRS, ETC.	AMOUNT

ITEMIZED MISCELLANEOUS EXPENSES		
DATE	ITEMS	AMOUNT
	Agreed to P.O.	
	Exp. Verand	
	Fooding V. food	
	Inv. Price Eto Price	
	Or to Pay	
	A/G M.V. 1	

NOV 1 2018

SIGNATURE

APPROVED BY

EXPENSE REPORT

NAME

Shane Childs

DEPARTMENT

OPS

PERIOD ENDING

9-24-18

DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS Itemize Below			ENTERTAINMENT 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												0.00
MON												0.00
TUE												0.00
WED												0.00
THU	Dillon, SC					114.27						114.27
FRI	Augusta, GA	258.48				550.00			82.98			891.46
SAT						69.84	57.40					127.24
WEEKLY CATEGORY TOTALS \$		258.48	0.00	0.00	0.00	734.11	57.40	0.00	82.98	0.00	0.00	1,132.97

WEEKLY TOTAL EXPENSES ↑

DATE	NAME OF PERSON(S) ENTERTAINED; COMPANY, TITLE	TIME & PLACE	NATURE & PURPOSE OF ENTERTAINMENT	AMOUNT	% OR \$ ALLOCATED TO BUSINESS

NUMBER OF DAYS AWAY FROM HOME

11 Days

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

0%

NATURE OR PURPOSE OF TRAVEL

Storm Restoration in the Carolina's after Hurricane
Florance

METHOD OF REIMBURSEMENT

☐ DEDUCT FROM
MY ADVANCE☒ MAIL TO

Send Check to OPS Admin

ITEMIZED AUTOMOBILE EXPENSES		
DATE	MILEAGE, GAS, PARKING REPAIRS, ETC.	AMOUNT

ITEMIZED MISCELLANEOUS EXPENSES		
DATE	ITEMS	AMOUNT

SIGNATURE

APPROVED BY

EXPENSE REPORT

NAME

Derek S. Lee

DEPARTMENT

OPS

PERIOD ENDING

9-12-18

DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS			ENTERTAINMENT Itemize Below	MSC. 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												0.00
MON 9-10	St. Louis Missouri		494.40									494.40
TUE												0.00
WED												0.00
THU												0.00
FRI												0.00
SAT												0.00
WEEKLY CATEGORY TOTALS \$		0.00	494.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	494.40

WEEKLY TOTAL EXPENSES

DATE	NAME OF PERSON(S) ENTERTAINED; COMPANY, TITLE	TIME & PLACE	NATURE & PURPOSE OF ENTERTAINMENT	AMOUNT	% OR \$ ALLOCATED TO BUSINESS

NUMBER OF DAYS AWAY FROM HOME

2

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

0%

NATURE OR PURPOSE OF TRAVEL

MIC Conference

METHOD OF REIMBURSEMENT

DEDUCT FROM
MY ADVANCE

MAIL: TO

ITEMIZED AUTOMOBILE EXPENSES

DATE	MILEAGE, GAS, PARKING REPAIRS, ETC.	AMOUNT

ITEMIZED MISCELLANEOUS EXPENSES

DATE	ITEMS	AMOUNT

SIGNATURE

APPROVED BY

EXPENSE REPORT

NAME

Name Lori Huguley

DEPARTMENT

Department Econ Dev

PERIOD ENDING

9/24/2018

DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS			ENTERTAINMENT 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			
9/24/2018	Orlando, FL to Miami, FL		153.06									153.06
9/24/2018	Miami, FL to Atlanta, GA		97.20									97.20
9/24/2018	Atlanta, GA to Ft. Wayne, IN		414.40									414.40
WEEKLY CATEGORY TOTALS \$		0.00	664.66	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	664.66

WEEKLY TOTAL EXPENSES

DATE	NAME OF PERSON(S) ENTERTAINED; COMPANY, TITLE	TIME & PLACE	NATURE & PURPOSE OF ENTERTAINMENT	AMOUNT	% OR \$ ALLOCATED TO BUSINESS
					100%
					100%
					100%
					100%
					100%
					100%
					100%
					100%

NUMBER OF DAYS AWAY FROM HOME

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS 0 Days

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS 0%

NATURE OR PURPOSE OF TRAVEL

ED Travel to Miami, FL & Ft. Wayne, IN

METHOD OF REIMBURSEMENT

☐ DEDUCT FROM
MY ADVANCE☒ MAIL TO

ITEMIZED AUTOMOBILE EXPENSES

DATE	MILEAGE, GAS, PARKING REPAIRS, ETC.	AMOUNT

ITEMIZED MISCELLANEOUS EXPENSES

DATE	ITEMS	AMOUNT
	Agreed to pay	
	Per Voucher	
	Feeding V	
	Inv. TWCs	
	OK to pay	
	AG to pay	

SIGNATURE

APPROVED BY

RESOLUTION NO. (ID # 3085)

Designate City Personal Property Surplus and 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.	2002 Chevrolet Tahoe 1GNEC13V52J198475	N/A
2.	1	Ea.	Dell Latitude Laptop Computer	87002777
3.	1	Ea.	2010 Freightliner M2 1FVACXDT5AHAS4412	87002653
4.	1	Ea.	Ramer Trash Trailer	87002857

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

APPROVED AND ADOPTED this the _____ day of _____, 2018.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer

RESOLUTION NO. (ID # 3090)

Purchase-Animal Transport Van Conversion-Sole Source-OES**RESOLUTION NO. _____**

WHEREAS, the Opelika Environmental Services Department desires to purchase an AVL-9 EXT Animal Transport Van Conversion; and

WHEREAS, this is a sole source purchase; and

WHEREAS, Mavron, Inc. is the sole source vendor for the AVL-9 EXT Animal Transport Van Conversion; and

WHEREAS, funds are budgeted from the Public Works Automobiles & Trucks account;

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

1. That the purchase be awarded to Mavron, Inc.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Mavron, Inc. not to exceed \$25,436.00 as a sole source purchase.
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 _____, 2018.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer



MAVRON, INC.

152 S Zimmer Rd
Warsaw IN 46580-2369
Sales Rep: Terri Lambright
Phone No: 800-551-1498
Email: terri@mavron.com

Quotation

Quote #13159

Bill To

CUS10881
Environmental Services
City of Opelika
700 Fox Trl
Opelika AL 36801-4532

David Turner
(334) 705-2091
dturner@opelika-al.gov

Ship To

Environmental Services
City of Opelika
700 Fox Trl
Opelika AL 36801-4532

End Customer

CUS10881 City of Opelika

TOTAL \$25,436.00

Create Date: 8/10/2018

Expires: 10/30/2018

Project	Production timeline	Shipping Method	Terms
new AVL-9 Ext Animal Van Conversion	90-120 Days Receipt of Chassis	CGT	Net 30

Qty	Item	Description	Rate	Amount
1	3M10017	AVL-9 EXT Animal Transport Van Conversion Includes: 9 Sloped & Drained Stainless Steel Animal Cages Carpeted Sealed Bulkhead with Storage and viewing window Lexan™ Clear View Scratch Resistant Coated Cage Doors Polycarbonate Cage Floor Grills Desk/File Cabinet in cab	\$17,700.00	\$17,700.00
1	OPTION-3M32025	Storage Built into Cab Divider Wall w/ Side Access Door at Passenger Side Cargo Door * Not available for any Ram ProMasters due to the raised cab platform.	\$1,500.00	\$1,500.00
1	OPTION-3M32032	Storage placed in front cargo area, behind Bulkhead and side wall cages approx. 24" Wide -Lower approx. 25" H with 1 Door -Upper approx. 25" H with Lipped Front	\$1,800.00	\$1,800.00
IMPORTANT: This conversion is to be installed in customer provided 2017 Chevrolet Express Cargo 2500 155" WB (extended length) Van with Factory Rear Heat/AC (Code C-69)				
1	Special Order - Lighting	Go-Light GL-9901 36W LED Spotlight, Magnet Mount with Wireless Remote - shipped loose in cab, customer to install.	\$832.00	\$832.00
2	OPTION-3M56002	Whelen Vertex Hide-a-way Super LED - Front Install	\$359.00	\$718.00
2	OPTION-3M56007	Whelen Vertex Hide-a-way Super LED - Rear Install	\$249.00	\$498.00
2	OPTION-3M56009	Whelen Surface Mount ION Series Warning Lighthead Amber - mounted on rear doors, upper portion	\$287.00	\$574.00
2	OPTION-3M56011	Whelen ION Series Warning Lighthead, Universal Mount - Amber, - mounted on front grille	\$397.00	\$794.00



13159



MAVRON, INC.

152 S Zimmer Rd
Warsaw IN 46580-2369
Sales Rep: Terri Lambright
Phone No: 800-551-1498
Email: terri@mavron.com

Quotation

Quote #13159

Qty	Item	Description	Rate	Amount
2	OPTION-3M30007	Catch Pole Holder - designed for all pole lengths (requires customer to install "stopper" where needed for required pole length) FOR ALL CARGO VANS (Besides) CHEVROLET, you will need to purchase the AUXILIARY REAR HEAT/AC UNIT \$ 2,715.00 TO THIS QUOTE	\$110.00	\$220.00
1	FRT: CGT Trucking	CGT Trucking Corp.	\$800.00	\$800.00

Please call to discuss Vehicle Specifications **prior** to ordering your new vehicle

APPROVAL

Customer Name Print _____

Customer Signature _____

Purchase Order No. _____

Subtotal \$25,436.00

Tax (0%) \$0.00

Total **\$25,436.00**

*FOR ALL CARGO VANS (Other Than the CHEVROLET/GMC, you will need to purchase the AUXILIARY REAR HEAT/AC UNIT and add **\$ 2,715.00** TO THIS QUOTE*

Attachment: 10-2-18 - AVL-9 EXT ANIMAL TRANSPORT VAN CONVERSION - SOLE SOURCE - CNCL PKT (3090 : Purchase-Animal Transport



13159

CITY OF OPELIKA
Sole Source Justification

DEPARTMENT Environmental Services

REQUISITION NUMBER _____

NAME OF REQUESTING EMPLOYEE David Turner

VENDOR Mavron, Inc

PRODUCT/SERVICE Upfit new animal control van

Estimated annual expenditure for the commodity or service \$ 25,436.00

Initial all entries below that apply to the proposed purchase: Attach a detailed explanation containing complete justification and support documents. (More than one entry will apply to most sole source products/services requested).

1. Sole Source Request is for the original manufacturer or provider of item(s) or services, and there are no regional distributors. (Attach the manufacturer's witness certification that no regional distributors exist. Item no.4 also must be completed). _____
2. Sole Source Request is for the only the vendor who supplies this product/services within the State of Alabama (Franchised Protected Area).x _____
3. The Parts/Equipment are not interchangeable with similar parts of another manufacturer. (Explain in separate memorandum) _____
4. This is the only known item or service that will meet the specialized needs of the Animal Control Department or perform the intended function. (Attach memorandum with details of specialized function(s) or application.) _____
5. The Parts/Equipment are required from this sole source to permit standardization. (Attach memorandum describing basis for standardizing request.) _____
6. None of the above apply. A detailed explanation and justification for this sole source request is contained in the attached memorandum. _____

The undersigned requests that the State of Alabama Bid Law Title 41 Article 3 Competitive Bidding Requirements be waived and that the vendor identified as the supplier of the service or material described in this sole source justification be authorized as a sole source for the service or material. I further certify that the item(s) requested is of an indispensable nature, all other viable alternatives have been explored and it has been determined that only this product or service will fulfill the function for which the product is needed.

DEPARTMENT HEAD SIGNATURE

DEPARTMENT/DIVISION/DATE

PURCHASING DEPARTMENT USE ONLYPURCHASING AGENT APPROVAL
(SIGNATURE/DATE)

DISAPPROVAL/DATE

COMMENTS

I checked with the City of Auburn and this is the company that they used for
up fit on there Animal Control units.

COUNCIL ACTION/DATE

AVL-9 SOLE-SOURCE

MAVRON, INC. is the Sole-Source provider and Exclusive Manufacturer of the AVL-9 Animal Transport Van Conversion, and all Modified versions of the standard MAVRON AVL-9. Based on our knowledge of the market, no other manufacturer produces a 9-cage conversion using the 22-gauge type 304 stainless steel (ASTM A 240 spec) cage material, .125 thick aluminum cage divider, overall cage design as the MAVRON conversion. Additionally, MAVRON is the Sole provider of Clear View Polycarbonate cage doors, with specified Catch Pole Cut Outs.

All MAVRON Animal Transport Cage Conversions Include: Sloped & Drained Cages, Cage Lighting, Insulation on the exterior of the cages (in addition to the included cargo area insulation), sealed for washing and disinfecting of the inside of the unit, Bulkhead with viewing window installed between cab and cargo area.

All MAVRON products are Remountable and have a 5-year Warranty.

If you have any further questions, please contact me.

Sincerely,

Terri

Terri Lambright
Account Executive
MAVRON, INC.
574-267-3044

RESOLUTION NO. (ID # 3089)

Purchase-One (1) 2019 Chevrolet Express Cargo Van-State Contr-OES**RESOLUTION NO. _____**

WHEREAS, the Opelika Environmental Services Department desires to purchase one (1) 2019 Chevrolet Express Cargo Van RWD 2500 with certain options utilizing the State of Alabama Contract #T191A; and

WHEREAS, Donohoo Chevrolet is the State Contract Vendor for the one (1) 2019 Chevrolet Express Cargo Van RWD 2500; and

WHEREAS, funds are budgeted purchase from the Public Works Automobiles & Trucks account;

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

1. That the purchase be awarded to Donohoo Chevrolet utilizing the State of Alabama Contract.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Donohoo Chevrolet in the total amount of \$25,686.50.
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 _____, 2018.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer



Donohoo Chevrolet

Jake Harris | (256) 273-4889 | jharris@donohoochevrolet.com

City of Opelika

Prepared For: David Turner

(334) 705-2091

dtuner@opelika-al.gov

2019 Express Cargo Van Extended for City of Opelika

Selected Model and Options

MODEL

CODE	MODEL	Invoice
CG23705	2019 Chevrolet Express Cargo Van RWD 2500 155"	

COLORS

CODE	DESCRIPTION	Invoice
GAZ	Summit White	\$0.00

OPTIONS

CODE	DESCRIPTION	Invoice
1WT	2500 Van Preferred Equipment Group includes Standard Equipment	\$0.00
5H1	Key equipment, two additional keys for single key system Provides two additional spare keys for a total of (4). (Keys will be cut but not programmed) NOTE: programming of keys is at customer's expense. Programming keys is not a warranty expense. (Not available with SEO (5X8) side cargo and rear door key.)	\$40.95
93W	Medium Pewter, Vinyl Seat Trim	\$0.00
AR7	Seats, front bucket with vinyl trim and outboard head restraints, includes inboard armrests. (STD) (Requires (**W) interior trim. Includes (DAA) driver and front passenger vinyl visors.)	\$0.00

Attachment: 10-2-18 - ONE (1) 2019 CHEVROLET EXPRESS CARGO VAN RWD 2500 - STATE CONTRACT T191A - CNCL PKT (3089 : Purchase-



Donohoo Chevrolet

Jake Harris | (256) 273-4889 | jharris@donohoochevrolet.com

2019 Express Cargo Van Extended for City of Opelika

OPTIONS

CODE	DESCRIPTION	Invoice
C36	Heater, rear auxiliary (Included with (C69) rear air conditioning. Not available with (PCH) Hotel Shuttle Package. Requires (K08) auxiliary heat generator when ordered with (LWN) 2.8L Duramax Turbo Diesel engine.)	Inc.
C60	Air conditioning, single-zone manual (STD) (Not available with (R6G) air conditioning delete.)	\$0.00
C69	Air conditioning, rear (Requires (TR9) auxiliary lighting. Required with (5BV) Upfitter electrical provisions. Includes (C36) rear heater and (KG4) 150 amp alternator. (KG4) 150 amp alternator can be upgraded to (KW5) 220 amp alternator. Included with (ZP6) 5-passenger Express Crew Van Package. Not available with (Y3H) Paratransit Package, (PCH) Hotel Shuttle Package.)	\$782.60
DAA	Visors, driver and front passenger vinyl in lieu of standard cloth (Included with (AR7) front bucket seats with vinyl trim and (Y3H) Paratransit Package.)	Inc.
E24	Door, swing-out passenger-side, 60/40 split (STD)	\$0.00
FE9	Emissions, Federal requirements	\$0.00
G80	Differential, heavy-duty locking rear	\$295.75
GAZ	Summit White	\$0.00
GU6	Rear axle, 3.42 ratio	\$0.00
K34	Cruise control (Included with (ZQ3) Driver Convenience Package. Requires (UF3) high idle switch.)	\$0.00
KG4	Alternator, 150 amps (Included with (PCH) Hotel Shuttle Package.)	\$68.25
L96	Engine, Vortec 6.0L V8 SFI FlexFuel (341 hp [254.3 kW] @ 5400 rpm, 373 lb-ft of torque [503.6 N-m] @ 4200 rpm) (Includes external engine oil cooler. Included with (A8X) Cargo Package, (WP9) Communications Package, (WPD) Safety Package and (ZL3) Enhanced Convenience Package. Requires (MYD) 6-speed heavy-duty automatic transmission.)	INC

This document contains information considered Confidential between GM and its Clients uniquely. The information provided is not intended for public disclosure. Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided.

Data Version: 6301, Data Updated: Aug 12, 2018 9:15:00 PM PDT.



Donohoo Chevrolet

Jake Harris | (256) 273-4889 | jharris@donohoochevrolet.com

2019 Express Cargo Van Extended for City of Opelika

OPTIONS

CODE	DESCRIPTION	Invoice
MYD	Transmission, 6-speed automatic, heavy-duty, electronically controlled with overdrive and tow/haul mode. Includes Cruise Grade Braking, Powertrain Grade Braking, and Tap-Up/Tap-Down Driver Shift Control (Requires (L96) Vortec 6.0L V8 SFI engine or (LC8) 6.0L V8 SFI gaseous engine.)	Inc.
TR9	Lighting, auxiliary with reading and underhood lights (Required with (5BV) Upfitter electrical or (ZP6) 5-passenger Express Crew Van Package. Includes (U80) 8-point digital compass.)	\$77.35
U0F	Audio system, AM/FM stereo with MP3 player seek-and-scan, digital clock, TheftLock, random select, auxiliary jack and 2 front door speakers (STD) (Not available with (U2K) SiriusXM Radio, (5BV) Upfitter electrical provisions or (WP9) Communications Package.)	\$0.00
U80	Compass, 8-point digital located in the Driver Information Center (Included and only available with (TR9) auxiliary lighting.)	Inc.
UY7	Trailer provisions, trailering wire harness only (Included with (Z82) heavy-duty trailering equipment.)	Inc.
Z82	Trailer equipment, heavy-duty includes trailering hitch platform and dual 4-pin/7-pin sealed connector (Included with (ZL3) Enhanced Convenience Package. Includes (UY7) trailer wiring.)	\$254.80
ZLP	Tire, spare LT245/75R16E all-season, blackwall located at rear underbody of vehicle (STD)	\$0.00
ZQ3	Driver Convenience Package includes Tilt-Wheel and (K34) cruise control (Required with (5BV) Upfitter electrical provisions. Included with (WP9) Communications Package, (WPD) Safety Package, (ZL3) Enhanced Convenience Package or (PCH) Hotel Shuttle Package.)	Inc
ZW9	Body, standard (STD)	\$0.00
ZX2	Seating arrangement, driver and front passenger high-back buckets, with head restraints and vinyl or cloth trim (STD) (Not available with (AJ3) driver-side only frontal airbag.)	\$0.00
ZY1	Paint, solid	\$0.00

This document contains information considered Confidential between GM and its Clients uniquely. The information provided is not intended for public disclosure. Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided.

Data Version: 6301. Data Updated: Aug 12, 2018 9:15:00 PM PDT.



Donohoo Chevrolet

Jake Harris | (256) 273-4889 | jharris@donohoochevrolet.com

2019 Express Cargo Van Extended for City of Opelika

OPTIONS

CODE

DESCRIPTION

Invoice

Options Total

\$1,519.70

This document contains information considered Confidential between GM and its Clients uniquely. The information provided is not intended for public disclosure. Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided.

Data Version: 6301. Data Updated: Aug 12, 2018 9:15:00 PM PDT.

Aug 13, 2018

Page 4



Donohoo Chevrolet

Jake Harris | (256) 273-4889 | jharris@donohoochevrolet.com

2019 Express Cargo Van Extended for City of Opelika

Price Summary

PRICE SUMMARY

T191A

Base Price

Upgrade to 2500 Ext. WB

Options:

Invoice

\$22,396.00

\$ 1,770.80

\$ 1,519.70

Grand Total

\$25,686.50

This document contains information considered Confidential between GM and its Clients uniquely. The information provided is not intended for public disclosure. Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided.
Data Version: 6301. Data Updated: Aug 12, 2018 9:15:00 PM PDT.

Aug 13, 2018

Page 5



State of Alabama
Department of Finance
Division of Purchasing
Master Agreement
Modification

13.4.a

CONTRACT INFORMATION

MASTER AGREEMENT NUMBER: MA 999 16000000010

NOT TO EXCEED AMOUNT:

Begin Date: 11/17/2015

Procurement Folder: 4404

Expiration Date: 11/15/2018

Procurement Type: Master Agreement

Solicitation Number:

Replaces Award Document:

Award Date:

Replaced by Award Document:

Modification Date: 10/13/17

Version Number: 8

CONTACT INFORMATION

REQUESTOR:

Crist Watts

334-242-4291

crist.watts@purchasing.alabama.gov

ISSUER:

Crist Watts

334-242-4291

crist.watts@purchasing.alabama.gov

BUYER:

Patrick Hemme

334-242-7173

Pat.Hemme@purchasing.alabama.gov

CONTRACT DESCRIPTION

T191A VEHICLES, ALTERNATIVE FUEL-E85

Ship To:

Bill To:

REASON FOR MODIFICATION

VENDOR INFORMATION

Name /Address:

VC000049701: Donohoo Chevrolet

1000 Greenhill Blvd Nw

Fort Payne AL 35967

Contact:

Chad Johnson

2568453525 EXT: 1

Cjohnson@Donohoochevrolet.Com

Drop Ship Code 55/458 BAC 135690

Line	Quantity	UOM	Unit Price	Service Amount	Service From	Service To	Line Sub Total	Line Total
1	0	EA	\$34,661.000000	\$0.00			\$0.00	\$0.00

7042780000 - DO NOT USE: To be deactivated. Use Classes 071, 072, 073.

UTILITY VEHICLE, PASSENGER, 2 WHEEL DRIVE, CHEVROLET TAHOE

VEHICLE, FULL-SIZE SUV, ALTERNATIVE FUEL 2-WHEEL DRIVE, 8 PASSENGER MINIMUM WHEELBASE: 116" MINIMUM ENGINE: V84 WHEEL ABS/A/C AND HEAT - FRONT AND REAR AM/FM RADIO AUTOMATIC TRANSMISSION CRUISE CONTROL POWER WINDOWS, LOCKS, AND MIRROR TILT STEERING MAKE: _____ CHEVROLET _____ MODEL: _____ TAHOE _____

Line	Quantity	UOM	Unit Price	Service Amount	Service From	Service To	Line Sub Total	Line Total
2	0	EA	\$37,391.000000	\$0.00			\$0.00	\$0.00

7042780000 - DO NOT USE: To be deactivated. Use Classes 071, 072, 073.

UTILITY VEHICLE, PASSENGER, 4 WHEEL DRIVE, CHEVROLET TAHOE

VEHICLE, FULL-SIZE SUV, ALTERNATIVE FUEL 4-WHEEL DRIVE, 8 PASSENGER MINIMUM WHEELBASE: 116" MINIMUM ENGINE: V84 WHEEL ABS/A/C AND HEAT - FRONT AND REAR AM/FM RADIO AUTOMATIC TRANSMISSION CRUISE CONTROL POWER WINDOWS, LOCKS, AND MIRROR TILT STEERING MAKE: _____ CHEVROLET _____ MODEL: _____ TAHOE _____

Line	Quantity	UOM	Unit Price	Service Amount	Service From	Service To	Line Sub Total	Line Total
3	0	EA	\$24,736.000000	\$0.00			\$0.00	\$0.00

7093620000 - DO NOT USE: To be deactivated. Use Classes 071, 072, 073.

VAN, 8 PASSENGER, FULL-SIZE, CHEVROLET EXPRESS

VEHICLE, FULL-SIZE VAN, ALTERNATIVE FUEL, 3/4 TON, 8 PASSENGER GVWR: 8,600 MINIMUM ENGINE: V64 WHEEL ABS/A/C AND HEAT - FRONT AND REAR AM/FM RADIO AUTOMATIC TRANSMISSION CRUISE CONTROL POWER WINDOWS, LOCKS, AND MIRROR TILT STEERING MAKE: _____ CHEVROLET _____ MODEL: _____ EXPRESS _____

Line	Quantity	UOM	Unit Price	Service Amount	Service From	Service To	Line Sub Total	Line Total
4	0	EA	\$24,736.000000	\$0.00			\$0.00	\$0.00

7093620000 - DO NOT USE: To be deactivated. Use Classes 071, 072, 073.

VAN, 12 PASSENGER, FULL-SIZE, CHEVROLET EXPRESS

VEHICLE, FULL-SIZE VAN, ALTERNATIVE FUEL, 12 PASSENGER GVWR: 8,600 MINIMUM ENGINE: V84 WHEEL ABS/A/C AND HEAT - FRONT AND REAR AM/FM RADIO AUTOMATIC TRANSMISSION CRUISE CONTROL POWER WINDOWS, LOCKS, AND MIRROR TILT STEERING MAKE: _____ CHEVROLET _____ MODEL: _____ EXPRESS _____

Line	Quantity	UOM	Unit Price	Service Amount	Service From	Service To	Line Sub Total	Line Total
5	0	EA	\$28,196.000000	\$0.00			\$0.00	\$0.00

7093620000 - DO NOT USE: To be deactivated. Use Classes 071, 072, 073.

VAN, 15 PASSENGER, FULL-SIZE, CHEVROLET EXPRESS

VEHICLE, FULL-SIZE VAN, ALTERNATIVE FUEL, 1 TON, 15 PASSENGER GVWR: 9,100 MINIMUM ENGINE: V84 WHEEL ABS/A/C AND HEAT - FRONT AND REAR AM/FM RADIO AUTOMATIC TRANSMISSION CRUISE CONTROL POWER WINDOWS, LOCKS, AND MIRROR TILT STEERING MAKE: _____ CHEVROLET _____ MODEL: _____ EXPRESS _____

Line	Quantity	UOM	Unit Price	Service Amount	Service From	Service To	Line Sub Total	Line Total
6	0	EA	\$22,396.000000	\$0.00			\$0.00	\$0.00

7092520000 - DO NOT USE: To be deactivated. Use Classes 071, 072, 073.

VAN, CARGO, 2 PASSENGER, FULL SIZE, CHEVROLET EXPRESS

VEHICLE, CARGO VAN, ALTERNATIVE FUEL, 2 PASSENGER (EQUIVALENT TO 12-PASSENGER VAN) GVWR: 8,500 MINIMUM 4 WHEEL ABS/A/C AND HEAT - FRONT AND REAR AM/FM RADIO AUTOMATIC TRANSMISSION TILT STEERING MAKE: _____ CHEVROLET _____ MODEL: _____ EXPRESS _____

Line	Quantity	UOM	Unit Price	Service Amount	Service From	Service To	Line Sub Total	Line Total
7	0	EA	\$22,396.000000	\$0.00			\$0.00	\$0.00

7092520000 - DO NOT USE: To be deactivated. Use Classes 071, 072, 073.

VAN, MINI CARGO, 2 PASSENGER, CHEVROLET EXPRESS

VEHICLE, MINI CARGO VAN, ALTERNATIVE FUEL, 2 PASSENGER GVWR: 5,000 MINIMUM ENGINE: 3.6L V64 WHEEL ABS/A/C AND HEAT - FRONT AND REAR AM/FM RADIO AUTOMATIC TRANSMISSION TILT STEERING MAKE: _____ CHEVROLET _____ MODEL: _____ EXPRESS _____

Line	Quantity	UOM	Unit Price	Service Amount	Service From	Service To	Line Sub Total	Line Total
8	0		\$0.000000	\$0.00			\$0.00	\$0.00

RESOLUTION NO. (ID # 3087)

Purchase-Six Hundred Twenty Four (624) Toter 96 Gal Carts-Sourcewell Contr-OES**RESOLUTION NO. _____**

WHEREAS, Opelika Environmental Services desires to purchase six hundred twenty-four (624) Toter 96 Gallon EVR II Universal/Nestable Carts utilizing the Sourcewell Contract; and

WHEREAS, Wastequip is the Contract Vendor for the six hundred twenty-four (624) Toter 96 Gallon EVR II Universal/Nestable Carts; and

WHEREAS, budgeted funds will come from the appropriate account;

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

1. That the purchase be awarded to Wastequip utilizing the Sourcewell Contract.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Wastequip in the amount of \$33,641.89.
3. 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 _____, 2018.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer



Contract # 041217-WQ

841 Meacham Rd, Statesville, NC, 28677

PHONE: 800-424-0422 FAX: 704-878-0734

WQ-10085864

Sell To:

Contact Name David Turner
 Bill To Name City of Opelika
 Bill To 700 Fox Trl
 Opelika, AL 36801
 USA
 Email dturner@opelika-al.gov
 Phone (334) 705-5156

Ship To Name City of Opelika
 Ship To 700 Fox Trl
 Opelika, AL 36801
 USA
 Customer Job NJPA Contract No. 060612-WQI
 Reference

Quote Information

Salesperson Pascual Ramos
 Salesperson Email pramos@wastequip.com
 Salesperson Phone (629) 702-0074

Created Date 8/7/2018
 Expiration Date 9/5/2018
 Quote Number WQ-10085864
 Please Reference Quote Number on all
 Purchase Orders

Model	Product Description	Selected Option	Description	Quantity	Sales Price	Total Price
79296	Model 79296 - Toter 96 Gallon EVR II Universal/Nestable Cart	---Body Color - (968) Greenstone ---Lid Color - (200) Black ---Body Hot Stamp on Both Sides (Existing) in White ---Wheels - 10in Sunburst ---Toter Serial Number Hot Stamped on Front of Cart Body in White ---2/3 Assembled with Lid (down), Stop Bar and Axle Factory Installed ---Warranty - 12 Yrs Cart Body, All other components 10 Yrs	Body: S5904	624.00	\$50.50	\$31,512.00

Payment Terms Net 30 Days
 Shipping Terms FOB Origin

Subtotal \$31,512.00
 Shipping and Handling \$2,129.89
 Tax \$0.00
 Grand Total \$33,641.89

Additional Information

Additional Terms Our Quote is a good faith estimate, based on our understanding of your needs. Subject to our acceptance, your Order is an offer to purchase our Products and services in accordance with the Wastequip Terms & Conditions of Sale ("WQ T&C")

Attachment: 10-2-18 - (624) TOTER 96 GAL EVR II CARTS - SOURCEWELL CONTR - CNCL PKT (3087 : Purchase-Six Hundred Twenty Four (624))



841 Meacham Rd, Statesville, NC, 28677

PHONE: 800-424-0422 FAX: 704-878-0734

WQ-10085864



Contract # 041217-WQ

located at: <https://www.wastequip.com/terms-conditions-of-sale>, as of the date set forth in Section 1(b) of the WQ T&C, which are made a part of this Quote. These WQ T&Cs may be updated from time to time and are available by hard copy upon request.

**Additional
Information**

Pricing is based on your anticipated Order prior to the expiration of this Quote, including product specifications, quantities and timing, accepted delivery within 45 days of Order acceptance by Toter. Any differences to your Order may result in different pricing, freight or other costs. Due to volatility in petrochemical, steel and related Product material markets, actual prices and freight, are subject to change. We reserve the right, by providing notice to you at any time before beginning Product manufacturing, to increase the price of the Product(s) to reflect any increase in the cost to us which is due to any factor beyond our control (such as, without limitation, any increase in the costs of labor, materials, or other costs of manufacture or supply). Unless otherwise stated, materials and container sizes indicated on sales literature, invoices, price lists, quotations and delivery tickets are nominal sizes and representations – actual volume, Products and materials are subject to manufacturing and commercial variation and Wastequip's practices, and may vary from nominal sizes and materials. All prices are in US dollars; this Quote may not include all applicable taxes, brokerage fees or duties. If customer is not tax exempt, final tax calculations are subject to change.

**Special Contract
Information**

Sourcewell-Pricing & Product offerings are based on the Sourcewell Co-Operative Contract with Wastequip, LLC (#041217, eff. 7/7/17), and such Contract terms & conditions are incorporated herein by reference. Pricing & Product (& related) changes may occur at any time with proper documentation, & subject to Sourcewell approval; therefore, offerings may change without written prior notice. Wastequip Product Limited Warranties, Disclaimers, Limitation of Liability & Remedies, & Limited Warranty Provisions apply to all purchases thereunder.

Signatures

Accepted By: _____

Company Name: _____

Date: _____

Purchase Order: _____

Please Reference Quote Number on all Purchase Orders

Attachment: 10-2-18 - (624) TOTER 96 GAL EVR II CARTS - SOURCEWELL CONTR - CNCL PKT (3087 : Purchase-Six Hundred Twenty Four (624))

RESOLUTION NO. (ID # 3092)

Purchase-Three (3) Nissan Frontier King Cabs-Sourcewell Contr-INSP/REV/PW**RESOLUTION NO. _____**

WHEREAS, the Building Inspection Department desires to purchase one (1) 2019 Nissan Frontier King Cab with certain options utilizing the Sourcewell Contract; and

WHEREAS, the Revenue Department desires to purchase one (1) 2019 Nissan Frontier King Cab with certain options utilizing the Sourcewell Contract; and

WHEREAS, the Public Works Department desires to purchase one (1) 2019 Nissan Frontier King Cab with certain options utilizing the Sourcewell Contract; and

WHEREAS, National Auto Fleet Group is the Contract Vendor for the three (3) 2019 Nissan Frontier King Cabs; and

WHEREAS, funding will come from Capital Outlay;

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

1. That the purchase be awarded to National Auto Fleet Group utilizing the Sourcewell Contract.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to National Auto Fleet Group in the amount of \$69,577.59.
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 purchase.

APPROVED AND ADOPTED this the _____ day of _____, 2018.

C.E. “Eddie” Smith, Jr.

President of the City Council

City of Opelika, Alabama

ATTEST:

Robert G. Shuman, CMC

City Clerk - Treasurer



National Auto Fleet Group

A Division of Chevrolet of Watsonville

490 Auto Center Drive, Watsonville, CA 95076
 (855) 289-6572 • (855) BUY-NJPA • (831) 480-8497 Fax
 Fleet@NationalAutoFleetGroup.com

9/24/2018

Quote ID: **8367 R1**Order Cut Off Date: **TBA**

Ms Lillie Finley
 City of Opelika

Automotive Shop
 700 Fox Tril

Opelika, Alabama, 36801

Dear Lillie Finley,

National Auto Fleet Group is pleased to quote the following vehicle(s) for your consideration.

Three (3) New/Unused (2019 Nissan Frontier (31319) King Cab 4x2 SV-14 Auto 6.1' Box, Factory Order) and delivered to your specified location, each for

	One Unit	Extended Unit's (3)
Contract Price	\$23,192.53	\$69,577.59
Factory Order	\$0.00	\$0.00
Tax (0.0000 %)	\$0.00	\$0.00
Tire fee	\$0.00	\$0.00
Total	\$23,192.53	\$69,577.59

- per the attached specifications.

This vehicle(s) is available under the **Sourcewell (Formerly Known as NJPA) 120716-NAF**. Please reference this Contract number on all purchase orders to National Auto Fleet Group. Payment terms are Net 30 days after receipt of vehicle.

Thank you in advance for your consideration. Should you have any questions, please do not hesitate to call.

Sincerely,

Jesse Cooper
 Account Manager
 Email: Fleet@NationalAutoFleetGroup.com
 Office: (855) 289-6572
 Fax: (831) 480-8497

Quoting Department
 Account Manager
 Fleet@NationalAutoFleetGroup.com
 (855) 289-6572



GMC

RESOLUTION NO. (ID # 3091)

Purchase-One (1) 2020 Peterbilt 348-Sourcewell Contr-OES**RESOLUTION NO. _____**

WHEREAS, the Opelika Environmental Services Department desires to purchase one (1) 2020 Peterbilt 348 with Pac-Mac Loader with certain options utilizing the Sourcewell Contract; and

WHEREAS, Fitzgerald Peterbilt of Montgomery is the Contract Vendor for the one (1) 2020 Peterbilt 348 with Pac-Mac Loader; and

WHEREAS, funding in the amount of \$15,500.00 will come from a trade in credit for units #813 and #821. Additional funding in the amount of \$144,796.28 will come from appropriate accounts;

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

1. That the purchase be awarded to Fitzgerald Peterbilt of Montgomery utilizing the Sourcewell Contract.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Fitzgerald Peterbilt of Montgomery in the amount of \$144,796.28.
3. That the Controller be 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 _____, 2018.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer



Mike Henderson
Fitzgerald Peterbilt of Montgomery
7875 Mobile Highway
Montgomery, AL 36043
Office: 334-264-6500
Cell: 334-707-5588

Email: mhenderson@fitzgeraldpeterbilt.com
www.fitzgeraldpeterbilt.com

August 28, 2018

David Turner
City of Opelika
700 Fox Run Parkway
Opelika, AL 36801

David,

Thank you for the opportunity to provide a proposal for a new 2020 Peterbilt 348 Cab and Chassis with a Pac-Mac loader and body. This unit is quoted to you under NJPA contract number 018-716-PMC. Please reference this contract number on any correspondence including the Purchase Order. I am pleased to offer the following truck customized specifically to meet your needs:

2020 Peterbilt 348	
Engine	PACCAR PX9 engine 35=00 HP
Transmission	Allison 3500RDS 6 speed automatic
Front Axle	16,000 pounds
Rear Axle	30,000 pounds
Suspension	31,000 pounds Reyco spring
Wheelbase	272"
Color	White
Tires	315/80R22.5 Front 12R22.5 rear
Wheels	All steel disc
Options	Per attached specifications Pac-Mac loader and body per attached specifications
Chassis Price	\$87,303.00
Body Price	\$68,456.28
Optional Extended Warranties	\$4,537.00
Trade Allowance (see below)	(\$15,500.00)
Total	\$144,796.28



Representative Photo

Optional Extended Warranties from above are as follows:

5 years or 150,000 miles for engine	\$ 2,700.00
5 years or 150,000 miles for after treatment	\$ 810.00
5 years for Allison transmission	\$ 478.00

RESOLUTION NO. (ID # 3088)

Purchase-One (1) 2019 Peterbilt 220 33K-Sourcewell Contr-OES**RESOLUTION NO. _____**

WHEREAS, the Opelika Environmental Services Department desires to purchase one (1) 2019 Peterbilt 220 33K with Heil PT1000 16CY with certain options utilizing the Sourcewell Contract; and

WHEREAS, Ingram Equipment Co., LLC is the Contract Vendor for the one (1) 2019 Peterbilt 220 33K with Heil PT1000 16CY; and

WHEREAS, funding will come from appropriate accounts;

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

1. That the purchase be awarded to Ingram Equipment Co., LLC utilizing the Sourcewell Contract.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Ingram Equipment Co., LLC in the amount of \$163,757.23.
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 purchase.

APPROVED AND ADOPTED this the _____ day of _____, 2018.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer

RESOLUTION NO. (ID # 3086)

Purchase-One (1) 2019 Peterbilt 520 RH-Sourcewell Contr-OES**RESOLUTION NO. _____**

WHEREAS, the Opelika Environmental Services Department desires to purchase one (1) 2019 Peterbilt 520 RH Drive with Heil Durapack Python 28CY Full Eject with certain options utilizing the Sourcewell Contract; and

WHEREAS, Ingram Equipment Co., LLC is the Contract Vendor for the one (1) 2019 Peterbilt 520 RH Drive with Heil Durapack Python 28CY Full Eject; and

WHEREAS, funding in the amount of \$100,000.00 will come from the ADEM Grant fund, \$161,427.33 will come from the SWD Automobiles and Trucks fund, and the balance of \$4,537.00 will come from the SWD Equipment Repairs and Maintenance fund;

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

1. That the purchase be awarded to Ingram Equipment Co., LLC utilizing the Sourcewell Contract.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Ingram Equipment Co., LLC in the amount of \$265,964.33.
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 purchase.

APPROVED AND ADOPTED this the _____ day of _____, 2018.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer

Packet Pg. 89

RESOLUTION NO. (ID # 3095)

Refund of Opening/Closing Fees of a Grave.

Resolution No. _____

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

- 1) That Lillie Finley, Purchasing- Revenue Manager, has investigated and confirmed that said refund request is valid and recommends approval.
- 2) That the Purchasing-Revenue Manager is hereby authorized to prepare and process the appropriate documents so a refund check in the amount of \$600.00 can be printed payable to Jane Perry, 444 Belmonte Drive, Auburn, AL 36830 for opening and closing fees associated with the grave of Mary Jo Knight.
- 3) That the City Clerk is hereby authorized to sign, and mail said check to the address as detailed in number 2 above.
- 4) That a copy of the Purchasing-Revenue Manager's recommendation is hereto attached as Exhibit "A".

APPROVED and ADOPTED this the _____ day of _____, 2018.

C.E. "Eddie" Smith, Jr.

President of the City Council of the

City of Opelika, Alabama

ATTEST:

Robert G. Shuman, CMC

City Clerk - Treasurer

RESOLUTION NO. (ID # 3071)

Weed Abatement Assessment - 12 E Johnson Ave

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
12 E Johnson Ave Parcel No. 013.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 12 E Johnson Ave, parcel no. 013.000 has been removed as provided for and required by law; and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 12 E Johnson Ave, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 2nd day of October, 2018 at 7:00 p.m. in the City Council Chambers in the

Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

Council to hear and determine any objections or defenses which may be raised by any of the property

owners liable to be assessed for the work of abating said weed nuisance; and

WHEREAS, a copy of the itemized statement of expenses, together with the notice of the time when said statement shall be submitted to the City Council for confirmation, was sent to the property owner by certified mail at least five (5) days in advance of the time fixed by the City Council to consider the assessment of the cost against the property; and

WHEREAS, the Council met at the designated time and place for the purpose of receiving and

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; 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 the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

follows:

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$145.32 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 12 E Johnson Ave Parcel no. 013.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-04-17-2-000-013.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner

shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

This Resolution and the weed lien assessed herein are adopted pursuant to Act No. 2012-366 of the 2012 Regular Session of the Legislature of Alabama and Article III of Chapter 18 of the Code of Ordinances of the City of Opelika, Alabama.

ADOPTED AND APPROVED this the 2nd day of October, 2018.

C. E. "Eddie" Smith

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE**Date: 09/24/2018****To: Matthew Pitts
31 Lee Rd 616
Auburn Al. 36830****Property Address:
12 E Johnson Ave
Opelika Al. 36801
Parcel # 10-04-17-2-000-013.000**

On August 18, 2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement:	<u>132.58</u>
Certified mail:	<u>13.34</u>
Misc.	<u> </u>
Total	<u>145.32</u>

Attachment: Weed Invoice 12 E Johnson Ave (3071 : Weed Abatement Assessment - 12 E Johnson Ave)

RESOLUTION NO. (ID # 3079)

Weed Abatement Assessment - 104 Cottage Ct.

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
104 Cottage Ct., Parcel No. 115.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 104 Cottage Ct., parcel no. 115.000 has been removed as provided for and required by law: and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 104 Cottage Ct., a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 2nd day of October, 2018 at 7:00 p.m. in the City Council Chambers in the

Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

Council to hear and determine any objections or defenses which may be raised by any of the property

owners liable to be assessed for the work of abating said weed nuisance; and

WHEREAS, a copy of the itemized statement of expenses, together with the notice of the time when said statement shall be submitted to the City Council for confirmation, was sent to the property owner by certified mail at least five (5) days in advance of the time fixed by the City Council to consider the assessment of the cost against the property; and

WHEREAS, the Council met at the designated time and place for the purpose of receiving and

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; 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 the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

follows:

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$109.34 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 104 Cottage Ct., Parcel no.115.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-03-09-30-0-000-115.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner

shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

This Resolution and the weed lien assessed herein are adopted pursuant to Act No. 2012-366 of the 2012 Regular Session of the Legislature of Alabama and Article III of Chapter 18 of the Code of Ordinances of the City of Opelika, Alabama.

ADOPTED AND APPROVED this the 2nd day of October, 2018.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE**Date: 9/24/2018****To: PNC Mortgage Property Preservation
3232 Newmark Dr. (B6-YM13-01-3)
Miamisburg, OH 45342****Property Address:
104 Cottage Ct
Opelika Al. 36801
Parcel # 03-09-30-0-000-115.000**

On 8/30/2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement:	<u>96.00</u>
Certified mail:	<u>13.34</u>
Misc.	<u> </u>
Total	<u>109.34</u>

Attachment: WEED INVOICE 104 Cottage Ct (3079 : Weed Abatement Assessment - 104 Cottage Ct.)

RESOLUTION NO. (ID # 3081)

Weed Abatement Assessment - 106 Cottage Ct.

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
106 Cottage Ct., Parcel No. 116.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 106 Cottage Ct., parcel no. 116.000 has been removed as provided for and required by law: and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 106 Cottage Ct., a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 2nd day of October, 2018 at 7:00 p.m. in the City Council Chambers in the

Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

Council to hear and determine any objections or defenses which may be raised by any of the property

owners liable to be assessed for the work of abating said weed nuisance; and

WHEREAS, a copy of the itemized statement of expenses, together with the notice of the time when said statement shall be submitted to the City Council for confirmation, was sent to the property owner by certified mail at least five (5) days in advance of the time fixed by the City Council to consider the assessment of the cost against the property; and

WHEREAS, the Council met at the designated time and place for the purpose of receiving and

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; 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 the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

follows:

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$80.00 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 106 Cottage Ct., Parcel no. 116.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-03-09-30-0-000-116.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner

shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

This Resolution and the weed lien assessed herein are adopted pursuant to Act No. 2012-366 of the 2012 Regular Session of the Legislature of Alabama and Article III of Chapter 18 of the Code of Ordinances of the City of Opelika, Alabama.

ADOPTED AND APPROVED this the 2nd day of October, 2018.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 09/24/2018

**To: PNC Mortgage Property Preservation
3232 Newmark Dr. (B6-YM13-01-3)
Miamisburg, OH 45342**

**Property Address:
106 Cottage Ct.
Opelika Al. 36801
Parcel # 03-09-30-0-000-116.000**

On 08/30/2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement: 80.00

Certified mail: _____

Misc. _____

Total 80.00

Attachment: WEED INVOICE 106 Cottage Ct (3081 : Weed Abatement Assessment - 106 Cottage Ct.)

RESOLUTION NO. (ID # 3083)

Weed Abatement Assessment - 108 Cottage Ct

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
108 Cottage Ct., Parcel No. 117.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 108 Cottage Ct., parcel no. 117.000 has been removed as provided for and required by law: and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 108 Cottage Ct., a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 2nd day of October, 2018 at 7:00 p.m. in the City Council Chambers in the

Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

Council to hear and determine any objections or defenses which may be raised by any of the property

owners liable to be assessed for the work of abating said weed nuisance; and

WHEREAS, a copy of the itemized statement of expenses, together with the notice of the time when said statement shall be submitted to the City Council for confirmation, was sent to the property owner by certified mail at least five (5) days in advance of the time fixed by the City Council to consider the assessment of the cost against the property; and

WHEREAS, the Council met at the designated time and place for the purpose of

receiving and

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; 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 the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

follows:

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$80.00 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 108 Cottage Ct., Parcel no. 117.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-03-09-30-0-000-117.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the property and

shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

This Resolution and the weed lien assessed herein are adopted pursuant to Act No. 2012-366 of the 2012 Regular Session of the Legislature of Alabama and Article III of Chapter 18 of the Code of Ordinances of the City of Opelika, Alabama.

ADOPTED AND APPROVED this the 2nd day of October, 2018.

President of the City Council
City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC
City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 9/24/2018

**To: PNC Mortgage Property Preservation
3232 Newmark Dr. (B6-YM13-01-3)
Miamisburg, OH 45342**

Property Address:
108 Cottage Ct.
Opelika Al. 36801
Parcel # 03-09-30-0-000-117.000

On 8/30/2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement: 80.00

Certified mail: _____

Misc. _____

Total	<u>80.00</u>
-------	--------------

Attachment: WEED INVOICE 108 Cottage Ct. (3083 : Weed Abatement Assessment - 108 Cottage Ct)

RESOLUTION NO. (ID # 3073)

Weed Abatement Assessment - 3500 3Rd Ave

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
3500 3rd Ave, Parcel No. 045.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 3500 3rd Ave, parcel no. 045.000 has been removed as provided for and required by law: and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 3500 3rd Ave, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 2nd day of October, 2018 at 7:00 p.m. in the City Council Chambers in the

Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

Council to hear and determine any objections or defenses which may be raised by any of the property

owners liable to be assessed for the work of abating said weed nuisance; and

WHEREAS, a copy of the itemized statement of expenses, together with the notice of the time when said statement shall be submitted to the City Council for confirmation, was sent to the property owner by certified mail at least five (5) days in advance of the time fixed by the City Council to consider the assessment of the cost against the property; and

WHEREAS, the Council met at the designated time and place for the purpose of receiving and

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; 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 the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

follows:

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$110.99 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 3500 3rd Ave, Parcel no. 045.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-09-05-15-4-000-045.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner

shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

This Resolution and the weed lien assessed herein are adopted pursuant to Act No. 2012-366 of the 2012 Regular Session of the Legislature of Alabama and Article III of Chapter 18 of the Code of Ordinances of the City of Opelika, Alabama.

ADOPTED AND APPROVED this the 2nd day of October, 2018.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE**Date: 09/24/2018****To: Ozarkga LLC
7201 Shadow Valley Rd
Rogers, Arkansas 72758****Property Address:
3500 3rd Ave
Opelika AL. 36801****Parcel # 09-05-15-4-000-045.000**

On August 14, 2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement: 110.99

Certified mail: _____

Misc. _____

Total 110.99**Attachment: WEED INVOICE 3500 3rd Ave (3073 : Weed Abatement Assessment - 3500 3Rd Ave)**

RESOLUTION NO. (ID # 3077)

Weed Abatement Assessment - 3501 Pepperell Pkwy

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
3501 Pepperell Pkwy, Parcel No. 024.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 3501 Pepperell Pkwy, parcel no. 024.000 has been removed as provided for and required by law; and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 3501 Pepperell Pkwy, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 2nd day of October, 2018 at 7:00 p.m. in the City Council Chambers in the

Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

Council to hear and determine any objections or defenses which may be raised by any of the property

owners liable to be assessed for the work of abating said weed nuisance; and

WHEREAS, a copy of the itemized statement of expenses, together with the notice of the time when said statement shall be submitted to the City Council for confirmation, was sent to the property owner by certified mail at least five (5) days in advance of the time fixed by the City Council to consider the assessment of the cost against the property; and

WHEREAS, the Council met at the designated time and place for the purpose of receiving and

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; 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 the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

follows:

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$475.53 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 3501 Pepperell Pkwy, Parcel no. 024.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-09-05-15-4-000-024.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner

shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

This Resolution and the weed lien assessed herein are adopted pursuant to Act No. 2012-366 of the 2012 Regular Session of the Legislature of Alabama and Article III of Chapter 18 of the Code of Ordinances of the City of Opelika, Alabama.

ADOPTED AND APPROVED this the 2nd day of October, 2018.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE**Date: 09/24/2018****To: Ozarkga LLC
7201 Shadow Valley Rd
Rogers, Arkansas 72758****Property Address:
3501 Pepperell Pkwy
Opelika AL 36801****Parcel # 09-05-15-4-000-024.000**

On August 14, 2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement: 462.19

Certified mail: 13.34

Misc.

Total 475.53

Attachment: WEED INVOICE (3077 : Weed Abatement Assessment - 3501 Pepperell Pkwy)

RESOLUTION NO. (ID # 3075)

Weed Abatement Assessment - 3502 3Rd Ave

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
3502 3rd, Parcel No. 046.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 3502 3rd Ave, parcel no. 046.000 has been removed as provided for and required by law: and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 3502 3rd Ave, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 2nd day of October, 2018 at 7:00 p.m. in the City Council Chambers in the

Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

Council to hear and determine any objections or defenses which may be raised by any of the property

owners liable to be assessed for the work of abating said weed nuisance; and

WHEREAS, a copy of the itemized statement of expenses, together with the notice of the time when said statement shall be submitted to the City Council for confirmation, was sent to the property owner by certified mail at least five (5) days in advance of the time fixed by the City Council to consider the assessment of the cost against the property; and

WHEREAS, the Council met at the designated time and place for the purpose of receiving and

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; 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 the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

follows:

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$110.97 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 3502 3rd Ave, Parcel no. 046.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-09-05-15-4-000-046.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner

shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

This Resolution and the weed lien assessed herein are adopted pursuant to Act No. 2012-366 of the 2012 Regular Session of the Legislature of Alabama and Article III of Chapter 18 of the Code of Ordinances of the City of Opelika, Alabama.

ADOPTED AND APPROVED this the 2nd day of October, 2018.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 09/24 /2018

**To: Ozarkga LLC
7201 Shadow Valley Rd
Rogers, Arkansas 72758**

**Property Address:
3502 3rd Ave
Opelika Al. 36801**

Parcel # 09-05-15-4-000-046.000

On August 14, 2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement: 110.97

Certified mail: _____

Misc. _____

Total 110.97

Attachment: WEED INVOICE 3502 3rd Ave (3075 : Weed Abatement Assessment - 3502 3Rd Ave)

RESOLUTION NO. (ID # 3003)

Fix Assessment for Demolition - 207 Raintree Street

RESOLUTION NO. _____

RESOLUTION FIXING AMOUNT OF ASSESSMENT FOR
DEMOLITION AND REMOVAL OF BUILDING
LOCATED AT 207 RAINTREE STREET

WHEREAS, the building or structure located at 207 Raintree Street, Opelika, Alabama has been demolished and removed as provided for by Resolution No. 076-18, 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 2nd day of October, 2018, 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 \$6,386.10 is hereby determined to be the amount reasonably incurred in the demolition and removal of the building located at 207 Raintree Street, Opelika, Alabama and said assessment shall constitute a special assessment against the following described real property:

Lot Number Two (2) in Block Four (4), according to and as shown on the plat of the subdivision of the Palmer Property, which plat is of record in Town Plat Book 2 at Page 11 in the Office of the Judge of Probate of Lee County, Alabama; together with any and all improvements thereon and all appurtenances thereunto appertaining..

Also being further described as Parcel Number 43-10-03-08-2-001-121.000, 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 _____, 2018.

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

ATTEST:

CITY CLERK

NOTICE OF HEARING TO FIX THE AMOUNT OF ASSESSMENT
FOR THE REMOVAL OF THE BUILDING LOCATED AT
207 RAINTREE STREET

Jeffery Layne Preston
1201 Auburn Street
Opelika, AL 36801

NOTICE is hereby given that the building or structure located at 207 Raintree Street, Opelika, Alabama has been demolished and removed as authorized and provided for by Resolution No. 076-18. The property upon which said building or structure was located is more particularly described as follows:

Lot Number Two (2) in Block Four (4), according to and as shown on the plat of the subdivision of the Palmer Property, which plat is of record in Town Plat Book 2 at Page 11 in the Office of the Judge of Probate of Lee County, Alabama; together with any and all improvements thereon and all appurtenances thereunto appertaining.

Also being further described as Parcel Number 43-10-03-08-2-001-121.000, 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, October 2, 2018, 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 _____, 2018.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

Cost Assessment Worksheet

Address	Costs
<u>207 Raintree Street</u>	
Title Search	\$69.00
Lis Pendens	\$14.00
Release of Lis Pendens	\$8.00
Certified Letters	\$6.70
Certified Letters/Bob Shuman	\$13.40
Demolition Cost	\$6,275.00
Total	\$6,386.10

RESOLUTION NO. (ID # 3005)

Fix Assessment for Demolition - 1106 Magnolia Street

RESOLUTION NO. _____

RESOLUTION FIXING AMOUNT OF ASSESSMENT FOR
DEMOLITION AND REMOVAL OF BUILDING
LOCATED AT 1106 MAGNOLIA STREET

WHEREAS, the building or structure located at 1106 Magnolia Street, Opelika, Alabama has been demolished and removed as provided for by Resolution No. 026-18, 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 2nd day of October, 2018, 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 \$6,535.10 is hereby determined to be the amount reasonably incurred in the demolition and removal of the building located at 1106 Magnolia Street, Opelika, Alabama and said assessment shall constitute a special assessment against the following described real property:

Commencing at the intersection of the Southeasterly margin of Lake Street, with the Southwesterly margin of Magnolia Street in the City of Opelika, Alabama, and run thence South 32 degrees 12 minutes East, along the Southwesterly margin of Magnolia Street, 146 feet to the point of beginning of the lot here to be described and conveyed; from said point of beginning, continue South 32 degrees 12 minutes East, along the Southwesterly margin of Magnolia Street, 65 feet to the North edge of a culvert; run thence South 3 degrees 59 minutes West, along the West bank of a stream, 60 feet; run thence North 72 degrees 58 minutes West, 63 feet to a fence; run thence North 14 degrees 26 minutes East, along said fence, 110 feet to the point of beginning; together with all improvements thereon.

Also being further described as Parcel Number 43-10-04-18-2-001-038.001, 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 _____, 2018.

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

ATTEST:

CITY CLERK

NOTICE OF HEARING TO FIX THE AMOUNT OF ASSESSMENT
FOR THE REMOVAL OF THE BUILDING LOCATED AT
1106 MAGNOLIA STREET

Jeffery Layne Preston
1201 Auburn Street
Opelika, AL 36801

NOTICE is hereby given that the building or structure located at 1106 Magnolia Street, Opelika, Alabama has been demolished and removed as authorized and provided for by Resolution No. 026-18. The property upon which said building or structure was located is more particularly described as follows:

Commencing at the intersection of the Southeasterly margin of Lake Street, with the Southwesterly margin of Magnolia Street in the City of Opelika, Alabama, and run thence South 32 degrees 12 minutes East, along the Southwesterly margin of Magnolia Street, 146 feet to the point of beginning of the lot here to be described and conveyed; from said point of beginning, continue South 32 degrees 12 minutes East, along the Southwesterly margin of Magnolia Street, 65 feet to the North edge of a culvert; run thence South 3 degrees 59 minutes West, along the West bank of a stream, 60 feet; run thence North 72 degrees 58 minutes West, 63 feet to a fence; run thence North 14 degrees 26 minutes East, along said fence, 110 feet to the point of beginning; together with all improvements thereon.

Also being further described as Parcel Number 43-10-04-18-2-001-038.001, 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, October 2, 2018, 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 _____, 2018.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

Cost Assessment Worksheet

Address	Costs
<u>1106 Magnolia Street</u>	
Title Search	\$68.00
Lis Pendens	\$14.00
Release of Lis Pendens	\$8.00
Certified Letters	\$6.70
Certified Letters/Bob Shuman	\$13.40
Demolition Cost	\$6,425.00
Total	\$6,535.10

RESOLUTION NO. (ID # 3069)

Request from Sprint for a Special Use Permit for 3460 US Highway 280.

RESOLUTION NO. _____

WHEREAS, Sprint has requested to modify their equipment at an existing wireless telecommunication facility located at 3460 US Highway 280 East, Opelika, AL to provide improved wireless services essentially within the corporate limits and police jurisdiction of the City of Opelika, and;

WHEREAS, Sprint has complied with City's Ordinance No. 102-00 and has demonstrated the need for additional modification of this wireless facility to deliver consistently reliable services in the identified area, and;

WHEREAS, both the City and Sprint's customers in Opelika will benefit from improved service, and;

WHEREAS, the City's consultant, The Center for Municipal Solutions (CMS), recommends the granting of a Special Use Permit for the modification of Sprint's equipment at this facility located at 3460 US Highway 280 East, which consist of a 249' self-support tower;

THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika, Alabama that Sprint is hereby granted a Special Use Permit to modify their equipment at the wireless telecommunications facility located at 3460 US Highway 280 East. As recommended by CMS, the Special Use Permit is subject to compliance with the following conditions prior to the issuance of said permit and/or a Certificate of Completion:

1. Prior to the issuance of the building permit, Sprint or the tower owner must submit for review and approval by the City, a Certified structural analysis completed in accordance with ANSI/TIA-222-G IBC 2012. Analysis shall have an overall structure rating of 100.0% or less and contain all calculations used to determine the results of the report.
2. Prior to the issuance of the building permit, Sprint or the tower owner must submit for review and approval by the City, a Twist and Plumb report for the self-support tower. Report shall be dated within the previous five (5) years. Report shall contain all calculations, measurements, allowable tolerances and methodology used to determine the results of the report.
3. To prevent warehousing of permits or authorizations and to assure the best service to the City's residents as expeditiously as possible, the facility must be built, activated and be providing service no later than one hundred eighty (180) days after the issuance of the Special Use Permit or other applicable authorization, subject to

commonly accepted force majeure exceptions acceptable to the City. Sprint may petition the City of an extension of this for good cause shown, but the decision whether not to grant the extension shall exclusively be the prerogative of the City.

4. Sprint must provide contractor information to CMS and to the City prior to request for issuance of the Building Permit.
5. Prior to the issuance of the Certificate of Completion, Sprint or the tower owner must remediate the following safety issues noted at the pre-application site visit:
 - a. Repair or replace missing ground on North side of compound fence.
 - b. Replace missing grounding bar for Sprint's feed lines.
 - c. Repair or replace two (2) missing ice-bridge support grounds on Sprint's equipment.
6. Once Sprint has met all the conditions of the permit and any other requirements of the City and a building permit is issued, Sprint must notify the City's consultant for all inspections.
7. At the completion of construction, Sprint must notify the City's consultant and provide proof that all inspections have been satisfactorily completed and the project is ready for a final on-site inspection. Upon passing the final inspection, a recommendation to issue a Certificate of Occupancy shall be made.
8. Sprint shall not be permitted to provide service commercially until the Certificate of Occupancy or its functional equivalent is issued or risk forfeiting its Permit.
9. The Certificate of Occupancy shall not be issued until all fees and costs associated with this Permit, including inspections, have been paid.

ADOPTED and APPROVED this _____ day of _____, 2018.

C.E. "Eddie" Smith, Jr.

President City Council

Opelika, Alabama

ATTEST:

R. G. Shuman, CMC

City Clerk-Treasurer

RESOLUTION NO. (ID # 3061)

Annual Contract with Lee Co. Rabies Officer.

RESOLUTION NO. _____

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

) That the proposed CONTRACT FOR SERVICES to be entered into between the City

of Opelika and the Lee County Rabies Officer a copy of which is hereto attached as

Exhibit "A", be and the same is hereby approved, adopted, authorized, ratified and confirmed,

) That Gary Fuller, Mayor of the City of Opelika is hereby authorized and

empowered to execute the foregoing agreement in the name and on behalf of the City of Opelika

and the City Clerk is hereby authorized to affix the corporate seal of the City of Opelika thereto

and to attest the same, and the Mayor shall deliver one copy to the Lee County Rabies Officer,

and retain one copy.

ADOPTED and APPROVED this the _____ day of _____, 2018.

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

Attest:

Robert G. Shuman, CMC
City Clerk - Treasurer

STATE OF ALABAMA)
 :
 COUNTY OF LEE)

CONTRACT FOR SERVICES

THIS CONTRACT is made and entered into between the City of Opelika, Alabama a municipal corporation, hereinafter referred to as the "CITY", and the Lee County Rabies Officer, hereinafter referred to as the "RABIES OFFICER", on this the _____ day of _____, 2018.

In consideration of the agreements herein contained, the parties agree as follows:

1. The term of this agreement shall be for a period of twelve (12) months commencing on the 1st day of October, 2018 and ending the 30th day of September, 2019.
2. The Rabies Officer agrees to provide the City with the following services:
 - (a) To handle all cases involving animals biting or scratching humans.
 - (b) To ensure that any animal that bites or scratches a person is quarantined by a veterinarian or is tested for rabies according to Alabama law.
 - (c) To work with the City's animal control division in an advisory capacity.
 - (d) To provide emergency care for animals picked up by animal control until the owners are contacted.
 - (e) To offer opinions on disposition of animals that are injured or deemed suffering and their owners are unidentified.
 - (f) Strive to make sure that all pets are vaccinated yearly for rabies.
 - (g) To work with animal control concerning problems with wild animals as it pertains to rabies.
 - (h) To provide a quarterly and year-to-date bite report to the Opelika City Clerk. This report shall provide the following for each rabies incident: bite date, report date, owners name, victims name and animal type. This information shall be detailed for Opelika and for the County and Auburn (as available). This report is due in the City Clerk's office by the 15th of the month following the end of the quarter.
3. As compensation for services rendered hereunder, the City agrees to pay to the Rabies Officer for a term of twelve (12) months commencing October 1st, 2018, the sum of \$6,000.00, payable in equal monthly installments of \$500.00 on the 15th day of each month during the term of this Agreement.
4. Notwithstanding any of the provisions of this Agreement, it is agreed that the City has no financial interest in the business of the Rabies Officer and shall not be liable for any debts or obligations incurred by the Rabies Officer nor shall the City be deemed or construed to be a partner, joint venturer, or otherwise interested in the assets of Rabies Officer, nor shall Rabies Officer at any time or times use the name or credit of said City in purchasing or attempting to purchase equipment, supplies or any other thing whatsoever.

5. Rabies Officer in performance of his obligations hereunder shall not be deemed to be the agent of the City but shall be deemed to be an independent contractor in every respect and shall take all steps at his own expense. The City does not and will not assume any responsibility for the means by which or manner in which services by Rabies Officer, provided herein, or performed, but on the contrary, Rabies Officer shall be wholly responsible therefore.
6. Rabies Officer shall not transfer or assign this Agreement without the prior written consent of the City.
7. Rabies Officer agrees to comply with all local, state and federal laws while performing under the terms of this Agreement.
8. This Agreement may be terminated by either party, without cause, upon thirty (30) days prior written notice to the other.
9. For the purpose of this Agreement, Rabies Officer means the duly licensed veterinarian appointed by the County Board of Health to enforce the rabies laws of the State of Alabama.
10. Subject to the provisions regarding assignment, this Agreement shall be binding on the successors and assigns of the respective parties.
11. The validity of this Agreement and any of its terms, provisions, as well as the rights and duties of the parties hereunder, shall be governed by the laws of the State of Alabama.

IN WITNESS WHEREOF, the parties have hereunto signed their names and affixed their seals, this the _____ day of _____, 2018.

CITY OF OPELIKA, ALABAMA

BY: _____
Gary Fuller
Mayor

ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer

BY: 
Dr. Buddy Bruce, D.V.M.
Lee County Rabies Officer

RESOLUTION NO. (ID # 3066)

Annual Appropriation Contract with Humane Society.

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING CONTRACT FOR ANIMAL SHELTER SERVICES
WITH THE LEE COUNTY HUMANE SOCIETY, INC.**

WHEREAS, State law requires the City of Opelika, Alabama (the “City”) to provide a suitable shelter for the impoundment of all animals found running at large; and

WHEREAS, for many years The Lee County Humane Society, Inc., (the “Society”) has assisted the City with its animal control program by housing, tending, administering and disposing of stray and unwanted animals originating within the City; and

WHEREAS, the City desires to contract with the Society for animal shelter services; and

WHEREAS, a proposed CONTRACT FOR ANIMAL SHELTER SERVICES (hereinafter the “Contract”) 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 Contract.

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

1. That the proposed CONTRACT between the City and the Society, a copy of which is attached hereto and marked as Exhibit “A”, 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 Contract.

2. That the Mayor and the City Clerk are hereby authorized and directed to execute and deliver said Contract in the name and on behalf of the City and such other ancillary documents and certificates as may be necessary to effect the purpose and intent of said Contract and to carry out fully the actions contemplated therein on behalf of the City.

3. That 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 cause 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 and the attached Contract.

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

ADOPTED AND APPROVED this the _____ day of _____, 2018.

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

ATTEST:

CITY CLERK

City of Opelika
Contract Title: Animal Shelter Services

THIS CONTRACT made and entered into by and between **THE CITY OF OPELIKA, ALABAMA**, a municipal corporation, hereinafter referred to as “**CITY**,” and **THE LEE COUNTY HUMANE SOCIETY, INC.**, an Alabama non-profit Corporation, hereinafter referred to as “**LCHS**.”

Business: Lee County Humane Society, Inc.
 Address: 1140 Ware Dr, Auburn, AL 36832
 Phone: 334.821.3222
 Fax: 334.821.6374
 Contact: Elizabeth Mueller, President
 Email: lchspres@leecountyhumane.org

STATEMENT OF BACKGROUND INFORMATION

LCHS has for several years assisted the CITY with its animal control program by housing, tending, administering, and disposing of stray and unwanted animals originating within the City.

The CITY has determined it is in the public interest to enter into this Contract with LCHS for such assistance and activities.

PURPOSE OF CONTRACT

WHEREAS, the purpose of this contract is to describe the rights and responsibilities of LCHS and the CITY in respect to the provision of animal shelter services to the CITY, which has no animal shelter services of its own; and

WHEREAS, funds for this purpose are authorized through the annual CITY budget and the Opelika City Council authorized this contract on _____, 2018.

NOW, THEREFORE, in consideration of the terms, conditions, covenants, and performance of the scope of work contained herein, as attached and made part hereof, the CITY and LCHS mutually agree as follows:

1. Scope of Work

LCHS shall independently provide the following Services to the CITY:

- a. LCHS shall furnish animal shelter services to the CITY, in a quality equal to those services traditionally provided to the CITY by LCHS. Animal shelter services shall include sheltering and holding of canines and felines at facilities operated by LCHS, releasing animals to owners, and disposing of animals that are: sick, injured, not deemed adoptable, or for which there is no holding capacity; and not claimed by owners after the period prescribed by the City ordinance, in a responsible and lawful manner (including adoption or destruction). LCHS reserves the right to refuse acceptance of all species of animals other than cats and dogs.

- b. LCHS reserves the right to refuse acceptance of any additional animals from any source once the shelter is deemed by the Shelter Manager or his/her designee as having reached its capacity to provide humane care. The Shelter Manager shall give prompt notice to the City that the shelter has reached capacity and shall redirect any Opelika animals to the City's secondary animal shelters (i.e. Bruce Enterprises and Opelika Animal Hospital).
- c. LCHS reserves the right to refuse acceptance of animals from animal control agents after 3:00 p.m. CITY has right to drop off animals in back kennels at any time after 3:00 p.m. and shall be provided code to combination lock. CITY personnel will check in with staff prior to drop off if staff are present.
- d. LCHS does not accept wildlife.
- e. LCHS shall provide veterinary care at the discretion of the shelter director, or his/her designee. Consistent with the *Code of Alabama* any agent of LCHS may lawfully destroy, or cause to be destroyed, any animal found abandoned and not properly cared for which may appear in the judgment of two reputable citizens, called by him to view the same in his presence, to be infirm, injured, or diseased past any useful recovery for any useful purpose. LCHS shall have a policy and procedure to follow in documenting to euthanize and a procedure to follow in attempting to reach the owner. LCHS may recover the costs from the owner of the animal, if identified, for such veterinary treatment.
- f. All animals seized for abuse, cruelty, or neglect must be evaluated by a licensed veterinarian prior to being received by LCHS. Case animals held longer than the seven day hold period will incur a \$12.00 per night boarding fee that will be invoiced to the CITY and paid promptly by the CITY to LCHS.
- g. Impounded dogs not redeemed by the owner within seven (7) days after impoundment may be processed for adoption or disposed of by LCHS.
- h. Any feral cats will be brought to LCHS in a squeeze cage. The cat will be left in the squeeze cage until disposed of at which time the squeeze cage will be made available for pickup by the CITY.
- i. LCHS further reserves the right to refuse owner surrender if the animal shelter is at maximum capacity. The shelter manager, or his/her designee, shall have the authority to make such determination. The Shelter Manager shall give prompt notice to the City that the shelter has reached capacity and shall redirect any Opelika animals to the City's secondary animal shelters (i.e. Bruce Enterprises and Opelika Animal Hospital).
- j. LCHS shall secure, at its own expense, all personnel necessary to carry out its obligations under the Contract. Such personnel shall not be deemed to be employees of the City.

2. Compensation

- a. In consideration of LCHS performing the Services, the CITY agrees to pay to LCHS the Contract sum of \$153,911.00 to perform the duties and obligations set forth herein during budget year October 1, 2018 through September 30, 2019, with said annual Contract sum to be paid as follows: Equal monthly payments of \$12,825.91 made on or before the 15th day of each month, with the first installment due on October 15, 2018.
- b. LCHS shall utilize said sums only to provide animal sheltering services hereunder.
- c. LCHS shall keep and maintain books and records of the funds spent under the terms of this contract and said books and records shall be made available for inspection by the CITY at all reasonable times and places.
 1. LCHS shall have an annual audit conducted by an independent public accounting firm qualified to perform audits of non-profit organizations. The audit shall be conducted in accordance with generally accepted auditing standards.
 2. A copy of LCHS' audited annual financial statements shall be submitted to the City as provided in section a. above.
- d. As to those animals that have been refused acceptance by LCHS because the shelter has reached capacity or because LCHS has determined that there is a need to have the animal examined by a licensed veterinarian, LCHS shall pay to the City the sum of \$85.00 for each animal rejected or refused admission by LCHS. The City shall invoice LCHS monthly for fees related to rejected animals (\$85.00 per animal). LCHS shall pay said invoices within thirty (30) days of receipt of the same.

3. Reports.

LCHS shall submit to the City on or before the 15th day of each month the following monthly reports for the preceding month:

- a. Activity Report (including record owner, address, phone number or person turning in stray)
- b. Intakes by Type Report (stray, returns, etc.)
- c. Intakes by Jurisdiction Report (Auburn, Opelika, Lee County, etc.)
- d. Outcomes by Type Report (i.e. adoption, euthanasia, etc.)

4. Quarterly Meetings.

The parties mutually agree that the President of LCHS or his/her designee and the Director of the Solid Waste Division of the City of Opelika or his/her designee shall meet quarterly to:

- a. review monthly reports
- b. discuss any issues
- c. review number of adoptions and euthanizations
- d. review the length of stay for each adopted or euthanized animal

5. Conditions of Contract

- a. LCHS shall not have the right, authority or power to sell or assign this contract or the powers granted to it or any interests therein, to any other person or party without the consent of the CITY.
- b. LCHS shall be solely responsible for the security and health of the animals released to it by the CITY and shall be solely responsible for any escaped animals or any illness of or injury to said animals while they are in the custody of LCHS.
- c. LCHS agrees to provide Worker's Compensation, Property Damage and Public Liability insurance in terms and amount satisfactory to the CITY. LCHS shall provide the CITY with a certificate of insurance showing it carries the insurance coverage as detailed in Exhibit A. CITY will be named as additional insured.
- d. The City and LCHS will provide assistance to each other whenever possible.
- e. This contract shall become effective on October 1, 2018 and shall be in effect for one year until September 30, 2019.
- f. This contract may be terminated without cause by either party upon forty-five (45) days advance notice in writing to the other party.
- g. This contract may be terminated if any party fails to cure any breach of its obligations hereunder within thirty (30) days of receiving written notice to do so. Written notice of breach should be provided promptly allowing opportunity to cure before issuing thirty (30) days written notice.
- h. In the event of fire, wind, water damage, or any other damage to the facilities to LCHS, reasonably beyond the control of LCHS, which render LCHS unable to perform its duties hereunder ("force majeure event"), LCHS shall not be legally

obligated to perform services under this contract, provided it promptly (in any event, within not less than fifteen days) provides notice to the CITY of the occurrence of such force majeure event. LCHS shall seek diligently and in good faith to overcome or remove such uncontrollable circumstance. The City shall be excused from making any monthly payment required under Section 2 for any period of time that LCHS is unable to perform its obligations hereunder as the result of an uncontrollable circumstance. If such period of nonperformance is less than one month, the monthly payment shall be prorated for the duration of the uncontrollable circumstance.

- i. LCHS shall defend, indemnify and hold the City and its officers, officials and employees from any and all claims, injuries, damages, losses, causes of action, or suits, including attorney's fees, arising out of or in connection with the performance of this Contract, except for injuries and damages caused by the negligence of the City.
- j. Other than as set forth in this Contract, this Contract shall not confer any rights or remedies upon any person other than the Parties and their respective successors or permitted assigns.
- k. The Parties agree that this is not a joint venture or partnership and that neither party shall have the authority to bind or incur liability for the other. In connection with performing services under this Contract, LCHS shall be an independent contractor for the City and neither LCHS nor its employees shall under any circumstances be considered employees, servants or agents of the City. The City shall not be responsible for any negligence, misconduct or wrongdoing by LCHS or its employees, servants or agents while performing under this Contract.
- l. The governing law of this Contract shall be the law of the State of Alabama.
- m. In case one or more of the provisions contained herein shall be invalid, illegal or unenforceable in any respect and for any reason whatsoever, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby and in the event any such provision is held to be invalid, illegal or unenforceable, the Parties shall make their best efforts to agree on a provision in substitution for such invalid, illegal or unenforceable provision that is as near an economic benefit as possible to the provision found to be invalid, illegal or unenforceable.
- n. This Contract may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and it shall not be necessary in making proof of this Contract to produce or account for more than one such counterpart.
- o. This Contract constitutes the entire agreement between the Parties hereto and supersedes any prior understandings, agreements or representations by or between

the Parties hereto whether written or oral, to the extent that they relate to the subject matter.

- p. It is the intention of the Parties that the commitments and obligations set forth herein shall be binding upon the Parties hereto and their respective successors or permitted assigns.

IN WITNESS WHEREOF, the parties have caused this contract to be executed by those individuals duly authorized on this the _____ day of _____ 2018.

ATTEST:

THE CITY OF OPELIKA, ALABAMA

Its City Clerk

Its Mayor

ATTEST:

THE LEE COUNTY HUMANE SOCIETY

A.E. Lyndus
Its Secretary

Elizabeth H. Mueller
Its President

Exhibit A

Liability Insurance.

LCHS shall provide and maintain during the life of the contract, General Liability Insurance, Automobile Liability Insurance, Umbrella Liability Insurance and Workers' Compensation Insurance in the following amounts:

1. General Liability Insurance - \$1,000,000 per occurrence or claim, \$1,000,000.00 personal and advertising injury, \$2,000,000.00 general aggregate and \$2,000,000.00 products/completed operations aggregate. If coverage is written on a claims-made basis, it will be kept in effect for a period of two (2) years following the expiration of this agreement.
2. Automotive Liability Insurance - \$1,000,000 combined single limit.
3. Workmen's Compensation Insurance that provides statutory workers' compensation benefits for all its employees and Employers' Liability Coverage with limits of, at a minimum, \$1,000,000.00 each accident, \$1,000,000.00 disease – each employee and \$1,000,000.00 accident, \$1,000,000.00 disease – policy limit.
4. Umbrella Liability (over all of the above, plus Workers Compensation) - \$2,000,000 per occurrence or claim and \$2,000,000 aggregate.
5. The General Liability Insurance, Automobile Liability Insurance, and Umbrella Liability insurance policies shall name CITY as additional insured and the insurer will not cancel or decrease the insurance coverage without first giving the CITY thirty (30) days written notice. CITY reserves the right to modify required coverages in the future if conditions warrant, including higher liability limits and/or broader coverage. In the event CITY exercises this right, LCHS may seek a price increase in accordance with the terms of this agreement. LCHS's insurance is primary.
6. LCHS will be responsible for the payment of any deductibles or self-insured retentions required in the insurance policies listed in this Exhibit.

RESOLUTION NO. (ID # 3062)

Annual Appropriation Contract with OIDA.

RESOLUTION NO. _____

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

) That the proposed CONTRACT FOR SERVICES to be entered into between the City

of Opelika and the Opelika Industrial Development Authority, a copy of which is hereto attached

as Exhibit "A", be and the same is hereby approved, adopted, authorized, ratified and confirmed,

) That Gary Fuller, Mayor of the City of Opelika is hereby authorized and

empowered to execute the foregoing agreement in the name and on behalf of the City of Opelika

and the City Clerk is hereby authorized to affix the corporate seal of the City of Opelika thereto

and to attest the same, and the Mayor shall deliver one copy to the Opelika Industrial

Development Authority, and retain one copy.

ADOPTED AND APPROVED this, the _____ day of _____, 2018.

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

Attest:

Robert G. Shuman, CMC
City Clerk - Treasurer

STATE OF ALABAMA

LEE COUNTY

CONTRACT FOR SERVICES BETWEEN THE CITY OF OPELIKA AND THE
OPELIKA INDUSTRIAL DEVELOPMENT AUTHORITY

THIS CONTRACT made and entered into by and between the City of Opelika, Alabama, a municipal corporation, hereinafter referred to as "City", and the Opelika Industrial Development Authority, a corporation organized and existing under the provisions of Chapter 92A, Title 11, Code of Alabama (1975) and hereinafter referred to as "Authority", as of this the 1st day of October 2018.

In consideration of the agreements herein contained, it is understood between the parties that the City will furnish funding and space as hereinafter provided and the Authority will provide the following services for or on behalf of the City.

1. The term of this agreement shall be for a period of one (1) year commencing October 1, 2018, and ending September 30, 2019; provided, however, that this agreement may be renewed hereafter by the mutual agreements of the parties for one year at a time.

2. The Authority agrees that it will provide the City the following services as its part of the overall agreement with the City of Opelika:

(a) Assist the City Economic Developer, hereinafter called Economic Developer, in managing and developing Fox Run Business Park and the Northeast Opelika Industrial Park both of which are owned by the Opelika Industrial Development Authority.

(b) Assist the Economic Developer of the City of Opelika in providing financial assistance and administrative or managerial guidance when needed.

(c) Assist the Economic Developer in coordinating the relationship between the Authority and the City, as he seeks, discovers, attracts, and promotes new and expanding businesses within or close to the City of Opelika.

(d) Assist the Economic Developer in directing and guiding a professionally qualified staff in promotion and carrying out a city-wide economic and industrial development program.

(e) Participate and coordinate with the Economic Developer and the designated research person in gathering up-to-date information, doing necessary research, distributing information and data to be used as advertisements and presentations to manufacturing, commercial and other business prospects.

(f) Cooperate and coordinate with the Economic Developer and with the City department heads in developing and preparing maps, charts, photos, topos, briefing facilities, brochures, reports and other documents as necessary and required adequately to promote new and expanding industry.

(g) Cooperate and coordinate with the Economic Developer and the President of the Chamber of Commerce the work of assisting existing industry for its expansion, solving its local problems, counseling with its leaders and doing other services pertinent to expansion of existing industry in the City of Opelika.

(h) For the mutual economic and industrial development of the City, the Authority will maintain contacts with, and coordinate and work closely with, other agencies of the City, County, and State having similar purposes, such as the Alabama Department of Commerce, the Economic Development Partnership of Alabama, the economic development departments of public and private utilities, local, area and regional planning and development agencies, other industrial development boards or authorities, railways, the state highway department, airlines, water transportation authorities, and other development organizations, including The Economic Development Council, and other similar groups, organizations and agencies.

(i) Periodically assist the Economic Developer in advising the Mayor and City Council of local, state, regional and national trends in economic development.

(j) Assist the Economic Developer of the City of Opelika in providing a timely response to all calls, letters and inquiries which particularly relate to the industrial prospects of the City of Opelika and its facilities for economic expansion and development.

(k) Assist the Economic Developer and Mayor in the public relations effort for the City insofar as it relates to the economic development of the City of Opelika.

(l) Counsel with and assist new or expanding businesses and industries who are interested in moving into this area or expanding existing facilities already within this area.

(m) Cooperate with the Economic Developer of the City of Opelika and its staff in fostering and promoting the City.

3. As compensation for the services to be rendered by the Authority, the City agrees to pay or provide funds with which to pay the Authority during the fiscal year commencing October 1, 2018, the sum of One Hundred Twenty Five Thousand and 00/100 dollars (\$125,000.00) payable in equal monthly installments on the 15th day of each month during said annual term commencing October 1, 2018.

4. Notwithstanding any of the provisions of this agreement, it is understood and agreed that the City has no financial responsibility in the business or the affairs of the Authority, and the City shall not be liable for any debts or obligations incurred by the Authority nor shall it be deemed or construed to be a partner, joint venturer, or participant in or with any of the indebtedness incurred by the Authority in connection with its industrial revenue financing for industry.

5. The Authority shall not have the right to transfer or assign any of the obligations of the Authority to the City evidenced by this agreement.

6. The Authority shall comply strictly with the laws of the State of Alabama in performing its duties hereunder and in carrying out its activities as the issuer of industrial revenue bonds.

7. The Authority agrees and understands that upon violation of any of the covenants and agreements herein contained on its part, or on account of any act or omissions on its part, the City may at its option terminate and cancel this agreement.

8. The City shall provide office space located within the City Hall in the Economic Development Department at which it is understood the Industrial Development Authority may transact its business and hold its meetings.

9. The Authority agrees that it shall not use any funds received from the City for political activity nor shall it endorse or promote the campaign of any person for political office. Prohibited political activities shall include, but not be limited to the following:

(a) Use of its influence for the purpose of interfering with or affecting the results of elections or the nominations of persons for office.

(b) Use of influence for the purpose of interfering with or affecting the results of partisan referendums.

(c) Lobbying in support of, or otherwise promotion partisan legislation, except that nothing herein shall prohibit the Authority from attempting to secure legislation solely to advance commercial and industrial development of the City of Opelika and the State of Alabama.

10. This agreement supersedes all other agreements, either oral or in writing, between the parties with respect to the subject matter herein contained, and no other agreement, statement or promise relating to the subject matter of this agreement which is not contained herein shall be valid or binding unless in writing and signed by both parties.

11. Subject to the provisions regarding assignment, this agreement shall be

binding upon the parties and their respective successors and assigns.

12. This agreement shall be governed by the laws of the State of Alabama.

WITNESS OUR HANDS AND SEALS THIS THE ____DAY OF _____, 2018.

CITY OF OPELIKA, ALABAMA

BY _____ ITS MAYOR
Gary Fuller

(SEAL)

ATTEST:

BY _____ ITS CITY CLERK
Robert Shuman

OPELIKA INDUSTRIAL DEVELOPMENT AUTHORITY

BY _____ ITS CHAIRMAN
Ronald Wilson

(SEAL)

ATTEST:

BY _____ ITS SECRETARY
Lori Huguley

RESOLUTION NO. (ID # 3063)

Special Appropriation for the East Alabama Community Ballet.**RESOLUTION NO. _____**

WHEREAS, the Mayor of Opelika and the City Council fully supports the various programs provided by the East Alabama Community Ballet (EACB), and

WHEREAS, EACB will be producing their 2018 performance of the Nutcracker and will provide a free field trip to Opelika Third graders for their own Nutcracker experience, and

WHEREAS, City Council President Eddie Smith Ward 4, President Pro-tem Patricia Jones Ward 1, Councilwoman Tiffany Pitts Ward 2, Councilman Dozier Smith T Ward 3 and Councilman David Canon Ward 5 each wishes to appropriate \$200.00 each from their respective discretionary funds, to assist with funding the 2018 Nutcracker performance.

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

1. The City Council approves a total special appropriation of \$1,000.00 to the East Alabama Community Ballet to assist in funding the 2018 Nutcracker performance.
2. The Opelika City Council hereby declares and determines that said expenditure of these public funds serve a public purpose for the City of Opelika and approves the attached Funding Agreement.
3. The Mayor and the Controller is hereby authorized and directed to move the discretionary funds as detailed below to the appropriate account(s):

Patricia Jones	Ward 1	Reserve fund	\$ 200.00
Tiffany Pitts	Ward 2	Reserve fund	\$ 200.00
Dozier Smith T	Ward 3	Reserve fund	\$ 200.00
Eddie Smith	Ward 4	Reserve fund	\$ 200.00
David Canon	Ward 5	Reserve fund	\$ 200.00

4. The City Clerk-Treasurer is hereby authorized and directed to prepare the appropriate documents so that a check for \$1,000.00 payable to the East Alabama Community Ballet can be prepared and delivered with said funds being earmarked and designated for the 2018 performance of the Nutcracker.

APPROVED and ADOPTED this the _____ day of _____, 2018.

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

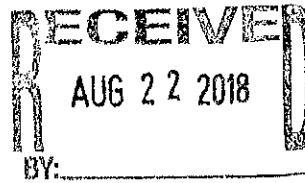
ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer

East Alabama Community Ballet
P.O. Box 545
Auburn, AL 36831

August 20, 2018

City of Opelika
204 S 7th St.
Opelika, AL 36801



Dear Mayor Fuller,

The East Alabama Community Ballet is beginning preparation for the 2018 edition of the Nutcracker! The EACB's Nutcracker continues to be a timeless, holiday favorite for our community since 1995. Our success is a direct result of our sponsors' commitment to the arts in Lee County and we couldn't have done it all these years without you!

Each summer we hold open auditions for dancers ranging in ages from 6-21 to try out for the production. In years past we have hosted over 50 dancers from Auburn, Opelika, & Lee County! Dance teachers from almost all the local studios are invited to choreograph and assist in producing the show.

Our fundraising efforts revolve around providing a free field trip each year for Lee County, Auburn City, and Opelika City third grade students. Last year, with your help, we were able to transport 1,536 students to Telfair Peet Theatre on Auburn University's campus for their own Nutcracker experience. Many of these students have never been in a stage theatre much less on a college campus. It is truly wonderful to watch the children leave for their buses after the show trying to walk on their tip toes or pretend to sword fight. During the post production showcase, the students learn theatre production secrets like how to make it snow inside! They also have the opportunity to talk to our performers, many of whom made this same field trip in the 3rd grade, and ask lots of questions and all at no expense to the schools.

The EACB truly has a heart for our community, and every summer we put on a dance showcase at the Jan Dempsey Community Arts Center, Turn Out Reach Out, which allows dancers from any studio to present a student choreographed dance piece, or a piece they have previously presented at competition. All proceeds go to local charities. Following our service to area children, this year's donations were to the Food Bank of East Alabama's Backpack Program. Turn Out Reach Out and the donation was made in memory of Carly Parker, a former EACB dancer who lost her battle with cancer during the 2017 Nutcracker. Each Winter EACB supports the Auburn City Recreation Department by performing in the Polar Express.

We appreciate your faithful support of our mission to grow the arts in East Alabama by helping provide a professional and affordable production experience open to performers from 6 to 80 years old. Our Nutcracker performance displays beautiful costumes, color-

ful backdrops and wonderfully, talented local performers. Ticket revenues and performer fees pay for the production so that donations like yours can be utilized in funding, not only the school shows, but also a \$1,500 scholarship which we present every year to a deserving Auburn University theatre student. Sponsorships also allow more opportunities to enrich the community through dance in various events like the City of Auburn's Summer Showcase, which we had the opportunity to be involved with this year.

Our hope this season, like the seasons before, is that we will again sell out the performances on December 14th, 15th, and 16th and maintain our mission to provide a non-profit, community driven, cultural experience for the citizens of Auburn, Opelika, & Lee County. Continued assistance by our generous benefactors will allow EACB that opportunity for many years to come. We hope you will consider donating again this year, to support our efforts make this the best Nutcracker season yet! If you have any questions please feel free to contact me and thank you for all that you do!

Sincerely,

Tonya Short
Tonya Short

Fundraising Chairperson, East Alabama Community Ballet
email: shortmomau@yahoo.com
phone: 334-707-4116

*Thank you for
your support!
-Tonya*

Sponsorship Levels

Friends of Dance:	\$50 - Thank You Page
Apprentice:	\$100 - Business Card Ad
Soloist Level:	\$250 - Business Card Ad
Principal	\$500 - Quarter Page Ad
Corporate Bronze	\$501-\$999 - Quarter Page Ad
Corporate Silver	\$1,000-2,499 - Half Page Ad
Corporate Gold	\$2,500 - \$4,999 - Half Page Ad
Corporate Diamond	\$5,000+ - Full Page Ad

www.eacballet.com



RESOLUTION NO. (ID # 3064)

Special Appropriation for Lee Co. Young Leaders.**RESOLUTION NO. _____**

WHEREAS, the entire Opelika City Council fully supports and appreciates the various services and programs that is being provided by the Opelika Chamber of Commerce, and

WHEREAS, the Lee County Young Leaders is in need of contributions to assist in funding their program and activities for 2018-2019, and

WHEREAS, Council President pro-tem Patsy Jones Ward 1, Councilwoman Tiffany Pitts Ward 2, Councilman Dozier Smith T Ward 3, Council President Eddie Smith Ward 4 and Councilman David Canon Ward 5 wish to provide a special appropriation to assist in supporting the 2018-2019 class of the Lee County Young Leaders.

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

1. That the City Council approves said request to provide a total of \$2,500.00 to the Opelika Chamber of Commerce, Lee County Young Leaders program.
2. That City Council members wish to provide \$2,500.00 each from their discretionary funds as detailed below with said funds to be used as explained in No. 1. above:

Patricia Jones	Ward 1	Reserve fund.	\$500.00
Tiffany Pitts	Ward 2	Reserve fund.	\$500.00
Dozier Smith T	Ward 3	Reserve fund.	\$500.00
Eddie Smith	Ward 4	Reserve fund.	\$500.00
David Canon	Ward 5	Reserve fund.	\$500.00

3. That the Council hereby declares and determines that said expenditures of these public funds will serve a public purpose for the City of Opelika.
4. That the Mayor and the Controller is hereby authorized and directed to make a budget adjustment(s) to move a total of \$2,500.00 from the various accounts/funds as detailed in No. 2 above to the appropriate account(s).
5. The City Clerk-Treasurer is hereby authorized and directed to prepare the appropriate documents so a check for \$2,500.00 can be prepared and delivered

to the Opelika Chamber of Commerce with said funds earmarked for the Lee County Young Leaders program.

ADOPTED and APPROVED this the _____ day of _____, 2018.

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

Attest:

Robert G. Shuman, CMC
City Clerk - Treasurer

THE OPELIKA CHAMBER OF COMMERCE
July 23, 2018



Corporate Sponsor Contract

Opelika Chamber of Commerce
601 Avenue A, Opelika, AL 36801
334-745-4861 (fax) 334-749-4740

Sponsor Information

Company Opelika City Council
Authorized Representative Eddie Smith / Bob Shuman
Billing Contact Eddie Smith / Bob Shuman
Email Address esmith@auburnbank.com / bshuman@ci.opelika.al.us
Address 204 S. 7th St
City Opelika State Al Zip 36801
Phone 334-705-5110 Fax _____

Sponsorship

Name of Sponsorship Lee Co. Young Leaders
Sponsorship Level \$2,500
Special Instructions _____

Amount Received \$ _____ Date Preference _____
***If Applicable (if event sponsoring is in current calendar year, payment is NET 30; otherwise payment may be delayed till Jan 1, 2019)*

Volunteer Information

Volunteer's Name Al Robinson
Team _____ Date 8/13/2018

Approvals/Confirmations

Company Representative _____

Attachment: CM 10-02-18, special appropriation, Lee Co Young Leaders (3064 : Special Appropriation for Lee Co. Young Leaders.)

RESOLUTION NO. (ID # 3065)

Special Appropriation for 20 Under 40 Program.**RESOLUTION NO. _____**

WHEREAS, the entire Opelika City Council fully supports and appreciates the various services and programs that is being provided by the Opelika Chamber of Commerce, and

WHEREAS, the 20 Under 40 program is in need of contributions to assist in funding their program and activities for 2018-2019, and

WHEREAS, Council President pro-tem Patsy Jones Ward 1, Councilwoman Tiffany Pitts Ward 2, Councilman Dozier Smith T Ward 3, Council President Eddie Smith Ward 4 and Councilman David Canon Ward 5 wish to provide a special appropriation to assist in supporting the 2018-2019 20 Under 40 class.

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

1. That the City Council approves said request to provide a total of \$2,500.00 to the Opelika Chamber of Commerce, 20 Under 40 program.
2. That City Council members wish to provide \$2,500.00 each from their discretionary funds as detailed below with said funds to be used as explained in No. 1. above:

Patricia Jones	Ward 1	Reserve fund.	\$500.00
Tiffany Pitts	Ward 2	Reserve fund.	\$500.00
Dozier Smith T	Ward 3	Reserve fund.	\$500.00
Eddie Smith	Ward 4	Reserve fund.	\$500.00
David Canon	Ward 5	Reserve fund.	\$500.00

3. That the Council hereby declares and determines that said expenditures of these public funds will serve a public purpose for the City of Opelika.
4. That the Mayor and the Controller is hereby authorized and directed to make a budget adjustment(s) to move a total of \$2,500.00 from the various accounts/funds as detailed in No. 2 above to the appropriate account(s).
5. The City Clerk-Treasurer is hereby authorized and directed to prepare the appropriate documents so a check for \$2,500.00 can be prepared and delivered

to the Opelika Chamber of Commerce with said funds earmarked for 20 Under 40 program.

ADOPTED and APPROVED this the _____ day of _____, 2018.

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

Attest:

Robert G. Shuman, CMC
City Clerk - Treasurer

THE OPELIKA CHAMBER OF COMMERCE
July 23, 2018



Corporate Sponsor Contract

Opelika Chamber of Commerce
601 Avenue A, Opelika, AL 36801
334-745-4861 (fax) 334-749-4740

Sponsor Information

Company Opelika City Council
Authorized Representative Eddie Smith / Bob Shuman
Billing Contact Eddie Smith / Bob Shuman
Email Address esmith@auburnbank.com / rshuman@ci.opelika.al.us
Address 204 S. 7th Street
City Opelika State AL Zip 36801
Phone (334) 705-5110 Fax _____

Sponsorship

Name of Sponsorship Twenty Under Forty
Sponsorship Level \$2,500⁰⁰
Special Instructions _____

Amount Received \$ _____ Date Preference _____
**If Applicable (If event sponsoring is in current calendar year, payment is NET 30; otherwise payment may be delayed till Jan 1, 2019)

Volunteer Information

Volunteer's Name Jill Robinson
Team _____ Date 8/13/2018

Approvals/Confirmations

Company Representative _____

Attachment: CM 10-02-18, special appropriation, 20 Under 40 (3065 : Special Appropriation for 20 Under 40 Program.)

RESOLUTION NO. (ID # 3096)

Alabama Recycling Fund Grant Agreement with ADEM.

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING EXECUTION OF ALABAMA
RECYCLING FUND GRANT AGREEMENT WITH THE ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

WHEREAS, the City of Opelika, City of Auburn, Lee County and Auburn University are members of East Alabama Recycling Partnership; and

WHEREAS, the City of Opelika, through East Alabama Recycling Partnership, has applied to the Alabama Department of Environmental Management for a grant under the Alabama Recycling Funds Grant Program; and

WHEREAS, East Alabama Recycling Partnership has been selected for project funding in the maximum amount of one hundred sixty-seven thousand, nine hundred and fifty dollars (\$167,950.00); and

WHEREAS, the City of Opelika will purchase an automated side loader and additional carts for its residential curbside recycling program as well as cardboard trailers for public buildings and businesses; and

WHEREAS, a proposed Alabama Recycling Fund Grant Agreement (hereinafter the “Agreement”) has been prepared and submitted to the City Council for approval; and

WHEREAS, the City Council has determined that it is now in the best interest of the City and its citizens to approve said Agreement.

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

1. That the proposed Alabama Recycling Fund Grant Agreement to be entered into by and between East Alabama Recycling Partnership (City of Opelika) and the Alabama Department of Environmental Management, a copy of which is attached hereto and marked 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 execution and delivery of said Agreement.

2. That the Mayor is hereby authorized and directed to execute said Agreement in the name and on behalf of the City.

3. That 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 cause 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 and the attached Agreement.

4. That the Mayor and Controller are hereby authorized and directed to make all appropriate accounting and budget entries necessary to carry into effect the provisions of the attached Agreement.

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

ADOPTED AND APPROVED this the _____ day of _____, 2018.

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

ATTEST:

CITY CLERK

Grant # ARF18-05-154

Grantee Initials _____

Alabama Recycling Fund Grant Agreement

Grantee: East Alabama Recycling Partnership
 Contact Person: Terry White
 Address: 700 Fox Trail, Opelika, AL 36801
 Email: tmwhite@opelika-al.gov
 Telephone: (334)705-2090

Responsible Person: Mayor Gary Fuller
 Address: 204 S 7th Street, Opelika, AL 36803
 Email: gfuller@opelika-al.gov
 Telephone: (334)705-5150

Grant reimbursements should be made payable to: City of Opelika

Grant reimbursements mailed to this address:
 P.O. Box 390
 Opelika, AL 36803-0390

Grant Period: October 1st, 2018 – September 30th, 2019
 Amount Awarded: \$167,950.00

Semiannual Report Due Dates:
 1st Semiannual Report Due: April 15th
 Final Semiannual Report Due: October 15th

The Alabama Department of Environmental Management (ADEM) is the administrative agency for recycling projects approved for expenditure of funds under the Alabama Recycling Fund Grant Program. The Alabama Recycling Funds Grant Program is further defined in Chapter 335-13-10 of the Alabama Solid Waste Regulations.

A maximum of \$167,950.00 inclusive of all costs will be granted for this project to the East Alabama Recycling Partnership (hereinafter referred to as the Grantee) by ADEM (hereinafter referred to as Department). Reimbursement of expenditures will be limited to and in accordance with the program budget submitted by the grantee and may be found as Attachment B of this Agreement.

GENERAL REQUIREMENTS

The Grantee is responsible for compliance with state and any applicable local Solid Waste Management Plans and regulations and requirements of Alabama Recycling Fund and completion of the activities in the Grant Application that was submitted by the Grantee, except as modified and superseded by this agreement.

Grant # ARF18-05-154

Grantee Initials _____

I. GENERAL PROJECT SUMMARY

The East Alabama Recycling Partnership will be reimbursed for the purchase of containers and tote bins for Lee County's drop off recycling program. The City of Opelika will purchase an automated side loader and additional carts for their residential curbside recycling program as well as cardboard trailers for public buildings and businesses. Auburn University will purchase classroom recycling bins as well as recycling containers for hallways and communal areas.

A. MILESTONES/TIMELINE OF ACTIVITIES

The grantee agrees to begin the implementation of the project during the grant period outlined in this agreement, conditional upon the grant agreement being signed and becoming a binding contract.

B. REGIONAL PARTNERSHIPS

If this grant agreement involves multiple entities as the grantee, written agreements including those concerning grant funds, revenue disbursement, and the responsibilities of each entity shall be required. All such agreements are binding as if incorporated herein.

II. BUDGET AND EXPENDITURES

The approved project budget and maximum reimbursable expenditures are further detailed in Attachment B of this Agreement. Any exceptions must be attached to this Agreement as an amendment which has been signed by the Department and Grantee. The approved budget is further categorized as follows:

Itemized Budget

LEE- Waste Receiving Containers (2)	\$22,125.00
LEE- Recycling Tote Bins (200)	\$3,800.00
COO- Automated Side Loader	\$100,000.00
COO- 96 gal. carts (250)	\$14,636.00
COO- cardboard trailers (10)	\$22,500.00
AU- 7 gal. desk bins (50)	\$410.00
AU- 23 gal. containers with lids (50)	\$4,479.00
Total	\$167,950.00

Categorized Budget

Infrastructure (equipment, buildings, land, etc.)	\$167,950.00
Personnel (salaries, benefits, etc.)	\$0.00
Education (materials, radio/TV, hand-outs, etc.)	\$0.00
Professional Services (consultants, engineering, planning)	\$0.00
Total Budget	\$167,950.00

Grant # ARF18-05-154

Grantee Initials _____

A. ALLOWABLE COSTS

Expenditures shall be limited to the allowable costs as stated in this agreement and in accordance with the Alabama Recycling Fund Grants Program as stated in Chapter 335-13-10. The Grantee shall not retain any grant funds in excess of actual Recycling Program expenses.

B. REVENUE DISBURSEMENT

Funds will be reimbursed to the responsible official as indicated on page 1 of this agreement unless otherwise stated below.

C. REIMBURSEMENT

To receive reimbursement, records to include receipts, proof of payment (cancelled checks and/or credit card statements), and invoices shall be submitted with each semiannual report. All reimbursement requests shall be signed by the responsible official as indicated on page 1 unless otherwise specified herein. All requests for advance funds shall be made to and approved by the Department before purchasing. Reimbursement for any purchases or agreement to purchase made prior to the effective date of this grant agreement without prior written approval may be determined to be ineligible for reimbursement. All requests for reimbursement must be submitted with the semiannual report received by October 15. The Department, at its sole discretion, may request additional justification or documentation relating to any expenditure of grant funds. If this grant agreement includes the disbursement of funds for any purpose as may be deemed operating subsidies by the Department, the grantee shall provide to the Department, in the form of a written report submitted within one (1) year of grant execution, documentation that such subsidies will no longer be required from any future Alabama Recycling Fund Grant or Fund disbursement.

D. SWMP CONSISTENCY

If the Grantee has been awarded funding to revise a Solid Waste Management Plan (SWMP), the SWMP must first be revised and approved by the Department before reimbursement will be made for any other activities associated with this agreement.

III. AMENDMENTS

Any amendments or modifications to this grant agreement must be submitted by the listed responsible official and be approved by the Department in writing before becoming effective. Any and all amendments shall be as if incorporated herein.

Grant # ARF18-05-154

Grantee Initials _____

IV. REPORTING REQUIREMENTS

The grantee shall provide the Department semiannual reports as required by Attachment A: Scope of Services and shall comply with requests for information as the Department may require in order to fulfill the requirements of this agreement and applicable regulations regarding Alabama Recycling Fund Grants and recycling facility (materials recovery facility and recovered materials processing facility) regulations contained in Code of Alabama 335-13-10.

V. EVALUATION METHOD

The Grantee will evaluate the overall project as detailed in the Scope of Services. Such evaluations shall be reported in semi-annual and/or final reports submitted to the Department and are conditional for continued reimbursement as detailed in this Agreement.

VI. RETENTION OF DOCUMENTS

Department personnel will monitor the implementation and timeline of activities and expenditures covered under this agreement. All documents related to this agreement including requests for proposals, invoices, contractual agreements, reports, approvals and correspondence with the Department associated with this agreement must be kept updated and readily accessible to Department staff for at least five (5) years from the execution of the grant agreement and as otherwise required herein. Copies of records shall also be included with each semi-annual report submitted by the Grantee.

VII. FAILURE TO COMPLY

The Department may terminate a grant award in whole or in part and demand refund of grant funds when there is substantial non-compliance with the terms of the award or these rules, a determination made by the Department that the grant was obtained by fraudulent means, found that grant monies have been used for non-allowable costs, or a determination made by the Department that gross abuse or corrupt practices have been used in the administration of the grant project by the Grantee. The Department shall give written notice to the Grantee (via certified mail, return receipt requested) of its intent to terminate a Fund grant, in whole or in part, at least 30 days prior to the intended date of termination. The Department shall afford the Grantee an opportunity for consultation prior to any termination. After such opportunity for consultation, the Department may, in writing (via certified mail, return receipt requested) terminate the Fund in whole or in part. Such action may also result in the Department declaring the Grantee ineligible for further participation in the program until the Grantee complies with the terms of the grant agreement.

Grant # ARF18-05-154

Grantee Initials _____

VIII. PROMOTIONAL, EDUCATIONAL AND OTHER MATERIALS

A copy of promotional and educational materials developed as part of this agreement shall be submitted electronically to the Department prior to public distribution. The Department shall have the right to use any printed materials developed as part of this agreement in any manner the Department deems appropriate. The use of grant funds provided through this agreement utilized for the development and or publication of promotional, educational, and other materials shall cause the same to include the Department logo and the following statement, ***“This project was funded or partially funded by the Alabama Department of Environmental Management through a grant from the Alabama Recycling Fund.”*** Such materials shall be maintained by the grantee according to requirements for document retention included herein. Such materials may also not be copyrighted or reserved in any manner.

IX. COMPLIANCE WITH RELEVANT LAWS

The Recipient agrees to comply with all relevant federal, state, and local laws, ordinances or other requirements in the design, construction and operation of the facility, to specifically include environmental regulations. The Recipient shall comply with Affidavit and E-Verify requirements for Ala. Code §§ 31-13-9(a) and (b). Continued, substantial non-compliance may be considered as a failure to comply and result in termination of this agreement for cause. The Recipient is also subject to all provisions of the ADEM Administrative Code, the Solid Waste and Materials Management Act (SWRMMA), and other applicable requirements.

Grant # ARF18-05-154

Grantee Initials _____

STATE OF ALABAMA)
)
 MONTGOMERY COUNTY)

This Agreement is entered into between the East Alabama Recycling Partnership (Grantee) and the Alabama Department of Environmental Management (Department) pursuant to an appropriation from the Alabama Recycling Fund (Fund). This Agreement will provide for a recycling project in Lee County, AL.

The parties hereto agree as follows:

1. Scope of Services

The Grantee will provide services as set out in the Scope of Services, which is included with this Agreement as Attachment A and which is incorporated as if fully set out herein.

2. Payment

A. The Department agrees to reimburse the Grantee an amount not to exceed \$167,950.00 for the services performed under this Agreement. Unless otherwise specified in the workplan, any mileage, travel and per diem costs identified in the budget located herein will be reimbursed in accordance with state law.

B. Unless pre-approved by the Department, the Grantee shall submit invoices not more than once per semi-annual period and in conjunction with the semi-annual report to the Department for actual cost(s) incurred. The final invoice shall be submitted by October 15.

C. Prior to the purchase of any items or the execution of any printing contracts under this agreement with a value less than \$1,000.00, one quote or attempt for a quote of outside costs, including but not limited to copying costs and freight terms, must be obtained. For items with a value from \$1,000.00 to \$3,000.00, two such quotes or attempts for quotes must be obtained. For items with a value greater than \$3,000.00, three such quotes or attempts for quotes must be obtained. The purchase of any items or the execution of any contract shall comply with the Alabama Bid Laws Sections 41-16-20 et. Seq. of the Code of Alabama (1975).

3. Term of Agreement

All work performed under this Agreement shall begin on the date on which this Agreement is executed unless previously approved by the Department, and shall terminate 12 months from the date of execution unless extended by the Department. This Agreement is conditioned upon the receipt of sufficient funds from the Fund and is subject to termination in the event of proration of the Fund. If the term of this Agreement extends beyond one fiscal year, this Agreement is subject to termination in the event that funds are not appropriated for the continued payment of the contract in subsequent fiscal years. This Agreement may be amended by the mutual written agreement of both parties but under no circumstances shall the expiration date be extended or the contract amount be increased without approval in accordance with Section 29-2-41 Code of Alabama 1975.

Attachment: Fund Grant Agreement (3096 : Alabama Recycling Fund Grant Agreement)

Grant # ARF18-05-154

Grantee Initials _____

4. Termination of Agreement for Cause

If, through any cause, the Grantee shall fail to fulfill in a timely and proper manner its obligation under this Agreement, or if the Grantee shall violate any of the covenants, agreements or stipulations of this Agreement, the Department shall thereupon have the right to terminate this Agreement by giving written notice to the Grantee of such termination and specifying the effective date thereof at least 30 days before the effective date of such termination. In that event, any finished or unfinished studies, reports or other work by the Grantee shall, at the option of the Department, become its property and the Grantee shall be entitled to receive just and equitable compensation for any satisfactory work completed under this Agreement.

5. Termination for Convenience of the Department

The Department may terminate this Agreement at any time by giving written notice to the Grantee of such termination and specifying the effective date thereof, at least 30 days before the effective date of such termination and under the same conditions as herein set forth for the Department, the Grantee may cancel this Agreement. In the event of cancellation, all finished or unfinished studies, reports or other work by the Grantee shall, at the option of the Department, become its property. If the Agreement is terminated by the Department as provided herein, the Grantee shall be paid for all work satisfactorily completed prior to termination.

6. Changes

The Department may, from time to time, require changes in the Scope of Services of the Grantee to be performed hereunder. Such changes, including any increases or decreases in the amount of the Grantee's compensation, which are mutually agreed upon by and between the Department and the Grantee shall be incorporated in written amendments to this Agreement.

7. Title VI and Equal Employment Opportunity

The Grantee will comply with Title VI of the Civil Rights Act of 1964 (88-352) to the end that in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity funded by this Agreement. There shall be no discrimination against any employee who is employed in the work covered by this Agreement, or against any applicant for such employment, because of race, color, religion, sex, national origin, age or disability covered by the Americans with Disabilities Act. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship. The Grantee shall insert a similar provision in all subagreements for services covered by this Agreement.

Grant # ARF18-05-154

Grantee Initials _____

8. Interest of Members of the Department and Others

No officer, member or employee of the Department and no members of the Environmental Management Commission, and no other public official of the governing body of the locality or localities in which the project is situated or being carried out who exercise any functions or responsibilities in the review or approval of the undertaking or carrying out of this project, shall participate in any decision relating to this Agreement which affects his personal interest or have any personal or pecuniary interest, direct or indirect, in this agreement or the proceeds thereof.

9. Assignability

The Grantee shall not assign any interest in this Agreement, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the Department.

10. Findings Confidential

Any reports, information, data, etc., given to or prepared or assembled by the Grantee under this Agreement which the Department requests to be kept as confidential shall not be made available to any individual or organization by the Grantee without the prior written approval of the Department, unless such confidentiality would be contrary to the law of the State of Alabama or the United States.

11. Acknowledgment

Videos, films, computer disks, printed information or other materials produced for dissemination under this agreement must include the Department's logo, prominently displayed, along with the following acknowledgment:

"This project was funded or partially funded by the Alabama Department of Environmental Management through a grant from the Alabama Recycling Fund."

12. Reproducible Materials

Any printed information, photographs or art works delivered to the Department under this agreement shall be camera ready and/or computer ready as appropriate. The master tape of any video or audio productions will be delivered to the Department in an immediately reproducible form. Any computer program generated under this agreement will be delivered to the Department in an original and immediately reproducible form.

13. Officials Not to Benefit

No member of or delegate to the Congress of the United States of America, and no resident commissioner, shall be admitted to any share or part hereof or to any benefit to arise herefrom.

Grant # ARF18-05-154

Grantee Initials _____

14. Copyright

No reports, maps, or other documents or products produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of the Grantee.

15. Audits and Access to Records

The Grantee agrees to abide by the requirements of Code of Alabama 335-13-10. The Grantee agrees that the comptroller General of the United States or any of his/her duly authorized representatives, the Secretary of Commerce or any of his/her duly authorized representatives, the Director of the Department or any of his/her duly authorized representatives, and the Chief Examiner of the Department of Examiners of Public Accounts and any of his/her duly authorized representatives shall, until the expiration of five (5) years from the date of submission of the final report, have access to and the right to audit, examine, and make excerpts or transcripts from any directly pertinent books, documents, papers, and records of the Grantee involving this Agreement. The Grantee agrees to provide access to any or all documents, papers, records and directly pertinent books of the Grantee involving transaction related to this Agreement upon written request from the Department.

16. Taxes

The Grantee is responsible for reporting and making payment of any applicable federal and state taxes which may be due as a result of payments received pursuant to this Agreement.

17. Grantee Not Entitled to Merit System Benefits

In the case of Non-State Agencies under no circumstances shall the Grantee or any of its employees be entitled to receive the benefits granted to State employees under the Merit System Act by reason of this Agreement unless otherwise provided by law.

18. Not to Constitute a Debt of the State/Settlement of Claims

It is agreed that the terms and commitments contained herein shall not be constituted as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this Agreement shall contravene any statute or Constitutional provision or amendment, either now in effect or which may, during the course of this Agreement, be enacted, then the conflicting provision in the Agreement shall be deemed null and void. The Grantee's sole remedy for the settlement of any and all disputes arising under the terms of this agreement shall be limited to the filing of a claim with the Board of Adjustment for the State of Alabama. For any disputes arising under the terms of this Agreement, the parties hereto agree, in compliance with the recommendations of the Governor and Attorney General, when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through the Attorney General's Office of Administrative hearings or where appropriate, private mediators.

Grant # ARF18-05-154

Grantee Initials _____

19. Requisite Reviews and Approvals

The Grantee acknowledges and understands that this Agreement is not effective until it has received all requisite state government approvals and shall not begin performing work under this Agreement until notified to do so by the Alabama Department of Environmental Management.

20. Immigration Status.

By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the state of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

EAST ALABAMA RECYCLING PARTNERSHIP

By: _____
 Gary Fuller
 Mayor

ALABAMA DEPARTMENT OF
 ENVIRONMENTAL MANAGEMENT

By: _____
 Lance R. LeFleur
 Director

 As to Legal Form

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement on this the _____ day of _____, _____.

Attachment: Fund Grant Agreement (3096 : Alabama Recycling Fund Grant Agreement)

Grant # ARF18-05-154

Grantee Initials _____

ATTACHMENT A**SCOPE OF SERVICES**

Upon the effective date of Agreement signature, the East Alabama Recycling Partnership (Grantee), agrees to effectively and expeditiously facilitate the following Scope of Services:

1. The Grantee will follow and abide by the Agreement as approved or amended. The Grantee will obtain permission from the Department for project related changes or modifications, revisions, and/or amendments to the latest approved agreement prior to expenditure of funds.
2. No deviations from the approved project budget or expenditure of funds other than for the purposes stated in the latest approved agreement are authorized without prior approval from the Department.
3. All funded project reports and financial records will be maintained by the recipient and made available for review and disclosure for a minimum of five years following the grant closeout.
4. The Grantee will submit the first semiannual report to the Department on April 15th. A comprehensive final semiannual report to include an Executive Summary (generalized project summary) will be submitted by the Grantee to the Department by October 15th. All project outputs and deliverables must be completed by the project end date, September 30th. These semi-annual reports will, at a minimum, include:
 - The status/outcome of each project objective and milestone per project application agreement
 - Expenditures of any ARF funds and local funds (documentation for local funds is not required). Required documents needed for ARF grant reimbursements shall include invoices, receipts, proof of payment (cancelled checks and/or credit card statements), and any additional documentation the Department deems necessary.
 - Quantity of recyclable materials collected by material type with out-of-state generated materials reported separately from in-state
 - Price(s) received for marketed recyclables by material type
 - Destination of marketed materials,
 - Documented increase in collections and participation (tonnage prior to implementation vs. tonnage at project completion)
 - If asking for education and outreach funding, include a description of any education or public outreach components and an explanation of how the educational component will directly promote the use of existing or planned local recycling projects.
 - Location/addresses of public recycling bins/containers (lat/long if available)

Grant # ARF18-05-154

Grantee Initials _____

5. If estimation is utilized in providing data, the method of estimation shall also be included in each semi-annual report. Reports shall not be inconsistent with accounting and record-keeping methods such entities may be required to follow by the Alabama Department of Examiners of Public Accounts.
6. Project related videos, films, computer disks, printed information, and other products or materials produced using Alabama Recycling Grant funds must include the Department logo, prominently displayed, along with the following prominently and conspicuously displayed acknowledgement language: ***"This project was funded or partially funded by the Alabama Department of Environmental Management through a grant from the Alabama Recycling Fund."***
7. All education and training related videos, films, computer diskettes, manuals, brochures, and other products and material outputs/deliverables produced will be submitted by the Grantee in Draft form to the Department for review and approval prior to additional grant funds being expended for Final deliverable/output products to be printed, produced, copied, or disseminated.
8. The Grantee agrees to submit at least one project description or project status news article for distribution to local area newspapers or to various other local public media for potential publication or dissemination in any manner as the Department may determine
9. New recycling programs must register on Re-TRAC Connect and be set up to report, if applicable and directed to do so by the Department. Existing recycling programs must be registered on Re-TRAC Connect and in good standing, if applicable and directed to do so by the Department.
10. The Grantee agrees to comply with all requirements and conditions specified in local, state, or federal rules, regulations, laws or ordinances. Grant funding for this project is, at a minimum, subject to Alabama Recycling Fund Grant Regulations contained in ADEM Administrative Code 335-13-10.
11. The Grantee will inform the Department as soon as problems, delays, or adverse conditions become known which will materially impair the ability to complete this Agreement, or to meet outputs/outcomes/milestones specified in this Agreement, for the duration of the Agreement.
12. Property (equipment greater than \$5,000 cost) that is purchased in whole or in part with grant funds must be properly managed and used solely for recycling purposes (e.g. inventory, control system, maintenance, storage, etc.,) for at least five years.

Grant # ARF18-05-154

Grantee Initials _____

ATTACHMENT B**PROJECT BUDGET**

LEE- Waste Receiving Containers (2)	\$22,125.00
LEE- Recycling Tote Bins (200)	\$3,800.00
COO- Automated Side Loader	\$100,000.00
COO- 96 gal. carts (250)	\$14,636.00
COO- cardboard trailers (10)	\$22,500.00
AU- 7 gal. desk bins (50)	\$410.00
AU- 23 gal. containers with lids (50)	\$4,479.00
Total	\$167,950.00

RESOLUTION NO. (ID # 3104)

Annual appropriation contract with Envsion Opelika Foundation.

RESOLUTION NO. _____

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

) That the proposed CONTRACT FOR SERVICES to be entered into between the City

of Opelika and the Envision Opelika Foundation, Inc., a copy of which is hereto

attached as Exhibit “A”, be and the same is hereby approved, adopted, authorized, ratified and

confirmed,

) That Gary Fuller, Mayor of the City of Opelika is hereby authorized and

empowered to execute the foregoing agreement in the name and on behalf of the City of Opelika

and the City Clerk is hereby authorized to affix the corporate seal of the City of Opelika thereto

and to attest the same, and the Mayor shall deliver one copy to the Envision Opelika Foundation

Inc., and retain one copy.

ADOPTED and APPROVED this the _____ day of _____, 2018.

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

Attest:

Robert G. Shuman, CMC
City Clerk - Treasurer

ORDINANCE NO. (ID # 2962)

Amend Zoning Ord & Map, 1500 Block West Point Parkway, R-3 to PUD, 2Nd Reading

ORDINANCE NO. _____

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

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

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

(a) 280 Land Company, LLC heretofore submitted to the City a development plan for a planned unit development (“PUD”) entitled Hidden Lakes Subdivision South PUD on approximately 205.84 acres.

(b) The proposed development is located in a R-3 District (low-density residential district) and is located on the southside of Sportsplex Drive and north of West Point Parkway.

(c) The property described in Section 3 below will be developed as a unified, mixed residential and commercial development consisting of 351 single-family lots, 42 townhouse lots/units, a commercial support component and a chapel/event center.

(d) The amenities for the development will include two (2) recreational lakes, walking trails, managed recreational areas and open spaces.

(e) The Planning Commission heretofore conducted a public hearing on the proposed development and referred to the City Council its recommendation to approve the proposed development.

(f) It is advisable and in the interest of the City and the public interest that the property described in Section 3 below should be developed as a unified mixed residential and commercial development.

Section 2. APPROVAL OF THE DEVELOPMENT PLAN. The Development Plan as submitted for review is hereby approved and affirmed as required by Section 8.18N of the Zoning Ordinance of the City.

Section 3. DESIGNATION OF A PLANNED UNIT DEVELOPMENT. The official Zoning Map is hereby amended and the zoning classification for the following parcel of land shall be changed from a R-3 district (low-density district) to a Planned Unit Development (PUD) on the official zoning map of the City.

A tract or parcel of land containing 205.84 acres located partly in Section 4, Township 19 North, Range 27 East and partly in Section 33, Township 20 North, Range 27 East, Lee County, Alabama, and being more particularly described as follows: Commence at the southwest corner of said Section 33; thence N87°53'57"E 294.89 feet to the point of beginning; thence N88°22'05"E 1919.36 feet; thence N22°53'11"E 989.57 feet; thence N00°54'33"W 395.00 feet to the south right-of-way limit of Sportsplex Road; thence along said right-of-way limit N89°09'39"E 377.01 feet; thence continue along said right-of-way limit S00°50'21"E 25.00 feet; thence continue along said right-of-way limit N89°09'39"E 250.00 feet; thence continue along said right-of-way limit N00°50'21"W 25.00 feet; thence continue along said right-of-way limit N89°09'39"E 244.65 feet; thence southeasterly along said right-of-way limit along a curve to the right having a radius of 4940.00 feet, an arc length of 568.50 feet, and a chord bearing and distance of S87°32'32"E 568.19 feet; thence continue along said right-of-way limit S05°45'17"W 25.00 feet; thence southeasterly along said right-of-way limit along a curve to the right having a radius of 4915.00 feet, an arc length of 80.00 feet, and a chord bearing and distance of S83°46'45"E 80.00 feet; thence continue along said right-of-way limit N06°41'14"E 25.00 feet; thence southeasterly along said right-of-way limit along a curve to the right having a radius of 4940.00 feet, an arc length of 293.24 feet, and a chord bearing and distance of S81°36'44"E 293.20 feet; thence continue along said right-of-way limit S79°54'42"E 567.98 feet; thence southeasterly along said right-of-way limit along a curve to the right having a radius of 1940.00 feet, an arc length of 300.56 feet, and a chord bearing and distance of S75°28'24"E 300.25 feet; thence leaving said Sportsplex Road right-of-way S01°08'10"E 695.49 feet; thence S29°02'36"W 363.82 feet; thence S20°07'40"E 300.26 feet to the north right-of-way limit of West Point Parkway; thence along

said right-of-way limit S55°28'34"W 103.42 feet; thence continue along said right-of-way limit S34°59'51"E 9.76 feet; thence continue along said right-of-way limit S55°02'47"W 360.33 feet; thence southwesterly along said right-of-way limit along a curve to the right having a radius of 3234.00 feet, an arc length of 582.51 feet, and a chord bearing and distance of S61°32'22"W 581.72 feet; thence continue along said right-of-way limit S66°39'57"W 1815.47 feet; thence leaving said right-of-way limit N00°15'13"W 215.42 feet; thence S69°16'30"W 81.27 feet; thence S71°03'53"W 80.20 feet; thence S72°13'04"W 62.82 feet; thence S73°51'57"W 78.95 feet; thence S75°17'41"W 78.35 feet; thence S00°32'02"W 15.51 feet; thence S77°27'08"W 81.62 feet; thence S78°49'18"W 81.23 feet; thence S80°48'37"W 81.31 feet; thence S81°21'42"W 80.11 feet; thence S83°30'09"W 80.40 feet; thence S85°09'22"W 88.21 feet; thence S86°28'53"W 60.34 feet; thence S88°23'10"W 87.88 feet; thence N01°57'55"W 59.99 feet; thence S88°08'27"W 199.70 feet; thence N01°42'37"W 399.93 feet; thence S88°11'51"W 316.33 feet; thence S87°55'54"W 343.45 feet; thence S01°38'20"E 659.51 feet to the north right-of-way limit of West Point Parkway; thence along said right-of-way limit S88°03'50"W 78.02 feet; thence N76°02'11"W 235.15 feet; thence N66°03'10"W 88.33 feet; thence N01°16'21"W 1517.23 feet to the point of beginning.

Section 4. RETENTION OF COPIES OF DEVELOPMENT PLAN. Copies of the Development Plan shall be maintained in the office of the City Clerk, City Planner, City Engineer and Building Official and shall be open for public inspection.

Section 5. REPEALER. Any ordinance or part thereof in conflict with provisions of this Ordinance be and the same are hereby repealed.

Section 6. EFFECTIVE DATE. This Ordinance shall become effective upon its adoption, approval and publication as required by law.

Section 7. PUBLICATION. This Ordinance shall be published one (1) time in a newspaper of general circulation in the City of Opelika, Lee County, Alabama.

ADOPTED AND APPROVED this the ____ day of _____, 2018.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR on this the ____ day of _____,
2018.

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2018.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. (ID # 3049)

Amend City Code, Chapter 16, Add Article XVI, Truck Routes - 2Nd Reading.

ORDINANCE NO. _____

ORDINANCE TO AMEND CHAPTER 16 OF THE *CODE OF ORDINANCES* OF THE CITY OF OPELIKA, ALABAMA TO ADD A NEW ARTICLE XVI ENTITLED “TRUCK ROUTES”; ESTABLISHING TRUCK ROUTES WITHIN THE CITY LIMITS; PROHIBITING THE OPERATION UPON RESIDENTIAL STREETS OF CERTAIN TRUCKS CLASSIFIED BY LENGTH, WEIGHT, SIZE, NUMBER OF AXLES AND CARGO; SETTING FORTH LIMITED EXCEPTIONS; IMPOSING PENALTIES FOR VIOLATIONS; REQUIRING THE INSTALLATION OF ADVISORY SIGNAGE; REPEALING CURRENT SECTION 16-68; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

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

Section 1. **Amendment.** That Chapter 16 of the *Code of Ordinances* of the City of Opelika, Alabama, is hereby amended to add a new Article XVI entitled “TRUCK ROUTES” to read as follows:

ARTICLE XVI TRUCK ROUTES

SEC. 16-450. FINDINGS.

The Council adopts the following findings of fact:

- (a) The City’s local and collector streets are not designed or constructed to sustain consistent traffic by large trucks and other heavy vehicles and are susceptible to damage from excessive use thereby.

(b) The City's local and collector streets are typically narrow and their width is often further constrained by the presence of other on-street parking areas.

(c) The City's local and collector streets typically contain relatively small corner and centerline radiuses impeding the turning ability of larger vehicles.

(d) The City's arterial roadways are designed and constructed to higher road bearing standards than the City's local and collector streets.

(e) Widespread operation of large trucks and other heavy vehicles upon the City's residential streets will likely cause extensive damage to street surfaces and require costly, repeated repairs at the City's expense and would jeopardize vehicular and pedestrian safety.

(f) Limiting truck routes established by this article will provide an adequate opportunity for truck circulation while simultaneously protecting local street.

(g) Limiting the vehicular transport of hazardous and/or radioactive materials to truck routes established by this article will help to ensure a more expedient and effective emergency response in the event of an accident or spill.

(h) The regulations contained in this article are a lawful and appropriate exercise of the City's police power and will serve the public health, safety and welfare.

SEC. 16-451. DEFINITIONS.

The following words and phrases when used in this article, have the meanings respectively ascribed to them in this section:

- (a) **“City”** means the City of Opelika, Alabama.
- (b) **“Deviating truck”** means a truck which leaves and departs from a truck route while traveling inside the City.
- (c) **“Person”** means any person, firm, partnership, association, corporation, company or organization of any kind.
- (d) **“Semi-trailer”** means a vehicle designed for carrying persons or property used in conjunction with a motor vehicle and so constructed that some or part of its weight and that of its load rests upon or is carried by another vehicle.
- (e) **“Trailer”** means a vehicle designed for carrying persons or property on its own structure and being drawn by a motor vehicle and so constructed that no part of its weight rests upon any other vehicle.
- (f) **“Truck”** means any motor truck, truck tractor, motor truck and trailer combination or truck tractor and semi-trailer combination (excluding buses and recreational vehicles) and used and maintained for the transportation of persons for hire, compensation or profit, or designed, used or maintained primarily for the transportation of property, which:
- (1) exceeds twenty-six feet (26') in total length; or
 - (2) exceeds 11,000 pounds gross weight, including load; or
 - (3) has more than three axles; or
 - (4) transports hazardous or radioactive cargo.
- (g) **“Truck route”** means a way over certain streets, as designated herein, over and along which trucks coming into, traveling in or going out of the City must operate.

(h) **“Truck tractor”** means a motor vehicle designed and used primarily for drawing another vehicle and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(i) **“Vehicle”** means a device by which a person or property may be propelled, moved or drawn upon a highway. Trailers, semi-trailers and truck tractors are considered vehicles.

SEC. 16-452. TRUCK ROUTES: DESIGNATED

The following street and portions of streets are designated and established as truck routes:

- (a) U.S. Highway 280 beginning at the northwestern City limits, to Exit 58 of Interstate 85, to Exit 62 of Interstate 85, then running parallel with U.S. Highway 431 south and extending east to the City limits,
- (b) U.S. Highway 431 beginning at the northern City limits, crossing Interstate 85 at Exit 62, then running parallel with U.S. Highway 280 east, and extending east to the City limits,
- (c) U.S. Highway 29 beginning at the City's eastern City limits, to Interstate 85 at Exit 64, then running parallel with Interstate 85 to the City's western City limits,
- (d) Alabama Highway 51 from Interstate 85 at Exit 60, and running south to the City limits,
- (e) Alabama Highway 169 branching off from Alabama Highway 51 and extending southeast to the City limits; and
- (f) South on South Fox Run Parkway from the intersection of U.S. Highway 431 and Torbert Boulevard to McCoy Street, then to Geneva Street, then south to Interstate 85, at Exit 60,
- (g) Northpark Drive from Anderson Road to its northern terminus,
- (h) Interstate 85 beginning at the southwestern City limits and extending to the northeastern City limits,
- (i) Veterans Parkway from the intersection of Pepperell Parkway to the intersection of Birmingham Highway (US 280),

- (j) South Uniroyal Road from the intersection of Crawford Road (AL 169) to the intersection of Columbus Parkway (US 280),
- (k) North Uniroyal Road from the intersection of Columbus Parkway (US 280) to the intersection of Westpoint Parkway (US 29),
- (l) Pepperell Parkway from the western City limits to the intersection of Pleasant Drive, at which time the roadway becomes 2nd Avenue until the intersection of South Railroad Avenue, at which time the roadway becomes Samford Avenue until the intersection of Fox Run Avenue (US 431), at which time the roadway becomes Westpoint Parkway until the intersection of Interstate 85 at exit #64,
- (m) Gateway Drive from the intersection of Interstate 85 to the intersection of Marvyn Parkway (AL 51),
- (n) Old Columbus Road from the intersection of Marvyn Parkway (AL 51) to the intersection of South Uniroyal Road,
- (o) Andrews Road from the intersection of Northpark Drive to the intersection of Interstate 85 at exit #66,
- (p) Frederick Road from the western City limits to the intersection of Gateway Drive (US 280)

SEC. 16-453. OPERATION LIMITED TO DESIGNATED TRUCK ROUTES

Except as otherwise provided in this article, the operation of a truck shall occur only and within the designated truck routes established pursuant to this article.

SEC. 16-454. OPERATION PROHIBITED.

Except as otherwise provided in this article, it is unlawful to operate a truck outside of the confines of a designated truck route.

SEC. 16-455. EXCEPTIONS.

The prohibitions set forth in this article shall not apply to the following:

- (a) The operation of any vehicle upon a street where directly and unavoidably necessary in order to access or depart from a Destination Point. When a Destination Point is not located immediately adjacent to a designated truck route, the vehicle operator shall access and/or depart from the Destination Point using the shortest and most direct City arterial route to and from the nearest designated truck route.
- (b) The operation of emergency and law enforcement vehicles.
- (c) The operation of any vehicle owned or operated by the City, a public utility or any contractor or materialmen while directly engaged in the maintenance, repair or construction of streets, street improvements or street utilities within the City.
- (d) The operation of any vehicle within and pursuant to any established temporary detour route.
- (e) The operation of any vehicle directly engaged in the disposal, collection or transport of waste, including, but not limited to residential garbage, recyclable material and/or debris, provided that this exception shall not apply to hazardous cargo or radioactive materials.
- (f) The operation of passenger buses, including, but not limited to, mass transit vehicles and school buses.
- (g) The operation of any vehicle coming from a truck route having ingress and egress by direct route to and from a restricted street when necessary for the purpose of providing a direct service requiring the utilization of such vehicle or making pick up and deliveries of goods, wares and merchandise from or to any building or structure located on the restricted street, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any

building or structure used upon a restricted street for which a building permit has been previously obtained.

(h) The operation of any vehicle transporting farm or ranch supplies, produce or animals to and from ranches or farms situated along a restricted street to be used by such vehicle.

(i) The operation of any vehicle for the purpose of transporting a trailer used for recreational or non-commercial purposes and/or both to and from locations from a restricted street to be used by such vehicle.

(j) The operation of any vehicle by a governmental agency when such vehicle is required in providing an essential government service.

SEC. 16-456. TRUCK TRAFFIC IN THE CITY.

(a) Outside Origin.

(1) One inside destination point. All trucks entering the City for a destination point within the City shall proceed only over an established truck route and shall deviate only at the intersection with the street, upon which such traffic is permitted, nearest to the destination point. Upon leaving the destination point, a deviating truck shall return to the truck route by the shortest permissible route.

(2) Multiple inside destination points. All trucks entering the City for multiple destination points shall proceed only over established truck routes and shall deviate only at the intersection with the street upon which such traffic is permitted, nearest to the first destination point. Upon leaving the first destination point, a deviating truck shall proceed to other destination points by the shortest direction and only over streets upon which such traffic is permitted. Upon leaving the last destination point, a deviating truck shall return to the truck route by the shortest permissible route.

(b) Inside Origin.

(1) Outside destination points. All trucks on a trip originating in the City and traveling in the City for a destination point outside the City shall proceed by the shortest direction over streets on which such traffic is permitted to a truck route as herein established.

(2) Inside destination points. All trucks on a trip originating in the City and traveling in the City for destination points in the City shall proceed only over truck routes or streets upon which such traffic is permitted intersecting with truck routes nearest the destination point.

SEC. 16-457. SIGNAGE.

The Mayor is hereby authorized and directed to ensure that appropriate signage is posted and maintained advising the public of the regulations imposed by this article.

SEC. 16-458. DETOURS.

The Engineering Department shall have the authority to designate additional temporary truck routes for the purpose of directing and controlling traffic along necessary detours or between designated truck routes and construction projects or other areas where commercial vehicles are required to be employed over extended periods of time. Such temporary routes, when so designated, shall be posted with appropriate signs as temporary truck routes, and the use of such routes shall be subject to the same conditions as set forth in this article for permanent truck routes.

SEC. 16-459. PENALTY FOR VIOLATION OF ARTICLE.

(A) Any person violating any provisions of this article or any rule or regulation made pursuant to this article shall be punished as follows:

- (1) For a first conviction by a fine of not less than \$100.00
- (2) For a second conviction by a fine in the amount of \$200.00
- (3) For a third or subsequent conviction by a fine of \$500.00 and imprisonment for not more than thirty (30) days.

Section 2. **REPEALER.** Section 16-68 of the *Code of Ordinances* is hereby repealed..

Section 3. **SEVERABILITY.** If any section, clause, sentence or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause, sentence or phrase of this Ordinance.

Section 4. **EFFECTIVE DATE.** This Ordinance and the article hereby adopted shall take effect and be enforced immediately upon its adoption, approval and publication as required by law.

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

ADOPTED AND APPROVED this the ____ day of _____, 2018.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR on this the ____ day of _____, 2018.

CITY CLERK

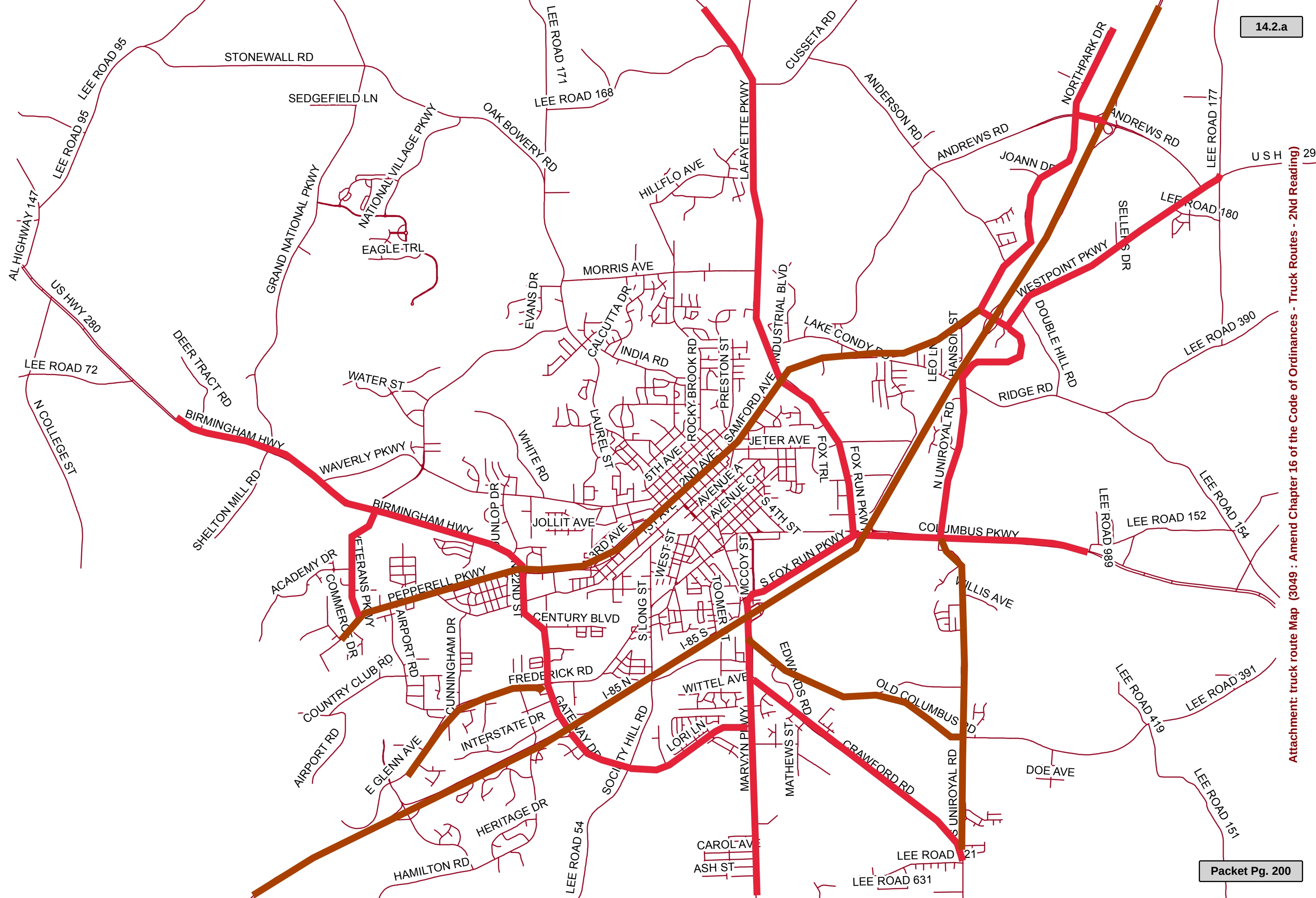
ACTION BY MAYOR

APPROVED this the ____ day of _____, 2018.

MAYOR

ATTEST:

CITY CLERK



ORDINANCE NO. (ID # 3037)

Amend City Code, Section 19-1, Offenses Under State Law; Penalties - 2Nd Reading.

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND SECTION 19-1 OF THE CODE OF ORDINANCES OF
THE CITY OF OPELIKA; OFFENSES UNDER STATE LAW; PENALTIES**

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

Section 1. **Amendment.** That Section 19-1 of the *Code of Ordinances* of the City of Opelika is hereby amended to read as follows:

Sec. 19-1. Offenses Under State Law; Penalties.

(a) Any person or corporation committing an offense within the corporate limits of the City of Opelika, Alabama, or within the police jurisdiction thereof, which is declared by a law or laws of the State of Alabama now existing or hereinafter enacted to be a misdemeanor, shall be guilty of an offense against the City of Opelika, Alabama.

(b) Any person or corporation committing an offense within the corporate limits of the City of Opelika, Alabama, or within the police jurisdiction thereof, which is declared by a law or laws of the State of Alabama now existing or hereinafter enacted to be a violation, shall be guilty of an offense against the City of Opelika, Alabama.

(c) Any person or corporation committing within the corporate limits of the City of Opelika, Alabama, or within the police jurisdiction thereof, an offense as defined by §13A-1-2 of the Alabama Criminal Code, which offense is not declared by a law or laws of the State of Alabama now existing or hereinafter enacted to be a misdemeanor, felony or violation, shall be guilty of an offense against the City of Opelika, Alabama

(d) Any person found to be in violation of paragraphs (a), (b) or (c) of this section shall, upon conviction, be punished a fine of not more than \$500.00 except where

otherwise provided by state law for the violation of municipal offenses, and/or may be imprisoned or sentenced to hard labor for the City of Opelika, Alabama, for a period not exceeding six (6) months, at the discretion of the court trying the case. Any corporation found to be in violation of paragraphs (a), (b) or (c) of this section shall, upon conviction, be punished a fine of not more than \$500.00 except where otherwise provided by state law for the violation of municipal offenses at the discretion of the court trying the case.

(e) Any person found to be in violation of paragraphs (a), (b) or (c) of this section where the offense is a misdemeanor listed in subsection (d) of §11-45-9 of the *Code of Alabama*, shall be punished by a fine of not more than \$1,000.00, except where otherwise provided by state law for the violation of municipal offenses, and/or may be imprisoned or sentenced to hard labor for the City of Opelika, Alabama, for a period not exceeding six (6) months, at the discretion of the court trying the case. Any corporation found to be in violation of paragraphs (a), (b) or (c) of this section shall, where the offense is a misdemeanor listed in subsection (d) of §11-45-9 of the *Code of Alabama*, upon conviction be punished by a fine of not more than \$1,000.00, except where otherwise provided by state law for the violation of municipal offenses, at the discretion of the court trying the case.

(f) Any person found in violation of this section for the commission of an offense that would also constitute an offense as defined in §32-5A-191, *Code of Alabama*, 1975 as amended, shall, upon conviction, be punished by a fine of not more than \$10,100.00 and/or may be imprisoned or sentenced to hard labor for the City of Opelika, Alabama for a period not exceeding one (1) year.

Section 2. **Repealer Clause.** Any ordinance heretofore adopted by the City Council of the City of Opelika, Alabama, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

Section 3. **Severability.** If any part, section or subdivision of this Ordinance shall be held to be invalid or unconstitutional for any reason, said holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

Section 4. **Effective Date.** This Ordinance and the section hereby adopted shall take effect and be enforced immediately upon its adoption, approval and publication as required by law.

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

ADOPTED AND APPROVED this the ____ day of _____, 2018.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR this the ____ day of _____, 2018.

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2018.

MAYOR

ATTEST:

CITY CLERK

3486

Email

Gary Fuller

Cc: Barbara Arrington
Joel Motley
Ben Hand
Kenny Wilkes
Guy Gunter

Subject: Section 19-1 of the Code of Ordinances of the City of Opelika

Mayor Fuller,

Section 19-1 of the City Code makes the violation of state misdemeanor statutes within the jurisdiction of the City an offense against the municipality. To enforce obedience, a municipality has authority to provide penalties by fine not exceeding \$500.00 for most offenses and by imprisonment or hard labor not exceeding six months or both.

However, there are several exceptions to this authority provided by state law in ?11-45-9(d), Code of Alabama. Notwithstanding any other provision of law, the maximum fine for every person either convicted for violating any of the following misdemeanor offenses adopted as a municipal ordinance violation or adjudicated as a youthful offender shall be \$1,000.00: Criminal mischief in the second and third degree; theft of property in the fourth degree; theft of services in the fourth degree; receiving stolen property in the fourth degree; tampering with the availability of gas, electricity or water; possession of traffic sign; notification, destruction, defacement, etc. of traffic sign or traffic control device; defacement of public building or property; offense against intellectual property; theft by fraudulent leasing or rental; charitable fraud in the third degree; and illegal possession of food stamps.

In the enforcement of DUI laws, the municipal court may set a fine not to exceed \$10,100.00 and a sentence of imprisonment not to exceed one year.

Section 19-1 of the City Code should be amended to reflect the enhanced penalties set out above. For example, in the 2018 Legislative session, the maximum fine for a third offense DUI was increased from \$5,000.00 to \$10,100.00. Attached hereto is a proposed ordinance to amend Section 19-1 to reflect current maximum penalties authorized by state law. The proposed ordinance updates Section 19-1 as necessary to reflect changes to state law. I would like to submit the proposed ordinance to the City Council at its next meeting on September 18. Please let me know if you have any objections to me entering the proposed ordinance into the MinuteTraq Program.

Guy Gunter

Shuman, Robert

From: Fuller, Gary
Sent: Wednesday, September 12, 2018 11:15 AM
To: Jones, Jill P
Cc: Arrington, Barbara; Motley, Joey; Ben Hand; Kenny Wilkes; Gunter, Guy
Subject: RE: Section 19-1 of the Code of Ordinances of the City of Opelika

Guy,

I have no objection to this proposed ordinance. In fact, I'm glad to see it!

Thanks,

Gary

Gary Fuller
 Mayor
 City of Opelika
 (334)705-5150
gfuller@opelika-al.gov
www.opelika.org



From: Jones, Jill P
Sent: Wednesday, September 12, 2018 8:24 AM
To: Fuller, Gary <GFuller@opelika-al.gov>
Cc: Arrington, Barbara <barrington@opelika-al.gov>; Motley, Joey <jmotley@opelika-al.gov>; Ben Hand <Ben@handlawfirm.com>; Kenny Wilkes <hkwilkes1@charter.net>; Gunter, Guy <ggunter@opelika-al.gov>
Subject: Section 19-1 of the Code of Ordinances of the City of Opelika

Mayor Fuller,

Section 19-1 of the City Code makes the violation of state misdemeanor statutes within the jurisdiction of the City an offense against the municipality. To enforce obedience, a municipality has authority to provide penalties by fine not exceeding \$500.00 for most offenses and by imprisonment or hard labor not exceeding six months or both.

Attachment: RE Section 19-1 of the Code of Ordinances of the City of Opelika (3037 : Amend City Code, Section 19-1, Offenses Under State Law

However, there are several exceptions to this authority provided by state law in §11-45-9(d), Code of Alabama. Notwithstanding any other provision of law, the maximum fine for every person either convicted for violating any of the following misdemeanor offenses adopted as a municipal ordinance violation or adjudicated as a youthful offender shall be \$1,000.00: Criminal mischief in the second and third degree; theft of property in the fourth degree; theft of services in the fourth degree; receiving stolen property in the fourth degree; tampering with the availability of gas, electricity or water; possession of traffic sign; notification, destruction, defacement, etc. of traffic sign or traffic control device; defacement of public building or property; offense against intellectual property; theft by fraudulent leasing or rental; charitable fraud in the third degree; and illegal possession of food stamps.

In the enforcement of DUI laws, the municipal court may set a fine not to exceed \$10,100.00 and a sentence of imprisonment not to exceed one year.

Section 19-1 of the City Code should be amended to reflect the enhanced penalties set out above. For example, in the 2018 Legislative session, the maximum fine for a third offense DUI was increased from \$5,000.00 to \$10,100.00. Attached hereto is a proposed ordinance to amend Section 19-1 to reflect current maximum penalties authorized by state law. The proposed ordinance updates Section 19-1 as necessary to reflect changes to state law. I would like to submit the proposed ordinance to the City Council at its next meeting on September 18. Please let me know if you have any objections to me entering the proposed ordinance into the MinuteTraq Program.

Guy Gunter

Jill P Jones
Administrative Assistant
City Attorney's Office
City of Opelika, Alabama
 608 Avenue A
 Opelika, AL 36801

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

jjones@opelika-al.gov
www.opelika.org



Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Thank you.

RESOLUTION NO. (ID # 3094)

Appoint the Honorable John Wesley McCollum, Jr. as a part-time Municipal Judge.

RESOLUTION NO. _____

RESOLUTION APPOINTING PART-TIME MUNICIPAL JUDGE
OF THE CITY OF OPELIKA, ALABAMA

WHEREAS, by Ordinance No. 115-77 adopted on September 20, 1977, the governing body of the City of Opelika established a Municipal Court for the City of Opelika pursuant to the provisions of Act No. 1205, Regular Session of the Alabama Legislature, 1975; and

WHEREAS, Chapter 17 of the Code of Ordinances of the City of Opelika provides for the appointment of municipal judges by the City Council; and

WHEREAS, the City Council heretofore re-appointed the Honorable H. Kenneth Wilkes to serve as a part-time municipal judge of the City of Opelika for a term of two (2) years commencing on January 2, 2017 and;

WHEREAS, the Honorable H. Kenneth Wilkes has served as a part-time Municipal Judge for over 30 years and cannot be re-appointed because Section 155 of Article VI of the Constitution of Alabama prohibits a person from being appointed as a full or part-time municipal judge after the person reaches the age of 70; and

WHEREAS, Honorable H. Kenneth Wilkes, Opelika's long-time Municipal Judge, has announced his retirement effective January 1, 2019; and

WHEREAS, the Council desires to appoint a successor to fill the office of municipal judge.

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

Alabama, pursuant to and subject to the provisions of Alabama *Code* §12-14-30, the Council hereby appoints the Honorable John Wesley McCollum, Jr., to serve as a part-time Municipal Judge of the City of Opelika, to serve as such for a term of two (2) years from the 2nd day of January 2019, and until a successor has been appointed and qualified.

ADOPTED AND APPROVED this the ____ day of _____ 2018.

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

ATTEST:

CITY CLERK