OPELIKA CITY COUNCIL
" REGULAR MEETING AGENDA "
204 South 7th Street
December 18, 2018
TIME: 7:00 PM

1. CALL TO ORDER

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

3. INVOCATION
    1. Minister JArthur Grubbs from the Greater Peace Baptist Church.

4. PLEDGE OF ALLEGIANCE
    1. Ashlan Drake and Abby Parish from Jeter Primary School.

5. READING OF MINUTES
    1. Minutes from the December 4, 2018 city council meeting.

6. UNFINISHED BUSINESS

7. REMARKS BY THE MAYOR
    1. November 2018 Building Inspections Monthly Report
    2. Recognize Jessica Mills and her family.
    3. Recognize Tricia Skelton as a 2018 Sanford Teacher Award recipient.
    4. Recognize the Honorable Judge H. Kenneth Wilkes.

8. CITIZEN COMMUNICATIONS (Limit comments to five minutes or less)

9. REPORT OF DISBURSEMENTS

10. COMMITTEE REPORTS

11. GENERAL BUSINESS
    1. Chickchickporkpork Grill Request Restaurant Retail Liquor and Beer On-Premise License.
    2. Public Hearing-Weed Abatement Assessment-407 Hunter Street
    3. Public Hearing for Demolition - 513 Ermine Street

12. AWARDING OF BIDS

13. RESOLUTIONS
    1. Resolution for Demolition, 112 N. 18Th Place - TABLED
    2. Expense reports from various departments.
    3. Designate City Personal Property Surplus and Authorize Disposal

4. Purchase-Police Package Automobiles-State Contract-PD
5. Weed Abatement Assessment-407 Hunter Street
6. Resolution for Demolition - 513 Ermine Street
7. Verizon request a Special Use Permit at 1015 West Point Parkway.
8. Accept infrastructure, Northbrook SD phase V.
9. Contract for Services with Mobile Studio
10. Appropriation contract with the Boys & Girls Clubs.
11. Special appropriation to the Opelika City Schools - band trip.
12. Final Change Order 5Th Ave/N 4Th Street Drainage Project

14. ORDINANCES
    1. Amend City Code, Chapter 29 Transportation Network Company & Rider - 1st Reading.

15. APPOINTMENTS
    1. Reappoint Joanne Camp, Municipal Court Public Defender. New term ends 1-02-21.
    2. Reappolint Todd Rauch, LRCOG - MPO Citizen Advisory Committee. New term ends 1-01-21.
    3. Reappoint Ken Ridley, LRCOG - MPO Citizen Advisory Committee, New term ends 1-01-21.

16. ADJOURN

"*In compliance with the Americans with Disabilities Act, the City of Opelika will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the ADA Coordinator 72 hours prior to the meeting at (334)705-5130."*

City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 12/18/18 07:00 PM
Department: City Clerk
Category: CM Minutes
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:
DOC ID: 3225

CM MINUTES (ID # 3225)

Minutes from the December 4, 2018 city council meeting.

OPELIKA CITY COUNCIL
" REGULAR MEETING MINUTES "
204 South 7th Street
December 4, 2018
TIME: 7:00 PM

1. Call to Order

President Smith called the council meeting to order at 7:02pm and asked Mr. Shuman to call the roll.

2. Roll Call

Mr. Shuman called the roll and all city council members were present.

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

3. Invocation

Pastor Duncan gave the invocation.

1. Pastor Chris Duncan from the Trinity Presbyterian Church.

4. Pledge of Allegiance

Russell and Landon lead the Pledge of Allegiance.

1. Russell Robinson and Landon Davenport from Jeter Primary School.

5. Reading of Minutes
   1. Minutes from the 11-20-18 city council meeting.

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

6. Unfinished Business

7. Remarks By the Mayor

Mayor Fuller distributed his annual letter detailing his donations to local non-profit organizations to the city council members.

Mayor Fuller reminded everyone about Christmas in a Railroad Town and the Victorian Front Porch Tour.

Mayor Fuller stated to set the record straight, it is unfortunate that our Christmas parade had to be canceled due to the weather but, it is not possible to reschedule such a large event due to other obligations.

8. Citizen Communications

(Limit comments to five minutes or less)

Kelly Curenton read a prepared statement concerning the sale of OPS Telecom. A copy of his remarks will be attached to these city council meeting minutes.

Attachment: CM 12-18-18, minutes from the 12-04-18 CM (3225 : Minutes from the December 4, 2018 city council meeting.)

Elizabeth Mueller, President of the Lee Co. Humane Sosciety, thanked the Mayor and City Council for renewing their contract for 2019. We appreciate the relationship with the City of Opelika and a special thanks to Terry White for his assistance and the great job he does.

9. Report of Disbursements

10. Committee Reports

11. General Business

1. Request by Sneak and Dawdle LLC for an Alcohol Beverage License.

RESULT:	**APPROVED [4 TO 0]**
MOVER:	David Canon, Council Member
SECONDER:	Dozier Smith T, Council Member
AYES:	Patricia Jones, Tiffany Gibson-Pitts, Dozier Smith T, David Canon
ABSTAIN:	Eddie Smith

2. Request by Remedy Enterprises LLC Dba Resting Pulse Brewing Co. for a Brewpub License.

RESULT:	**APPROVED [4 TO 0]**
MOVER:	Dozier Smith T, Council Member
SECONDER:	Tiffany Gibson-Pitts, Council Member
AYES:	Patricia Jones, Tiffany Gibson-Pitts, Dozier Smith T, David Canon
ABSTAIN:	Eddie Smith

3. Public Hearing - Weed Abatement Assessment - 105 Vaughan Ave

President Smith opened the public hearing and asked 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 - 204 1st Place.

President Smith opened the public hearing and asked 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 - 411 S 4Th St.

President Smith opened the public hearing and asked 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 - 504 S 4Th St.

President Smith opened the public hearing and asked 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 - 1109 Magnolia St.

President Smith opened the public hearing and asked 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.

12. Awarding of Bids

13. Resolutions

1. Resolution Resolution for Demolition, 112 N. 18Th Place - TABLED

This resolution remained TABLED.

2. Resolution 317-18 Expense report(s) from various departments.

Attachment: CM 12-18-18, minutes from the 12-04-18 CM (3225 : Minutes from the December 4, 2018 city council meeting.)

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

3. Resolution 318-18 Designate City Personal Property Surplus and Authorize Disposal

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

4. Resolution 319-18 Refund of funeral services.

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

5. Resolution 320-18 Purchase-Itron TPM Controllers-Sole Source-OPS

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

6. Resolution 321-18 Purchase-Itron Meters-Sole Source-OPS

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

7. Resolution 322-18 Weed Abatement Assessment - 105 Vaughan Ave

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

8. Resolution 323-18 Weed Abatement Assessment - 204 1St Place

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

9. Resolution 324-18 Weed Abatement Assessment - 411 S 4th St.

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

10. Resolution 325-18 Weed Abatement Assessment - 504 S 4Th St.

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

11. Resolution 326-18 Weed Abatement Assessment - 1109 Magnolia St.

Attachment: CM 12-18-18, minutes from the 12-04-18 CM (3225 : Minutes from the December 4, 2018 city council meeting.)

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

12. Resolution 327-18 Second Amendment to Power Service Contract with AMEA.

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

13. Resolution 328-18 CDBG Reprogramming of Unused Funds.

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

14. Resolution 329-18 Agreement with Auburn for new Skatepark.

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 330-18 Software & services agreement with Active Network - P/R.

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

16. Resolution 331-18 Engagement Letters with Baller Stokes & Lide and CTC Technology / Small Cell Wireless 5G.

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

14. Ordinances

15. Appointments

16. Adjourn

The City Council meeting minutes of December 4, 2018 are hereby adopted and approved this the _____ day of _____, 2018.

/s/

_____

President of City Council

City of Opelika, Alabama

ATTEST:

/s/

_____

Attachment: CM 12-18-18, minutes from the 12-04-18 CM (3225 : Minutes from the December 4, 2018 city council meeting.)

R. G. "Bob" Shuman, CMC

City Clerk - Treasurer

1. Motion To Adjourn.

The city council meeting ended at 7:40 pm.

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

Attachment: CM 12-18-18, minutes from the 12-04-18 CM (3225 : Minutes from the December 4, 2018 city council meeting.)

Citizen Comment from CM 12/4/18 Kelly Curenton

Opelika Council December 4, 2018

About the time I thought I had heard all the spin about the Opelika Cable System I found this article about the BBC which printed some more. BBC, quoting a city official, said the sale of the system made the city whole.

For that official and the rest of you I refer you to page pages 248-249 which says the city received $14,175,000 of which $480,000 was advance pole rent leaving a net sales revenue of $13,695,000.

Then explain why the city is going to pay the buyer ~~over $400,000 for working capital which reduces the net to $13~~,295,000 and a residual of

As you may or may not know, the city at that time owed $41.8 million of which all by $8 million was cable related. That 8 million housed the cable system of which 20 percent was leased for cable operations.

The city was to then pay Regions $13,536,353 leaving a residual amount of $158,888 from the sale. Even with the pole rent this left only $639,000 to pay on the $28.3 million in electric warrants, a deficiency of $27,661,000. Page 249 said the residual would fund the portion of the electric warrants used to fund the cable system. The residual will not pay $28.3 million in electric warrants. You told Moody's the fiber cable and gpon purchased by the warrants would cost $14.1 million. The sale won't even pay that.

As you know the city issued a bill of sale without and materials shown and a second with materials identified by tag #. Although the city has ignored my request for cost data easily obtained from accounting records, one can identify around $30 million from city documents:

Official statement – fiber cable and gcom $14,100,000

2014 electric department budget- fiber drops, ont $2,878,000, motive group $287,000.

Regions loan - $13,500,000

All these components which you transferred are described as FTTH components even thought the electric warrants or electric department purchased them. There is no provision to repay the city for fiber cable and GPON purchased by the electric warrants or fiber drops and ONT purchased from electric reserves.

The Mayor said the city spent $20 million on fiber to the home when the other cable costs of $14.1 million were being concealed in the electric warrants. The equipment transferred appear to cost much more but the city will not disclose the amount.

Now we are told the materials were appraised at only $12 million when it cost around $30 million. If this is true it would have been worthless in a few more years. Maybe the city should have stuck to filling potholes and building roundabouts.

Tell us again Mr. Mayor and city council how you intend to amortize electric warrants costing $28.3 million that you finally admitted purchased cable materials when you gave the materials to the buyer with the residual of $158,888 plus pole rent of $480,000 and the city has to pay $660,000 per year for

Attachment: CM 12-18-18, minutes from the 12-04-18 CM (3225 : Minutes from the December 4, 2018 city council meeting.)

managed service

service to 200 sites and you are leasing buildings for less than the interest cost not to mention the principal.

It sounded so good to hear the city would be made whole. Have we been misinformed again? There is not one word in the sales documents that says we will be made whole. Like the Mayor said in the Sandler situation, "If it sounds to good to be true, it probably is".

Attachment: CM 12-18-18, minutes from the 12-04-18 CM (3225 : Minutes from the December 4, 2018 city council meeting.)

City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 12/18/18 07:00 PM
Department: Building Inspection
Category: Building Permit Report.
Prepared By: Tina Mnor
Initiator: Jeff Kappelman
Sponsors:
DOC ID: 3228

MAYOR'S REMARKS (ID # 3228)

November 2018 Building Inspections Monthly Report

City of Opelika Building Inpsections Department
November 2018 Monthly Building Detail Report

Issue Date	Company	Main Address	Work Class	Valuation
11/1/2018	KNIGHT SIGN INDUSTRIES	3400 SKYWAY DR A	Signs	$ 8,500.00
11/1/2018	THE WORTHY GROUP	2804 LONE EAGLE LN	Addition	$ 62,000.00
11/1/2018	CHERRY ZOU	3702 PEPPERELL PKWY	Alteration	$ 30,000.00
11/2/2018	SUPERIOR ROOFING CO	502 DUNLOP DR	Roofs	$ 5,200.00
11/2/2018	B&L ROOFING	2511 HAMMONDS DR	Roofs	$ 3,400.00
11/5/2018	CONNER BROTHERS CONSTRUCTION	3636 QUAIL TRCE	Alteration	$ 23,800.00
11/5/2018	CONNER BROTHERS CONSTRUCTION	3716 QUAIL TRCE	New Single Family Detached	$ 291,710.00
11/5/2018	CONNER BROTHERS CONSTRUCTION	2745 NATIONAL VILLIAGE PKWY	New Single Family Detached	$ 182,717.00
11/5/2018	RONNIE GASTON	2211 PEPPERELL PKWY	Alteration	$ 5,000.00
11/6/2018	HOMEPLACE CONSTRUCTION & RESTOR	3201 NORTHGATE DR	Alteration	$ 60,000.00
11/7/2018	BRUCE SMITH	1805 1ST AVE	Alteration	$ 10,000.00
11/7/2018	CLAYTON HOMES #825	2654 SPRING LAKES XING	New Single Family Detached	$ 220,039.00
11/7/2018	Pinnacle Construction Services, LLC	714 1ST AVE	Alteration	$ 527,000.00
11/9/2018	STONE MARTIN BUILDERS	742 TOWNE LAKE PKWY	New Single Family Detached	$ 301,704.40
11/9/2018	STONE MARTIN BUILDERS	714 TOWNE LAKE PKWY	New Single Family Detached	$ 265,569.00
11/9/2018	TOLAND CONSTRUCTION LLC	3457 LAKESHORE DR DR	New Single Family Detached	$ 267,566.00
11/9/2018	SUPERIOR ROOFING CO	602 LEE ST	Roofs	$ 5,105.00
11/9/2018	STONE MARTIN BUILDERS	728 TOWNE LAKE PKWY	New Single Family Detached	$ 314,989.30
11/9/2018	STONE MARTIN BUILDERS	2955 WAVERLY PKWY	New Single Family Detached	$ 228,448.40
11/13/2018	EFFECTIVE SIGNS LLC	3310 PEPPERELL PKWY 4	Signs	$ 5,325.00
11/13/2018	ROBINS & MORTON	501 S 10TH ST	New	$ 27,073.00
11/13/2018	BUILDERS PROFESSIONAL GRP LLC	610 GWYNNE'S WAY	New Single Family Detached	$ 177,891.20
11/14/2018	SIGNCORP INC	701 2ND AVE	Signs	$ 13,200.00
11/14/2018	PLACE SERVICES INC	2900 PEPPERELL PKWY	Alteration	$ 25,926.00
11/14/2018	WIGGINS BUILDING CORPORATION	2701 FREDERICK RD 306	Tenant Build Out	$ 52,000.00
11/15/2018	TOLAND CONSTRUCTION LLC	3426 LAKESHORE DR DR	New Single Family Detached	$ 293,655.00
11/15/2018	TOLAND CONSTRUCTION LLC	3413 LAKESHORE DR DR	New Single Family Detached	$ 267,314.00
11/15/2018	TOLAND CONSTRUCTION LLC	3450 LAKESHORE DR DR	New Single Family Detached	$ 286,701.00

11/19/2018	WADE SPOONER	3609 SAUGAHATCHEE LAKE RD	Addition	$ 29,000.00
11/19/2018	RESIDENTIAL ROOFING	307 LINDSEY CT	Roofs	$ 3,500.00
11/21/2018	EDGAR HUGHSTON BUILDER INC	2102 GREENE WAY	New Single Family Detached	$ 359,114.00
11/26/2018	Imaging Solutions USA	1405 GENEVA ST	Signs	$ 9,400.00
11/26/2018	Builders Professional Group	701 DINGO DR	New Single Family Detached	$ 221,379.00
11/27/2018	B&L ROOFING	1505 PINE HAVEN CT	Roofs	$ 6,000.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 408	New Single Family Attached	$ 112,107.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 404	New Single Family Attached	$ 112,107.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 302	New Single Family Attached	$ 158,014.00
11/28/2018	A&E HOLDINGS LLC	1112 BEAUFORD DR	Alteration	$ 6,796.30
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 301	New Single Family Attached	$ 92,031.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 403	New Single Family Attached	$ 112,107.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 401	New Single Family Attached	$ 92,031.00
11/28/2018	A&E HOLDINGS LLC	802 MCLURE AVE	Alteration	$ 9,950.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 405	New Single Family Attached	$ 158,014.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 402	New Single Family Attached	$ 158,014.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 303	New Single Family Attached	$ 112,107.00
11/28/2018	HUDMON CONSTRUCTION CO INC	3501 PEPPERELL PKWY	New	$ 865,000.00
11/28/2018	HOMEWORKS OF ALABAMA INC	2894 SPRING LAKES XING	New Single Family Detached	$ 202,536.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 304	New Single Family Attached	$ 112,107.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 305	New Single Family Attached	$ 158,014.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 406	New Single Family Attached	$ 92,031.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 306	New Single Family Attached	$ 92,031.00
11/28/2018	HOLLAND HOMES LLC	3855 ACADEMY DR 407	New Single Family Attached	$ 112,107.00
11/30/2018	STONE MARTIN BUILDERS	695 OWENS WAY	New Single Family Detached	$ 293,569.00
11/30/2018	STONE MARTIN BUILDERS	681 OWENS WAY	New Single Family Detached	$ 259,784.00
11/30/2018	REAL LIFE BUILDERS LLC	1419 BRANCH ST	New Single Family Detached	$ 116,536.00
11/30/2018	STONE MARTIN BUILDERS	709 OWENS WAY	New Single Family Detached	$ 243,942.00
				$ 8,261,161.60

Jeff Kappelman

Jeff Kappelman, Chief Building Official

Planning Department - Building Inspections Division
Telephone 334-705-5420
Fax 334-705-5159

Rich in heritage, with a vision for the future

Monthly Permits For November, 2018

Work & Repair On Buildings:

Building Repairs	Commercial	Residential
Buildings Condemned	0	0
Buildings Demolished	0	0
Building Repairs	3	11
Plumbing Upgrades	0	2
Electrical Upgrades	1	2
Mechanical Upgrades	0	6
Reroofs And Roof Repairs	0	5
Mobile Home Services	0	0
Building Additions/Accessory Structures	0	2

Monthly Totals For November 2009-2018

2009	$2,274,539.00
2010	$15,454,374.00
2011	$2,746,405.00
2012	$51,311,016.00
2013	$3,666,190.00
2014	$5,525,186.00
2015	$5,632,291.00
2016	$4,650,764.00
2017	$6,360,684.00
2018	$8,261,161.60

Total Permits Issued:

2	New Buildings: Commercial	$892,073.00
4	Commercial Renovations And Repairs	$634,926.00
4	Signs	$36,425.00
33	New Single Family Homes	$6,467,986.30
13	Residential Repairs And Renovations	$229,751.30
0	New Apartment Units	
0	New Duplex Residences	
	Total Building Permits Issued	

56	Total Permits Issued For November, 2018	**$8,261,161.60**

TAKEN FROM THE RECORDS OF THE
BUILDING INSPECTOR

Jeff Kappelman
Chief Building Inspector

Attachment: November 2018 Monthly Building Inspection Reports (3228 : November 2018 Building Inspections Monthly Report)

Planning Department - Building Inspections Division
Telephone 334-705-5420
Fax 334-705-5159

Rich in heritage, with a vision for the future

Fiscal Year To Date Report - 2019

Building Repairs	Commercial	Residential
Buildings Condemned	0	0
Buildings Demolished	0	0
Building Repairs	7	22
Plumbing Upgrades	1	11
Electrical Upgrades	6	13
Mechanical Upgrades	6	13
Reroofs And Roof Repairs	0	7
Mobile Home Services	0	0
Building Additions/Accessory Structures	1	7

Yearly Totals For Oct. 1st - Sept. 30th	
2010	$96,662,342.00
2011	$45,352,237.00
2012	$178,221,004.00
2013	$61,881,917.00
2014	$79,409,560.00
2015	$192,080,600.00
2016	$127,079,852.00
2017	$166,673,506.00
2018	$111,654,002.74

Total Permits Issued:

6	New Buildings: Commercial	$2,241,073.00
14	Commercial Renovations And Repairs	$1,520,373.33
9	Signs	$146,085.00
42	New Single Family Homes	$9,298,399.30
35	Residential Repairs And Renovations	$795,295.30
0	New Apartment Units	$0.00
0	New Duplex Residences	$0.00
0	Total Building Permits Issued	$0.00

106	Permit Total Issued for FY 2019	$14,001,225.93

Jeff Kappelman

JEFF KAPPELMAN
Chief Building Inspector

Attachment: November 2018 Monthly Building Inspection Reports (3228 : November 2018 Building Inspections Monthly Report)

City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 12/18/18 07:00 PM
Department: Purchasing and Revenue
Category: Business & Alcohol License
Prepared By: Martha Wright
Initiator: Lillie Finley
Sponsors:
DOC ID: 3223

GENERAL BUSINESS (ID # 3223)

Chickchickporkpork Grill Request Restaurant Retail Liquor and Beer On-Premise License.

City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 12/18/18 07:00 PM
Department: Purchasing and Revenue
Category: Weed Abatement
Prepared By: Martha Wright
Initiator: Lillie Finley
Sponsors:
DOC ID: 3234

GENERAL BUSINESS (ID # 3234)

Public Hearing-Weed Abatement Assessment-407 Hunter Street

Attachment: 407 Hunter NPH-Resolution, cost to abate, Oct 2018 (3234 : Public Hearing-Weed Abatement Assessment-407 Hunter Street)

To: Alan Keith Lafoy
407 Hunter St.
Opelika Al. 36801

NOTICE OF PUBLIC HEARING ON COST OF ABATEMENT OF WEED NUISANCE LOCATED AT 407 Hunter St. Parcel 09-01-12-4-001-037.000

==========

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 407 Hunter St, Parcel No. 037.000 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 $ 243.34.

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 18th of day of December 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 12th day of December 2018.

_____
Liz Wright,
Code Compliance Officer

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

WEED ABATEMENT INVOICE

Date: 12/12/2018

To: Alan Keith Lafoy
407 Hunter Street
Opelika, AL 36801

Property Address:
407 Hunter Street
Opelika, AL 36801

Parcel # 43-09-01-12-4-001-037.000

On 10/15/2018 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: $ 230.00

Certified mail: $ 13.34

Misc. _____

Total $ 243.34

Attachment: Weed Abatement Invoice 407 Hunter Street (3234 : Public Hearing-Weed Abatement Assessment-407 Hunter Street)

City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 12/18/18 07:00 PM
Department: Building Inspection
Category: Public Hearing
Prepared By: David Chapman
Initiator: Jeff Kappelman
Sponsors:
DOC ID: 3142

GENERAL BUSINESS (ID # 3142)

Public Hearing for Demolition - 513 Ermine Street

October 17, 2018

TO:

Lee County Habitat for Humanity
605 2nd Avenue
Opelika, AL 36801

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

This notice, finding and order is given pursuant to Ordinance No. 116-15 and Section 5-226 of the *Code of Ordinances* of the City of Opelika, Alabama, informing you that a building located within the City of Opelika, Alabama (the "City") is unsafe to the extent that it is a public nuisance and subject to demolition. According to the real property records of Lee County, Alabama, Lee County Habitat for Humanity is the owner of the real property described in this notice. The building is located on the following described real property, to-wit, which is described hereinafter as the "Subject Property":

Street Address: 513 Ermine Street, Opelika, AL 36801
Legal Description: Lot One (1), BLK 208 of Lambert Subdivision, with all improvements thereon, according to and as shown by a plat of said Lambert Subdivision recorded in the Office of the Judge of Probate of Lee County, Alabama in Town Plat Book 3, at Page 69.

Parcel Identification Number: 43-09-01-12-4-002-019.000

As the Building Official of the City of Opelika, the undersigned inspected the building on the Subject Property on September 28, 2018. Based upon said inspection, the building located on the Subject Property is deemed to be a "dangerous building" within the meaning of Ordinance No. 116-15 because of the following conditions and/or defects:
(Check all that apply)

☐ (1) The interior walls or other vertical structure members of the building list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.

X (2) Exclusive of foundation, the building shows thirty-three (33) percent or more of damage or deterioration of one (1) or more supporting members or fifty (50) percent of damage or deterioration of the non-supporting enclosing or outside walls or covering.

X (3) The building has improperly distributed loads upon the floors or roofs, or, in which the same are overloaded or which has insufficient strength to be reasonably safe for the purpose used.

X (4) The building has been damaged by fire, wind, earthquake, flood, sinkhole, deterioration, neglect, abandonment, vandalism or other cause so as to become dangerous to life, health, property, morals, safety or general welfare of the public or the occupants.

X (5) The building has become or is so damaged, dilapidated, decayed, unsafe, unsanitary, lacking in maintenance, vermin or rat-infested, containing filth or contamination, lacking proper ventilation, lacking sufficient illumination, or which so utterly fails to provide the amenities essential to decent living that it is unfit for human habitation, or is likely to cause sickness or disease, so as to work injury to the life, health, property, morals, safety or general welfare of the public or the occupants.

X (6) The building has light, air, heating, cooling and sanitation facilities which are inadequate to protect the life, health, property, morals, safety or general welfare of the public or the occupants.

☐ (7) The building has inadequate facilities for egress in case of fire or panic, or has insufficient stairways, elevators, fire escapes or other means of ingress and egress to and from said building.

X (8) The building does not provide minimum safeguards to protect or warn occupants in the event of fire.

☐ (9) The building contains unsafe equipment, including any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers, or other equipment on the premises, or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property, morals, safety or general welfare of the public or the occupants.

☐ (10) The building is so damaged, decayed, dilapidated, structurally unsafe, or is of such faulty construction or unstable foundation that partial or complete collapse is possible.

☐ (11) The building has parts thereof which are so attached that they may fall and damage property or injure the public or the occupants.

X (12) The building, or any portion thereof, is clearly unsafe for its use or occupancy.

X (13) The building is neglected, damaged, dilapidated, unsecured, or abandoned so as to become an attractive nuisance to children who might play in or on the building, structure, part of building or structure, party wall, or foundation to their danger, has become a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building, structure, part of building or structure, party wall, or foundation for committing a nuisance or an unlawful act.

☐ (14) The building has any portion remaining on a site after the demolition or destruction of the same or whenever the building, structure, part of building or structure, party wall, or foundation is abandoned so as to constitute such building, structure, part of building or structure, party wall, or foundation as an attractive nuisance or hazard to the public.

X (15) The building is, because of its condition, unsafe, unsanitary, or dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants.

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

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

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

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

Notice is hereby given that the City Council of the City of Opelika, Alabama, will hold a public hearing on Tuesday, December 18, 2018, at 7:00 p.m. in the City Council Chambers of the municipal building, 204 South 7th Street, Opelika, Lee County, Alabama, to discuss the findings of the Building Official. At that time, the City Council will consider the adoption of a resolution ordering the demolition of the building located on the Subject Property. At the public hearing, the City Council will receive any objections to the finding by the Building Official that the building or structure is unsafe to the extent of becoming a public nuisance. A written request for a public hearing is not necessary. At the public hearing, the City Council shall also receive any written objections to the findings by the Building Official. Any such written objection must be submitted to the City Clerk prior to the meeting of the City Council. All interested persons are invited to appear before the City Council in person or through his or her representative to show cause, if any, why his or her objection to the demolition of the building or structure should be sustained. No action shall be taken on the finding of the Building Official until determination is made thereon by the City Council. Upon the holding of the hearing, the City Council shall determine whether or not the building or structure is unsafe to the extent that it is a public nuisance. If it is determined by the City Council that the building or structure is unsafe to the extent that it is a public nuisance, the City Council shall order the demolition of the building or structure at the expense of the City and assess the expenses of the demolition against the land on which the building or structure stands or to which it is attached. Any person aggrieved by the decision of the City Council may, within ten (10) days thereafter, appeal to the Circuit Court of Lee County, Alabama, upon the filing with the Clerk of the Circuit Court of Lee County, Alabama, notice of appeal and bond for security of costs in the form and amount to be approved by the Circuit Court. For further particulars, see Ordinance No. 116-15 and Section 5-227 of the *Code of Ordinances.* Anyone interested in the status of these proceedings may inquire with the Opelika City Clerk at 334-705-5110 or in person at the City Clerk's office located on the second floor of City Hall, 204 South 7th Street, Opelika, Alabama.

You will further take note that:

(1) It is unlawful for any person, or for any agent, servant or employee of such person, to obstruct or interfere with the Building Official in carrying out the purposes of Ordinance No. 116-15.

(2) It is unlawful for any person, or for any agent, servant or employee of such person, to mutilate, destroy, or tamper with this "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy".

(3) It is unlawful for any person, or for any agent, servant or employee of such person, to enter, access or be upon any building that the Building Official has ordered to be vacated pursuant to this "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy".

(4) It is unlawful for any person who has received this "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy" to sell, transfer, mortgage, lease, encumber or otherwise dispose of the building on the Subject Property to another until such person shall first furnish the grantee, transferee, mortgagee or lessee a true copy of this "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy" and shall furnish to the Building Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee acknowledging the receipt of this "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy" and fully accepting the responsibility without condition for making the corrections, repairs or demolitions required by this "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy".

(5) It is unlawful for any person, owner or occupant of any building to refuse to permit entry into any building, structure or premises, or onto any property by the Building Official or his authorized representative after proper credentials are displayed at a reasonable hour for the purpose of inspection pursuant to Ordinance No. 116-15.

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

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

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

DATED this the ____ day of October, 2018.

Sincerely,

_____

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

NOTICE OF REQUIRED REPAIRS

To:

Lee County Habitat for Humanity
605 2nd Avenue
Opelika, AL 36801

Parcel #: **09-01-12-4-002-019.000**
Property Address: **513 Ermine Street**
Opelika, AL 36801

Date of Notice: **October 17, 2018**

This is to notify you of the repairs required to satisfy the minimum code requirements for the City of Opelika. It would appear that this structure is not cost effective to repair. However, in the event of a repair the items listed below but not limited to the following would be required:

Exterior:

- **Replace all missing and deteriorated siding, soffit and fascia boards at house and shed.**
- **Replace the outer band/beams at house.**
- **Scrape, prime and paint siding, trim at house and shed.**
- **Replace shingled roof with new.**
- **Replace the rusted out metal roof.**
- **Repair the masonry chimney.**
- **Stairways: Rebuild front and side entry stairs with a min width of 36", max rise of 7 ¾", min tread depth of 10", Handrail 34" to 38" above tread nosing. Guardrail 36" min height with balusters spaced such that a sphere 4" in diameter cannot penetrate. The open side of a stairway can have a guardrail no less than 34" in height and not more than 36".**
- **Handrails need to be a graspable type.**
- **Replace all rotted deck boards.**
- **Replace all windows and doors: The windows in the bedrooms must have min egress of 5.7 sq ft. Windows must be operable and have locking hardware. Install at least one egress window in each bedroom. R310.1.**

Electrical: Have a licensed electrical contractor install a new electrical service and re-wire the entire house. Install smoke detectors inside each bedroom and outside each bedroom. If any gas appliances exist, then CO detectors need to be installed outside the bedrooms. Install 2 separate 20 amp circuits in the kitchen, 20 amp laundry circuit, 220 V circuit for electric range if gas is not provided. Install 2 exterior outlets at grade. One at each entrance.

The condition of the walls, floor and floor covering, ceilings must be in good condition.

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

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

Dated this the 17th Day of October, 2018.

Sincerely,

David R. Chapman
Building Inspector

513 Ermine Street

Attachment: Photos of 513 Ermine Street (3142 : Public Hearing for Demolition - 513 Ermine Street)

09/28/2018 11:05

09/28/2018 11:05

Attachment: Photos of 513 Ermine Street (3142 : Public Hearing for Demolition - 513 Ermine Street)

09/28/2018 11:08

09/28/2018 11:09

09/28/2018 11:05

09/28/2018 11:05

RESOLUTION NO. (ID # 3102)

Resolution for Demolition, 112 N. 18Th Place - TABLED

RESOLUTION NO. _____

RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR STRUCTURE LOCATED AT 112 N. 18TH PLACE, OPELIKA, ALABAMA 36801, PARCEL ID NO.: 43-09-06-13-2-000-093.000 IN COMPLIANCE WITH SECTIONS 11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16, INCLUSIVE, OF THE *CODE OF ALABAMA*, AND IN COMPLIANCE WITH ORDINANCE NO. 116-15.

OF THE CITY OF OPELIKA, ALABAMA

WHEREAS, the Building Official of the City of Opelika, Alabama, determined that the condition of the building or structure located at 112 N. 18th Place, Opelika, Alabama, 36801, Parcel I.D. Number: 43-09-06-13-2-000-093.000, (hereinafter the Subject Property") is in such condition as to make it dangerous to the life, health, property, morals, safety or general welfare of the public or the occupants; and

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

WHEREAS, Ingrid Elizabeth Gomez Gramajo is the person last assessing the subject property for state taxes; and

WHEREAS, a "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy" was sent via certified mail, properly addressed, and postage prepaid to Ingrid Elizabeth Gomez Gramajo, 1815 1st Avenue, Opelika, AL 36801; and

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

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

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

WHEREAS, Tuesday, November 20, 2018, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Lee County, Alabama, was fixed as the time and place when and where the City Council will meet to determine whether or not the building located at 112 N. 18th Place is unsafe to the extent that it creates a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, November 20, 2018, at the aforesaid time and place for the purpose of conducting said public hearing; and

WHEREAS, the President of the City Council of the City of Opelika presided over said public hearing and opened the floor for comments from the public and any persons interested in the real property located at 112 N. 18th Place, Opelika, Alabama; and

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

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

1. The City Council hereby finds and determines that the building or structure located at 112 N. 18th Place, Opelika, Alabama, Parcel I.D. Number: 43-09-06-13-2-000-093.000, is unsafe to the extent that it creates a public nuisance to the citizens of Opelika, Alabama, and is due to be condemned and demolished in compliance with §§11-40-30 through 11-40-36 and §§11-53B-1 through 11-53B-16, inclusive of the *Code of Alabama,* and Ordinance No. 116-15 of the City of Opelika, Alabama, which Ordinance is codified at Sections 5-221 through 5-238, inclusive of the *Code of Ordinances* of the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

> Lots 69 and 70 in Five Points Subdivision, as shown by a map or plat of said Subdivision, recorded in the Office of the Judge of Probate of Lee County, Alabama, in Town Plat Book 3, Page 67; together with all improvements thereon and appurtenances thereunto appertaining; subject, however, to the existing right-of-way easements granted to Alabama Power Company for electric power lines, poles, appliances, which extends across the above-described property.
>
> Also being further described as Parcel Number 43-09-06-13-2-000-093.000, according to records maintained in the Lee County Revenue Commissioner's Office.

2. The Mayor is hereby authorized and directed to cause said building or structure to be demolished and removed after the expiration of twenty (20) days from the date of this resolution if an appeal has not been taken to the Circuit Court. The demolition may be accomplished by the municipality by the use of its own forces, or it may be provided by contract for the demolition. The municipality may sell or otherwise dispose of salvaged materials resulting from the demolition. All employees, contractors and duly authorized agents of the City are authorized to enter upon said property for said purpose.

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

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

5. The City Clerk is hereby directed to mail, by certified mail, a copy of this resolution to the owner of the property as the information appears on the records of the office of the Revenue Commissioner and in 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

Cc: Ingrid Elizabeth Gomez Gramajo
1815 1st Avenue
Opelika, AL 36801

RESOLUTION NO. 332-18

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
Nadja Frazier	Municipal Court	69.02
Craig Montgomery	Fire Dept.	192.91
Denise Rogers	Probation	67.68
Lori Huguley	ED	2,059.22

) 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

NAME Name Nadja Frazier

DEPARTMENT Department Municipal Court

PERIOD ENDING 12-7-18

DAY	CITY AND STATE	LODGING	TRANSPORTATION: AIR RAIL, ETC	TRANSPORTATION: RENTAL CAR LIMO ETC.	TRANSPORTATION: LOCAL TAXI, TOLLS & PUBLIC TRANSIT	TRANSPORTATION: Mileage AUTO EXPENSES Itemize Below	BUSINESS MEALS Itemize Below: BREAKFAST	BUSINESS MEALS Itemize Below: LUNCH	BUSINESS MEALS Itemize Below: DINNER	ENTERTAINMENT Itemize Below	MISC. EXPENSES Itemize Below	DAILY TOTAL
SUN												0.00
MON												0.00
TUE												0.00
WED												0.00
THU												0.00
12-7 FRI	To AOC in Montgomery 300 Dexter Ave					69.02						69.02
SAT												0.00
WEEKLY CATEGORY TOTALS $		0.00	0.00	0.00	0.00	69.02	0.00	0.00	0.00	0.00	0.00	69.02

WEEKLY TOTAL EXPENSES

DATE	NAME OF PERSON(S) ENTERTAINED; COMPANY, TITLE	TIME & PLACE	NATURE & PUPOSE 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

Mag. State Maintenance

NATURE OR PURPOSE OF TRAVEL

METHOD OF REIMBURSEMENT

☐ DEDUCT FROM MY ADVANCE

☑ MAIL: TO Send Mail Municipal Ct

ITEMIZED AUTOMOBILE EXPENSES

DATE	MILEAGE, GAS, PARKING REPAIRS, ETC.	AMOUNT
12-7-18	126.64 X .545	$69.02

ITEMIZED MISCELLANEOUS EXPENSES

DATE	ITEMS	AMOUNT
	Agree To P.O.	
	Exts Verified	
	Footing Verified	
	Inv. Price Eq Price	
	Ok To Pay	
	A/C # Verified	

SIGNATURE

APPROVED BY

Attachment: CM 12-18-18, expense reports (332-18 : Expense reports from various departments.)

EXPENSE REPORT

NAME Name: Craig Montgomery

DEPARTMENT Department: Fire Dept

PERIOD ENDING 12-4-18

DAY	CITY AND STATE	LODGING	TRANSPORTATION: AIR RAIL, ETC	TRANSPORTATION: RENTAL CAR LIMO ETC.	TRANSPORTATION: LOCAL TAXI, TOLLS & PUBLIC TRANSIT	TRANSPORTATION: AUTO EXPENSES Itemize Below	BUSINESS MEALS Itemize Below: BREAKFAST	BUSINESS MEALS Itemize Below: LUNCH	BUSINESS MEALS Itemize Below: DINNER	ENTERTAINMENT Itemize Below	MISC. EXPENSES Itemize Below	DAILY TOTAL
SUN												0.00
MON												0.00
TUE	Montgomery, AL										67.91 66.96	66.96 67.91
WED	Phenix City, AL										125.00	125.00
THU												0.00
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	192.91

WEEKLY TOTAL EXPENSES 192.91

DATE	NAME OF PERSON(S) ENTERTAINED; COMPANY, TITLE	TIME & PLACE	NATURE & PUPOSE 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

National Registry EMT Test Fee & Mileage for License

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
11-21-18	National Registry EMT	125.00
	Test Fee	
12-4-18	Mileage to Montgomery	
	for Paramedic License	66.96
	124.6 X 54.5¢/mile	67.91

SIGNATURE

APPROVED BY Byron Pracher

Attachment: CM 12-18-18, expense reports (332-18 : Expense reports from various departments.)

EXPENSE REPORT

NAME Name Denise Rogers

DEPARTMENT Department Probation

PERIOD ENDING 12-7-18

DAY	CITY AND STATE	LODGING	TRANSPORTATION: AIR RAIL, ETC	TRANSPORTATION: RENTAL CAR LIMO ETC.	TRANSPORTATION: LOCAL TAXI, TOLLS & PUBLIC TRANSIT	TRANSPORTATION: Mileage AUTO EXPENSES Itemize Below	BUSINESS MEALS Itemize Below: BREAKFAST	BUSINESS MEALS Itemize Below: LUNCH	BUSINESS MEALS Itemize Below: DINNER	ENTERTAINMENT Itemize Below	MISC. EXPENSES Itemize Below	DAILY TOTAL
SUN												
MON												
TUE												
WED												
THU												
FRI	300 Dexter Ave Montgomery, AL					$67.68						
SAT												
WEEKLY CATEGORY TOTALS $						$67.68						$67.68

WEEKLY TOTAL EXPENSES

DATE	NAME OF PERSON(S) ENTERTAINED, COMPANY, TITLE	TIME & PLACE	NATURE & PUPOSE 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

Magistrate Maintenance Class

METHOD OF REIMBURSEMENT

☐ DEDUCT FROM MY ADVANCE

☑ MAIL: TO Snail Ma

ITEMIZED AUTOMOBILE EXPENSES

DATE	MILEAGE, GAS, PARKING REPAIRS, ETC.	AMOUNT
12/7/18	124.2 X .545	$67.68
	608 Ave A to 300 Dexter Ave	

ITEMIZED MISCELLANEOUS EXPENSES

DATE	ITEMS	AMOUNT
	Agree To P.O.	
	Exts Verified	
	Footing Verified	
	Inv. Price Blo Price	
	Ok To Pay	
	A/C # Verified	

SIGNATURE

Attachment: CM 12-18-18 expense reports (2) (332-18 : Expense reports from various departments.)

EXPENSE REP

NAME Name Lori Huguley

DEPARTMENT Department Econ Dev

PERIOD ENDING 11.30.18

DAY	CITY AND STATE	LODGING	TRANSPORTATION: AIR RAIL, ETC	TRANSPORTATION: RENTAL CAR LIMO ETC.	TRANSPORTATION: LOCAL TAXI, TOLLS & PUBLIC TRANSIT	TRANSPORTATION: AUTO EXPENSES Itemize Below	BUSINESS MEALS Itemize Below: BREAKFAST	BUSINESS MEALS Itemize Below: LUNCH	BUSINESS MEALS Itemize Below: DINNER	ENTERTAINMENT Itemize Below	MISC. EXPENSES Itemize Below	DAILY TOTAL
12/13/2018	Atlanta, GA to Sydney Australia		2,059.22									2,059
WEEKLY CATEGORY TOTALS $		0.00	2,059.22	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,059

WEEKLY TOTAL EXPENSES 1

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%
					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

Austrailia ED travel expense

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
	Agree To P.O.	
	Exts Verified	
	Footing Verified	
	Inv. Price Pio Price	
	Ok To Pay	
	A/C # Verified	

SIGNATURE

APPROVED BY

Attachment: CM 12-18-18, expense reports (3) (332-18 : Expense reports from various departments.)

RESOLUTION NO. 333-18

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.	1997 Ford Pickup VIN#1FTHF25H9VEA31611	87001264

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. 334-18

Purchase-Police Package Automobiles-State Contract-PD

RESOLUTION NO. _____

WHEREAS, the Police Department desires to purchase Police Equipment for Police Package Automobiles for the Police Department utilizing the State of Alabama Contract #MA999 18000000347; and

WHEREAS, Emergency Lighting by Haynes is the State Contract Vendor for the Police Equipment for Police Package Automobiles; and

WHEREAS, this is a budgeted purchase;

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

1. That the purchase be awarded to Emergency Lighting by Haynes utilizing the State of Alabama Contract.

2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Emergency Lighting by Haynes in the total amount of $57,690.00.

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

Quote

HAYNES
Emergency Lighting

P O BOX 1515
WETUMPKA, AL 36092
(334) 241-5200
Robertsdale: (251) 225-4135

Order Number: 18-1649
Order Date: 10/26/2018

Salesperson: Scott Haynes
SCOTTIE@ELBHAYNES.COM
Customer Number: 01-0015000

Sold To:
CITY OF OPELIKA
P.O. BOX 390
ACCOUNTING DEPARTMENT
OPELIKA, AL 36803
Confirm To:

Ship To:
OPELIKA PD
CAPT. KILGORE 334-705-5231
OPELIKA, AL 36803

Customer P.O.	Ship VIA	F.O.B.	Terms
			Net 30

Item Code	Unit	Ordered	Shipped	Back Order	Price	Amount
PDP-13	EACH	5.000	0.000	0.000	125.000	625.00
FUSE BLOCK/13 CIRCUIT POWER DI			Whse: 001			
WITH (3) 30 AMP TIMED CIRCUITS						
/LABOR	EACH	125.000	0.000	0.000	65.000	8,125.00
LABOR						
P46FLC	EACH	5.000	0.000	0.000	115.000	575.00
PAR 46 REPLACEMENT			Whse: 001			
C-MCB	EACH	10.000	0.000	0.000	12.000	120.00
M.C. BRACKET			Whse: 001			
MMSU-1	EACH	10.000	0.000	0.000	31.000	310.00
MAGNETIC MIC SINGLE UNIT			Whse: 001			
/I	EACH	5.000	0.000	0.000	125.000	625.00
WHELEN CANEM16						
CANPORT EXPANSION M ODULE						
C-EB25-MXP-1P	EACH	5.000	0.000	0.000	0.000	0.00
1-p Equ Mounting Bk, 2.5"" mou			Whse: 001			
C-EB25-MMT-1P	EACH	5.000	0.000	0.000	0.000	0.00
1-p Equ Mounting Bk, 2.5"" mou			Whse: 001			
OELS45	EACH	5.000	0.000	0.000	565.000	2,825.00
ION OUTER EDGE LC SOLO TAHOE			Whse: 001			
REAR OUTER EDGE BLUE						

All quotes are based on Manufacturer's pricing on the date of the quote. All quotes are subject to changes in manufacturer's pricing, after the "QUOTE EXPIRES" date that appears above. All quotes are subject to availability. Many items require 3 to 12 weeks lead time, therefore, orders should be booked as early as possible. Most items will incur freight charges. SPECIAL ORDERS are NON-CANCELABLE and NON-RETURNABLE.

Net Order:	57,690.0(
Less Discount:	0.0(
Freight:	0.0(
Sales Tax:	0.0(
Order Total:	57,690.0(

Attachment: 12-18-18 - POLICE EQUIPMENT FOR POLICE PACKAGE AUTOMOBILES - STATE CONTRACT - CNCL PKT (334-18 : Purchase-

Quote

HAYNES
Emergency Lighting

P O BOX 1515
WETUMPKA, AL 36092
(334) 241-5200
Robertsdale: (251) 225-4135

Order Number: 18-1649
Order Date: 10/26/2018

Salesperson: Scott Haynes
SCOTTIE@ELBHAYNES.COM
Customer Number: 01-0015000

Sold To:
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P.O. BOX 390
ACCOUNTING DEPARTMENT
OPELIKA, AL 36803
Confirm To:

Ship To:
OPELIKA PD
CAPT. KILGORE 334-705-5231
OPELIKA, AL 36803

Customer P.O.	Ship VIA	F.O.B.	Terms
			Net 30

Item Code	Unit	Ordered	Shipped	Back Order	Price	Amount
ISFW45X	EACH	5.000	0.000	0.000	850.000	4,250.00
INNER EDGE FST WC 12-LT TAHOE			Whse: 001			
BLUE & WHITE						
/I	EACH	5.000	0.000	0.000	750.000	3,750.00
WHELEN RPWS45						
WECAN REAR PILLAR MOUNT OUTER EDGE BLUE						
IONBKT1	EACH	5.000	0.000	0.000	18.000	90.00
ION TAG BRACKET			Whse: 001			
TLI2EX	EACH	10.000	0.000	0.000	90.000	900.00
ION T-SERIES LINEAR DUO BW SMK			Whse: 001			
FRONT PUSH BUMPER						
I3JC	EACH	10.000	0.000	0.000	120.000	1,200.00
TRIO ION R/B W/ WHT OVERRIDE			Whse: 001			
TAG						
M4DWB	EACH	10.000	0.000	0.000	140.000	1,400.00
M4 DRIVING/WARNING LT BLUE			Whse: 001			
M4CT15B	EACH	5.000	0.000	0.000	40.000	200.00
M4 FOG LT MT 2015 TAHOE BLK-PA			Whse: 001			
SSFPOSI6	EACH	5.000	0.000	0.000	60.000	300.00
SOLID STATE HEADLIGHT FLASHER			Whse: 001			
TCRHD5	EACH	10.000	0.000	0.000	585.000	5,850.00
TRACER DUO 5-LAMP HOUSING			Whse: 001			
LINSV2BX	EACH	10.000	0.000	0.000	140.000	1,400.00
SURFACE MT LINZ-V BLUE/SMOKE			Whse: 001			
LSVBKT45	EACH	5.000	0.000	0.000	14.000	70.00
LINSV MIRROR MT KIT TAHOE			Whse: 001			
CCSRN5	EACH	5.000	0.000	0.000	825.000	4,125.00
CARBIDE SIREN SYS W/ CANPORT			Whse: 001			
CC5K2 CANPORT CABLE AND CANCTL7 CONTROL HEAD						

Continued

State Contract # MA 999 180000000347

Attachment: 12-18-18 - POLICE EQUIPMENT FOR POLICE PACKAGE AUTOMOBILES - STATE CONTRACT - CNCL PKT (334-18 : Purchase-

Quote

HAYNES Emergency Lighting

P O BOX 1515
WETUMPKA, AL 36092
(334) 241-5200
Robertsdale: (251) 225-4135

Order Number: 18-1649
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ACCOUNTING DEPARTMENT
OPELIKA, AL 36803
Confirm To:

Ship To:
OPELIKA PD
CAPT. KILGORE 334-705-5231
OPELIKA, AL 36803

Customer P.O.	Ship VIA	F.O.B.	Terms
			Net 30

Item Code	Unit	Ordered	Shipped	Back Order	Price	Amount
SA315P	EACH	5.000	0.000	0.000	125.000	625.00
SA315P SPEAKER, BLACK PLASTIC			Whse: 001			
SAK9	EACH	5.000	0.000	0.000	15.000	75.00
New Univ /Swivel Ball Mnt Brkt			Whse: 001			
/I	EACH	5.000	0.000	0.000	565.000	2,825.00
RANCHHAND LEGEND GRILLE GUARD						
C-VS-1300-TAH-2	EACH	5.000	0.000	0.000	400.000	2,000.00
C-VS-1300-TAH-2-PM 2015-2018			Whse: 001			
C-ARM-102	EACH	5.000	0.000	0.000	55.000	275.00
Console, Side mount Arm rest,			Whse: 001			
C-CUP2-E-C	EACH	5.000	0.000	0.000	30.000	150.00
Dual External Cup Holder			Whse: 001			
C-HDM-204	EACH	5.000	0.000	0.000	140.000	700.00
8.5" Heavy Duty Telescoping Po			Whse: 001			
C-MD-112	EACH	5.000	0.000	0.000	240.000	1,200.00
11" HAVIS SLIDE OUT LOCKING SW			Whse: 001			
/I	EACH	5.000	0.000	0.000	595.000	2,975.00
PRO-GARD PRPSP5702T15A						
/I	EACH	5.000	0.000	0.000	1,165.000	5,825.00
PRO-GARD S5705T15OSB						
ABS SEAT AND CARGO BARRIER WITH OUTBOARD SEAT BELTS						
GVPM5715D-H	EACH	5.000	0.000	0.000	385.000	1,925.00
PRO-GARD TRI LOCK GUN RACK			Whse: 001			
/GRAPHICS						2,050.00
GRAPHICS PACKAGE						
OPELIKA PD GRAPHICS						
/INSTALL KIT	EACH	5.000	0.000	0.000	65.000	325.00
WIRE, TERMINAL & SUPPLIES						

Continued

Attachment: 12-18-18 - POLICE EQUIPMENT FOR POLICE PACKAGE AUTOMOBILES - STATE CONTRACT - CNCL PKT (334-18 : Purchase-

RESOLUTION NO. 335-18

Weed Abatement Assessment-407 Hunter Street

RESOLUTION NO. _____

RESOLUTION FIXING AMOUNT OF ASSESSMENT

FOR WEED LIEN AGAINST PROPERTY LOCATED AT

407 Hunter St., Parcel No. 037.000

==========

WHEREAS, the weed nuisance growing upon or in front of the property located at 407 Hunter St, parcel

no. 037.000 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 407 Hunter

St., a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 18th day, of December, 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

theretofore 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 $ 243.34 is hereby

assessed against the parcel of land mentioned in said itemized statement, to wit: 407 Hunter St, Parcel no. 037.000, 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 43-09-01-12-4-001-037.000 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 _____ day of _____, 2018.

_____

President of the City Council

City of Opelika, Alabama

Attest:

R. G. “Bob” Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 12/12/2018

To: Alan Keith Lafoy
407 Hunter Street
Opelika, AL 36801

Property Address:
407 Hunter Street
Opelika, AL 36801

Parcel # 43-09-01-12-4-001-037.000

On 10/15/2018 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: $ 230.00

Certified mail: $ 13.34

Misc. _____

Total $ 243.34

Attachment: Weed Abatement Invoice 407 Hunter Street (335-18 : Weed Abatement Assessment-407 Hunter Street)

RESOLUTION NO. (ID # 3143)

Resolution for Demolition - 513 Ermine Street

RESOLUTION NO. _____

RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR STRUCTURE LOCATED AT 513 ERMINE STREET, OPELIKA, ALABAMA 36801, PARCEL ID NO.: 43-09-01-12-4-002-019.000 IN COMPLIANCE WITH SECTIONS 11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16, INCLUSIVE, OF THE *CODE OF ALABAMA*, AND IN COMPLIANCE WITH ORDINANCE NO. 116-15.

OF THE CITY OF OPELIKA, ALABAMA

WHEREAS, the Building Official of the City of Opelika, Alabama, determined that the condition of the building or structure located at 513 Ermine Street, Opelika, Alabama, 36801, Parcel I.D. Number: 43-09-01-12-4-002-019.000, (hereinafter the Subject Property") is in such condition as to make it dangerous to the life, health, property, morals, safety or general welfare of the public or the occupants; and

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

WHEREAS, Lee County Habitat for Humanity is the entity last assessing the subject property for state taxes; and

WHEREAS, a "Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy" was sent via certified mail, properly addressed, and postage prepaid to Lee County Habitat for Humanity, 605 2nd Avenue, Opelika, AL 36801; and

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

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

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

WHEREAS, Tuesday, December 18, 2018, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Lee County, Alabama, was fixed as the time and place when and where the City Council will meet to determine whether or not the building located at 513 Ermine Street is unsafe to the extent that it creates a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, December 18, 2018, at the aforesaid time and place for the purpose of conducting said public hearing; and

WHEREAS, the President of the City Council of the City of Opelika presided over said public hearing and opened the floor for comments from the public and any persons interested in the real property located at 513 Ermine Street, Opelika, Alabama; and

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

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

1. The City Council hereby finds and determines that the building or structure located at 513 Ermine Street, Opelika, Alabama, Parcel I.D. Number: 43-09-01-12-4-002-019.000, is unsafe to the extent that it creates a public nuisance to the citizens of Opelika, Alabama, and is due to be condemned and demolished in compliance with §§11-40-30 through 11-40-36 and §§11-53B-1 through 11-53B-16, inclusive of the *Code of Alabama,* and Ordinance No. 116-15 of the City of Opelika, Alabama, which Ordinance is codified at Sections 5-221 through 5-238, inclusive of the *Code of Ordinances* of the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

> Lot One (1), BLK 208, of Lambert Subdivision, with all improvements thereon, according to and as shown by a plat of said Lambert Subdivision recorded in the Office of the Judge of Probate of Lee County, Alabama in Town Plat Book 3, at Page 69.
>
> Also being further described as Parcel Number 43-09-01-4-12-002-019.000, according to records maintained in the Lee County Revenue Commissioner's Office.

2. The Mayor is hereby authorized and directed to cause said building or structure to be demolished and removed after the expiration of twenty (20) days from the date of this resolution if an appeal has not been taken to the Circuit Court. The demolition may be accomplished by the municipality by the use of its own forces, or it may be provided by contract for the demolition. The municipality may sell or otherwise dispose of salvaged materials resulting from the demolition. All employees, contractors and duly authorized agents of the City are authorized to enter upon said property for said purpose.

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

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

5. The City Clerk is hereby directed to mail, by certified mail, a copy of this resolution to the owner of the property as the information appears on the records of the office of the Revenue Commissioner and in 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

Cc: Lee County Habitat for Humanity
605 2nd Avenue
Opelika, AL 36801

RESOLUTION NO. 336-18

Verizon request a Special Use Permit at 1015 West Point Parkway.

RESOLUTION NO. _____

WHEREAS, Verizon has requested to modify their equipment at an existing wireless telecommunication facility located at 1015 West Point Parkway, Opelika, AL to provide improved wireless services essentially within the corporate limits and police jurisdiction of the City of Opelika, and;

WHEREAS, Verizon 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 Verizon'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 Verizon's equipment at this facility located at 1015 West Point Parkway, which consist of a 390' self-support tower;

THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika, Alabama that Verizon is hereby granted a Special Use Permit to modify their equipment at the wireless telecommunications facility located at 1015 West Point Parkway. 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, Verizon or the tower owner must submit for review and approval by the City, updated Construction Drawings to reflect correct code compliance.

2. Prior to the issuance of the building permit, Verizon or the tower owner must submit for review and approval by the City, a structural analysis for the tower, preformed in accordance with ANSI/TIA-222-G and IBC 2012. Structural analysis must have an overall structure rating of 100.0% or less. If tower modifications are required,

certified construction drawings shall be submitted.

3. Prior to the issuance of the building permit, Verizon or the tower owner must submit for review and approval by the City, a remediation report or schedule of remediation for all safety issues noted on the submitted ANSI/TIA-222-G Annex J: Maintenance and Conditions Assessment, for the tower.

4. Prior to the issuance of the building permit, Verizon or the tower owner must submit for review and approval by the City, Cut sheets or manufactures specifications for the following items:

    a. Ericsson Radio 8843

5. Prior to the issuance of the building permit, Verizon or the tower owner must submit for review and approval by the City, a completed "Optional Checklist for Local Government to Determine Whether a Facility is Categorically Excluded" form.

6. Antenna mount modifications shall be performed per the submitted Antenna Mount Structural Analysis, performed by SMW Engineering Group Inc., dated March 9, 2018.

7. 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. Verizon may petition the City of an extension of this for good cause shown, but the decision weather not to grant the extension shall exclusively be the prerogative of the City.

8. Verizon must provide contractor information to CMS and to the City prior to request for issuance of the Building Permit.

9. Prior to the issuance of the Certificate of Completion, Verizon or the tower owner must remediate the following safety issues noted at the pre-application site visit:

    a. Repair or replace missing grounds on compound fence.

    b. Place RF warning signage per FCC requirements.

10. Once Verizon has met all the conditions of the permit and any other requirements of the City and a building permit is issued, Verizon must notify the City's consultant for all

inspections.

11. At the completion of construction, Verizon 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.

12. Verizon shall not be permitted to provide service commercially until the Certificate of Occupancy or its functional equivalent is issued or risk forfeiting its Permit.

13. 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. 337-18

Accept infrastructure, Northbrook SD phase V.

Resolution No. _____

WHEREAS, the public works infrastructure and utilities listed below have been constructed and inspected in accordance with the City of Opelika Public Works Manual; and

WHEREAS, the City of Opelika has received from the developer a written statement of the constructed costs of said facilities, or an estimate by the City Engineer of the amounts in the amounts stated ; and

WHEREAS. Section 4.9 of the Subdivision Regulations require acknowledgement of the dedication of such infrastructure and utilities by the City Council.

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

That the City of Opelika hereby accepts dedication of the following streets in the Northbrook Subdivision Phase V as well as all drainage culverts, sanitary sewers and water mains that serve the land parcels abutting those streets:

- Diane Court-from Northbrook Drive to the cul-de-sac
- Northbrook Drive-A 700-ft roadway extension from Autrey Street east
- Greene Way- from Northbrook Drive to the cul-de-sac

That the construction costs paid by the developer for the public works infrastructure and utilities are as follows:

- Streets-$ 252,340
- Sanitary Sewer-$ 93,640
- Drainage Culverts-$ 112,700
- Water Lines-$ 104,600

That Mayor Gary Fuller is authorized to make the necessary financial adjustments to properly record the dedication of this public works infrastructure to the City of Opelika.

APPROVED AND ADOPTED this the _____ day of _____, 2018

_____

President of the City Council

ATTEST:

_____

Robert G. Shuman

City Clerk/Treasurer

RESOLUTION NO. 338-18

Contract for Services with Mobile Studio

RESOLUTION NO. _____

RESOLUTION AUTHORIZING CONTRACT FOR SERVICES

WITH JOCELYN ZANZOT AND DANIEL NEIL, D/B/A MOBILE STUDIO

WHEREAS, Jocelyn Zanzot and Daniel Neil are in the business of providing project management services for neighborhood transformation projects; and

WHEREAS, the City of Opelika, Alabama, a municipal corporation, (the "City") desires to contract with Jocelyn Zanzot and Daniel Neil, d/b/a Mobile Studio, to serve as the Casey Foundation Community of Hope Project Manager for the Carver-Jeter Neighborhood Project; and

WHEREAS, a proposed Contract for Services was 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 attached Contract for Services to be entered into between the City and Jocelyn Zanzot and Daniel Neil is hereby approved, authorized, ratified and confirmed.

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

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

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

_____

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

ATTEST:

_____

CITY CLERK

CONTRACT FOR SERVICES

STATE OF ALABAMA
COUNTY OF LEE

THIS CONTRACT FOR SERVICES (the "Contract") is made and entered into this the _____ day of _____, 2018 by and between Jocelyn Zanzot and Daniel Neil, d/b/a Mobile Studio (hereinafter called the "Contractor") located at 554 Berkeley Avenue, Auburn, AL 36830 and **THE CITY OF OPELIKA, ALABAMA,** a municipal corporation (hereinafter called the "City").

In consideration of the mutual covenants contained herein and other good and valuable consideration, receipt of which is hereby acknowledged, the parties hereby agree as follows:

1. SCOPE OF SERVICES

The Contractor agrees to serve as the Casey Foundation Community of Hope Project Manager for the Carver-Jeter neighborhood project in Opelika, Alabama.

2. COMPENSATION.

As compensation for services rendered hereunder, the City shall pay to the Contractor the sum of $25,000, payable in four (4) quarterly installments of $6,250 each. All invoices for services shall be submitted on a quarterly basis to the City. The City will process and pay said invoices within fifteen (15) days from receipt.

3. COMPLIANCE WITH LAWS.

The Contractor shall adhere to all applicable federal, state and local laws, which may apply to Contractor's services, including but not limited to, obtaining all business licenses required by state or local law for the conduct of the business and filing all federal, state and local income tax returns.

Attachment: Mobile Studio Contract FY2019 (338-18 : Contract for Services with Mobile Studio)

4. TERM OF CONTRACT.

This Contract is for a term of one (1) year beginning January 1, 2019 and ending December 31, 2019. The services to be provided by the Contractor shall be performed in phases as described in Attachment "A". At the end of this Contract, the parties may mutually agree to renew and extend this Contract for an additional period of one (1) year.

5. INDEPENDENT CONTRACTOR.

Contractor is an independent contractor. Nothing in this Contract is intended, or should be construed, to create a partnership, agency, joint venture or employment relationship. The Contractor is not authorized to make any representation, contract or commitment on behalf of the City unless specifically requested or authorized in writing to do so by the City. All parties acknowledge that the Contractor is not an employee of the City for state or federal tax purposes, for state unemployment insurance, worker's compensation or other labor law purposes or for any other purpose. The Contractor shall be responsible for providing its own general liability and worker's compensation insurance, if required by law.

6. INDEMNIFICATION.

To the fullest extent provided by law, the Contractor shall defend, hold harmless and indemnify the City and its officers, officials and employees from and against all liabilities regardless of nature or type arising out of or resulting from the Contractor's performance of services under this Contract or any negligent or wrongful act or omission of the Contractor or its employees, agents or subcontractors. Liabilities, subject to the duties to defend and indemnify include, without limitation all claims, losses, damages, fines and judgments, associated investigation and administrative expenses, defense costs, including but not limited to reasonable

Attachment: Mobile Studio Contract FY2019 (338-18 : Contract for Services with Mobile Studio)

attorneys' fees, court costs and costs of alternative dispute resolution. This provision shall survive the termination of the Contract.

7. NON-EXCLUSIVITY.

The City acknowledges that the Contractor may perform services for other clients, persons or companies during the term of this Contract as Contractor sees fit, subject to the terms of this Contract.

8. SEVERABILITY.

If any provision of this Contract is held to be invalid or illegal, such invalidity or illegality does not invalidate the remainder of the Contract. Instead, this Contract is construed as if it did not contain the illegal or invalid part, and the rights and obligations of the parties are construed and enforced accordingly.

8. MODIFICATION OR AMENDMENT.

No amendment, change or modification of this Contract is valid unless in writing and signed by both parties.

9. ENTIRE CONTRACT.

This Contract (consisting of pages 1-4, inclusive) constitutes the entire agreement of the parties and supersedes any and all prior written or oral understandings. By signing below, the parties represent that neither is relying on any promise, guarantee or other statement not contained in this Contract.

IN WITNESS WHEREOF, the parties hereto have executed this Contract in duplicate originals this the _____ day of _____, 2018.

Attachment: Mobile Studio Contract FY2019 (338-18 : Contract for Services with Mobile Studio)

THE CITY OF OPELIKA, ALABAMA

By:_____
GARY FULLER, ITS MAYOR

ATTEST:

_____
ROBERT G. SHUMAN, CITY CLERK

_____
JOCELYN ZANZOT-CONTRACTOR

_____
DANIEL NEIL--CONTRACTOR

Attachment: Mobile Studio Contract FY2019 (338-18 : Contract for Services with Mobile Studio)

Mobile Studio Scope of Work 2019
City of Opelika, Community of Hope
Casey Family Programs, Project Management

Beginning in 2015, City of Opelika partnered with Casey Family Programs in a collaboration dedicated to safely reducing the number of children entering the foster care system. After the initial partnership was formed, the City of Opelika sought professional project management from Mobile Studio. After two years of preliminary research and outreach with Auburn University in the chronically underserved Carver and Jeter Neighborhoods of Opelika, an unprecedented partnership between the City, East Alabama Medical Center and Auburn University was formed. This partnership represents the two largest employers in Lee County and brings significant research, service learning and direct investment to supporting families and providing safety and wellness to area children.

Based upon the successful work of Dr. Nancy Hardt in Gainesville and after careful analysis of similarities between Lee County, Alabama and Alachua County, Florida, the introduction of a mobile health clinic to serve identified areas of risk for poor child welfare outcomes in Opelika was initiated.

Casey Family programs direct investment and technical support in the Opelika Community of Hope has yielded the following outcomes.

Objectives Completed

- Three years of focused, academically led research, community engagement and coalition building
- Establishment of an inter-agency, Public + Private Partnership and funding structure for the introduction of a mobile medical clinic serving identified areas of need for children and families across the city of Opelika, Alabama
- Development of a robust data collection system, platform synchronization and local analytic capacity building

Guiding CFP/DHR objectives

- Decrease maltreatment recurrence: early identification of health indicators of family instability
- Decrease re-entry into care: whole family health
- Decrease child maltreatment fatalities: community health + early intervention

Attachment: Mobile Studio Scope of Work 2019 (338-18 : Contract for Services with Mobile Studio)

2019 CFP investment outcomes

- Provide continuity of project management of Opelika Neighborhood Mobile Wellness Clinic for programmatic success
- Enable local partners to envision themselves as innovators and leaders in addressing persistent issues of family instability
- Encourage local academic and private sector research partners to invest additional resources in community engaged practice
- Establishment of family resource and mentoring program to assist clients of the mobile clinic in meeting non-medical needs, specifically serving families engaged with DHR and Lee County Family Court

Founding Partners

Attachment: Mobile Studio Scope of Work 2019 (338-18 : Contract for Services with Mobile Studio)

RESOLUTION NO. 339-18

Appropriation contract with the Boys & Girls Clubs.

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 Boys & Girls Clubs of Greater Lee County - Potter Daniel Unit, 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 Boys & Girls Clubs of Greater Lee County, 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

00

AGREEMENT

The City of Opelika agrees to provide funds in the amount of $40,000.00 for the Potter-Daniel Unit of the Boys & Girls Clubs of Greater Lee County. This money is to be used to help defray the expenses of Potter-Daniel Unit from October 1, 2018 – September 30, 2019.

These funds will be spent according to the guidelines as provided by the Boys & Girls Clubs of America. The Boys & Girls Clubs of Greater Lee County, Potter-Daniel Unit, is a member in good standing of the Boys & Girls Clubs of America.

These funds will be subject to audit by the auditors for the City of Opelika.

Handa J. Lewis

President

Board Treasurer

Mayor, City of Opelika

Attachment: CM 12-18-18, appropriation contract, Boys & Girls Clubs (339-18 : Appropriation contract with the Boys & Girls Clubs.)

RESOLUTION NO. 340-18

Special appropriation to the Opelika City Schools - band trip.

RESOLUTION NO. _____

RESOLUTION APPROVING SPECIAL APPROPRIATION TO OPELIKA CITY SCHOOLS TO DEFRAY COSTS AND EXPENSES OF TRAVEL TO THE TAXSLAYER GATOR BOWL IN JACKSONVILLE, FLORIDA

WHEREAS, the Opelika Band Program is a source of pride for the Opelika School System and its students as well as the entire community; and

WHEREAS, the Opelika High School Marching Band also known as "The Spirit of the South", performs at every football game and competes at marching competitions throughout the year; and

WHEREAS, The Spirit of the South has traveled to many different destinations throughout the Southeast and the nation; and

WHEREAS, The Spirit of the South has been invited to participate in the 2018 TaxSlayer Gator Bowl ("Gator Bowl") on December 31, 2018 in Jacksonville, Florida; and

WHEREAS, the Opelika High School Band has requested funding from the City to defray the costs of their trip to Jacksonville, Florida, to participate in the Gator Bowl; and

WHEREAS, the City Council desires to approve a special appropriation in the amount of $20,000 from the Unassigned Fund Balance as a contribution to Opelika City Schools to defray expenses.

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

1. That there is hereby approved from the Unassigned Fund Balance a special appropriation in the amount of $20,000 to Opelika City Schools.

2. That said appropriation shall be used exclusively to defray expenses of travel for the Opelika High School Band to participate in the Gator Bowl.

3. That the Mayor and the Controller are hereby authorized and directed to make all necessary accounting and budgetary entries to carry into effect the intent of this Resolution.

4. 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.

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

RESOLUTION NO. 341-18

Final Change Order 5Th Ave/N 4Th Street Drainage Project

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE FINAL CHANGE ORDER TO THE CONTRACT BETWEEN THE CITY OF OPELIKA AND PIEDMONT PAVING, INC. CONSTRUCTION OF THE 5TH AVENUE/4TH STREET DRAINAGE IMPROVEMENT

WHEREAS, the City Council of the City of Opelika, Alabama previously approved a Contract dated as of June 7, 2018, by and between the City of Opelika, Alabama (the "City") and Piedmont Paving, Inc. for the construction of the 5th Avenue/North 4th Street Drainage Improvement (the "Project"); and

WHEREAS, the on September 10, 2018, Change Order Number 1 was approved by the Mayor to add $9,700 for this change order, resulting in a new contract amount of $259,312.00 to begin the removal of an unforeseen tree that was discovered within the work as well as approving Foundation Backfill to replace unsuitable soil that was discovered in the excavation of the drainage structure; and

WHEREAS, during the remainder of the construction process, more unsuitable soils were detected to be removed and other miscellaneous items were overrun during to process of construction of the Project;

WHEREAS, the presence and extent of said unsuitable soils were not detected during the design of the Project and the amount of removal and replacement of said soil was not anticipated in the contract to be performed by the contractor and other items were overrun during the construction procedure; and

WHEREAS, Change Order Number 2 to the Contract between the City and Piedmont Paving, Inc. have been submitted to the City Council for approval; and

WHEREAS, Change Order Number 2 will increase the total contract amount by an additional $60,542.44 and the new and final contract cost of the project would be $319,854.44; and

WHEREAS, said Change Order is necessitated by unforeseen circumstances arising during the course of work for items not contemplated when the plans and specifications were prepared; and

WHEREAS, the City Engineer has reviewed all prices and found them to be reasonable, fair and equitable and recommends approval of Change Order Number 2; and

WHEREAS, the City Council endorses the statements, findings and recommendations of the City Engineer and hereby finds and determines that it is in the public interest to approve Change Order Number 2.

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

1. That Change Order Number 2 to the Contract dated June 7, 2018, between the City and Piedmont Paving, Inc., a copy of which Change Order is attached hereto and incorporated herein by reference as Exhibit "A", is hereby approved.

2. That the Mayor is hereby authorized and directed to execute Change Order Number 2 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 Change Order Number 2.

4. That the amount of the Change Order shall be paid from the Unassigned Balance Fund.

5. That the Mayor and Controller are hereby authorized to make such budget adjustments and accounting entries as necessary to carry into effect the provisions of this Resolution and Change Order.

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

BE IT FURTHER RESOLVED that upon the completion of the execution of the Agreement by all parties, that a copy of such Agreement be kept on file by the City Clerk.

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

_____

PRESIDENT OF THE CITY COUNCIL OF THE CITY OF OPELIKA

ATTEST:

_____

CITY CLERK

CERTIFICATE

I, the undersigned qualified and acting Clerk of the City of Opelika, do hereby certify that the above and foregoing is a true and correct copy of a resolution passed and adopted by the City Council of the City of Opelika, Alabama, at a regular meeting of such Council held on the ____ day of _____, 2018, and such resolution is on file in the City Clerk's office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this the ____ day of _____, 2018.

_____

CITY CLERK

CITY OF OPELIKA
CHANGE ORDER

PURCHASE ORDER NUMBER 1805520 **CHANGE ORDER NUMBER** 2

DATE PO ISSUED 7/30/2018 **EFFECTIVE DATE OF CHANGE** 12/12/2018

BID NUMBER 18032 **ACCOUNT NUMBER** 0001-09-9333-430-098046

DEPARTMENT Engineering

Piedmont Paving Inc.
NAME OF VENDOR

1226 Highway 16 East
ADDRESS

Newnan GA 30263
CITY **STATE** **ZIP**

DESCRIPTION OF PROJECT AND REASON FOR CHANGE:
During the excavation and installation of the new 48-inch drainage pipes, the contractor experienced unforeseen conditions that needed to be approved during construction. These conditions required more excavation and placement of borrow material that overran the original contract amount greatly. Along with these conditions, erosion control, sod, pavement removal, and asphalt was overrun to complete the project. The Engineering Department approved of this change at the time because it needed to be executed immediately. All of these items were bid and were needed for the completion of the project. This will be the last change order and will complete the project.

ORIGINAL CONTRACT AMOUNT: $ 249,612

CONTRACT AMOUNT PRIOR CHANGE: $ 259,312

THIS INCREASE: $ 60,542.44

THIS DECREASE: $0

NEW CONTRACT AMOUNT: $ 319,854.44

NEW DATE OF COMPLETION:

CHANGE APPROVED AND ADOPTED THIS _____ **DAY OF** _____, 2018

GARY FULLER
MAYOR

Attachment: Change Order #2 (341-18 : Final Change Order 5Th Ave/N 4Th Street Drainage Project)

ORDINANCE NO. (ID # 3230)

Amend City Code, Chapter 29 Transportation Network Company & Rider - 1st Reading.

ORDINANCE NO._____

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 29 OF THE *CODE OF ORDINANCES* OF THE CITY OF OPELIKA, ALABAMA, TO AMEND SECTION 29-1 "DEFINITIONS" TO REVISE THE DEFINITIONS OF "TRANSPORTATION NETWORK COMPANY" OR "TNC", "TRANSPORTATION NETWORK COMPANY DRIVER" OR "TNC DRIVER" AND TO ADD THE DEFINITION OF "TRANSPORTATION NETWORK COMPANY RIDER" OR "TNC RIDER"; REPEALING IN ITS ENTIRETY DIVISION 4 ENTITLED "TRANSPORTATION NETWORK COMPANIES" AND SUBSTITUTE A NEW DIVISION 4 ENTITLED "TRANSPORTATION NETWORK COMPANIES AND DRIVERS"; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE

AND PROVIDING AN EFFECTIVE DATE

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

Section 1. **Definitions.** That Section 29-1 of the *Code of Ordinances* of the City of Opelika, Alabama, is hereby amended to revise the definitions of "Transportation Network Company" or "TNC", "Transportation Network Driver" or "TNC Driver" and to add a definition of "Transportation Network Rider" or "TNC Rider" to read as follows:

> *Transportation Network Company* or *"TNC"* means a transportation network company that is a corporation, partnership, sole proprietorship or other entity licensed and operating in this state that uses a digital network to connect a TNC rider to a TNC driver who provides a prearranged ride. A TNC may not control, direct or manage the personal vehicle of the TNC driver who connects to its digital network, except where agreed to by written contract.

> *Transportation Network Company Driver* or *"TNC Driver"* means an individual who meets both of the following criteria:

(a) Receives connections to potential riders and related services for a TNC in exchange for payment of a fee to the TNC.

(b) Uses a personal vehicle to offer or provide a prearranged ride to a TNC rider upon connection through a digital network controlled by a TNC and in exchange for compensation or payment of a fee.

Transportation Network Company Rider or *"TNC Rider"* means an individual who uses the digital network of a TNC to connect with a TNC driver who provides a prearranged ride to the TNC rider in the personal vehicle of the TNC driver between the points chosen by the TNC rider.

Section 2. **Replacement of Division 4 of Article I of Chapter 29.** That current Division 4 of Article I of Chapter 29 of the *Code of Ordinances* of the City of Opelika, Alabama entitled "Transportation Network Companies" is hereby repealed in its entirety and replaced with new Division 4 entitled "Transportation Network Companies and Drivers", which division shall read as follows:

Division 4. Transportation Network Companies and Drivers.

Sec. 29-90. Authorization.

Transportation Network Companies are authorized to use the City's rights-of-way in a manner which shall comply with all statutorily required or Public Service Commission required rules, procedures and policies.

Sec. 29-91. Permit Required.

No person shall operate a TNC in the City without first having obtained a permit from the Alabama Public Service Commission. Any person who operates a TNC without having obtained a permit in accordance with §32-7C-22, *Code of Alabama*, shall be guilty of a Class C misdemeanor, and punished as provided in Section 1-8 of this Code.

Sec. 29-92. No Local Prearranged License or Business Tax Permitted.

Pursuant to §32-7C-36, *Code of Alabama,* the City shall not do any of the following:

(a) Impose a tax on, or require a license for, a TNC or a TNC driver or TNC vehicle if the tax or license relates to providing prearranged rides.

(b) Require a TNC or a TNC driver to obtain a business license or any other type of similar authorization to operate within the City.

(c) Subject a TNC, a TNC driver or a TNC vehicle to a rate, entry, operation or other requirement of the municipality if the rate, entry, operation or other requirement relates to providing prearranged rides or transportation network services.

This section shall not be construed to prohibit any law enforcement officer from enforcing applicable criminal or traffic laws, or, in connection with the enforcement of applicable criminal and traffic laws, from requesting to review a TNC driver's electronic waybill within the TNC's digital network.

Sec. 29-93. Scope.

This division shall govern persons subject to Chapter 7C of Title 32, *Code of Alabama.* The provisions of this division shall not apply to taxicabs, executive sedans, limousines, specialty limousines and other vehicles for hire.

Section 3. **Repealer Clause.** All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 4. **Severability Clause.** If any section, clause, provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction,

said holding shall not affect any other section, clause, provision or portion of this ordinance which is not in or of itself invalid or unconstitutional.

Section 5. **Effective Date**. This ordinance and the division hereby adopted shall become effective and enforced immediately upon its passage and publication as required by law and shall be codified in the *Code of Ordinances* of the City of Opelika, Alabama.

Section 6. **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

Attachment: Ordinance to amend code of ordinances Chapter 29 vehicles for hire 121118 (3230 : Amendment City Code Transportation Network

ORDINANCE NO._____

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 29 OF THE *CODE OF ORDINANCES* OF THE CITY OF OPELIKA, ALABAMA, TO AMEND SECTION 29-1 "DEFINITIONS" TO REVISE THE DEFINITIONS OF "TRANSPORTATION NETWORK COMPANY" OR "TNC", "TRANSPORTATION NETWORK COMPANY DRIVER" OR "TNC DRIVER" AND TO ADD THE DEFINITION OF "TRANSPORTATION NETWORK COMPANY RIDER" OR "TNC RIDER"; REPEALING IN ITS ENTIRETY DIVISION 4 ENTITLED "TRANSPORTATION NETWORK COMPANIES" AND SUBSTITUTE A NEW DIVISION 4 ENTITLED "TRANSPORTATION NETWORK COMPANIES AND DRIVERS"; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE AND PROVIDING AN EFFECTIVE DATE

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

Section 1. **Definitions.** That Section 29-1 of the *Code of Ordinances* of the City of Opelika, Alabama, is hereby amended to revise the definitions of "Transportation Network Company" or "TNC", "Transportation Network Driver" or "TNC Driver" and to add a definition of "Transportation Network Rider" or "TNC Rider" to read as follows:

> *Transportation Network Company* or *"TNC"* means a transportation network company that is a corporation, partnership, sole proprietorship or other entity licensed and operating in this state that uses a digital network to connect a TNC rider to a TNC driver who provides a prearranged ride. A TNC may not control, direct or manage the personal vehicle of the TNC driver who connects to its digital network, except where agreed to by written contract.
>
> *Transportation Network Company Driver* or *"TNC Driver"* means an individual who meets both of the following criteria:
>
> > (a) Receives connections to potential riders and related services for a TNC in exchange for payment of a fee to the TNC.
> >
> > (b) Uses a personal vehicle to offer or provide a prearranged ride to a TNC rider upon connection through a digital network controlled by a TNC and in exchange for compensation or payment of a fee.
>
> *Transportation Network Company Rider* or *"TNC Rider"* means an individual who uses the digital network of a TNC to connect with a TNC driver who provides a prearranged ride to the TNC rider in the personal vehicle of the TNC driver between the points chosen by the TNC rider.

Section 2. **Replacement of Division 4 of Article I of Chapter 29.** That current Division 4 of Article I of Chapter 29 of the *Code of Ordinances* of the City of

Attachment: Ordinance to amend code of ordinances Chapter 29 vehicles for hire 121118 (3230 : Amendment City Code Transportation Network

Opelika, Alabama entitled "Transportation Network Companies" is hereby repealed in its entirety and replaced with new Division 4 entitled "Transportation Network Companies and Drivers", which division shall read as follows:

Division 4. Transportation Network Companies and Drivers.

Sec. 29-90. Authorization.

Transportation Network Companies are authorized to use the City's rights-of-way in a manner which shall comply with all statutorily required or Public Service Commission required rules, procedures and policies.

Sec. 29-91. Permit Required.

No person shall operate a TNC in the City without first having obtained a permit from the Alabama Public Service Commission. Any person who operates a TNC without having obtained a permit in accordance with §32-7C-22, *Code of Alabama*, shall be guilty of a Class C misdemeanor, and punished as provided in Section 1-8 of this Code.

Sec. 29-92. No Local Prearranged License or Business Tax Permitted.

Pursuant to §32-7C-36, *Code of Alabama*, the City shall not do any of the following:

(a) Impose a tax on, or require a license for, a TNC or a TNC driver or TNC vehicle if the tax or license relates to providing prearranged rides.

(b) Require a TNC or a TNC driver to obtain a business license or any other type of similar authorization to operate within the City.

(c) Subject a TNC, a TNC driver or a TNC vehicle to a rate, entry, operation or other requirement of the municipality if the rate, entry, operation or other requirement relates to providing prearranged rides or transportation network services.

This section shall not be construed to prohibit any law enforcement officer from enforcing applicable criminal or traffic laws, or, in connection with the enforcement of applicable criminal and traffic laws, from requesting to review a TNC driver's electronic waybill within the TNC's digital network.

Sec. 29-93. Scope.

This division shall govern persons subject to Chapter 7C of Title 32, *Code of Alabama*. The provisions of this division shall not apply to taxicabs, executive sedans, limousines, specialty limousines and other vehicles for hire.

Section 3. **Repealer Clause.** All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 4. **Severability Clause.** If any section, clause, provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, said holding shall not affect any other section, clause, provision or portion of this ordinance which is not in or of itself invalid or unconstitutional.

Section 5. **Effective Date**. This ordinance and the division hereby adopted shall become effective and enforced immediately upon its passage and publication as required by law and shall be codified in the *Code of Ordinances* of the City of Opelika, Alabama.

Section 6. **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

Attachment: Ordinance to amend code of ordinances Chapter 29 vehicles for hire 121118 (3230 : Amendment City Code Transportation Network

ACTION BY MAYOR

APPROVED this the _____day of _____, 2018.

_____
MAYOR

ATTEST:

_____
CITY CLERK

Attachment: Ordinance to amend code of ordinances Chapter 29 vehicles for hire 121118 (3230 : Amendment City Code Transportation Network