



**OPELIKA CITY COUNCIL**  
**“ REGULAR MEETING AGENDA “**  
204 South 7th Street  
**July 16, 2019**  
**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. Pastor Tom Tippet.
4. PLEDGE OF ALLEGIANCE
  1. Boy Scout Troop 858, Dylan Clark and Riley Stadler.
5. READING OF MINUTES
  1. Minutes from the 7-2-19 city council meeting.
6. UNFINISHED BUSINESS
7. REMARKS BY THE MAYOR
  1. City financial summary for June 2019.
  2. June 2019 Monthly Building Report
  3. Proclamation presentation to Lt. Ben Blackburn with the OPD.
  4. Recognize the 2019 National Quiz Bowl Champions.
8. CITIZEN COMMUNICATIONS (Limit comments to five minutes or less)
9. REPORT OF DISBURSEMENTS
10. COMMITTEE REPORTS
11. GENERAL BUSINESS
  1. Public Hearing, Weed Abatement Assessment - 20 Jeter Ave.
  2. Public Hearing, Weed Abatement Assessment - 311 S 3Rd St.
  3. Public Hearing, Weed Abatement Assessment - 514 Old Columbus Rd.
  4. Public Hearing, Weed Abatement Assessment - 803 E Towne Lake Circle.
  5. Public Hearing, Weed Abatement Assessment - 810 Williamson Ave
  6. Public Hearing, Vacate Right-Of-Way - SE Portion of Frederick Road & N. Frederick Ave.
  7. Public Hearing, Amend Zoning Ord & Map: Rezone 47.3 Acres, 1300 Block Fox Run Parkway.
12. AWARDING OF BIDS

1. Contract for custodial services - OPS.
  2. Removal of Dead, Dying or Dangerous Trees, Stumps & Tree Pruning - ENG.
13. RESOLUTIONS
1. Change Orders for new OPD & Municipal Court building.
  2. Purchase, washer and dryer for turnout gear - Sole Source - OFD.
  3. Purchase, furniture for new Municipal Court room - MC.
  4. Weed Abatement Assessment - 20 Jeter Ave
  5. Weed Abatement Assessment - 311 S 3Rd St.
  6. Weed Abatement Assessment - 514 Old Columbus Rd.
  7. Weed Abatement Assessment - 803 E Towne Lake Circle
  8. Weed Abatement Assessment - 810 Williamson Ave
  9. Vacate Right-Of-Way - Portion SE ROW Frederick Road & N. ROW Frederick Ave.
  10. Request from ATT for a SUP for a cell tower at 2000 Steel St.
  11. Request from ATT for a SUP for a cell tower at 2404 Frederick Rd.
  12. Agreement for professional services, Game Day security - OPD.
  13. Special appropriation to East Ala. Community Ballet.
  14. Special appropriation to Dream Day Foundation to support 2nd Annual Black Male Summit.
  15. Proposal from OSMOSE for Pole Attachment Count - OPS.
  16. Proposal & Agreement for Pavement Consulting Services - Eng.
  17. Special appropriation to The Rain Group for Love U Love U event.
14. ORDINANCES
1. Amend Zoning Ord & Map: Rezone 47.3 Acres, 1300 Block Fox Run Parkway - 1st Reading.
  2. Amend City Code of Ordinances, Section 5.5 307(b) - 1st Reading.
15. APPOINTMENTS
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)705-2083."*



**City Council**  
204 South 7Th Street  
Opelika, AL

**SCHEDULED**

**CM MINUTES (ID # 3561)**

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

DOC ID: 3561

---

## Minutes from the 7-2-19 city council meeting.



VIA EMAIL  
June 27, 2019

Eddie Smith  
Patsy Jones  
Tiffany Gibson-Pitts  
Dozier Smith T  
David Canon

CITY ATTORNEY'S OFFICE  
608 Avenue A • P.O. Box 390  
Opelika, AL 36803-0390  
(p) 334-705-2074 (f) 334-705-5155  
www.opelika-al.gov

Re: Wireless Telecommunications Facilities Land Use and Siting Ordinance

All:

On July 2, 2019, the City Council will consider the adoption of the new wireless telecommunications facilities land use and siting ordinance. After conferring with Casey Lide and Matt Mosley, I am suggesting two amendments to the ordinance:

1. Amend the third line of Section 5.5- 315(d), by (i) inserting the word "or" between the words "neighborhood" and "within" and (ii) inserting the words "single family" between the words "a" and "residentially". Accordingly, the first four lines of subsection (d) will be amended to read as follows:

"(d) No Construction on Private Property in Residential District. No new tower may be built upon private property in a single family residentially zoned district or neighborhood, or within one-thousand feet (1,000') of the border of a single family residentially zoned district or neighborhood or within a historic district unless the applicant..."

A border of 1000 feet from all residential districts is too broad and would probably be unenforceable.

2. Delete subsection (b) of Section 5.5-316 which reads as follows:

"(b) An antenna may be mounted on the facade of a building at a minimum height of 50 feet in a residential zone; or 30 feet in any commercial or industrial zone."

In staff's opinion, a minimum mounting height for an attachment to a building is unnecessary and the remaining provisions of Section 5.5-316 adequately protect the public interest.



Attached is a final draft of the Ordinance. Also attached is a redline version of the Ordinance with suggested changes. If you have any questions, please don't hesitate to call me.

Yours very truly,



Guy F. Gunter, III

GFG,III:jjp

Cc: Gary Fuller  
Barbara Arrington  
Joel Motley  
Matt Mosley  
Lillie Finley  
Bob Shuman  
Casey Lide  
Jim Baller

Attachment: CM 7-02-19, amend ord. Ch. 5.5 Article III wireless telecom, (3561 : Minutes from the 7-2-19 city council meeting.)



VIA EMAIL  
June 27, 2019

Eddie Smith  
Patsy Jones  
Tiffany Gibson-Pitts  
Dozier Smith T  
David Canon  
Gary Fuller  
Joel Motley  
Bob Shuman  
Matt Mosley

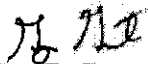
CITY ATTORNEY'S OFFICE  
608 Avenue A • P.O. Box 390  
Opelika, AL 36803-0390  
(p) 334-705-2074 (f) 334-705-5155  
www.opelika-al.gov

Re: Wireless Telecommunications Facilities Land Use and Siting Ordinance

All:

Attached is a suggested protocol and procedure to adopt the Wireless Telecommunications Facilities Land Use and Siting Ordinance. If you have any questions, please don't hesitate to call me.

Yours very truly,

  
Guy F. Gunter, III

GFG,III:jpj

Cc: Barbara Arrington



**Protocol and Procedure to Adopt Wireless Telecommunications  
Facilities Land Use and Siting Ordinance**

1. I, (Council Member), move to adopt the Ordinance on second reading.
2. Seconded by (Council Member).
3. I, (Council Member), move to amend the Ordinance (Wireless Telecommunications Facilities Land Use and Siting Ordinance) in the following respects:

- a. Amend subsection (d) of Section 5.5- 315 to read as follows:

“(d) No Construction on Private Property in Residential District. No new tower may be built upon private property in a single family residentially zoned district or neighborhood, or within one-thousand feet (1,000’) of the border of a single family residentially zoned district or neighborhood, or within a historic district, unless the applicant provides evidence to the satisfaction of the City demonstrating i) that a new tower as proposed is necessary because no reasonable alternative or combination of alternatives exists; ii) that the intended area cannot be served from outside of the district or sensitive area without a new tower; iii) that no existing or previously approved facility can reasonably be used for antenna placement; and iv) that not to permit a new tower or other support structure would effectively prohibit service. This subsection shall not prohibit the installation of wireless antennas and accessory equipment upon and within existing buildings, such as church steeples, provided such installation is concealed or camouflaged to the satisfaction of the Council. This subsection shall not prohibit placement of wireless facilities within the public rights-of-way in such areas, subject to the requirements of Article IV of this Chapter.”

- b. Delete subsection (b) of Section 5.5-316.

4. Seconded by (Council Member).
5. The question is put to the adoption of the motion and the roll is called by the Clerk.
6. The President declares the motion carried.
7. I, (Council Member), move to adopt the Ordinance as amended.
8. Seconded by (Council Member).
9. The question is put as to the final passage and adoption of the Ordinance as amended and the roll is called by the Clerk.
10. The President declares the motion carried and the ordinance adopted as amended.



# OPELIKA CITY COUNCIL

## “ REGULAR MEETING MINUTES “

204 South 7th Street

**July 2, 2019**

**TIME: 7:00 PM**

1. Call to Order

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

2. Roll Call

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

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

3. Invocation

Pastor Henry Smith provide the invocation.

1. Pastor Henry Smith.

4. Pledge of Allegiance

The Scouts listed below plus Zane Lackey, Ben Bell, Kristian Howell and Oscar Beaver lead the Pledge of Allegiance.

1. Boy Scouts Atticus O'Banner, William Deshazo, Steven Watson, James Middleton, Cole Middleton and Jared McKay - Troop 858.

5. Reading of Minutes

1. Minutes from the 6-18-19 city council meeting.

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Dozier Smith T, Council Member

**SECONDER:** Patricia Jones, President Pro-Tem

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

6. Unfinished Business

7. Remarks By the Mayor

Mayor Fuller reviewed the garbage schedule for the 4th of July week and reminder everyone about Opelika's Freedom Celebration on Wednesday July 3rd at the Opelika High School.

8. Citizen Communications

(Limit comments to five minutes or less)

9. Report of Disbursements

10. Committee Reports

11. General Business

1. Request by Main Street, temporary street closure on Sat. 9-07-19

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Tiffany Gibson-Pitts, Council Member

**SECONDER:** David Canon, Council Member

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

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

Mr. Shuman announced the public hearing for a weed abatement assessment at 105 Vaughan Avenue. President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said assessment. No one came forward to speak. President Smith closed the public hearing.

3. Public Hearing - Weed Abatement Assessment - 108 Plum Ave

Mr. Shuman announced the public hearing for a weed abatement assessment at 108 Plum Avenue. President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said assessment. Viris Pendleton stated she never got the letter from the City about being in violation. City Attorney, Guy Gunter, stated the law was met when the city mailed the notice and she would have 30 days to pay the assessment or it would be added to the property taxes. President Smith closed the public hearing.

4. Public Hearing - Weed Abatement Assessment - 207 Raintree St.

Mr. Shuman announced the public hearing for a weed abatement assessment at 207 Raintree Street. President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said assessment. No one came forward to speak. President Smith closed the public hearing.

5. Public Hearing - Weed Abatement Assessment - 512 ML King Blvd

Mr. Shuman announced the public hearing for a weed abatement assessment at 512 Martin Luther King Blvd. President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said assessment. No one came forward to speak. President Smith closed the public hearing.

6. Public Hearing - Weed Abatement Assessment - 610 ML King Blvd

Mr. Shuman announced the public hearing for a weed abatement assessment at 610 Martin Luther King Blvd. President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said assessment. No one came forward to speak. President Smith closed the public hearing.

7. Public Hearing - Weed Abatement Assessment - 709 India Rd.

Mr. Shuman announced the public hearing for a weed abatement assessment at 709 India Road. President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said assessment. No one came forward to speak. President Smith closed the public hearing.

8. Public Hearing - Weed Abatement Assessment - 1112 West St.

Mr. Shuman announced the public hearing for a weed abatement assessment at 1112 West Street. President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said assessment. No one came forward to speak. President Smith closed the public hearing.

9. Public Hearing - Weed Abatement Assessment - 3307 Arnold Ave

Mr. Shuman announced the public hearing for a weed abatement assessment at 3307 Arnold Avenue. President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said assessment. No one came forward to speak. President Smith closed the public hearing.

12. Awarding of Bids

1. Bids 169-19 LED Streetlights - IT

**RESULT:** APPROVED [UNANIMOUS]

**MOVER:** Dozier Smith T, Council Member

**SECONDER:** Patricia Jones, President Pro-Tem

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

13. Resolutions

1. Resolution 170-19 Expense reports from various departments.

- RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Patricia Jones, President Pro-Tem  
**SECONDER:** David Canon, Council Member  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
2. Resolution 171-19 Designate City Personal Property Surplus and Authorize Disposal  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Patricia Jones, President Pro-Tem  
**SECONDER:** Dozier Smith T, Council Member  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
3. Resolution 172-19 Purchase - (624) Toter 96 Gal EVR II Carts - Sourcewell Contr - OES  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** David Canon, Council Member  
**SECONDER:** Patricia Jones, President Pro-Tem  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
4. Resolution 173-19 Purchase - Mailing System - State Contract #T311 - VAR  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Dozier Smith T, Council Member  
**SECONDER:** Patricia Jones, President Pro-Tem  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
5. Resolution 174-19 Purchase - Mosquito Control Insecticide - Sole Source - PW  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Tiffany Gibson-Pitts, Council Member  
**SECONDER:** David Canon, Council Member  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
6. Resolution 175-19 Change Order Request - Emergency Repair of Truck #764 - OPS  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** David Canon, Council Member  
**SECONDER:** Patricia Jones, President Pro-Tem  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
7. Resolution 176-19 Weed Abatement Assessment - 105 Vaughan Ave  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Dozier Smith T, Council Member  
**SECONDER:** Patricia Jones, President Pro-Tem  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
8. Resolution 177-19 Weed Abatement Assessment - 108 Plum Ave  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** David Canon, Council Member  
**SECONDER:** Tiffany Gibson-Pitts, Council Member  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
9. Resolution 178-19 Weed Abatement Assessment - 207 Raintree 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 179-19 Weed Abatement Assessment - 512 ML King Blvd

- RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Patricia Jones, President Pro-Tem  
**SECONDER:** David Canon, Council Member  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
11. Resolution 180-19 Weed Abatement Assessment - 610 ML King Blvd  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Dozier Smith T, Council Member  
**SECONDER:** Patricia Jones, President Pro-Tem  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
12. Resolution 181-19 Weed Abatement Aseessment - 709 India Rd.  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** David Canon, Council Member  
**SECONDER:** Dozier Smith T, Council Member  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
13. Resolution 182-19 Weed Abatement Assessment - 1112 West St.  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Patricia Jones, President Pro-Tem  
**SECONDER:** Dozier Smith T, Council Member  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
14. Resolution 183-19 Weed Abatement Assessment - 3307 Arnold Ave.  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** David Canon, Council Member  
**SECONDER:** Patricia Jones, President Pro-Tem  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
15. Resolution 184-19 Refund Request-River Bank & Trust, Occupational License Fees.  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Dozier Smith T, Council Member  
**SECONDER:** Tiffany Gibson-Pitts, Council Member  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
16. Resolution 185-19 Request by T-Mobile for a SUP at 2605 Tower Street.  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** David Canon, Council Member  
**SECONDER:** Patricia Jones, President Pro-Tem  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
17. Resolution 186-19 Agreement, professional services with City of Auburn - OFD.  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Tiffany Gibson-Pitts, Council Member  
**SECONDER:** David Canon, Council Member  
**AYES:** Jones, Gibson-Pitts, Smith T, Canon, Smith
18. Resolution 187-19 Special appropriation to P&R to support Dixie Boys Baseball Team.

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

19. Resolution 188-19 Send zoning request back to the Planning Commission, 32.45 acres Gateway Dr.

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

14. Ordinances

1. Ordinance 012-19-ORD Amend Zoning Ord & Map: Rezone 2 Acres, 2400 Block Dunlop Drive - 2nd Reading

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

2. Ordinance 013-19-ORD Conveyance of the West Side of Dunlop Drive to John a Stewart - 2nd Reading.

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

3. Ordinance 014-19-ORD Amend City Code, Chapter 5.5 Article III, wireless telecommunications - 2nd Reading.

Ms. Jones moved to adopt said Ordinance on second reading. Mr. Smith T seconded said motion. Ms. Jones then made the motion to amend said ordinance and read the entire two amendments. A copy of the two amendments in their entirety are attached to this ordinance and to these minutes. Mr. Smith T seconded the motion to amend. The following vote was recorded:

Ayes Jones, Pitts, Smith T, Canon, Smith.

Nays None.

Then Ms. Jones made the motion to approve said ordinance as amended. Ms. Pitts seconded said motion.

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

4. Ordinance 015-19-ORD Lease agreement with Envision Opelika Foundation Inc. - 1st Reading.

Mr. Smith T introduced this ordinance for a first reading. Then Mr. Canon made the motion to suspend the rules and approve said ordinance. Mr. Smith T seconded said motion. The following vote was recorded:

Ayes Jones, Pitts, Smith T, Canon, Smith.

Nays None.

Then Ms. Pitts made the motion to approve said ordinance. Mr. Smith T seconded said motion.

**RESULT: FIRST READING AND APPROVED [UNANIMOUS]**

**MOVER:** Tiffany Gibson-Pitts, Council Member

**SECONDER:** Dozier Smith T, Council Member

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

5. Ordinance 016-19-ORD Additional Approved Holiday July 5, 2019 - 1st Reading. Ms. Jones introduced said ordinance for a first reading. Then Ms. Jones made the motion to suspend the rules and approve said ordinance. Mr. Canon seconded said motion. The following vote was recorded:

Ayes Jones, Pitts, Smith T, Canon, Smith.

Nays None.

Then Ms. Jones made the motion to approve said ordinance. Mr. Canon seconded said motion.

**RESULT: FIRST READING AND APPROVED [UNANIMOUS]**

**MOVER:** Patricia Jones, President Pro-Tem

**SECONDER:** David Canon, Council Member

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

15. Appointments

16. Adjourn

The City Council meeting minutes of July 2, 2019 are hereby adopted and approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

/s/

\_\_\_\_\_  
President of City Council

City of Opelika, Alabama

ATTEST:

/s/

\_\_\_\_\_  
R. G. "Bob" Shuman, CMC

City Clerk - Treasurer

1. Motion to adjourn.

President Smith adjourned this council meeting at 7:40pm.

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Patricia Jones, President Pro-Tem

**SECONDER:** Dozier Smith T, Council Member

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

Attachment: CM 7-16-19, minutes from 7-2-19 CM (2) (3561 : Minutes from the 7-2-19 city council meeting.)



**City Council**  
204 South 7Th Street  
Opelika, AL

**SCHEDULED**

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

**MAYOR'S REMARKS (ID # 3583)**

DOC ID: 3583

## City financial summary for June 2019.

City of Opelika  
 Combined Balance Sheet - All Funds and Account Groups  
 June 30, 2019  
*\*Thousands of dollars*

|                                                  | Governmental Funds |                             |                          |                             |                                                  | Internal<br>Service<br>Funds | Enterprise<br>Funds | General<br>Capital<br>Assets | General<br>Long Term<br>Debt | Total     |
|--------------------------------------------------|--------------------|-----------------------------|--------------------------|-----------------------------|--------------------------------------------------|------------------------------|---------------------|------------------------------|------------------------------|-----------|
|                                                  | General<br>Fund    | Special<br>Revenue<br>Funds | Debt<br>Service<br>Funds | Capital<br>Project<br>Funds | Garden<br>Hills<br>Cemetery<br>Permanent<br>Fund |                              |                     |                              |                              |           |
| <b>ASSETS</b>                                    |                    |                             |                          |                             |                                                  |                              |                     |                              |                              |           |
| Cash                                             | \$ 38,730          | \$ 11,508                   | \$ 37                    | \$ 1,463                    | \$ -                                             | \$ 3,275                     | \$ 34,691           | \$ -                         | \$ -                         | \$ 89,704 |
| Certificates of deposit                          | 21,987             | 5,000                       | -                        | -                           | -                                                | -                            | 8,508               | -                            | -                            | 35,495    |
| Receivables:                                     |                    |                             |                          |                             |                                                  |                              |                     |                              |                              |           |
| Accounts and unbilled service                    | -                  | -                           | -                        | 283                         | -                                                | -                            | 3,911               | -                            | -                            | 4,194     |
| Taxes                                            | 6,817              | 7,322                       | -                        | -                           | -                                                | -                            | -                   | -                            | -                            | 14,139    |
| Licenses and fees                                | 2,824              | -                           | -                        | -                           | -                                                | -                            | -                   | -                            | -                            | 2,824     |
| Assessments                                      | 129                | -                           | -                        | -                           | -                                                | -                            | -                   | -                            | -                            | 129       |
| Interest                                         | (79)               | -                           | -                        | -                           | 3                                                | -                            | 36                  | -                            | -                            | (40)      |
| Other                                            | 66                 | 1,030                       | -                        | -                           | -                                                | 9                            | -                   | -                            | -                            | 1,105     |
| Due from other funds                             | 476                | -                           | -                        | -                           | 10                                               | 82                           | 9,096               | -                            | -                            | 9,664     |
| Due from other governments                       | 12                 | 549                         | -                        | 139                         | -                                                | -                            | 992                 | -                            | -                            | 1,692     |
| Inventories of supplies, at cost                 | 120                | -                           | -                        | -                           | -                                                | -                            | 1,419               | -                            | -                            | 1,539     |
| Prepaid expenses                                 | 295                | -                           | -                        | -                           | -                                                | -                            | -                   | -                            | -                            | 295       |
| Investments                                      | -                  | 16                          | -                        | -                           | 1,165                                            | -                            | -                   | -                            | -                            | 1,181     |
| Investments with fiscal agent                    | -                  | -                           | 593                      | -                           | -                                                | -                            | 2,277               | -                            | -                            | 2,870     |
| Capital assets:                                  |                    |                             |                          |                             |                                                  |                              |                     |                              |                              |           |
| Land                                             | -                  | -                           | -                        | -                           | -                                                | -                            | 2,462               | 10,303                       | -                            | 12,765    |
| Buildings                                        | -                  | -                           | -                        | -                           | -                                                | -                            | 13,666              | 46,155                       | -                            | 59,821    |
| Equipment                                        | -                  | -                           | -                        | -                           | -                                                | -                            | 11,101              | 21,214                       | -                            | 32,315    |
| Utility systems                                  | -                  | -                           | -                        | -                           | -                                                | -                            | 114,892             | -                            | -                            | 114,892   |
| Infrastructure                                   | -                  | -                           | -                        | -                           | -                                                | -                            | -                   | 114,856                      | -                            | 114,856   |
| Construction in progress                         | -                  | -                           | -                        | -                           | -                                                | -                            | 138                 | 12,909                       | -                            | 13,047    |
| Total capital assets                             | -                  | -                           | -                        | -                           | -                                                | -                            | 142,259             | 205,437                      | -                            | 347,696   |
| Less: accumulated depreciation                   | -                  | -                           | -                        | -                           | -                                                | -                            | (68,218)            | (61,169)                     | -                            | (129,387) |
| Capital assets, net                              | -                  | -                           | -                        | -                           | -                                                | -                            | 74,041              | 144,268                      | -                            | 218,309   |
| Deposits                                         | -                  | 69                          | -                        | -                           | -                                                | 19                           | 2                   | -                            | -                            | 90        |
| Amount to be provided for general long term debt | -                  | -                           | -                        | -                           | -                                                | -                            | -                   | -                            | 86,034                       | 86,034    |
| Total assets                                     | 71,377             | 25,494                      | 630                      | 1,885                       | 1,178                                            | 3,385                        | 134,973             | 144,268                      | 86,034                       | 469,224   |
| <b>DEFERRED OUTFLOWS OF RESOURCES</b>            |                    |                             |                          |                             |                                                  |                              |                     |                              |                              |           |
| Employer retirement contributions                | -                  | -                           | -                        | -                           | -                                                | -                            | 1,442               | -                            | -                            | 1,442     |
| Difference on projected OPEB earnings            | -                  | -                           | -                        | -                           | -                                                | -                            | 10                  | -                            | -                            | 10        |
| Bond refunding costs                             | -                  | -                           | -                        | -                           | -                                                | -                            | 2,594               | -                            | -                            | 2,594     |
| Total deferred outflows of resources             | -                  | -                           | -                        | -                           | -                                                | -                            | 4,046               | -                            | -                            | 4,046     |

Attachment: CM 7-16-19, June 2019 Financial Reports (3583 : City financial summary for June 2019.)

City of Opelika  
 Combined Balance Sheet - All Funds and Account Groups  
 June 30, 2019  
*\*Thousands of dollars*

|                                                         | Governmental Funds |                       |                    |                       | Garden Hills Cemetery Permanent Fund | Internal Service Funds | Enterprise Funds | General Capital Assets | General Long Term Debt | Total      |
|---------------------------------------------------------|--------------------|-----------------------|--------------------|-----------------------|--------------------------------------|------------------------|------------------|------------------------|------------------------|------------|
|                                                         | General Fund       | Special Revenue Funds | Debt Service Funds | Capital Project Funds |                                      |                        |                  |                        |                        |            |
| <b>LIABILITIES</b>                                      |                    |                       |                    |                       |                                      |                        |                  |                        |                        |            |
| Accounts payable                                        | 1,453              | -                     | -                  | -                     | -                                    | 8                      | 7,877            | -                      | -                      | 9,338      |
| Interest payable                                        | -                  | -                     | -                  | -                     | -                                    | -                      | 481              | -                      | -                      | 481        |
| Accrued payroll and benefits, due within one year       | 1,012              | (8)                   | -                  | -                     | -                                    | -                      | 405              | -                      | -                      | 1,409      |
| Due to other funds                                      | 57                 | 164                   | -                  | 392                   | 1                                    | -                      | 9,049            | -                      | -                      | 9,663      |
| Due to other governments                                | 1                  | 177                   | -                  | -                     | -                                    | -                      | -                | -                      | -                      | 178        |
| Claims and judgements, due within one year              | -                  | -                     | -                  | -                     | -                                    | 332                    | -                | -                      | -                      | 332        |
| Bonds payable due within one year                       | -                  | -                     | -                  | -                     | -                                    | -                      | 1,975            | -                      | -                      | 1,975      |
| Claims and judgements, due in more than one year        | -                  | -                     | -                  | -                     | -                                    | 117                    | -                | -                      | -                      | 117        |
| Bonds payable, due in more than one year                | -                  | -                     | -                  | -                     | -                                    | -                      | 31,884           | -                      | 86,034                 | 117,918    |
| Net pension liability                                   | -                  | -                     | -                  | -                     | -                                    | -                      | 8,891            | -                      | -                      | 8,891      |
| Accrued payroll and benefits, due in more than one year | -                  | -                     | -                  | -                     | -                                    | -                      | 1,039            | -                      | -                      | 1,039      |
| Customer deposits held                                  | -                  | -                     | -                  | -                     | -                                    | -                      | 3,168            | -                      | -                      | 3,168      |
| Total liabilities                                       | 2,523              | 333                   | -                  | 392                   | 1                                    | 457                    | 64,769           | -                      | 86,034                 | 154,509    |
| <b>DEFERRED INFLOWS OF RESOURCES</b>                    |                    |                       |                    |                       |                                      |                        |                  |                        |                        |            |
| Net difference in earnings on retirement plan           | -                  | -                     | -                  | -                     | -                                    | -                      | 295              | -                      | -                      | 295        |
| Net change in OPEB assumptions                          | -                  | -                     | -                  | -                     | -                                    | -                      | 39               | -                      | -                      | 39         |
| Unearned revenues                                       | 3,859              | 8,738                 | -                  | 139                   | -                                    | 99                     | 23               | -                      | -                      | 12,858     |
| Total deferred inflows of resources                     | 3,859              | 8,738                 | -                  | 139                   | -                                    | 99                     | 357              | -                      | -                      | 13,192     |
| <b>FUND BALANCES</b>                                    |                    |                       |                    |                       |                                      |                        |                  |                        |                        |            |
| Nonspendable                                            | 415                | 69                    | -                  | -                     | 978                                  | -                      | -                | -                      | -                      | 1,462      |
| Restricted                                              | 201                | 3,214                 | 630                | 1,168                 | -                                    | 291                    | 2,277            | -                      | -                      | 7,781      |
| Committed                                               | 22                 | -                     | -                  | -                     | -                                    | -                      | -                | -                      | -                      | 22         |
| Assigned                                                | 16,529             | 8,566                 | -                  | -                     | -                                    | -                      | -                | -                      | -                      | 25,095     |
| Unassigned                                              | 33,788             | 4,708                 | -                  | 1                     | 199                                  | -                      | -                | -                      | -                      | 38,696     |
| Invested in capital assets, net of related debt         | -                  | -                     | -                  | -                     | -                                    | -                      | 42,776           | 144,268                | -                      | 187,044    |
| Unrestricted                                            | -                  | -                     | -                  | -                     | -                                    | 2,527                  | 28,403           | -                      | -                      | 30,930     |
| Encumbrances                                            | 14,040             | (134)                 | -                  | 185                   | -                                    | 11                     | 437              | -                      | -                      | 14,539     |
| Total fund balances                                     | \$ 64,995          | \$ 16,423             | \$ 630             | \$ 1,354              | \$ 1,177                             | \$ 2,829               | \$ 73,893        | \$ 144,268             | \$ -                   | \$ 305,569 |

City of Opelika  
Combined Statement of Revenues, Expenditures, and Changes in Fund Balance - All Governmental Funds and Account Groups  
FYTD June 30, 2019  
\*Thousands of dollars

|                                              | Governmental Funds |                       |                    |                       |                                      | Total     |
|----------------------------------------------|--------------------|-----------------------|--------------------|-----------------------|--------------------------------------|-----------|
|                                              | General Fund       | Special Revenue Funds | Debt Service Funds | Capital Project Funds | Garden Hills Cemetery Permanent Fund |           |
| <b>REVENUES:</b>                             |                    |                       |                    |                       |                                      |           |
| Taxes                                        | \$ 29,709          | \$ 7,672              | \$ -               | \$ -                  | \$ -                                 | \$ 37,381 |
| Special assessments                          | -                  | -                     | -                  | -                     | -                                    | -         |
| Licenses and permits                         | 13,851             | 301                   | -                  | -                     | -                                    | 14,152    |
| Intergovernmental                            | 410                | 1,534                 | -                  | 106                   | -                                    | 2,050     |
| Charges for services                         | 1,568              | -                     | -                  | -                     | -                                    | 1,568     |
| Fines and forfeits                           | 326                | -                     | -                  | -                     | -                                    | 326       |
| Grants                                       | 24                 | -                     | -                  | -                     | -                                    | 24        |
| Contributions                                | 75                 | 28                    | -                  | -                     | -                                    | 103       |
| Investment income                            | 464                | 199                   | 1                  | 14                    | 27                                   | 705       |
| Miscellaneous                                | 272                | -                     | -                  | -                     | -                                    | 272       |
| Total revenues                               | 46,699             | 9,734                 | 1                  | 120                   | 27                                   | 56,581    |
| <b>EXPENDITURES:</b>                         |                    |                       |                    |                       |                                      |           |
| General government                           | 5,307              | 179                   | -                  | -                     | 5                                    | 5,491     |
| Public safety                                | 12,480             | 459                   | -                  | -                     | -                                    | 12,939    |
| Public works                                 | 4,242              | 4                     | -                  | -                     | -                                    | 4,246     |
| Health                                       | 280                | -                     | -                  | -                     | -                                    | 280       |
| Education                                    | 2,546              | 6,500                 | -                  | -                     | -                                    | 9,046     |
| Welfare                                      | 99                 | -                     | -                  | -                     | -                                    | 99        |
| Culture and recreation                       | 4,609              | -                     | -                  | -                     | -                                    | 4,609     |
| Economic development                         | 1,531              | 267                   | -                  | -                     | -                                    | 1,798     |
| Capital outlay                               | 11,729             | 21                    | -                  | (34)                  | -                                    | 11,716    |
| Debt service:                                |                    |                       |                    |                       |                                      |           |
| Principal retirement                         | 542                | -                     | 3,030              | -                     | -                                    | 3,572     |
| Interest and fees                            | 30                 | -                     | 2,677              | -                     | -                                    | 2,707     |
| Total expenditures                           | 43,395             | 7,430                 | 5,707              | (34)                  | 5                                    | 56,503    |
| Excess of revenues over/(under) expenditures | 3,304              | 2,304                 | (5,706)            | 154                   | 22                                   | 78        |
| Other financing sources/(uses):              |                    |                       |                    |                       |                                      |           |
| Proceeds from debt issuance                  | -                  | -                     | -                  | -                     | -                                    | -         |
| Proceeds used to refund bonds                | -                  | -                     | -                  | -                     | -                                    | -         |
| Sale of capital assets                       | 29                 | -                     | -                  | -                     | -                                    | 29        |
| Transfers from other funds                   | 2,265              | 2,995                 | 6,299              | -                     | 26                                   | 11,585    |
| Transfers to other funds                     | (7,255)            | (2,067)               | -                  | -                     | (15)                                 | (9,337)   |
| Total other financing sources/(uses)         | (4,961)            | 928                   | 6,299              | -                     | 11                                   | 2,277     |
| Net change in fund balances                  | (1,657)            | 3,232                 | 593                | 154                   | 33                                   | 2,355     |
| Fund balances, beginning of the year         | 66,652             | 13,191                | 37                 | 1,200                 | 1,144                                | 82,224    |
| Fund balances, end of period                 | \$ 64,995          | \$ 16,423             | \$ 630             | \$ 1,354              | \$ 1,177                             | \$ 84,579 |

Attachment: CM 7-16-19, June 2019 Financial Reports (3583 : City financial summary for June 2019.)

**City of Opelika**  
**Combined Balance Sheet**  
**Proprietary and Fiduciary Funds**  
**June 30, 2019**  
*\*Thousands of dollars*

|                                                        | Electric<br>FYTD | Telecom<br>FYTD | Sewer<br>FYTD | Solid Waste<br>FYTD | Workmen's<br>Comp.<br>FYTD | Health<br>Insurance<br>FYTD | Total      |
|--------------------------------------------------------|------------------|-----------------|---------------|---------------------|----------------------------|-----------------------------|------------|
| <b>ASSETS</b>                                          |                  |                 |               |                     |                            |                             |            |
| Current assets:                                        |                  |                 |               |                     |                            |                             |            |
| Cash                                                   | \$ 22,262        | \$ 434          | \$ 10,448     | \$ 1,547            | \$ 3,040                   | \$ 236                      | \$ 37,967  |
| Certificates of deposit                                | 8,508            | -               | -             | -                   | -                          | -                           | 8,508      |
| Receivables and prepaid expenses                       | 4,657            | (1,312)         | 331           | 270                 | -                          | 9                           | 3,955      |
| Due from other funds and governments                   | 9,049            | -               | 1,039         | -                   | -                          | 82                          | 10,170     |
| Inventory                                              | 1,419            | -               | -             | -                   | -                          | -                           | 1,419      |
| Total current assets                                   | 45,895           | (878)           | 11,818        | 1,817               | 3,040                      | 327                         | 62,019     |
| Restricted assets:                                     |                  |                 |               |                     |                            |                             |            |
| Cash and investments with fiscal agent                 | 1,036            | 1,240           | 1             | -                   | -                          | -                           | 2,277      |
| Total restricted assets                                | 1,036            | 1,240           | 1             | -                   | -                          | -                           | 2,277      |
| Net capital assets                                     | 42,687           | -               | 29,091        | 2,263               | -                          | -                           | 74,041     |
| Other assets:                                          |                  |                 |               |                     |                            |                             |            |
| Deposits                                               | -                | -               | 2             | -                   | 19                         | -                           | 21         |
| Total other assets                                     | -                | -               | 2             | -                   | 19                         | -                           | 21         |
| Total assets                                           | 89,618           | 362             | 40,912        | 4,080               | 3,059                      | 327                         | 138,358    |
| <b>DEFERRED OUTFLOWS OF RESOURCES</b>                  |                  |                 |               |                     |                            |                             |            |
| Retirement contributions                               | 864              | 241             | -             | 337                 | -                          | -                           | 1,442      |
| Difference on projected OPEB earnings                  | 6                | 2               | -             | 2                   | -                          | -                           | 10         |
| Bond refunding costs                                   | 2,499            | -               | 95            | -                   | -                          | -                           | 2,594      |
| Total deferred outflows of resources                   | 3,369            | 243             | 95            | 339                 | -                          | -                           | 4,046      |
| Total assets and deferred outflows of resources        | \$ 92,987        | \$ 605          | \$ 41,007     | \$ 4,419            | \$ 3,059                   | \$ 327                      | \$ 142,404 |
| <b>LIABILITIES</b>                                     |                  |                 |               |                     |                            |                             |            |
| Current liabilities:                                   |                  |                 |               |                     |                            |                             |            |
| Accounts and other payables                            | \$ 8,400         | \$ 64           | \$ 222        | \$ 77               | \$ 52                      | \$ 288                      | \$ 9,103   |
| Due to electric fund                                   | -                | 9,049           | -             | -                   | -                          | -                           | 9,049      |
| Due to other funds                                     | -                | -               | -             | -                   | -                          | -                           | -          |
| Bonds payable within one year                          | 1,325            | -               | 650           | -                   | -                          | -                           | 1,975      |
| Unearned revenue                                       | 23               | -               | -             | -                   | -                          | 99                          | 122        |
| Total current liabilities                              | 9,748            | 9,113           | 872           | 77                  | 52                         | 387                         | 20,249     |
| Noncurrent liabilities:                                |                  |                 |               |                     |                            |                             |            |
| Claims and employee benefits due in more than one year | 632              | 164             | -             | 242                 | 117                        | -                           | 1,155      |
| Bonds payable, in more than one year, net              | 27,090           | -               | 4,794         | -                   | -                          | -                           | 31,884     |
| Net pension liability                                  | 5,529            | 1,460           | -             | 1,902               | -                          | -                           | 8,891      |
| Customer deposits held                                 | 3,002            | 1               | -             | 165                 | -                          | -                           | 3,168      |
| Total noncurrent liabilities                           | 36,253           | 1,625           | 4,794         | 2,309               | 117                        | -                           | 45,098     |
| Total liabilities                                      | 46,001           | 10,738          | 5,666         | 2,386               | 169                        | 387                         | 65,347     |
| <b>DEFERRED INFLOWS OF RESOURCES</b>                   |                  |                 |               |                     |                            |                             |            |
| Difference on earnings on OPEB investments             | 23               | 8               | -             | 9                   | -                          | -                           | 40         |
| Difference on earnings on plan investments             | 158              | 73              | -             | 64                  | -                          | -                           | 295        |
| Total deferred inflows of resources                    | 181              | 81              | -             | 73                  | -                          | -                           | 335        |
| <b>NET POSITION</b>                                    |                  |                 |               |                     |                            |                             |            |
| Invested in capital assets, net of related debt        | 16,771           | -               | 23,742        | 2,263               | -                          | -                           | 42,776     |
| Restricted                                             | 1,036            | 1,240           | 1             | -                   | 209                        | 82                          | 2,568      |
| Unrestricted                                           | 27,697           | (9,689)         | 10,656        | (261)               | 2,681                      | (153)                       | 30,931     |
| Encumbrances                                           | 1,301            | (1,765)         | 942           | (42)                | -                          | 11                          | 447        |
| Total net position                                     | 46,805           | (10,214)        | 35,341        | 1,960               | 2,890                      | (60)                        | 76,722     |
| Total liabilities, deferred inflows, and net position  | \$ 92,987        | \$ 605          | \$ 41,007     | \$ 4,419            | \$ 3,059                   | \$ 327                      | \$ 142,404 |

Attachment: CM 7-16-19, June 2019 Financial Reports (3583 : City financial summary for June 2019.)

**City of Opelika**  
**Combined Summary Statement of Revenues, Expenses, and Changes in Net Position**  
**Proprietary and Fiduciary Funds**  
**FYTD June 30, 2019**  
*\*Thousands of dollars*

|                                               | Electric<br>2019 FYTD | Telecom<br>2019 FYTD | Sewer<br>2019 FYTD | Solid Waste<br>2019 FYTD | Workmen's<br>Comp.<br>2019 FYTD | Health<br>Insurance<br>2019 FYTD | Total     |
|-----------------------------------------------|-----------------------|----------------------|--------------------|--------------------------|---------------------------------|----------------------------------|-----------|
| <b>Operating Revenues</b>                     |                       |                      |                    |                          |                                 |                                  |           |
| Charges for services                          | \$ 29,715             | \$ 603               | \$ 3,565           | \$ 2,530                 | \$ 326                          | \$ 3,041                         | \$ 39,780 |
| <b>Operating Expenses</b>                     |                       |                      |                    |                          |                                 |                                  |           |
| Purchases                                     | 19,033                | 246                  | -                  | 309                      | -                               | -                                | 19,588    |
| Depreciation                                  | 2,158                 | 137                  | 795                | 244                      | -                               | -                                | 3,334     |
| Personnel services                            | 2,510                 | 146                  | 2                  | 1,043                    | -                               | -                                | 3,701     |
| Other                                         | 1,725                 | 1,293                | 1,566              | 529                      | 146                             | 3,050                            | 8,309     |
| Total operating expenses                      | 25,426                | 1,822                | 2,363              | 2,125                    | 146                             | 3,050                            | 34,932    |
| Operating income/(loss)                       | 4,289                 | (1,219)              | 1,202              | 405                      | 180                             | (9)                              | 4,848     |
| <b>Nonoperating Revenues/(Expenses)</b>       |                       |                      |                    |                          |                                 |                                  |           |
| Gain/(Loss) on sale of capital assets         | 28                    | 5,449                | -                  | (16)                     | -                               | -                                | 5,461     |
| Fiber optic line leases                       | 25                    | -                    | -                  | -                        | -                               | -                                | 25        |
| Investment income                             | 244                   | 28                   | 91                 | 16                       | 35                              | 1                                | 415       |
| Grant income                                  | -                     | -                    | 37                 | -                        | -                               | -                                | 37        |
| Pole rental                                   | 222                   | -                    | -                  | -                        | -                               | -                                | 222       |
| Miscellaneous revenues                        | 610                   | 9                    | 10                 | 8                        | -                               | -                                | 637       |
| Interest expense and charges                  | (1,132)               | (69)                 | (209)              | -                        | -                               | -                                | (1,410)   |
| Total nonoperating revenues/(expenses)        | (3)                   | 5,417                | (71)               | 8                        | 35                              | 1                                | 5,387     |
| <b>Other Revenues and Transfers In/(Out):</b> |                       |                      |                    |                          |                                 |                                  |           |
| Capital contributions                         | 785                   | -                    | 4,075              | -                        | -                               | -                                | 4,860     |
| Transfers from other funds                    | -                     | -                    | -                  | 166                      | -                               | -                                | 166       |
| Transfers to other funds                      | (2,250)               | -                    | -                  | (166)                    | -                               | -                                | (2,416)   |
| Total other revenues/(expenses)               | (1,465)               | -                    | 4,075              | -                        | -                               | -                                | 2,610     |
| <b>Net Income/(loss)</b>                      | 2,821                 | 4,198                | 5,206              | 413                      | 215                             | (8)                              | 12,845    |
| <b>Net position, beginning of year</b>        | 43,984                | (14,412)             | 30,135             | 1,547                    | 2,675                           | (52)                             | 63,877    |
| <b>Net position before encumbrances</b>       | 46,805                | (10,214)             | 35,341             | 1,960                    | 2,890                           | (60)                             | 76,722    |
| <b>Encumbrances</b>                           | 1,301                 | (1,765)              | 942                | (42)                     | -                               | -                                | 436       |
| <b>Net position, end of period</b>            | \$ 45,504             | \$ (8,449)           | \$ 34,399          | \$ 2,002                 | \$ 2,890                        | \$ (60)                          | \$ 76,286 |
| <b>Additional Information:</b>                |                       |                      |                    |                          |                                 |                                  |           |
| <b>Cash position at June 30, 2019</b>         | \$ 22,262             | \$ 434               | \$ 10,448          | \$ 1,547                 | \$ 3,040                        | \$ 236                           | \$ 37,967 |
| <b>Cash position at June 30, 2018</b>         | 17,025                | 1,181                | 9,034              | 1,373                    | 3,031                           | (1,305)                          | 30,339    |
| <b>Change in cash</b>                         | \$ 5,237              | \$ (747)             | \$ 1,414           | \$ 174                   | \$ 9                            | \$ 1,541                         | \$ 7,628  |

Attachment: CM 7-16-19, June 2019 Financial Reports (3583 : City financial summary for June 2019.)

City of Opelika  
General Fund Revenue and Expenditure Summary  
Comparison of Actual and Budget to Prior Year  
FYTD June 2019  
\*Thousands of dollars

|                                          | YTD Actual |           |            | Budget to Actual |             |           |
|------------------------------------------|------------|-----------|------------|------------------|-------------|-----------|
|                                          | 2018       | 2019      | Variance   | 2019 Budget      | 2019 Actual | Variance  |
| <b>Revenues:</b>                         |            |           |            |                  |             |           |
| Taxes                                    | \$ 28,226  | \$ 29,709 | \$ 1,483   | \$ 27,557        | \$ 29,709   | \$ 2,152  |
| Licenses and permits                     | 13,209     | 13,851    | 642        | 12,795           | 13,851      | 1,056     |
| Intergovernmental                        | 296        | 410       | 114        | 512              | 410         | (102)     |
| Charges for services                     | 1,388      | 1,568     | 180        | 1,419            | 1,568       | 149       |
| Fines and forfeits                       | 543        | 326       | (217)      | 300              | 326         | 26        |
| Grants                                   | 13         | 24        | 11         | -                | 24          | 24        |
| Contributions                            | 104        | 75        | (29)       | 197              | 75          | (122)     |
| Investment income                        | 355        | 464       | 109        | 338              | 464         | 126       |
| Miscellaneous                            | 372        | 273       | (99)       | 377              | 273         | (104)     |
| Total revenues                           | 44,506     | 46,700    | 2,194      | 43,495           | 46,700      | 3,205     |
| <b>Expenditures:</b>                     |            |           |            |                  |             |           |
| General government                       | 4,363      | 5,307     | 944        | 6,165            | 5,307       | 858       |
| Public safety                            | 10,801     | 12,480    | 1,679      | 13,577           | 12,480      | 1,097     |
| Public works                             | 3,081      | 4,242     | 1,161      | 4,510            | 4,242       | 268       |
| Culture and recreation                   | 4,405      | 4,609     | 204        | 5,417            | 4,609       | 808       |
| Economic development                     | 1,136      | 1,531     | 395        | 2,102            | 1,531       | 571       |
| Health                                   | 239        | 280       | 41         | 308              | 280         | 28        |
| Education                                | 2,253      | 2,546     | 293        | 2,540            | 2,546       | (6)       |
| Welfare                                  | 94         | 99        | 5          | 101              | 99          | 2         |
| Capital outlay                           | 4,546      | 11,729    | 7,183      | 27,262           | 11,729      | 15,533    |
| Debt service                             | 569        | 572       | 3          | 537              | 572         | (35)      |
| Total expenditures                       | 31,487     | 43,395    | 11,908     | 62,519           | 43,395      | 19,124    |
| <b>Other financing sources/(uses)</b>    |            |           |            |                  |             |           |
| Sale of capital assets                   | 60         | 29        | (31)       | 38               | 29          | 9         |
| Transfers in                             | 2,258      | 2,265     | 7          | 4,888            | 2,265       | 2,623     |
| Transfer out                             | (6,747)    | (7,255)   | (508)      | (8,439)          | (7,255)     | (1,184)   |
| Total other financing sources/(uses)     | (4,429)    | (4,961)   | (532)      | (3,513)          | (4,961)     | 1,448     |
| <b>Net change in fund balance</b>        | 8,590      | (1,656)   | (10,246)   | (22,537)         | (1,656)     | 20,881    |
| <b>Fund balance, beginning of year</b>   | 59,375     | 66,652    | 7,277      | 59,375           | 66,652      | (7,277)   |
| <b>Fund balance, year to date</b>        | \$ 67,965  | \$ 64,996 | \$ (2,969) | \$ 36,838        | \$ 64,996   | \$ 28,158 |
| <b>Less:</b>                             |            |           |            |                  |             |           |
| Nonspendable                             | 98         | 120       | 22         | -                | 42          | (42)      |
| Restricted                               | 73         | 201       | 128        | -                | 201         | (201)     |
| Committed                                | 17         | 25        | 8          | -                | 25          | (25)      |
| Assigned                                 | 27,458     | 16,529    | (10,929)   | -                | 16,529      | (16,529)  |
| Encumbrances                             | 6,775      | 14,040    | 7,265      | -                | 14,040      | (14,040)  |
|                                          | 34,421     | 30,915    | (3,506)    | -                | 30,837      | (30,837)  |
| Unassigned fund balance                  | 33,544     | 34,081    | 537        | 36,838           | 34,159      | 58,995    |
| 20% budgeted revenues                    | 8,699      | 8,699     |            | 8,699            | 8,699       |           |
| <b>Available unassigned fund balance</b> | \$ 24,845  | \$ 25,382 |            | \$ 28,139        | \$ 25,460   |           |

Attachment: CM 7-16-19, June 2019 Financial Reports (3583 : City financial summary for June 2019.)

City of Opelika  
General Fund Revenues  
Comparison of Actual and Budget to Prior Year  
FYTD June 2019  
*\*Thousands of dollars*

|                                             | YTD Actual |           |          | Budget to Actual |             |          |
|---------------------------------------------|------------|-----------|----------|------------------|-------------|----------|
|                                             | 2018       | 2019      | Variance | 2019 Budget      | 2019 Actual | Variance |
| Taxes:                                      |            |           |          |                  |             |          |
| Sales                                       | \$ 23,716  | \$ 24,519 | \$ 803   | \$ 23,775        | \$ 24,519   | \$ 744   |
| Property:                                   |            |           |          |                  |             |          |
| Property                                    | 3,454      | 3,963     | 509      | 2,678            | 3,963       | 1,285    |
| Payments in lieu of taxes                   | 6          | 6         | -        | 4                | 6           | 2        |
| Total property taxes                        | 3,460      | 3,968     | 508      | 2,682            | 3,969       | 1,287    |
| Other                                       |            |           |          |                  |             |          |
| Gasoline                                    | 608        | 616       | 8        | 611              | 616         | 5        |
| Cigarette                                   | 55         | 57        | 2        | 57               | 57          | -        |
| Wine and liquor                             | 20         | 21        | 1        | 20               | 21          | 1        |
| Rental                                      | 368        | 528       | 160      | 413              | 528         | 115      |
| Total other taxes                           | 1,051      | 1,222     | 171      | 1,101            | 1,222       | 121      |
| Total taxes                                 | 28,227     | 29,709    | 1,482    | 27,558           | 29,709      | 2,151    |
| Licenses and permits:                       |            |           |          |                  |             |          |
| Occupational license                        | 8,383      | 9,090     | 707      | 8,700            | 9,090       | 390      |
| Business:                                   |            |           |          |                  |             |          |
| General                                     | 2,813      | 2,932     | 119      | 2,175            | 2,932       | 757      |
| Lodging                                     | 689        | 693       | 4        | 563              | 693         | 130      |
| Franchise fee                               | 417        | 373       | (44)     | 398              | 373         | (25)     |
| Miscellaneous                               | 236        | 223       | (13)     | 263              | 223         | (40)     |
| Total business                              | 4,155      | 4,221     | 66       | 3,399            | 4,221       | 822      |
| Telecommunications permits and fees         | 17         | 17        | -        | 13               | 17          | 4        |
| Permits and inspections                     | 646        | 515       | (131)    | 675              | 515         | (160)    |
| Other                                       | 8          | 8         | -        | 9                | 8           | (1)      |
| Total licenses and permits                  | 13,209     | 13,851    | 642      | 12,796           | 13,851      | 1,055    |
| Intergovernmental:                          |            |           |          |                  |             |          |
| Shared county motor vehicle                 | 107        | 104       | (3)      | 90               | 104         | 14       |
| Shared state:                               |            |           |          |                  |             |          |
| Bank excise tax                             | -          | -         | -        | 149              | -           | (149)    |
| Business privilege tax                      | -          | -         | -        | 55               | -           | (55)     |
| Liquor tax profits                          | 118        | 107       | (11)     | 118              | 107         | (11)     |
| State asset forfeiture                      | 11         | 1         | (10)     | 29               | 1           | (28)     |
| Total shared state                          | 129        | 108       | (21)     | 351              | 108         | (243)    |
| Shared federal asset forfeiture             | -          | 136       | 136      | 18               | 136         | 118      |
| Other                                       | 60         | 62        | 2        | 53               | 62          | 9        |
| Total intergovernmental                     | 296        | 410       | 112      | 512              | 410         | (102)    |
| Charges for services:                       |            |           |          |                  |             |          |
| General government - other                  | 14         | 16        | 2        | 15               | 16          | 1        |
| Public Safety:                              |            |           |          |                  |             |          |
| Fire training                               | 5          | 3         | (2)      | 6                | 3           | (3)      |
| City schools                                | 12         | 150       | 138      | 9                | 150         | 141      |
| Auburn University                           | 27         | 2         | (25)     | -                | 2           | 2        |
| EAMC                                        | 99         | 107       | 8        | 113              | 107         | (6)      |
| Other                                       | 6          | 7         | 1        | 10               | 7           | (3)      |
| Health - Graves and monuments               | 119        | 129       | 10       | 111              | 129         | 18       |
| Public Works - Paving and plan review fees  | 69         | 52        | (17)     | 81               | 52          | (29)     |
| Culture and Rec - Entry and concession fees | 1,036      | 1,102     | 66       | 1,073            | 1,102       | 29       |
| Total charges for services                  | 1,387      | 1,568     | 181      | 1,418            | 1,568       | 150      |
| Fines and forfeits:                         |            |           |          |                  |             |          |
| Municipal Court                             | 290        | 289       | (1)      | 268              | 289         | 21       |
| Red light violations                        | 217        | -         | (217)    | -                | -           | -        |
| Other                                       | 36         | 37        | 1        | 32               | 37          | 5        |
| Total fines and forfeits                    | 543        | 326       | (217)    | 300              | 326         | 26       |
| Grant income                                | 13         | 24        | 11       | -                | 24          | 24       |
| Contributions: Mobile Clinic                | 62         | 26        | (36)     | 88               | 26          | (62)     |
| Contributions: Other                        | 42         | 49        | 7        | 197              | 49          | (148)    |
| Investment income                           | 355        | 464       | 109      | 338              | 464         | 126      |
| Miscellaneous                               | 372        | 273       | (99)     | 377              | 273         | (104)    |
| Total revenues                              | 44,506     | 46,700    | 2,192    | 43,584           | 46,700      | 3,116    |
| Other financing sources                     |            |           |          |                  |             |          |
| Proceeds of general obligation debt         | -          | -         | -        | -                | -           | -        |
| Operating transfers from Electric fund      | 2,248      | 2,250     | 2        | 2,250            | 2,250       | -        |
| Other transfers                             | 10         | 15        | 5        | 2,638            | 15          | (2,623)  |
| Sale of capital assets                      | 60         | 29        | (31)     | 38               | 29          | (9)      |
| Total other financing sources               | 2,318      | 2,294     | (24)     | 4,926            | 2,294       | (2,632)  |
| Total revenue and other financing sources   | \$ 46,824  | \$ 48,994 | \$ 2,170 | \$ 48,510        | \$ 48,994   | \$ 484   |

Attachment: CM 7-16-19, June 2019 Financial Reports (3583 : City financial summary for June 2019.)

City of Opelika  
General Fund Expenditures  
Comparison of Actual and Budget to Prior Year  
FYTD June 2019  
*\*Thousands of dollars*

|                                             | YTD Actual |           |           | Budget to Actual |             |           |
|---------------------------------------------|------------|-----------|-----------|------------------|-------------|-----------|
|                                             | 2018       | 2019      | Variance  | 2019 Budget      | 2019 Actual | Variance  |
| General government:                         |            |           |           |                  |             |           |
| Legislative                                 | \$ 264     | \$ 259    | \$ (5)    | \$ 334           | \$ 259      | \$ 75     |
| Executive                                   | 191        | 183       | (8)       | 453              | 183         | 270       |
| Legal                                       | 243        | 375       | 132       | 331              | 375         | (44)      |
| Administration                              | 490        | 343       | (147)     | 574              | 343         | 231       |
| Accounting                                  | 321        | 399       | 78        | 392              | 399         | (7)       |
| Human resources                             | 308        | 252       | (56)      | 304              | 252         | 52        |
| Information technology                      | 1,022      | 1,768     | 746       | 1,895            | 1,768       | 127       |
| Revenue                                     | 270        | 312       | 42        | 315              | 312         | 3         |
| Municipal court                             | 322        | 279       | (43)      | 286              | 279         | 7         |
| Purchasing                                  | 155        | 202       | 47        | 202              | 202         | -         |
| Community development                       | 95         | 134       | 39        | 198              | 134         | 64        |
| Planning                                    | 246        | 318       | 72        | 368              | 318         | 50        |
| Other - nondepartmental                     | 437        | 483       | 46        | 514              | 483         | 31        |
| Total general government                    | 4,364      | 5,307     | 943       | 6,166            | 5,307       | 859       |
| Public safety:                              |            |           |           |                  |             |           |
| Police                                      | 6,349      | 7,554     | 1,205     | 8,451            | 7,554       | 897       |
| Probation                                   | 89         | 108       | 19        | 116              | 108         | 8         |
| Fire                                        | 4,090      | 4,547     | 457       | 4,739            | 4,547       | 192       |
| Other - nondepartmental                     | 273        | 271       | (2)       | 271              | 271         | -         |
| Total public safety                         | 10,801     | 12,480    | 1,679     | 13,577           | 12,480      | 1,097     |
| Public works:                               |            |           |           |                  |             |           |
| Streets                                     | 908        | 1,123     | 215       | 1,054            | 1,123       | (69)      |
| Engineering                                 | 359        | 483       | 124       | 576              | 483         | 93        |
| Administration                              | 338        | 407       | 69        | 400              | 407         | (7)       |
| Cemetery                                    | 152        | 183       | 31        | 165              | 183         | (18)      |
| Auto shop                                   | 274        | 435       | 161       | 497              | 435         | 62        |
| Building maintenance                        | 304        | 448       | 144       | 545              | 448         | 97        |
| Inspection                                  | 315        | 381       | 66        | 515              | 381         | 134       |
| Grounds maintenance                         | 431        | 782       | 351       | 758              | 782         | (24)      |
| Total public works                          | 3,081      | 4,242     | 1,161     | 4,510            | 4,242       | 268       |
| Culture and recreation:                     |            |           |           |                  |             |           |
| Parks and recreation                        | 3,701      | 3,814     | 113       | 4,484            | 3,814       | 670       |
| Library                                     | 613        | 704       | 91        | 858              | 704         | 154       |
| Other - nondepartmental                     | 91         | 91        | -         | 75               | 91          | (16)      |
| Total culture and recreation                | 4,405      | 4,609     | 204       | 5,417            | 4,609       | 808       |
| Economic development:                       |            |           |           |                  |             |           |
| Development                                 | 212        | 274       | 62        | 422              | 274         | 148       |
| Other - nondepartmental                     | 924        | 1,257     | 333       | 1,680            | 1,257       | 423       |
| Total economic development                  | 1,136      | 1,531     | 395       | 2,102            | 1,531       | 571       |
| Health:                                     |            |           |           |                  |             |           |
| Animal control                              | 48         | 57        | 9         | 60               | 57          | 3         |
| Mobile Clinic                               | -          | -         | -         | -                | -           | -         |
| Other                                       | 190        | 223       | 33        | 247              | 223         | 24        |
| Total health                                | 238        | 280       | 42        | 307              | 280         | 27        |
| Education                                   | 2,253      | 2,546     | 293       | 2,540            | 2,546       | (6)       |
| Welfare                                     | 94         | 99        | 5         | 101              | 99          | 2         |
| Capital outlay                              | 4,546      | 11,729    | 7,183     | 27,262           | 11,729      | 15,533    |
| Debt service                                |            |           |           |                  |             |           |
| Principal retirement                        | 515        | 542       | 27        | 510              | 542         | (32)      |
| Interest and charges                        | 54         | 30        | (24)      | 27               | 30          | (3)       |
| Total debt service                          | 569        | 572       | 3         | 537              | 572         | (35)      |
| Total expenditures                          | 31,487     | 43,395    | 11,908    | 62,519           | 43,395      | 19,124    |
| Other financing uses                        |            |           |           |                  |             |           |
| Transfers out:                              |            |           |           |                  |             |           |
| Transfers to PR/Jail construction fund      | 2,121      | 2,498     | 377       | 2,250            | 2,498       | (248)     |
| Transfers to other funds                    | 4,626      | 4,757     | 131       | 6,189            | 4,757       | 1,432     |
| Total transfers out                         | 6,747      | 7,255     | 508       | 8,439            | 7,255       | 1,184     |
| Total expenditures and other financing uses | \$ 38,234  | \$ 50,650 | \$ 12,416 | \$ 70,958        | \$ 50,650   | \$ 20,308 |

Attachment: CM 7-16-19, June 2019 Financial Reports (3583 : City financial summary for June 2019.)

City of Opelika  
 Capital Outlay  
 Comparison of Actual and Budget to Prior Year  
 FYTD June 2019  
 \*Thousands of dollars

|                                                | FYTD Actual |           |          | Budget to Actual |           |           |
|------------------------------------------------|-------------|-----------|----------|------------------|-----------|-----------|
|                                                | 2018        | 2019      | Variance | Budget           | Actual    | Variance  |
| <b>GENERAL FUND</b>                            |             |           |          |                  |           |           |
| General Government:                            |             |           |          |                  |           |           |
| Legislative                                    | \$ -        | \$ -      | \$ -     | \$ -             | \$ -      | \$ -      |
| Executive                                      | 54          | -         | (54)     | -                | -         | -         |
| Legal                                          | -           | -         | -        | -                | -         | -         |
| Administration                                 | -           | -         | -        | -                | -         | -         |
| Accounting                                     | 20          | -         | (20)     | 1,050            | -         | 1,050     |
| Human Resources                                | -           | -         | -        | -                | -         | -         |
| Information Technology                         | 650         | 519       | (131)    | 545              | 519       | 26        |
| Revenue                                        | -           | -         | -        | -                | -         | -         |
| Municipal Court                                | -           | -         | -        | -                | -         | -         |
| Purchasing                                     | -           | -         | -        | -                | -         | -         |
| Community Development                          | -           | -         | -        | -                | -         | -         |
| Planning                                       | -           | -         | -        | -                | -         | -         |
| Health                                         | -           | 101       | 101      | 202              | 101       | 101       |
| Other                                          | 50          | -         | (50)     | -                | -         | -         |
| Total general government                       | 774         | 620       | (205)    | 1,595            | 620       | 1,076     |
| Public Safety:                                 |             |           |          |                  |           |           |
| Police                                         | 816         | 8,988     | 8,172    | 12,477           | 8,988     | 3,489     |
| Probation                                      | -           | -         | -        | -                | -         | -         |
| Fire                                           | 1,254       | 17        | (1,237)  | 239              | 17        | 222       |
| Total public safety                            | 2,070       | 9,005     | 6,935    | 12,716           | 9,005     | 3,711     |
| Public Works:                                  |             |           |          |                  |           |           |
| Streets                                        | 1,154       | 975       | (179)    | 1,904            | 975       | 929       |
| Engineering                                    | 216         | 378       | 162      | 1,000            | 378       | 622       |
| Administration                                 | 229         | 174       | (55)     | 277              | 174       | 103       |
| Cemetery                                       | -           | -         | -        | -                | -         | -         |
| Auto Shop                                      | -           | -         | -        | -                | -         | -         |
| Building Maintenance                           | -           | -         | -        | -                | -         | -         |
| Inspection                                     | -           | -         | -        | -                | -         | -         |
| Grounds Maintenance                            | -           | -         | -        | -                | -         | -         |
| Total public works                             | 1,599       | 1,527     | (72)     | 3,181            | 1,527     | 1,654     |
| Culture and Recreation:                        |             |           |          |                  |           |           |
| Parks and Recreation                           | 49          | 510       | 461      | 557              | 510       | 47        |
| Library                                        | 54          | 14        | (40)     | 11               | 14        | (3)       |
| Total culture and recreation                   | 103         | 524       | 421      | 568              | 524       | 44        |
| Total General Fund capital outlay expenditures | \$ 4,546    | \$ 11,727 | \$ 7,181 | \$ 18,060        | \$ 11,727 | \$ 6,333  |
| <b>PROPRIETARY FUNDS</b>                       |             |           |          |                  |           |           |
| Electric                                       | 1,336       | 1,782     | 446      | 5,866            | 1,782     | 4,084     |
| Telecommunications                             | 438         | 38        | (400)    | 2,164            | 38        | 2,126     |
| Sewer                                          | 19          | 4,175     | 4,156    | 1,310            | 4,175     | (2,865)   |
| Solid Waste                                    | 634         | 562       | (72)     | 453              | 562       | (109)     |
| Total Proprietary funds                        | 2,427       | 6,557     | 4,130    | 9,793            | 6,557     | 3,236     |
| <b>OTHER GOVERNMENTAL FUNDS</b>                |             |           |          |                  |           |           |
| Municipal Complexes fund - Municipal Court     | -           | -         | -        | 62               | -         | 62        |
| 4 & 5 Cent Gas Tax fund - Street Resurfacing   | -           | -         | -        | 47               | -         | 47        |
| 2011 Road Construction - Streets - Fred. Rd.   | 1,583       | (112)     | (1,695)  | 446              | (112)     | 558       |
| 2011 Road Construction - Street paving         | 100         | -         | (100)    | -                | -         | -         |
| 2011 Road Construction - Other                 | 948         | 71        | (877)    | 603              | 71        | 532       |
| Capital Improvement funds - Other              | 77          | 9         | (68)     | 80               | 9         | 71        |
| Industrial Road Grant funds - Other            | 8           | 7         | (1)      | 24               | 7         | 17        |
| Industrial Road Grant funds - Engineering      | 416         | -         | (416)    | 19               | -         | 19        |
| Total Other Governmental funds                 | 3,132       | (25)      | (3,157)  | 1,281            | (25)      | 1,306     |
| Total City of Opelika Capital Outlay           | \$ 10,105   | \$ 18,259 | \$ 8,154 | \$ 29,134        | \$ 18,259 | \$ 10,875 |



**City Council**  
204 South 7Th Street  
Opelika, AL

**SCHEDULED**

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

**MAYOR'S REMARKS (ID # 3566)**

DOC ID: 3566

## June 2019 Monthly Building Report



**BUILDING INSPECTIONS**  
 700 Fox Trail  
 Opelika, AL 36801  
 (p) 334-705-5420  
 (f) 334-705-5159  
 www.opelika-al.gov

## 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:

|     |                                     |                 |
|-----|-------------------------------------|-----------------|
| 19  | New Buildings: Commercial           | \$6,959,349.60  |
| 40  | Commercial Renovations And Repairs  | \$9,357,265.33  |
| 29  | Signs                               | \$738,248.25    |
| 194 | New Single Family Homes             | \$47,937,353.60 |
| 148 | Residential Repairs And Renovations | \$3,423,901.30  |
| 0   | New Apartment Units                 | \$0.00          |
| 15  | New Duplex Residences               | \$1,824,848.00  |
| 0   | Total Building Permits Issued       | \$0.00          |

248

Permit Total Issued for FY 2019

\$69,831,966.08

*Jeff Kappelman*  
 JEFF KAPPELMAN  
 Chief Building Inspector



City of Opelika Building Inspections Department  
June 2019 Monthly Building Report

| Issue Date | Main Address             | Work Class                 | Company                      | Valuation     |
|------------|--------------------------|----------------------------|------------------------------|---------------|
| 6/3/2019   | 2836 LAKEVIEW TER        | New Single Family Detached | MATHEWS DEVELOPMENT CO LLC   | \$ 250,698.00 |
| 6/4/2019   | 3203 WESTPOINT PKWY      | Roofs                      | B&L ROOFING                  | \$ 6,200.00   |
| 6/5/2019   | 3386 EAGLE TRL           | New Single Family Detached | CONNER BROTHERS CONSTRUCTION | \$ 198,177.00 |
| 6/5/2019   | 304 ETOWAH AVE           | Decks                      | E&E PROPERTIES               | \$ 2,000.00   |
| 6/6/2019   | 4082 BROADVIEW DR        | New Single Family Detached | STONE MARTIN BUILDERS        | \$ 186,648.40 |
| 6/6/2019   | 1304 SOUTH ST            | Alteration                 | GOLD HILL CONSTRUCTION       | \$ 3,025.00   |
| 6/7/2019   | 2100 CROSSING DR         | Swimming Pool              | BACKYARD EXPERIENCE, THE     | \$ 50,000.00  |
| 6/7/2019   | 3417 LAKESHORE DR DR     | New Single Family Detached | TOLAND CONSTRUCTION LLC      | \$ 273,382.00 |
| 6/7/2019   | 3465 LAKESHORE DR DR     | New Single Family Detached | TOLAND CONSTRUCTION LLC      | \$ 263,728.00 |
| 6/7/2019   | 2701 OLD COLUMBUS RD     | Swimming Pool              | BACKYARD EXPERIENCE, THE     | \$ 57,000.00  |
| 6/7/2019   | 1907 JOLLIT AVE          | Alteration                 | Rex Stroud                   | \$ 4,000.00   |
| 6/11/2019  | 2209 DIANE CT            | New Single Family Detached | EDGAR HUGHSTON BUILDER INC   | \$ 268,274.00 |
| 6/11/2019  | 504 6TH AVE              | Alteration                 | A&E HOLDINGS LLC             | \$ 5,319.00   |
| 6/11/2019  | 3309 STONYBROOK LN       | Alteration                 | A&E HOLDINGS LLC             | \$ 8,428.00   |
| 6/11/2019  | 713 PLEASANT DR          | Alteration                 | A&E HOLDINGS LLC             | \$ 1,752.00   |
| 6/12/2019  | 3301 DOUBLE EAGLE LN     | Addition                   | DAVID MYERS CONSTRUCTION INC | \$ 30,000.00  |
| 6/12/2019  | 409 MEGHAN CT            | Accessory Buildings        | Dalton Sconyers              | \$ 3,000.00   |
| 6/14/2019  | 3704 QUAIL TRCE          | New Single Family Detached | CONNER BROTHERS CONSTRUCTION | \$ 265,457.00 |
| 6/14/2019  | 2901 GRAND NATIONAL PKWY | Accessory Buildings        | Donald Davis                 | \$ 7,000.00   |
| 6/14/2019  | 3708 QUAIL TRCE          | New Single Family Detached | CONNER BROTHERS CONSTRUCTION | \$ 273,553.00 |
| 6/14/2019  | 300 S 7TH ST             | Alteration                 | Mike Thrower                 | \$ 10,000.00  |
| 6/17/2019  | 1965 CALCUTTA CIR        | New Single Family Detached | MOORES CONSTRUCTION          | \$ 268,926.00 |
| 6/17/2019  | 1701 SPRUCE ST           | Addition                   | Gregory Nelson               | \$ 6,000.00   |
| 6/17/2019  | 2580 PEPPERELL PKWY      | Alteration                 | MEADOWS CONTRACTING INC      | \$ 250,000.00 |
| 6/17/2019  | 2120 DIANE CT            | New Single Family Detached | EDGAR HUGHSTON BUILDER INC   | \$ 280,087.00 |
| 6/17/2019  | 1961 CALCUTTA CIR        | New Single Family Detached | MOORES CONSTRUCTION          | \$ 269,381.00 |
| 6/17/2019  | 2206 DIANE CT            | New Single Family Detached | EDGAR HUGHSTON BUILDER INC   | \$ 266,914.00 |
| 6/17/2019  | 2110 GREENE WAY          | New Single Family Detached | EDGAR HUGHSTON BUILDER INC   | \$ 312,716.00 |
| 6/17/2019  | 2118 GREENE WAY          | New Single Family Detached | EDGAR HUGHSTON BUILDER INC   | \$ 312,716.00 |

|           |                          |                            |                               |                  |
|-----------|--------------------------|----------------------------|-------------------------------|------------------|
| 6/17/2019 | 4005 GRAND NATIONAL PKWY | Storm Shelter              | Henry Gibson                  | \$ 6,400.00      |
| 6/18/2019 | 4901 PEBBLE SHORE DR     | Swimming Pool              | PRECISION POOLS               | \$ 28,500.00     |
| 6/19/2019 | 1207 LIVE OAK CIR        | Alteration                 | JENNINGS CONSTRUCTION CO INC  | \$ 63,312.00     |
| 6/20/2019 | 2803 JACKSON ST          | New Single Family Detached | BUILDERS PROFESSIONAL GRP LLC | \$ 240,035.70    |
| 6/20/2019 | 2901 JACKSON ST          | New Single Family Detached | BUILDERS PROFESSIONAL GRP LLC | \$ 221,155.10    |
| 6/20/2019 | 804 GWYNNE'S WAY         | New Single Family Detached | BUILDERS PROFESSIONAL GRP LLC | \$ 176,386.00    |
| 6/20/2019 | 1104 GWYNNE'S WAY        | New Single Family Detached | BUILDERS PROFESSIONAL GRP LLC | \$ 221,155.10    |
| 6/20/2019 | 2700 JACKSON ST          | New Single Family Detached | BUILDERS PROFESSIONAL GRP LLC | \$ 322,509.30    |
| 6/20/2019 | 2710 HUNTER ALLY         | New Single Family Detached | BUILDERS PROFESSIONAL GRP LLC | \$ 180,217.50    |
| 6/21/2019 | 1403 LIVE OAK CIR        | Alteration                 | LETLOW CO LLC, THE (OCC TAX)  | \$ 50,000.00     |
| 6/24/2019 | 2206 HERITAGE DR         | Roofs                      | SUPERIOR ROOFING CO           | \$ 15,440.00     |
| 6/25/2019 | 4046 BROADVIEW DR        | New Single Family Detached | STONE MARTIN BUILDERS         | \$ 257,179.50    |
| 6/25/2019 | 627 TOWNE LAKE PKWY      | New Single Family Detached | STONE MARTIN BUILDERS         | \$ 252,808.20    |
| 6/25/2019 | 600 CAR TECH DR MTR 3    | Addition                   | MARSHALL DESIGN BUILD LLC     | \$ 3,552,430.00  |
| 6/25/2019 | 995 ODEN CT              | New Single Family Detached | STONE MARTIN BUILDERS         | \$ 196,012.70    |
| 6/25/2019 | 2705 EASTPOINT DR        | New Single Family Detached | RIVERCHASE HOME LLC           | \$ 201,360.00    |
| 6/25/2019 | 2703 EASTPOINT DR        | New Single Family Detached | RIVERCHASE HOME LLC           | \$ 235,826.00    |
| 6/25/2019 | 2102 CROSSING DR         | New Single Family Detached | RIVERCHASE HOME LLC           | \$ 135,664.00    |
| 6/26/2019 | 2734 SPRING LAKES XING   | New Single Family Detached | CLAYTON PROPERTIES GROUP INC  | \$ 173,362.00    |
| 6/27/2019 | 1113 SAWYER DR           | Accessory Buildings        | Mark Sheppard                 | \$ 3,242.00      |
| 6/27/2019 | 206 STOWE AVE            | New Single Family Detached | PEPPERELL DEVELOPMENT LLC     | \$ 89,958.00     |
| 6/27/2019 | 2356 PEPPERELL PKWY      | Alteration                 | ELECTRICAL ADDITIONS          | \$ 11,000.00     |
| 6/28/2019 | 2204 GREENE WAY          | New Single Family Detached | EDGAR HUGHSTON BUILDER INC    | \$ 263,197.00    |
| 6/28/2019 | 2114 GREENE WAY          | New Single Family Detached | EDGAR HUGHSTON BUILDER INC    | \$ 269,009.00    |
| 6/28/2019 | 917 S RAILROAD AVE       | Roofs                      | SOUTHERN ROOFING COMPANY      | \$ 9,200.00      |
| 6/28/2019 | 2212 GREENE WAY          | New Single Family Detached | EDGAR HUGHSTON BUILDER INC    | \$ 237,162.00    |
|           |                          |                            |                               | \$ 11,546,902.50 |

  
 Jeff Kappelman/Chief Building Official



CITY OF  
**OPELIKA**  
*alabama*

BUILDING INSPECTIONS  
700 Fox Trail  
Opelika, AL 36801  
(p) 334-705-5420  
(f) 334-705-5159  
www.opelika-al.gov

## Monthly Permits For June, 2019

### Work & Repair On Buildings:

| Building Repairs                        | Commercial | Residential |
|-----------------------------------------|------------|-------------|
| Buildings Condemned                     | 0          | 0           |
| Buildings Demolished                    | 0          | 0           |
| Building Repairs                        | 4          | 9           |
| Plumbing Upgrades                       | 2          | 4           |
| Electrical Upgrades                     | 8          | 16          |
| Mechanical Upgrades                     | 4          | 3           |
| Reroofs And Roof Repairs                | 1          | 2           |
| Mobile Home Services                    | 0          | 1           |
| Building Additions/Accessory Structures | 4          | 10          |

### Monthly Totals For June 2010-2019

|      |                 |
|------|-----------------|
| 2010 | \$15,454,374.00 |
| 2011 | \$2,746,405.00  |
| 2012 | \$2,019,998.00  |
| 2013 | \$9,059,891.00  |
| 2014 | \$4,340,584.00  |
| 2015 | \$12,019,990.00 |
| 2016 | \$13,921,378.00 |
| 2017 | \$10,392,836.00 |
| 2018 | \$5,854,755.20  |
| 2019 | \$11,546,902.50 |

### Total Permits Issued:

|    |                                     |                |
|----|-------------------------------------|----------------|
| 0  | New Buildings: Commercial           | \$0.00         |
| 4  | Commercial Renovations And Repairs  | \$3,832,630.00 |
| 0  | Signs                               | \$0.00         |
| 31 | New Single Family Homes             | \$7,363,654.50 |
| 19 | Residential Repairs And Renovations | \$350,618.00   |
|    | New Apartment Units                 |                |
|    | New Duplex Residences               |                |
|    | Total Building Permits Issued       |                |

**54**

Total Permits Issued For June, 2019

**\$11,546,902.50**

TAKEN FROM THE RECORDS OF THE  
BUILDING INSPECTOR

*Jeff Kappelman*  
Jeff Kappelman  
Chief Building Inspector





**City Council**  
204 South 7Th Street  
Opelika, AL

**SCHEDULED**

**GENERAL BUSINESS (ID # 3553)**

Meeting: 07/16/19 07:00 PM  
Department: Purchasing and Revenue  
Category: Public Hearing  
Prepared By: Jerry Bush  
Initiator: Lillie Finley  
Sponsors:  
DOC ID: 3553

## **Public Hearing, Weed Abatement Assessment - 20 Jeter Ave.**

## WEED ABATEMENT INVOICE

**Date: 07/08/2019**

**To: Lonzie & Henrietta Frazier  
20 Jeter Ave  
Opelika AL 36801**

**Property Address:  
20 Jeter Ave  
Opelika AL 36801  
Parcel # 10-03-07-1-001-022.000**

On April 23, 2019 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

|                    |                             |
|--------------------|-----------------------------|
| Cost of Abatement: | <u>190.13</u>               |
| Certified mail:    | <u>13.34</u>                |
| Misc.              | <u>                    </u> |
| Total              | <u>203.47</u>               |

Attachment: WEED INVOICE 20 Jeter Ave (3553 : Public Hearing Weed Abatement Assessment - 20 Jeter Ave)

To: **Lonzie & Henrietta Frazier**  
**20 Jeter Ave**  
**Opelika Al. 36801**

**NOTICE OF PUBLIC HEARING ON COST OF  
 ABATEMENT OF WEED NUISANCE LOCATED AT  
 20 Jeter Ave, Parcel 43-10-03-07-1-001-022.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 20 Jeter Ave, Parcel No. 022.000 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 \$203.47.

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 7<sup>th</sup> Street, Opelika, Alabama, on the 16<sup>th</sup> day of July, 2019.

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 8th day of July, 2019.

\_\_\_\_\_  
 Liz Wright  
 Code Compliance Officer

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



**City Council**  
204 South 7Th Street  
Opelika, AL

**SCHEDULED**

**GENERAL BUSINESS (ID # 3559)**

Meeting: 07/16/19 07:00 PM  
Department: Purchasing and Revenue  
Category: Public Hearing  
Prepared By: Jerry Bush  
Initiator: Lillie Finley  
Sponsors:  
DOC ID: 3559

## **Public Hearing, Weed Abatement Assessment - 311 S 3Rd St.**

**WEED ABATEMENT INVOICE****Date: 07/08/2019****To: Roderick & Michelle Hillion  
PO Box 894  
Smith Station, AL 36877****Property Address:  
311 S 3<sup>rd</sup> St  
Opelika AL 36801  
Parcel # 10-03-08-3-000-021.000**

On May 30, 2019 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

|                    |                             |
|--------------------|-----------------------------|
| Cost of Abatement: | <u>94.05</u>                |
| Certified mail:    | <u>13.34</u>                |
| Misc.              | <u>                    </u> |
| Total              | <u>107.39</u>               |

Attachment: WEED INVOICE 311 S 3rd St. (3559 : Public Hearing Weed Abatement Assessment - 311 S 3Rd St.)

To: **Roderick & Michelle Hillion**  
**PO Box 894**  
**Smith Station, Al 36877**

**NOTICE OF PUBLIC HEARING ON COST OF  
 ABATEMENT OF WEED NUISANCE LOCATED AT  
 311 S 3<sup>rd</sup> St, Parcel 43-10-03-08-3-000-021.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 311 S 3<sup>rd</sup> St., Parcel No. 021.000 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 \$107.39.

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 7<sup>th</sup> Street, Opelika, Alabama, on the 16<sup>th</sup> day of July, 2019.

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 8th day of July, 2019.

\_\_\_\_\_  
 Jerry Bush  
 Code Compliance Officer

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

Attachment: Weeds, NPH-Resolution, cost to abate, 311 S 3rd St. (3559 : Public Hearing Weed Abatement Assessment - 311 S 3Rd St.)



**City Council**  
204 South 7Th Street  
Opelika, AL

**SCHEDULED**

Meeting: 07/16/19 07:00 PM  
Department: Purchasing and Revenue  
Category: Public Hearing  
Prepared By: Jerry Bush  
Initiator: Lillie Finley  
Sponsors:

**GENERAL BUSINESS (ID # 3557)**

DOC ID: 3557

---

## **Public Hearing, Weed Abatement Assessment - 514 Old Columbus Rd.**

**WEED ABATEMENT INVOICE****Date: July 8, 2019****To: Phillip Ray Allen  
64 Lee Rd 2093  
Valley Al. 36854****Property Address:  
514 Old Columbus Rd.  
Opelika Al. 36801  
Parcel # 10-04-20-1-000-010.000**

On May 30, 2019 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

|                    |                             |
|--------------------|-----------------------------|
| Cost of Abatement: | <u>592.25</u>               |
| Certified mail:    | <u>13.34</u>                |
| Misc.              | <u>                    </u> |
| Total              | <u>605.59</u>               |

Attachment: WEED INVOICE 514 Old Columbus Rd (3557 : Public Hearing Weed Abatement Assessment - 514 Old Columbus Rd.)

To: **Phillip Ray Allen**  
**64 Lee Rd 2093**  
**Valley Al. 36854**

**NOTICE OF PUBLIC HEARING ON COST OF  
 ABATEMENT OF WEED NUISANCE LOCATED AT  
 514 Old Columbus Rd., Parcel # 10-04-20-1-000-010.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 514 Old Columbus Rd, Parcel No. 010.000 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 \$605.59.

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 7<sup>th</sup> Street, Opelika, Alabama, on the 16<sup>th</sup> day of July, 2019.

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 8th day of July, 2019.

\_\_\_\_\_  
 Jerry Bush  
 Code Compliance Officer

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



**City Council**  
204 South 7Th Street  
Opelika, AL

**SCHEDULED**

**GENERAL BUSINESS (ID # 3555)**

Meeting: 07/16/19 07:00 PM  
Department: Purchasing and Revenue  
Category: Public Hearing  
Prepared By: Jerry Bush  
Initiator: Lillie Finley  
Sponsors:  
DOC ID: 3555

## **Public Hearing, Weed Abatement Assessment - 803 E Towne Lake Circle.**

**WEED ABATEMENT INVOICE****Date: 07/08/2019****To: Sirote & Permutt PC  
2311 Highland Avenue  
Birmingham Al. 35205-2973****Property Address:  
803 E. Towne Lake Circle  
Opelika Al. 36801****Parcel # 10-02-09-1-000-017.000**

On May 15, 2019 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: 354.33

Certified mail: 13.34

Misc.

Total 367.67

To: **Sirote & Permutt PC**  
**2311 Highland Avenue**  
**Birmingham AL 35205-2973**

**NOTICE OF PUBLIC HEARING ON COST OF  
 ABATEMENT OF WEED NUISANCE LOCATED AT  
 803 E Towne Lake Circle, Parcel 43-10-02-09-1-000-017.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 803 E Towne Lake Circle, Parcel No. 017.000 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 \$367.67.

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 7<sup>th</sup> Street, Opelika, Alabama, on the 16<sup>th</sup> day of July, 2019.

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 8th day of July, 2019.

\_\_\_\_\_  
 Liz Wright  
 Code Compliance Officer

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



**City Council**  
204 South 7Th Street  
Opelika, AL

**SCHEDULED**

Meeting: 07/16/19 07:00 PM  
Department: Purchasing and Revenue  
Category: Public Hearing  
Prepared By: Jerry Bush  
Initiator: Lillie Finley  
Sponsors:

**GENERAL BUSINESS (ID # 3551)**

DOC ID: 3551

---

## **Public Hearing, Weed Abatement Assessment - 810 Williamson Ave**

## WEED ABATEMENT INVOICE

**Date: 07/08/2019**

**To: Larry Wakefield  
1954 Shades Crest Rd  
Vestavia Hills, Al. 35216**

**Property Address:  
810 Williamson Ave  
Opelika Al. 36801  
Parcel # 10-04-19-2-000-007.000**

On May 22, 2019 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

|                    |               |
|--------------------|---------------|
| Cost of Abatement: | <u>150.0</u>  |
| Certified mail:    | <u>13.34</u>  |
| Misc.              | <u></u>       |
| Total              | <u>163.34</u> |

Attachment: WEED INVOICE 810 Williamson Ave (3551 : Public Hearing Weed Abatement Assessment - 810 Williamson Ave)

To: Larry Wakefield  
 1954 Shades Crest Rd  
 Vestavia Hills Rd. Al. 35216

**NOTICE OF PUBLIC HEARING ON COST OF  
 ABATEMENT OF WEED NUISANCE LOCATED AT  
 810 Williamson Ave, Parcel 10-04-19-2-000-007.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 810 Williamson Ave., Parcel No. 007.000 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 \$163.34.

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 7<sup>th</sup> Street, Opelika, Alabama, on the 16th day of July, 2019.

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 8th day of July, 2019.

\_\_\_\_\_  
 Liz Wright  
 Code Compliance Officer

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

**City Council**204 South 7Th Street  
Opelika, AL**SCHEDULED****GENERAL BUSINESS (ID # 3545)**

Meeting: 07/16/19 07:00 PM

Department: Planning

Category: Vacate Property

Prepared By: Marty Ogren

Initiator: Charles Mosley

Sponsors:

DOC ID: 3545

**Public Hearing, Vacate Right-Of-Way - SE Portion of  
Frederick Road & N. Frederick Ave.**

The Petitioners (East Alabama Power Sports, LLC/adjacent property owner) are requesting the vacation of a portion of right of way at the intersection of Frederick Road and Frederick Avenue. Many years ago, Frederick Road continued along Frederick Avenue to Long Street. More recently, Frederick Road was realigned to its current location. The old Frederick Road right-of-way was renamed Frederick Avenue, and at one point, the right-of-way was for Bulloch Street. The right of way that occurred at the intersection was a larger right-of-way area. The area to be vacated is approximately 7,658 square feet. At the May 28th meeting, the Planning Commission (PC) voted 6 to 0 (one abstain) to send a positive recommendation to City Council to vacate a SE portion of Frederick Road right-of-way; a PC report and map are attached. At the June 4th CC WS meeting, the CC approved a public hearing for the vacation request.

## City of Opelika Planning Commission Report

**Action Requested:** Vacate the southeasterly right-of-way of Frederick Road and a portion of the northerly right-of-way of Frederick Avenue

**Adjacent** East Alabama Power Sports, LLC.

**Location of Property:** 1116 Frederick Avenue

**Adjacent Land Use:** Automotive sales

**Current Zoning:** C2, GC-P

**Surrounding Zoning Districts  
And Land Uses:**

|       |          |                  |
|-------|----------|------------------|
| North | C2, GC-P | vacant           |
| South | C3, GC-P | Church           |
| East  | C2, GC-P | Automotive Sales |
| West  | C2, GC-P | vacant           |

**Proposal:**

The adjacent property owner at the intersection of Frederick Road and Frederick Avenue has requested the right-of-way on the northern side of the intersection be vacated. At one point in time, Frederick Road continued along Frederick Avenue to Long Street. Later, Frederick Road was realigned to its current location. The old Frederick Road right-of-way was renamed as Frederick Avenue. A portion of this area was at one point also the right-of-way for Bulloch Street. This area was left as larger right-of-way.

This portion of the right-of-way is not necessary for the road maintenance. There are various utilities located in this area that will need to be placed in easements if the right-of-way is vacated. This would prevent the area from being used for a building but could potentially be used for signage or display areas. The area to be vacated is approximately 7,658 square feet. The vacation of this right-of-way requires approval of the City Council after recommendation by the Planning Commission to finalize this transfer

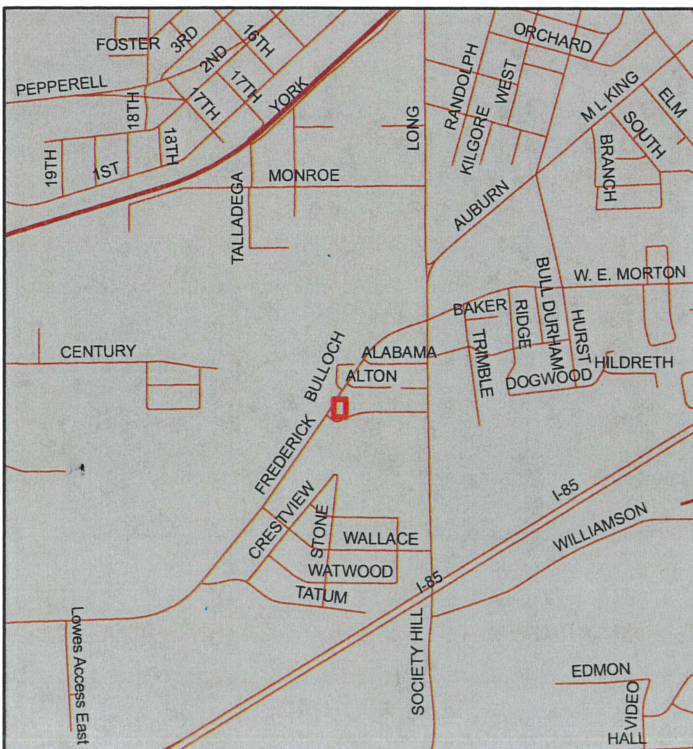
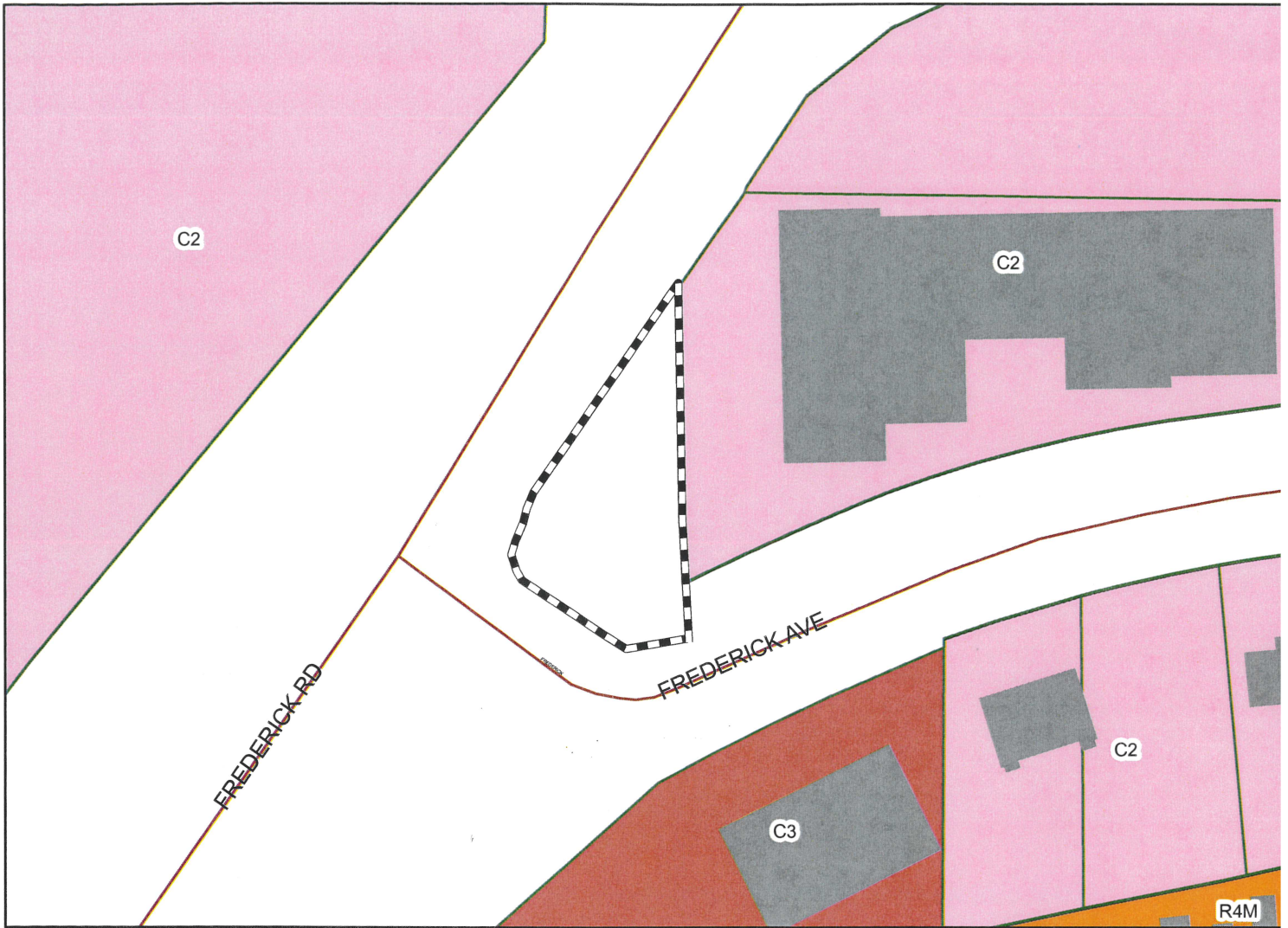
**Staff recommends approval to vacate the R.O.W.**

**Planning staff and Engineering Department recommend the Planning Commission send a positive recommendation to City Council to approve the vacation of the southeasterly right-of-way of Frederick Road and a portion of the northerly right-of-way of Frederick Avenue.**

*At the May 28<sup>th</sup> meeting, the Planning Commission voted 7 to 0 (one abstain) to send a positive recommendation to City Council to vacate a portion of right of way at the intersection of Frederick Road and Frederick Avenue.*

# PETITION TO VACATE RIGHT-OF-WAY SOUTHEAST CORNER OF FREDERICK ROAD VACATION OF ROW

11.6.a



The petitioner, East Alabama Power Sports, LLC, requesting to vacate a 7,658 square foot portion right-of-way. The ROW is at the corner of Frederick Avenue and Frederick Road.



Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without



NOTICE OF PUBLIC HEARING  
OPELIKA CITY COUNCIL  
July 16, 2019 7:00 P.M.

NOTICE IS HEREBY GIVEN in accordance with §23-4-2, *Code of Alabama*, 1975, that the City Council of the City of Opelika will conduct a Public Hearing during the regularly scheduled City Council meeting on Tuesday, July 16, 2019, beginning at 7:00 p.m. in the Opelika City Council Chambers of the Municipal Building, 204 S. 7<sup>th</sup> Street, Opelika, Lee County, Alabama, to receive the benefit of public input concerning a proposal to vacate a portion of the southeasterly right-of-way of Frederick Road and a portion of the northerly right-of-way of Frederick Avenue. All persons interested in the proposed vacation are invited to appear at the public hearing and express their views. Written statements or objections may be submitted to the City Clerk prior to the time of the hearing.

The portions of the rights-of-way of Frederick Road and Frederick Avenue proposed to be vacated are more particularly described as follows:

Commencing at the southeast corner of Section 13, T-19-N, R-26-E, in Opelika, Lee County, Alabama; thence N1°26'53"W, 262.00 feet; thence N89°41'53"W, 947.70 feet to a 1/2" rebar at the northwest corner of Lot 12-A1 of a Resubdivision of Lots 12-A, 17 & 18, Block C, Johnston Subdivision, as recorded in Plat Book 36, Page 138, in the office of the Judge of Probate of Lee County, Alabama; said corner being on the southeasterly R/W line of Frederick Road; thence, along said R/W Line, S33°23'00"W, 54.11 feet to a 6" concrete R/W monument and the True Point of Beginning of the Parcel of Land herein described; thence, along said R/W line, S1°26'53"E, 154.94 feet to a Magnail set in a rock on the northerly R/W line of Frederick Avenue; thence southwesterly along a curve concave southeasterly and having a chord bearing and distance of S61°56'54"W, 31.34 feet, a radius of 889.44 feet, and an arc length of 31.34 feet to a spindle set; thence N56°38'24"W, 43.45 feet to a 1/2" rebar and cap (LS18677) set; thence northerly along a curve concave easterly and having a chord bearing and distance of N11°38'24"W, 42.43 feet, a radius of 30.00 feet, and an arc length of 47.12 feet to a 1/2" rebar and cap (LS18677) set; thence N33°21'36"E, 124.74 feet to the True Point of Beginning.

Said Parcel containing 7658 Square Feet or 0.1758 Acre

Being further described according to and as shown by that certain survey or drawing prepared by Mark L. Miller, Registered Surveyor, attached hereto and marked Exhibit "A".

A copy of the Petition to Vacate and the proposed resolution approving the vacation will be available upon request at the office of the City Clerk, 2<sup>nd</sup> Floor of City Hall, 204 South 7<sup>th</sup> Street, Opelika, Alabama.

Please contact Kevin Rice, the City's ADA Coordinator, at 334-705-2083 at least two (2) working days prior to the meeting if you require special accommodations due to a disability.

DATED this the \_\_\_\_ day of \_\_\_\_\_, 2019.

---

ROBERT G. SHUMAN, CITY CLERK

TO: PUBLISHER  
 {Name of Newspaper}  
 {Address}  
 Opelika, Alabama 36801

Please publish the foregoing Notice once a week for four (4) consecutive weeks in the [Name of Newspaper].

---

ROBERT G. SHUMAN, CITY CLERK



## City Council

204 South 7Th Street  
Opelika, AL

### SCHEDULED

**GENERAL BUSINESS (ID # 3495)**

Meeting: 07/16/19 07:00 PM

Department: Planning

Category: Public Hearing

Prepared By: Marty Ogren

Initiator: Charles Mosley

Sponsors:

DOC ID: 3495

# Public Hearing, Amend Zoning Ord & Map: Rezone 47.3 Acres, 1300 Block Fox Run Parkway.

## CITY OF OPELIKA NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika will hold a Public Hearing on Tuesday, July 16, 2019, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 S. 7<sup>th</sup> Street, Opelika, Lee County, Alabama.

### PURPOSE

The purpose of said Public Hearing will be to consider the adoption of an ordinance to amend Ordinance Number 124-91 (entitled "Zoning Ordinance of the City of Opelika") adopted on September 17, 1991 and the Zoning Map. At said Public Hearing all who desire to be heard shall have the opportunity to speak for or in opposition to the adoption of the following ordinance:

ORDINANCE NO. \_\_\_\_\_

### AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF OPELIKA (FOX RUN DEVELOPMENT PUD)

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

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

(a) Koul Properties, Inc., an Alabama corporation, (the "Company") is the owner of record of that certain real property consisting of approximately 47.3 acres located on the east side of Fox Run Parkway near Betts Crossing Shopping Center.

(b) The Company heretofore submitted to the City a development plan for a planned unit development ("PUD") entitled "Fox Run Development PUD" consisting of approximately 47.3 acres.

(c) The proposed development is a mixed use development divided primarily into four (4) sections. A future commercial section is located along Fox Run Parkway and is comprised of 1.46 acres. The westernmost residential section is a townhome area and is approximately 2.42 acres located near Fox Run Parkway and south of the existing Pinehurst Villas Apartments. The middle residential section is a twin home area of approximately 19.79 acres that includes 3.55 acres of open space. The easternmost residential section is a single-family detached house area that is approximately 23.61 acres that includes 7.07 acres of open space.

(d) The Planning Commission heretofore conducted a public hearing on the proposed development and referred to the City Council its recommendation to approve the proposed development.

(e) It is advisable and in the interest of the City and the public interest that the property described in Section 3 below should be developed as a mixed use planned unit development.

Section 2. APPROVAL OF THE DEVELOPMENT PLAN. The Development Plan as submitted for review is hereby approved and affirmed as required by Section 8.18N of the Zoning Ordinance of the City.

Section 3. DESIGNATION OF A PLANNED UNIT DEVELOPMENT. The official Zoning Map is hereby amended and the zoning classification for the following parcel of land shall be changed from a C-2 District (Office/Retail District) to a Planned Unit Development (PUD) on the official zoning map of the City.

Commencing at the southeast corner of Section 5, T-19-N, R-27-E, in Opelika, Lee County, Alabama; thence North 2° 30' 38" West, 1,251.1 feet to the TRUE POINT OF BEGINNING of the parcel of land herein described; thence South 86° 45' 22" West 2,175.84 feet to the northeasterly right-of-way line of Fox Run Parkway (U.S. Highway 431); thence northwesterly along said right-of-way line, being a curve concave southwesterly, and having a radius of 5,809.58 feet, for 17.20 feet; thence North 29° 51' 21" West 103.47 feet; thence North 41° 43' 51" West 102.44 feet; thence North 54° 00' 02" West 103.52 feet; thence Northwesterly along a curve concave southwesterly and having a radius of 5,809.58 feet, for 367.63 feet; thence leaving said right-of-way line North 1° 54' 18" West 245.30 feet; thence South 65° 11' 27" East, 22.35 feet; thence North 1° 56' 29" West 79.05 feet; thence North 87° 01' 52" East 1,129.62 feet; thence

North 87° 06'49" East, 1,486.88 feet; thence South 1° 44' 40" East 824.69 feet to the TRUE POINT OF BEGINNING.

The above-described property is located on the east side of Fox Run Parkway near Betts Shopping Center.

Section 4. RETENTION OF COPIES OF DEVELOPMENT PLAN. Copies of the Development Plan shall be maintained in the office of the City Clerk, City Planner, City Engineer and Building Official and shall be open for public inspection.

Section 5. REPEALER. Any ordinance or part thereof in conflict with provisions of this Ordinance be and the same are hereby repealed.

Section 6. EFFECTIVE DATE. This Ordinance shall become effective upon its adoption, approval and publication as required by law.

Section 7. PUBLICATION. This Ordinance shall be published one (1) time in a newspaper of general circulation in the City of Opelika, Lee County, Alabama.

All interested persons are invited to attend the public hearing and be heard. Written comments concerning the above matter may be mailed to the City Clerk at P.O. Box 390, Opelika, AL 36803 at any time prior to the public hearing and may be further submitted to the City Council at the meeting and the public hearing.

Please contact Kevin Rice, the City's ADA Coordinator, at 334-705-2083 at least two (2) working days prior to the meeting if you require special accommodations due to any disability.

WITNESS my hand this the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

TO: PUBLISHER

Opelika, Alabama 36801

Please publish the foregoing Notice one (1) time in the June \_\_, 2019 issue of your paper.

---

CITY CLERK

The applicant is requesting rezoning 47.3 acres from a C-2, GC-P (light commercial, gateway commercial-primary) zoning district to a planned unit development (PUD) zoning district. The overall development is 272 residential units that includes 112 single family homes, 142 twin homes/duplexes, 18 townhomes, and 1.46 acres of commercial space. The development's amenity space is a large pool & pavilion and an open space/dog walk area about 9.75 acres. Sidewalks are provided on at least one side of all streets. Staff recommended and the Planning Commission agreed that the commercial area be limited to those uses allowed in the GC-P/C-2 zoning district. The Planning Commission report and maps are attached. At the May 28<sup>th</sup> meeting, the Planning Commission voted 7 to 0 (and one abstain) to send a positive recommendation to CC to rezone the property. At the June 4th CC WS, the City Council reviewed the rezoning request and approved advertising for a CC PH.

# City of Opelika

## Planning Commission Report

|                              |                                                              |
|------------------------------|--------------------------------------------------------------|
| <b>Action Requested:</b>     | Rezoning - from C-2, GC-P to PUD                             |
| <b>Location of Property:</b> | 1300 block Fox Run Parkway                                   |
| <b>Property Owner:</b>       | Koul Properties, Inc.<br>Daniel Holland, Holland Homes, LLC. |
| <b>Current Zoning:</b>       | C-2                                                          |
| <b>Proposed Zoning:</b>      | PUD (Planned Unit Development)                               |
| <b>Existing Land Use:</b>    | Undeveloped                                                  |

**Surrounding Zoning Districts  
And Land Uses:**

|       |                                                  |
|-------|--------------------------------------------------|
| North | R-4 Residential (Single-family and multi-family) |
| South | PUD Vacant                                       |
| East  | R-3 Residential (Chimneys<br>Subdivision)        |
| West  | C-2/C-3 GC-P Vacant                              |

**Rezoning:**

The applicant is requesting rezoning 47.3 acres from a C-2 (light commercial) zoning district to a planned unit development (PUD) zoning district. The overall development is proposing 272 residential units. This includes 112 single family homes, 142 twin homes/duplexes, 18 townhomes, and 1.46 acres of commercial space. Overall, the development will have a density of 5.75 units per acre.

The development has an amenity space located between the twin home and single-family section. This area contains a large pool and pavilion. The development also shows to small open space/dog walk area. Overall, there is 9.75 acres of open space or approximately 21 percent of the overall development. Sidewalks are provided on at least one side of all streets. The development has access from Fox Run Parkway and contains a connection to the property to the west (The Chimneys).

The PUD does not list any particular uses that would be allowed in the commercial area. Staff recommends that the uses for this commercial area be limited to those allowed in the GC-P/C-2 zoning district.

The residential areas have requested some standards to allow smaller lots than otherwise allowed by the zoning ordinance. The twin home section is 19.79 acres and has 142 units. Each lot is proposed to be a minimum of 3,000 square feet with a minimum of 25 feet width. The front setback is proposed as 10 feet with a rear yard of 20 feet and a side yard of 5 feet. This would be roughly equivalent to a large townhouse lot in two-unit groups.

The single-family section is 23.61 acres and includes 112 homes. This is a density of 4.7 units per acre. The applicant is proposing a minimum lot size of 4,200 square feet and 40-foot width. These units would have 20-foot front and rear setbacks with 5-foot side setbacks. This would be similar to a garden home or smaller single-family home.

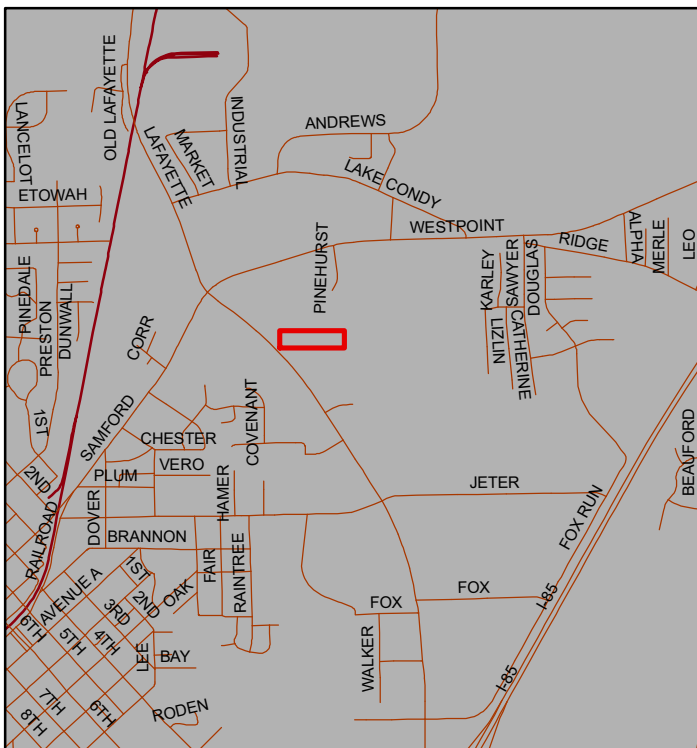
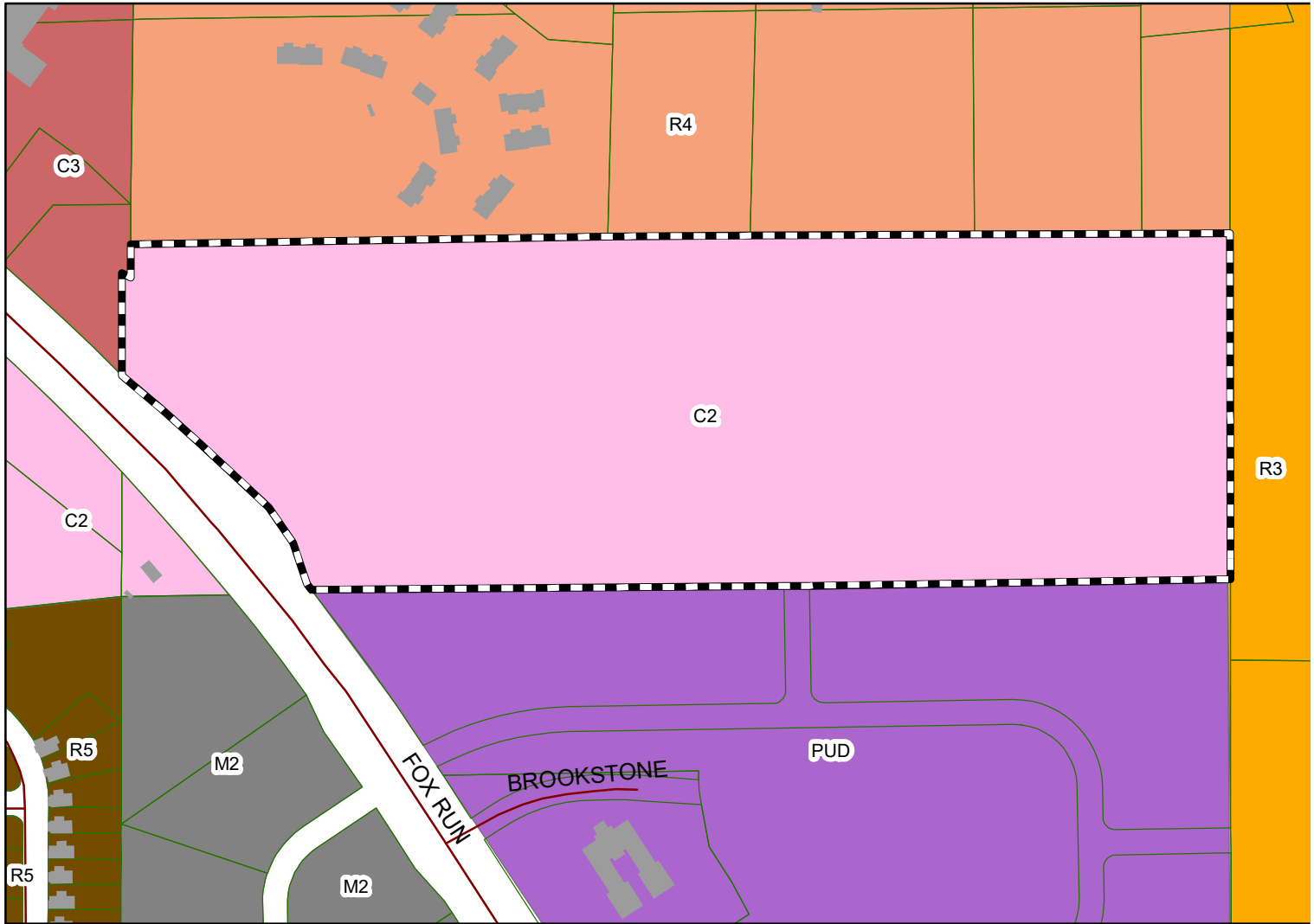
**Staff Recommendation:**

**Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property from C-2 to PUD subject to the following:**

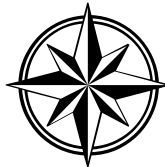
- 1. Note potential uses or types of uses for the commercial areas or limit them to the C-2/GC-P zoning district.**
- 2. Note the buffer type along the single-family residential areas**

*At the May 28<sup>th</sup> meeting, the Planning Commission voted 7 to 0 (and one abstain) to send a positive recommendation to the City Council to rezone 47.3 acres from C-2, GC-P to a PUD (Planned Unit Development) zoning district. This recommendation includes the Commissioner's approval of two Staff Recommendations provided in the report.*

11.7.b



The applicant is requesting rezoning of 47.3 acre for twin homes, single family homes, and commercial uses. The subject property is located near Bett's Crossing shopping center, Opelika High School, and Southern Union College.

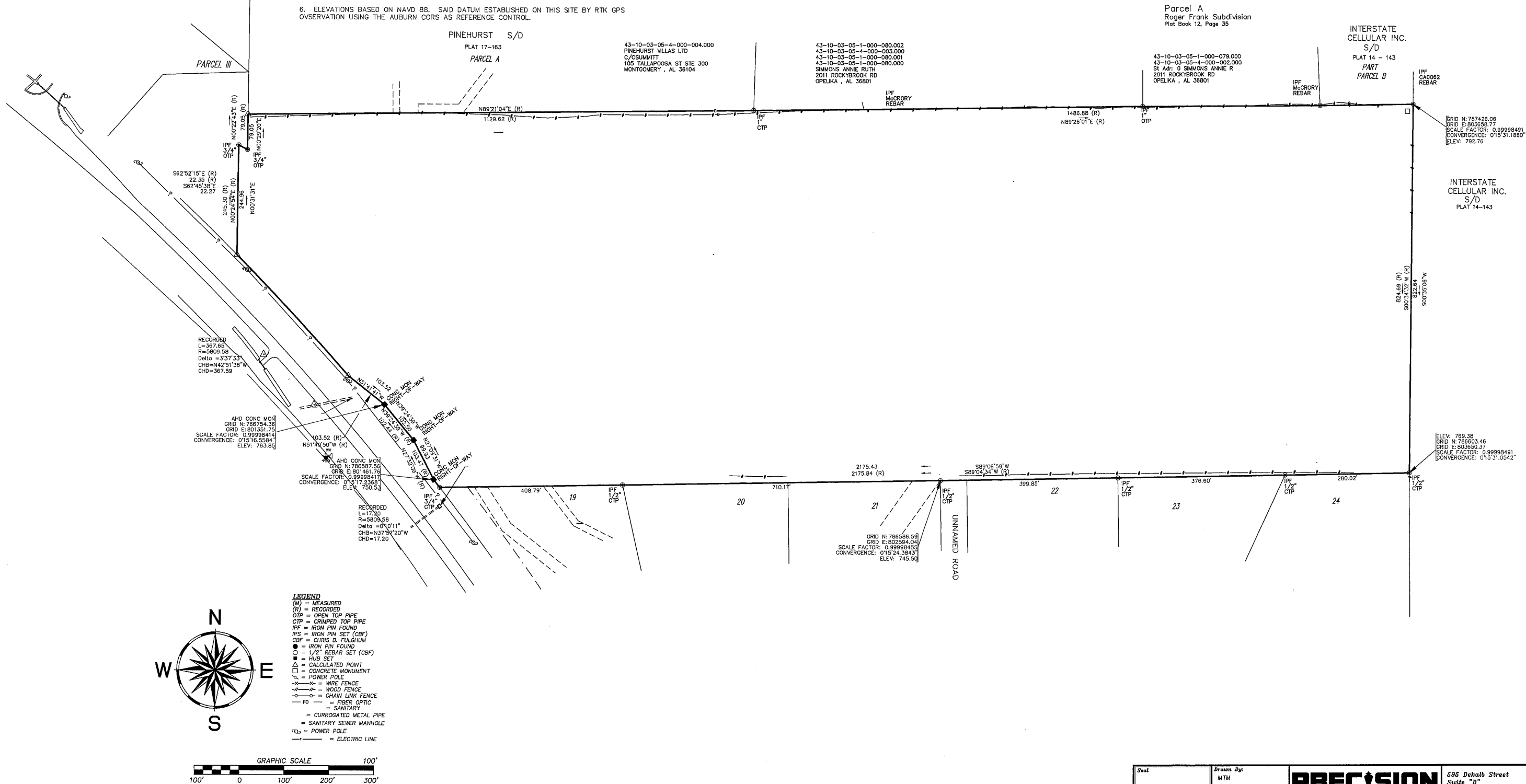


## Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without

BOUNDARY SURVEY  
~OF~  
FOX RUN PROPERTY  
SECTION 5 T 19 N R 27 E  
OPELIKA LEE COUNTY ALABAMA

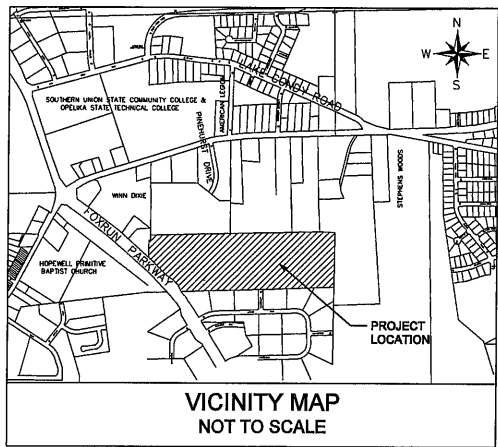
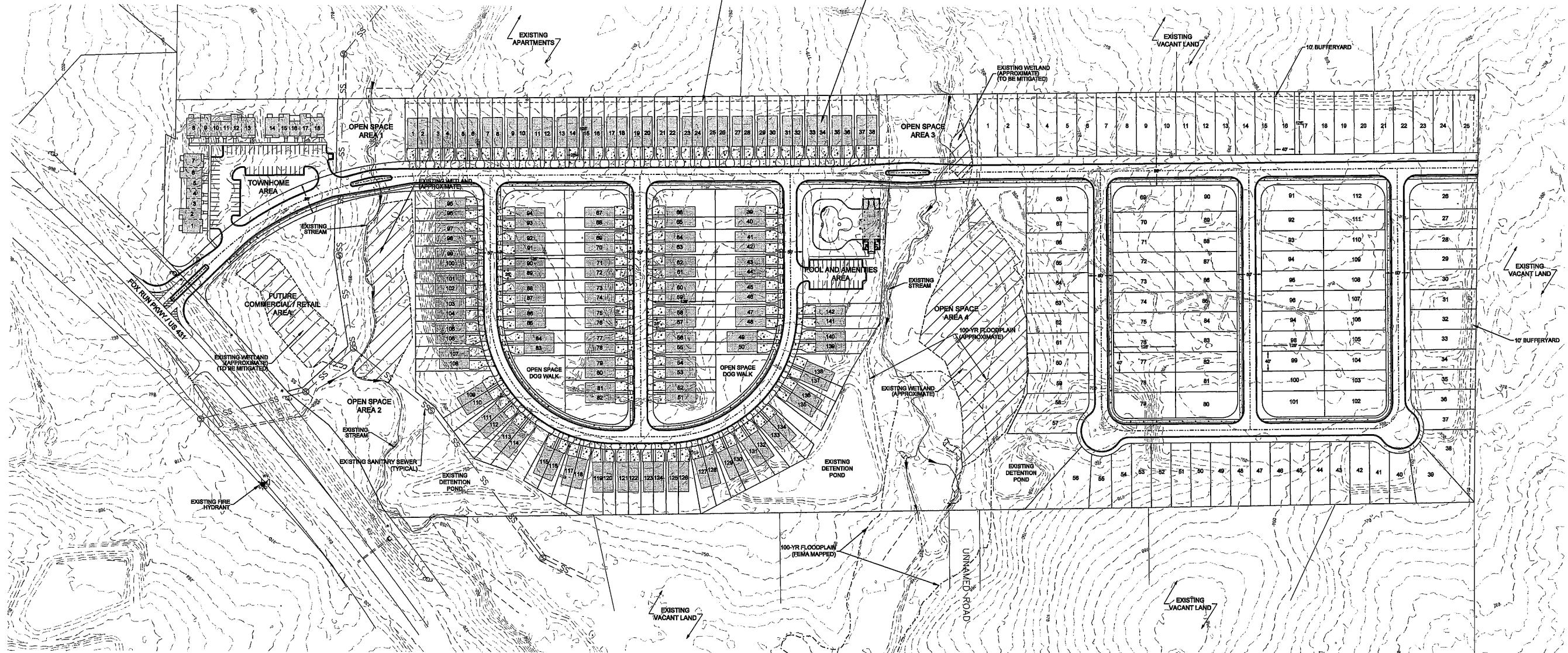
- NOTES:
- SOURCES OF INFORMATION:
    - DEED BOOK 1097, PAGE 285
    - DEED BOOK 1953 PAGE 218
    - DEED BOOK 2294, PAGE 894
    - PLAT BOOK 17, PAGE 163
    - PLAT BOOK 13, PAGE 48
    - PLAT BOOK 21, PAGE 103
  - BEARING BASE: COMPUTED FROM GRID NORTH, NAD 83, ALABAMA EAST, USING GPS EQUIPMENT USING THE AUBURN CORS STATION AS THE CONTROL MONUMENT. PROPERTY PINS WERE LOCATED, BUT NO BOUNDARY SURVEY WAS PERFORMED.
  - FIELD WORK COMPLETED APRIL 23, 2007.
  - OFFICE WORK COMPLETED APRIL 23, 2007.
  - THIS PARCEL LIES IN FLOOD ZONE "C" ACCORDING TO FEMA F.I.R.M. COMMUNITY PANEL NUMBER 010145 0050 B DATED SEPTEMBER 16, 1981. BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.
  - ELEVATIONS BASED ON NAVD 88. SAID DATUM ESTABLISHED ON THIS SITE BY RTK GPS OBSERVATION USING THE AUBURN CORS AS REFERENCE CONTROL.



|      |                          |                            |                                                                                 |
|------|--------------------------|----------------------------|---------------------------------------------------------------------------------|
| Seal | Drawn By:<br>MTM         | <b>PRECISION SURVEYING</b> | 595 Dekalb Street<br>Suite "D"<br>Auburn, Alabama 36830<br>Phone (334) 821-0105 |
|      | Scale:<br>1"=100'        |                            |                                                                                 |
|      | File Name:<br>07-117-TP1 |                            |                                                                                 |
|      | Date:<br>APRIL 25, 2007  |                            |                                                                                 |
|      |                          | Sheet Title:               | TOPOGRAPHIC SURVEY<br>~OF~<br>FOX RUN PROPERTY                                  |

1. PROPERTY BOUNDARY AND UTILITIES BASED ON SURVEY PREVIOUSLY DONE BY PRECISION SURVEYING, LLC. SURVEY SHALL BE UPDATED AS PART OF THE DESIGN PHASE OF THIS PROJECT.
2. EASEMENTS SHOWN ARE APPROXIMATE AND MAY NOT BE ALL INCLUSIVE.
3. CURRENT ZONE IS OFFICE/RETAIL DISTRICT (C-2) AND PROPERTY TO BE REZONED TO A PLANNED UNIT DEVELOPMENT (PUD).

| DESCRIPTION                               | SIZE (AC) | # OF LOTS |
|-------------------------------------------|-----------|-----------|
| RIGHT-OF-WAY                              | 8.44      | -         |
| TOWNHOME AREA                             | 1.81      | 18        |
| FUTURE COMMERCIAL / RETAIL AREA           | 1.46      | -         |
| OPEN SPACE AREA 1                         | 0.42      | -         |
| OPEN SPACE AREA 2                         | 3.13      | -         |
| OPEN SPACE AREA 3                         | 0.57      | -         |
| OPEN SPACE AREA 4                         | 5.63      | -         |
| AMENITIES AREA                            | 0.87      | -         |
| TWIN HOMES LOTS (25X125' TYPICAL)         | 11.54     | 142       |
| FAMILY RESIDENTIAL LOTS (40X125' TYPICAL) | 13.41     | 112       |
|                                           | 47.28     | 272       |



1. STREAM AND WETLANDS SHOWN ARE APPROXIMATE AND SHALL BE FORMALLY DELINEATED AS PART OF THE DESIGN PHASE OF THIS PROJECT.
2. A CORP OF ENGINEER PERMIT SHALL BE OBTAINED FOR THE STREAM AND WETLAND IMPACTS ASSOCIATED WITH THIS PROJECT.
3. THERE IS A 100-YR FLOODPLAIN LOCATED ON THE STREAM THAT RUNS THROUGH THE CENTER PORTION OF THE PROPERTY.

[illegible]

**NOT PRELIMINARY  
FOR CONSTRUCTION**

## FOX RUN DEVELOPMENT

## CONCEPTUAL MASTER PLAN

**HOLLAND HOMES, LLC**

**MAY 7, 2019**

**SCALE:**

**1<sup>o</sup> = 100**

**SHEET 1**

## Holland Homes, LLC

P.O. Box 1467  
Auburn, AL 36831

**MEMO TO:** City of Opelika  
Planning Commission  
Attention: Mr. Matt Mosley, AICP

**FROM:** Daniel Holland (Holland Homes, LLC)

**RE:** PUD Request for Fox Run Development – Opelika, Alabama

**DATE:** May 7, 2019

As described in the City of Opelika Zoning Ordinance, Section 8.18 Planned Unit Development Regulations we are submitting for your review and request approval for a Planned Unit Development currently identified as Fox Run Development

### Overall Development Scheme

#### **1. Location and intensity of proposed uses and activities**

The property is approximately 47.3 acres located on the east side of Fox Run Parkway (U.S. Highway 431). A new City of Opelika street will be extended from Fox Run Parkway to the east and through the development to connect to the future phases of The Chimneys Subdivision. The proposed use of the property is a mixed-use development consisting of some commercial frontage along Fox Run Parkway and three types of single-family residential products. The single-family residential products will consist of single-family detached houses, twin homes, and townhomes.

The property is divided primarily into four sections. A future commercial section is located along Fox Run Pkwy and is comprised of 1.46 acres. The westernmost residential section is a townhome area and is approximately 2.42 acres located near Fox Run Pkwy and south of the existing Pinehurst Villas Apartments. The middle residential section is a twin home area of approximately 19.79 acres that includes 3.55 acres of open space. The easternmost residential section is a single-family detached house area that is approximately 23.61 acres that includes 7.07 acres of open space.

The total number of units is 272 with a total development density of 5.75 units per acre. The individual development densities for the residential areas are as follows:

- |                                      |                    |
|--------------------------------------|--------------------|
| • Single-family Detached Houses Area | 4.7 units per acre |
| • Twin Homes Area                    | 7.2 units per acre |
| • Town Homes Area                    | 7.4 units per acre |

## 2. Physical Description of proposed facilities

The buildings in each section shall compliment each other in appearance and the four sections shall come together to make the overall aesthetics blend into a common theme or architectural style.

The requested development standards are as follows for Twin Home and Single-Family Detached areas:

- Twin Home Area Standards
  - Minimum Lot Size = 3,000 SF
  - Minimum Lot Width = 25 Feet
  - 10' front yard setback
  - 20' rear yard setback
  - 5' side yard setback
  - Floor Area Ratio (FAR) maximum of 0.65
- Single-Family Detached Home Area Standards
  - Minimum Lot Size = 4,200 SF
  - Minimum Lot Width = 40 Feet
  - 20' front yard setback
  - 20' rear yard setback
  - 5' side yard setback
  - Floor Area Ratio (FAR) maximum of 0.60

## 3. Statement of location and general configuration of lands to be dedicated for public open space and other public uses

The development will include four platted open space areas totaling approximately ten (10) acres that will remain mostly undisturbed vegetation and provide large buffers between the different types of residential and commercial development areas. There will be sidewalks along the rights-of-way throughout the development and at least one large pool and amenities area for the residents.

## 4. General designation of utilities

Sewer and water for the site will tie into existing nearby City of Opelika utilities. Storm water will be addressed with detention as required. Utilities such as power, gas, phone, and cable will be brought to the site by their associated companies.

## 5. General statement of form of site management proposed for common open spaces and facilities

The Developer will be responsible for the overall management and maintenance of the planned open spaces until a homeowner's association can be established to take over these common areas.



## City Council

204 South 7Th Street  
Opelika, AL

### SCHEDULED

### BIDS 189-19

Meeting: 07/16/19 07:00 PM  
Department: Purchasing and Revenue  
Category: Bid  
Prepared By: Angela Norrell  
Initiator: Lillie Finley  
Sponsors:  
DOC ID: 3571

## Contract for custodial services - OPS.

### RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, the Purchasing Department opened sealed bids for a contract for Custodial Services for the Opelika Power Services department; and

**WHEREAS**, Top Notch Cleaning, Inc. submitted the lowest bid meeting specifications; and

**WHEREAS**, funds are coming from the Cleaning Services account;

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

1. That the contract be awarded to Top Notch Cleaning, Inc. on their low bid meeting specifications.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Top Notch Cleaning, Inc. The bid for the first, second and third year is \$2,540.00 per month. The amount charged for additional services not included in the bid is \$19.00 per hour.
3. That the Controller is authorized to adjust the budget as necessary for this contract.
4. That the Mayor be authorized to execute all documents pertaining to this contract.

**APPROVED AND ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

ATTEST:

\_\_\_\_\_  
Robert G. Shuman, CMC  
City Clerk - Treasurer

**FACT SHEET**

**SUBJECT:** Sealed Bid #19022 – We are asking the Council to approve a contract for Custodial Services

**FACTS:**

- Bid opening date – 5/20/19
- User department(s) – Opelika Power Services
- The bid was mailed to 23 vendors
- 3 bids were received
- Budgeted contract
- Bid tabulation sheet attached

**RECOMMENDATION:**

- **Recommend that the contract be awarded to Top Notch Cleaning, Inc. on their low bid meeting specifications. The bid for the first, second, and third year is \$2,540.00 per month. The amount charged for additional services not included in the bid is \$19.00 per hour.**

| BID# 19022 DATE: 5/20/19 DEPT: POWER SERVICES |         |                                   |             |             |          | 23 VENDORS INVITED |      |  |
|-----------------------------------------------|---------|-----------------------------------|-------------|-------------|----------|--------------------|------|--|
| DESCRIPTION: CUSTODIAL SERVICES               |         |                                   |             |             |          | 3 BIDS RECEIVED    |      |  |
|                                               |         | ITEM 1: FIRST YEAR - PER MONTH    |             |             |          |                    |      |  |
|                                               |         | ITEM 2: SECOND YEAR - PER MONTH   |             |             |          |                    |      |  |
|                                               |         | ITEM 3: THIRD YEAR - PER MONTH    |             |             |          |                    |      |  |
|                                               |         | ITEM 4: ADDITIONAL PRICE PER HOUR |             |             |          |                    |      |  |
|                                               | PRE-BID | ITEM #1                           | ITEM #2     | ITEM #3     | ITEM #4  | TERMS              | DISC |  |
|                                               | CONF    |                                   |             |             |          |                    |      |  |
| BROWN, HARVEY                                 | √       |                                   |             |             |          |                    |      |  |
| CENTAUR BLDG SVCS INC                         |         |                                   |             |             |          |                    |      |  |
| CLEANING SERVICES INC                         |         |                                   |             |             |          |                    |      |  |
| DAKOTA MANAGEMENT                             |         |                                   |             |             |          |                    |      |  |
| DECISIVE CLEANING SERVICE                     |         |                                   |             |             |          |                    |      |  |
| ENMON ENTERPRISES LLC/JANI-KING               | √       | \$ 3,794.00                       | \$ 3,794.00 | \$ 3,794.00 | \$ 16.83 | --                 | --   |  |
| GLOBAL GOVT EDUCATION                         |         |                                   |             |             |          |                    |      |  |
| H & S COMMERCIAL SERVICES LLC                 | √       | \$ 4,712.85                       | \$ 4,712.85 | \$ 4,712.85 | \$ 16.25 | --                 | --   |  |
| INTRICATE CLEANING SOLUTIONS                  |         |                                   |             |             |          |                    |      |  |
| LRL VENTURES & MANAGEMENT                     |         |                                   |             |             |          |                    |      |  |
| MAKE IT HAPPEN                                |         |                                   |             |             |          |                    |      |  |
| MILFORD, JR, ARTHUR                           |         |                                   |             |             |          |                    |      |  |
| NATIONAL BUILDING SERVICE INC                 |         |                                   |             |             |          |                    |      |  |
| P & J                                         |         |                                   |             |             |          |                    |      |  |
| PARAGON INDUSTRIAL                            |         |                                   |             |             |          |                    |      |  |
| PERFORMANCE PROPERTY SVCG                     |         |                                   |             |             |          |                    |      |  |
| PROFESSIONAL FACILITIES MGMT                  |         |                                   |             |             |          |                    |      |  |
| PROSYSTEMS ELITE                              |         |                                   |             |             |          |                    |      |  |
| RITE WAY                                      |         |                                   |             |             |          |                    |      |  |
| SOUTHEASTERN CLEANING                         |         |                                   |             |             |          |                    |      |  |
| SPIFFY CLEANING                               |         |                                   |             |             |          |                    |      |  |
| TOP NOTCH CLEANING INC                        | √       | \$ 2,540.00                       | \$ 2,540.00 | \$ 2,540.00 | \$ 19.00 | --                 | --   |  |
| WRIGHT'S CLEANING SVCS                        |         |                                   |             |             |          |                    |      |  |



# City Council

204 South 7th Street  
Opelika, AL

## SCHEDULED

### BIDS 190-19

Meeting: 07/16/19 07:00 PM  
Department: Purchasing and Revenue  
Category: Bid  
Prepared By: Angela Norrell  
Initiator: Lillie Finley  
Sponsors:  
DOC ID: 3569

## Removal of Dead, Dying or Dangerous Trees, Stumps & Tree Pruning - ENG.

### RESOLUTION NO. \_\_\_\_\_

#### RESOLUTION ACCEPTING BID AND AUTHORIZING AWARD OF CONTRACT TO AAA GENERAL CONTRACTORS, INC., FOR REMOVAL OF DEAD, DYING OR DANGEROUS TREES AND STUMPS WITH TREE PRUNING (BID NO. 19023)

**WHEREAS**, the City of Opelika, Alabama (the “City”) has heretofore advertised bids for the removal of dead, dying or dangerous trees and stumps with tree pruning (Bid No. 19023) in accordance with the specifications on file in the office of the Purchasing-Revenue Manager; and

**WHEREAS**, on July 9, 2019 bids were duly opened and read aloud; and

**WHEREAS**, bids were received from the following contractors: AAA General Contractors, Inc. and D & J Enterprises, Inc.; and

**WHEREAS**, the bid from AAA General Contractors, Inc., is the lowest and best bid; and

**WHEREAS**, the City Engineer reviewed the bids as well as the qualifications and past experiences of each of the contractors and recommended that the City award the contract to AAA General Contractors, Inc., as the lowest and best bid meeting specifications.

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

1. That the bid (No 19023) be awarded to AAA General Contractors, Inc., on its quotation of \$83,000 for the removal of specified trees within certain public rights-of-way and also on its unit price quotes for miscellaneous tree services.
2. That the Mayor is hereby authorized and directed to execute and deliver a contract

by and between the City and AAA General Contractors, Inc., for tree removal, stump grinding and pruning services as described in the specifications and such ancillary documents as may be necessary or appropriate in order to carry into effect the purpose and intent of this Resolution and to carry out fully the transactions contemplated therein on behalf of the City.

3. That a budget in the amount of \$150,000 is established for tree removal, stump grinding and pruning services for the fiscal year ending September 30, 2019. (This amount includes \$83,000 for specified trees and approximately \$67,000 for other miscellaneous trees within the City based on unit prices).

4. All compensation to be paid to AAA General Contractors, Inc., shall come from the Unassigned Fund Balance, and the Controller is hereby authorized and directed to make all necessary and appropriate budget adjustments and accounting entries to implement the provisions of this Resolution.

5. That the Purchasing-Revenue Manager is hereby authorized and directed to issue all necessary and appropriate purchase orders to implement this Resolution.

6. 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.

7. That the provisions of this Resolution shall take effect immediately upon its passage and adoption by the City Council.

**ADOPTED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

ATTEST:

\_\_\_\_\_  
CITY CLERK

**FACT SHEET**

**SUBJECT:** Sealed Bid #19023 – We are asking the Council to approve a contract for the Removal of Dead, Dying, or Dangerous Trees and Stumps with Tree Pruning

**FACTS:**

- Bid opening date – 7/9/19
- User department(s) – Engineering
- The bid was mailed to 18 vendors
- 2 bids were received
- Budgeted contract
- Bid tabulation sheet attached

**RECOMMENDATION:**

- **Recommend that the contract be awarded to AAA General Contractors, Inc. on their low bid meeting specifications not to exceed \$150,000.00.**

|                                                                                      |                                |                   |              |              |                    |
|--------------------------------------------------------------------------------------|--------------------------------|-------------------|--------------|--------------|--------------------|
| BID# 19023                                                                           | DATE: 7/9/19                   | DEPT: ENGINEERING |              |              | 18 VENDORS INVITED |
| DESCRIPTION: REMOVAL OF DEAD, DYING, OR DANGEROUS TREES AND STUMPS WITH TREE PRUNING |                                |                   |              |              | 2 BIDS RECEIVED    |
|                                                                                      |                                |                   |              |              |                    |
|                                                                                      |                                |                   |              |              |                    |
|                                                                                      | ITEM 1: TREE AND STUMP REMOVAL |                   |              |              |                    |
|                                                                                      | ITEM 2: LARGE TREE PRUNING     |                   |              |              |                    |
|                                                                                      | ITEM 3: SMALL TREE PRUNING     |                   |              |              |                    |
|                                                                                      |                                |                   |              |              |                    |
|                                                                                      |                                |                   |              |              |                    |
| VENDOR                                                                               | ITEM 1 TOTAL                   | ITEM 2 TOTAL      | ITEM 3 TOTAL | TOTAL        |                    |
|                                                                                      |                                |                   |              |              |                    |
| A+ LANDSCAPING & IRRIGATION                                                          |                                |                   |              |              |                    |
| A & O TREE SERVICE                                                                   |                                |                   |              |              |                    |
| A CUT ABOVE                                                                          |                                |                   |              |              |                    |
| AAA GENERAL CONTRACTORS INC                                                          | \$ 57,500.00                   | \$ 8,500.00       | \$ 17,000.00 | \$ 83,000.00 |                    |
| AKA TREE REMOVAL                                                                     |                                |                   |              |              |                    |
| ASPLUNDH TREE EXPERT CO                                                              |                                |                   |              |              |                    |
| BURFORD'S TREE INC                                                                   |                                |                   |              |              |                    |
| ENVIROGRIND LLC                                                                      |                                |                   |              |              |                    |
| EVER GREEN OUTDOOR                                                                   |                                |                   |              |              |                    |
| GOLDENVIRONMENT                                                                      |                                |                   |              |              |                    |
| NEW URBAN FORESTRY                                                                   |                                |                   |              |              |                    |
| OPELIKA LAWN                                                                         |                                |                   |              |              |                    |
| REED TREE CUTTING & LAWN                                                             |                                |                   |              |              |                    |
| TIGER TREE EXPERTS INC/HALL'S                                                        |                                |                   |              |              |                    |
| TIM'S TREE SERVICE                                                                   |                                |                   |              |              |                    |
| TIMBERLAND & MINERALS LLC                                                            |                                |                   |              |              |                    |
| TREES UNLIMITED                                                                      |                                |                   |              |              |                    |
| W A KENDALL AND CO LLC                                                               |                                |                   |              |              |                    |
| D & J Enterprises, Inc.                                                              | \$ 69,675.00                   | \$ 6,500.00       | \$ 15,280.00 | \$ 91,455.00 |                    |
|                                                                                      |                                |                   |              |              |                    |
|                                                                                      |                                |                   |              |              |                    |
|                                                                                      |                                |                   |              |              |                    |
|                                                                                      |                                |                   |              |              |                    |
|                                                                                      |                                |                   |              |              |                    |

|                                                                                      |  |                              |              |           |             |                   |                 |             |                    |           |  |
|--------------------------------------------------------------------------------------|--|------------------------------|--------------|-----------|-------------|-------------------|-----------------|-------------|--------------------|-----------|--|
| BID# 19023                                                                           |  |                              | DATE: 7/9/19 |           |             | DEPT: ENGINEERING |                 |             | 18 VENDORS INVITED |           |  |
| DESCRIPTION: REMOVAL OF DEAD, DYING, OR DANGEROUS TREES AND STUMPS WITH TREE PRUNING |  |                              |              |           |             |                   | 2 BIDS RECEIVED |             |                    |           |  |
|                                                                                      |  |                              |              |           |             |                   |                 |             |                    |           |  |
|                                                                                      |  | MISCELLANEOUS TREE SERVICES: |              |           |             |                   |                 |             |                    |           |  |
|                                                                                      |  | ITEM 1: 0-10"                |              |           |             |                   |                 |             |                    |           |  |
|                                                                                      |  | ITEM 2: 10-20"               |              |           |             |                   |                 |             |                    |           |  |
|                                                                                      |  | ITEM 3: 20-30"               |              |           |             |                   |                 |             |                    |           |  |
|                                                                                      |  |                              |              |           |             |                   |                 |             |                    |           |  |
|                                                                                      |  | ITEM 1                       |              |           |             | ITEM 2            |                 |             |                    | ITEM 3    |  |
|                                                                                      |  | TREE                         | STUMP        | LG TREE   | TREE        | STUMP             | LG TREE         | TREE        | STUMP              | LG TREE   |  |
| VENDOR                                                                               |  | REMOVAL                      | REMOVAL      | PRUNING   | REMOVAL     | REMOVAL           | PRUNING         | REMOVAL     | REMOVAL            | PRUNING   |  |
| A+ LANDSCAPING & IRRIGATION                                                          |  |                              |              |           |             |                   |                 |             |                    |           |  |
| A & O TREE SERVICE                                                                   |  |                              |              |           |             |                   |                 |             |                    |           |  |
| A CUT ABOVE                                                                          |  |                              |              |           |             |                   |                 |             |                    |           |  |
| AAA GENERAL CONTRACTORS INC                                                          |  | \$ 1,200.00                  | \$ 250.00    | \$ 400.00 | \$ 2,600.00 | \$ 350.00         | \$ 600.00       | \$ 4,000.00 | \$ 450.00          | \$ 700.00 |  |
| AKA TREE REMOVAL                                                                     |  |                              |              |           |             |                   |                 |             |                    |           |  |
| ASPLUNDH TREE EXPERT CO                                                              |  |                              |              |           |             |                   |                 |             |                    |           |  |
| BURFORD'S TREE INC                                                                   |  |                              |              |           |             |                   |                 |             |                    |           |  |
| ENVIROGRIND LLC                                                                      |  |                              |              |           |             |                   |                 |             |                    |           |  |
| EVER GREEN OUTDOOR                                                                   |  |                              |              |           |             |                   |                 |             |                    |           |  |
| GOLDENVIRONMENT                                                                      |  |                              |              |           |             |                   |                 |             |                    |           |  |
| NEW URBAN FORESTRY                                                                   |  |                              |              |           |             |                   |                 |             |                    |           |  |
| OPELIKA LAWN                                                                         |  |                              |              |           |             |                   |                 |             |                    |           |  |
| REED TREE CUTTING & LAWN                                                             |  |                              |              |           |             |                   |                 |             |                    |           |  |
| TIGER TREE EXPERTS INC/HALL'S                                                        |  |                              |              |           |             |                   |                 |             |                    |           |  |
| TIM'S TREE SERVICE                                                                   |  |                              |              |           |             |                   |                 |             |                    |           |  |
| TIMBERLAND & MINERALS LLC                                                            |  |                              |              |           |             |                   |                 |             |                    |           |  |
| TREES UNLIMITED                                                                      |  |                              |              |           |             |                   |                 |             |                    |           |  |
| W A KENDALL AND CO LLC                                                               |  |                              |              |           |             |                   |                 |             |                    |           |  |
| D & J Enterprises, Inc.                                                              |  | \$ 400.00                    | \$ 100.00    | \$ 200.00 | \$ 600.00   | \$ 150.00         | \$ 300.00       | \$ 1,200.00 | \$ 275.00          | \$ 375.00 |  |
|                                                                                      |  |                              |              |           |             |                   |                 |             |                    |           |  |
|                                                                                      |  |                              |              |           |             |                   |                 |             |                    |           |  |
|                                                                                      |  |                              |              |           |             |                   |                 |             |                    |           |  |
|                                                                                      |  |                              |              |           |             |                   |                 |             |                    |           |  |
|                                                                                      |  |                              |              |           |             |                   |                 |             |                    |           |  |

Attachment: 7-16-19 - REMOVAL OF DEAD, DYING, OR DANGEROUS TREES AND STUMPS WITH TREE

|                                                                                      |                              |           |           |             |           |             |                    |  |
|--------------------------------------------------------------------------------------|------------------------------|-----------|-----------|-------------|-----------|-------------|--------------------|--|
| BID# 19023 DATE: 7/9/19 DEPT: ENGINEERING                                            |                              |           |           |             |           |             | 18 VENDORS INVITED |  |
| DESCRIPTION: REMOVAL OF DEAD, DYING, OR DANGEROUS TREES AND STUMPS WITH TREE PRUNING |                              |           |           |             |           |             | 2 BIDS RECEIVED    |  |
|                                                                                      |                              |           |           |             |           |             |                    |  |
|                                                                                      | MISCELLANEOUS TREE SERVICES: |           |           |             |           |             |                    |  |
|                                                                                      | ITEM 4: 30-40"               |           |           |             |           |             |                    |  |
|                                                                                      | ITEM 5: > 50"                |           |           |             |           |             |                    |  |
|                                                                                      |                              |           |           |             |           |             |                    |  |
|                                                                                      |                              | ITEM 4    |           |             | ITEM 5    |             |                    |  |
|                                                                                      | TREE                         | STUMP     | LG TREE   | TREE        | STUMP     | LG TREE     |                    |  |
| VENDOR                                                                               | REMOVAL                      | REMOVAL   | PRUNING   | REMOVAL     | REMOVAL   | PRUNING     |                    |  |
| A+ LANDSCAPING & IRRIGATION                                                          |                              |           |           |             |           |             |                    |  |
| A & O TREE SERVICE                                                                   |                              |           |           |             |           |             |                    |  |
| A CUT ABOVE                                                                          |                              |           |           |             |           |             |                    |  |
| AAA GENERAL CONTRACTORS INC                                                          | \$ 6,000.00                  | \$ 600.00 | \$ 900.00 | \$ 8,000.00 | \$ 700.00 | \$ 1,100.00 |                    |  |
| AKA TREE REMOVAL                                                                     |                              |           |           |             |           |             |                    |  |
| ASPLUNDH TREE EXPERT CO                                                              |                              |           |           |             |           |             |                    |  |
| BURFORD'S TREE INC                                                                   |                              |           |           |             |           |             |                    |  |
| ENVIROGRIND LLC                                                                      |                              |           |           |             |           |             |                    |  |
| EVER GREEN OUTDOOR                                                                   |                              |           |           |             |           |             |                    |  |
| GOLDENVIRONMENT                                                                      |                              |           |           |             |           |             |                    |  |
| NEW URBAN FORESTRY                                                                   |                              |           |           |             |           |             |                    |  |
| OPELIKA LAWN                                                                         |                              |           |           |             |           |             |                    |  |
| REED TREE CUTTING & LAWN                                                             |                              |           |           |             |           |             |                    |  |
| TIGER TREE EXPERTS INC/HALL'S                                                        |                              |           |           |             |           |             |                    |  |
| TIM'S TREE SERVICE                                                                   |                              |           |           |             |           |             |                    |  |
| TIMBERLAND & MINERALS LLC                                                            |                              |           |           |             |           |             |                    |  |
| TREES UNLIMITED                                                                      |                              |           |           |             |           |             |                    |  |
| W A KENDALL AND CO LLC                                                               |                              |           |           |             |           |             |                    |  |
| D & J Enterprises, Inc.                                                              | \$ 1,750.00                  | \$ 475.00 | \$ 475.00 | \$ 2,800.00 | \$ 700.00 | \$ 550.00   |                    |  |
|                                                                                      |                              |           |           |             |           |             |                    |  |
|                                                                                      |                              |           |           |             |           |             |                    |  |
|                                                                                      |                              |           |           |             |           |             |                    |  |
|                                                                                      |                              |           |           |             |           |             |                    |  |
|                                                                                      |                              |           |           |             |           |             |                    |  |
|                                                                                      |                              |           |           |             |           |             |                    |  |
|                                                                                      |                              |           |           |             |           |             |                    |  |

Attachment: 7-16-19 - REMOVAL OF DEAD, DYING, OR DANGEROUS TREES AND STUMPS WITH TREE

| UNIT PRICE for Miscellaneous Tree Services |              |                                    |                                 |                                                       |
|--------------------------------------------|--------------|------------------------------------|---------------------------------|-------------------------------------------------------|
| AAA General Contractors                    |              |                                    |                                 |                                                       |
| DESCRIPTION OF WORK                        | DBH (INCHES) | UNIT PRICE FOR TREE REMOVAL (EACH) | UNIT PRICE STUMP REMOVAL (EACH) | UNIT PRICE FOR LARGE TREE PRUNING (> 8 INCHES) (EACH) |
| VARIOUS SPECIES                            | 0-10         | \$ 1,200.00                        | \$ 250.00                       | \$ 400.00                                             |
|                                            | 10-20        | \$ 2,600.00                        | \$ 350.00                       | \$ 600.00                                             |
|                                            | 20-30        | \$ 4,000.00                        | \$ 450.00                       | \$ 700.00                                             |
|                                            | 30-40        | \$ 6,000.00                        | \$ 600.00                       | \$ 900.00                                             |
|                                            | > 50         | \$ 8,000.00                        | \$ 700.00                       | \$ 1,100.00                                           |

| D & J Enterprises   |              |                                    |                                 |                                                       |
|---------------------|--------------|------------------------------------|---------------------------------|-------------------------------------------------------|
| DESCRIPTION OF WORK | DBH (INCHES) | UNIT PRICE FOR TREE REMOVAL (EACH) | UNIT PRICE STUMP REMOVAL (EACH) | UNIT PRICE FOR LARGE TREE PRUNING (> 8 INCHES) (EACH) |
| VARIOUS SPECIES     | 0-10         | \$ 400.00                          | \$ 100.00                       | \$ 200.00                                             |
|                     | 10-20        | \$ 600.00                          | \$ 150.00                       | \$ 300.00                                             |
|                     | 20-30        | \$ 1,200.00                        | \$ 275.00                       | \$ 375.00                                             |
|                     | 30-40        | \$ 1,750.00                        | \$ 475.00                       | \$ 475.00                                             |
|                     | > 50         | \$ 2,800.00                        | \$ 700.00                       | \$ 550.00                                             |

**FACT SHEET**

**SUBJECT:** Sealed Bid #19023 – We are asking the Council to approve a contract for the Removal of Dead, Dying, or Dangerous Trees and Stumps with Tree Pruning

**FACTS:**

- Bid opening date – 7/9/19
- User department(s) – Engineering
- The bid was mailed to 18 vendors
- 2 bids were received
- Budgeted contract
- Bid tabulation sheet attached

**RECOMMENDATION:**

- **Recommend that the contract be awarded to AAA General Contractors, Inc. on their low bid meeting specifications not to exceed \$150,000.00.**

# **Lump Sum Schedule of Values for Large (> 8 inches) Tree Pruning**

| <b>Tree Location<br/>Address</b>             | <b>Species</b> | <b>DBH (inches)</b> | <b>AAA General<br/>Contractor</b> | <b>D and J Enterprises</b> |
|----------------------------------------------|----------------|---------------------|-----------------------------------|----------------------------|
| 708 Ingram Ct                                | Oak Water      | 38                  |                                   |                            |
| 313 N 10th St                                | Oak Sawtooth   | 31                  |                                   |                            |
| 315 N 10th St                                | Pecan          | 24                  |                                   |                            |
| 1000 3rd Ave                                 | Pecan          | 27                  |                                   |                            |
| 1000 3rd Ave                                 | Pecan          | 33                  |                                   |                            |
| 1000 3rd Ave                                 | Pecan          | 33                  |                                   |                            |
| 1000 3rd Ave                                 | Pecan          | 32                  |                                   |                            |
| 700 3rd Ave                                  | Pecan          | 38                  |                                   |                            |
| 516 3rd Ave                                  | Pecan          | 27                  |                                   |                            |
| 615 3rd Ave                                  | Pecan          | 23                  |                                   |                            |
| 400 3rd Ave                                  | Elm Winged     | 26                  |                                   |                            |
| 710 4th Ave                                  | Pecan          | 24                  |                                   |                            |
| 615 4th Ave                                  | Oak Water      | 38                  |                                   |                            |
| 615 4th Ave                                  | Oak Water      | 36                  |                                   |                            |
| 315 N 4th St                                 | Oak Water      | 32                  |                                   |                            |
| 315 N 4th St                                 | Oak Water      | 38                  |                                   |                            |
| 314 N 4th St                                 | Oak Water      | 12                  |                                   |                            |
| 315 N 4th St                                 | Pecan          | 38                  |                                   |                            |
| 816 5th Ave                                  | Oak Water      | 40                  |                                   |                            |
| 900 5th Ave                                  | Pecan          | 30                  |                                   |                            |
| 507 5th Ave                                  | Oak Water      | 26                  |                                   |                            |
| 313 N 5th St                                 | Oak Water      | 36                  |                                   |                            |
| 401 N 6th St                                 | Pecan          | 20                  |                                   |                            |
| 410 N 6th St                                 | Pecan          | 26                  |                                   |                            |
| 304 N 6th St                                 | Oak Water      | 38                  |                                   |                            |
| 307 N 8th St                                 | Oak Cherrybark | 27                  |                                   |                            |
| 611 N 8th St                                 | Pecan          | 22                  |                                   |                            |
| 611 N 8th St                                 | Pecan          | 20                  |                                   |                            |
| 611 N 8th St                                 | Pecan          | 20                  |                                   |                            |
| 301 N 9th St                                 | Oak Red        | 28                  |                                   |                            |
| <b>Large Tree Pruning--Lump Sum Subtotal</b> |                |                     | <b>\$ 57,500.00</b>               | <b>\$ 69,675.00</b>        |

# Lump Sum Schedule of Values for Removal of Dead, Dying and Dangerous Trees and Stumps

| Tree Location | Species           | DBH (inches) |
|---------------|-------------------|--------------|
| 708 Ingram Ct | Oak Water         | 20           |
| 313 N 10th St | Pecan             | 32           |
| 313 N 10th St | Sweetgum          | 19           |
| 207 N 10th St | Elm Winged        | 26           |
| 215 N 10th St | Pecan             | 26           |
| 414 N 10th St | Oak Water         | 37           |
| 701 N 10th St | Pecan             | 23           |
| 609 N 10th St | Oak Water         | 31           |
| 609 N 10th St | Oak Water         | 28           |
| 515 N 10th St | Oak Red           | 44           |
| 515 N 10th St | Oak Water         | 44           |
| 505 N 10th St | Oak Laurel        | 43           |
| 414 2nd Ave   | Elm Winged        | 31           |
| 814 2nd Ave   | Ginko             | 13           |
| 814 2nd Ave   | Ginko             | 11           |
| 814 2nd Ave   | Ginko             | 12           |
| 814 2nd Ave   | Ginko             | 11           |
| 814 2nd Ave   | Ginko             | 11           |
| 516 3rd Ave   | Cherry Carolina L | 12           |
| 414 3rd Ave   | Pecan             | 21           |
| 400 3rd Ave   | Elm Winged        | 26           |
| 302 3rd Ave   | Oak Water         | 38           |
| 302 3rd Ave   | Oak Water         | 30           |
| 314 3rd Ave   | Oak Water         | 44           |
| 314 3rd Ave   | Oak Water         | 44           |
| 913 3rd Ave   | Pecan             | 24           |
| 615 3rd Ave   | Pecan             | 20           |
| 701 3rd Ave   | Pecan             | 29           |
| 401 3rd Ave   | Oak Water         | 39           |
| 710 4th Ave   | Oak Water         | 36           |
| 615 4th Ave   | Oak Willow        | 45           |
| 615 4th Ave   | Oak Water         | 30           |
| 311 N 4th St  | Oak Water         | 35           |
| 307 5th Ave   | Pecan             | 18           |
| 314 N 5th St  | Oak Water         | 39           |
| 302 N 5th St  | Oak Willow        | 37           |
| 602 N 5th St  | Oak Water         | 20           |
| 215 N 6th St  | Oak Water         | 39           |
| 405 N 8th St  | Elm American      | 20           |
| 400 N 8th St  | Oak Willow        | 20           |
| 300 N 8th St  | Oak Water         | 46           |
| 611 N 8th St  | Pecan             | 16           |
| 611 N 8th St  | Pecan             | 19           |
| 611 N 8th St  | Pecan             | 24           |
| 301 N 9th St  | Oak Cherrybark    | 13           |

|                                           |             |             |
|-------------------------------------------|-------------|-------------|
| Tree and Stump Removal--Lump Sum Subtotal | \$ 8,500.00 | \$ 6,500.00 |
|-------------------------------------------|-------------|-------------|

**Lump Sum Schedule of Values for Small Tree Pruning**

| Street Location                              | Approximate number of Trees |                     |                     |
|----------------------------------------------|-----------------------------|---------------------|---------------------|
| 3rd Ave                                      | 90                          |                     |                     |
| 4th Ave                                      | 46                          |                     |                     |
| 5th Ave                                      | 30                          |                     |                     |
| 6th Ave                                      | 6                           |                     |                     |
| 7th Ave                                      | 12                          |                     |                     |
| N 4th St                                     | 16                          |                     |                     |
| N 5th St                                     | 45                          |                     |                     |
| N 6th St                                     | 13                          |                     |                     |
| N 7th St                                     | 6                           |                     |                     |
| N 8th St                                     | 57                          |                     |                     |
| N 9th St                                     | 16                          |                     |                     |
| N 10th St                                    | 55                          |                     |                     |
| N 11th St                                    | 14                          |                     |                     |
| N 12th St                                    | 2                           |                     |                     |
| Total                                        | 408                         |                     |                     |
| <b>Small Tree Pruning--Lump Sum Subtotal</b> |                             | <b>\$ 17,000.00</b> | <b>\$ 15,280.00</b> |

|                                                  | AAA General Contractor | D & J Enterprises   |
|--------------------------------------------------|------------------------|---------------------|
| <b>Tree and Stump Removal--Lump Sum Subtotal</b> | <b>\$ 57,500.00</b>    | <b>\$ 69,675.00</b> |
| <b>Large Tree Pruning--Lump Sum Subtotal</b>     | <b>\$ 8,500.00</b>     | <b>\$ 6,500.00</b>  |
| <b>Small Tree Pruning--Lump Sum Subtotal</b>     | <b>\$ 17,000.00</b>    | <b>\$ 15,280.00</b> |
| <b>Lump sum TOTALS</b>                           | <b>\$ 83,000.00</b>    | <b>\$ 91,455.00</b> |

## RESOLUTION NO. 191-19

Change Orders for new OPD & Municipal Court building.

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION APPROVING CHANGE ORDERS ON CONTRACTS RELATED  
TO NEW POLICE DEPARTMENT AND MUNICIPAL COURT BUILDING**

**WHEREAS**, the City Council (“Council”) of the City of Opelika, Alabama (the “City”) heretofore approved the development and construction of a new Police Department and Municipal Court building to be located at 501 South 10<sup>th</sup> Street, Opelika, Alabama, (the “Project”); and

**WHEREAS**, on October 17, 2017 pursuant to Resolution No. 270-17, the City Council approved a contract between the City of Opelika and Seay, Seay and Litchfield, P.C., for architectural services related to the Project; and

**WHEREAS**, on August 15, 2017, pursuant to Resolution No. 176-17, the City Council approved an agreement between the City and Robins & Morton Group as construction manager for the Project; and

**WHEREAS**, on July 3, 2018, pursuant to Resolution No. 144-18, the City Council approved a total project development budget for the Project in an amount not to exceed \$18,533,407; and

**WHEREAS**, on July 3, 2018, pursuant to Resolution No. 145-18, the City Council approved a resolution awarding bids for the construction of the Project; and

**WHEREAS**, pursuant to Resolution No. 145-18, the City Council awarded four (4)

prime contracts as follows:

- (a) Bid Package 1A, General Works, was awarded to Freeman & Associates on its low bid of \$8,550,000
- (b) Bid Package 5A, Structural Steel, was awarded to Contractor Steel Supply Company, Inc., on its low bid of \$985,206
- (c) Bid Package 15A, Mechanical, was awarded to Bradley Plumbing & Heating, Inc., on its low bid of \$1,787,500
- (d) Bid Package 16A, Electrical, was awarded to Auburn Electric Company, Inc., on its low bid of \$2,444,000; and

**WHEREAS**, during the construction of the Project, it became apparent that certain changes to the design of the Project were necessary to modify the courtroom for use as a meeting place for the City Council and Planning Commission; and

**WHEREAS**, the proposed design changes will increase the Project scope; and

**WHEREAS**, Seay, Seay & Litchfield, Robins & Morton, Freeman & Associates, Contractor Steel Supply, Inc., Bradley Plumbing & Heating, Inc, and Auburn Electric Company, Inc., have submitted change orders to the City Council for additional work related to the redesign of the courtroom, copies of said change orders being on file in the office of the Purchasing-Revenue Manager; and

**WHEREAS**, sufficient funds are available in the project development budget to cover the additional costs of the change orders; and

**WHEREAS**, said change orders are necessitated by unforeseen circumstances arising

during the course of work for items not contemplated when the plans and specifications were prepared and bid and the amount of the change orders do not exceed ten percent of the contract prices; and

**WHEREAS**, Robins & Morton has reviewed all prices and found them to be reasonable, fair and equitable and recommends approval of said change orders; and

**WHEREAS**, the City Council endorses the statements, findings and recommendations of Robins & Morton and hereby finds and determines that it is in the public interest to approve the change orders.

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

1. That a change order in the amount of \$21,500.44 to the contract of Seay, Seay & Litchfield is hereby approved.
2. That a change order in the amount of \$28,531.74 to the contract of Robins & Morton is hereby approved.
3. That a change order in the amount of \$107,904.00 to the contract of Freeman & Associates is hereby approved.
4. That a change order in the amount of \$8,274.00 to the contract of Contractor Steel Supply Company, Inc., is hereby approved.
5. That a change order in the amount of \$7,448.03 to the contract of Bradley Plumbing & Heating, Inc., is hereby approved.
6. That a change order in the amount of \$225,043.00 to the contract of Auburn

Electric Company, Inc., is hereby approved.

7. That the Mayor is hereby authorized and directed to execute the above-referenced change orders in the name of and on behalf of the City.

8. 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.

9. The City Council does hereby delegate to the Mayor the authority to approve and execute, on the recommendations of the construction manager and the architect, all change orders related to the prime contracts necessary for the successful delivery of the Project, provided the aggregate amount of said prime contracts and all changes orders does not exceed the total project development budget. Notwithstanding the foregoing, the Mayor shall approve and process all change orders in compliance with all provisions of Title 39 of the *Code of Alabama* and all other laws governing public contracts.

10. That the Purchasing-Revenue Manager is hereby authorized and directed to issue appropriate purchase orders for each of the above-referenced change orders.

11. That the compensation to be paid to Seay, Seay & Litchfield, Robins & Morton, and the four prime contractors under and pursuant to the above-referenced change orders shall

come from the project development budget, and the Controller is hereby authorized and directed to make all necessary and appropriate budget adjustments to implement this Resolution.

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

**ADOPTED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

ATTEST:

\_\_\_\_\_  
CITY CLERK

## RESOLUTION NO. 192-19

Purchase, washer and dryer for turnout gear - Sole Source - OFD.**RESOLUTION NO.** \_\_\_\_\_**WHEREAS**, the Fire Department desires to purchase a Washer and Dryer for turnout gear; and**WHEREAS**, this is a sole source purchase; and**WHEREAS**, Wholesale Commercial Laundry Equipment S.E., LLC is the sole source vendor for the Washer and Dryer; and**WHEREAS**, funds for this purchase are coming from Capital Outlay;**NOW, THEREFORE, BE IT RESOLVED** by the City of Opelika, Alabama, as follows:

1. That the purchase be awarded to Wholesale Commercial Laundry Equipment S.E., LLC.
2. That the Purchasing-Revenue Manager be authorized to issue a purchase order to Wholesale Commercial Laundry Equipment S.E., LLC not to exceed \$17,540.05 as a sole source purchase.
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 \_\_\_\_\_, 2019.

---

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

ATTEST:

---

Robert G. Shuman, CMC  
City Clerk - Treasurer



Serving Self-Service & On-Premise Laundries  
throughout the South since 1980

## Wholesale Commercial Laundry Equipment S.E., LLC

If it's laundry equipment, we've got it.

2950 Highway 77, Southside, AL 35907  
t. 256-413-7623 f. 256-413-0955

# QUOTE

Number AAAQ2981

Date Jan 30, 2019

### Sold To

**CITY OF OPELIKA**  
JON KENNEDY  
OPELIKA, AL 36801

### Ship To

**CITY OF OPELIKA**  
JON KENNEDY  
OPELIKA, AL 36801

### Your Sales Rep

**Racheal**

256-413-3309 ext 101

opsmanager@alaundry  
man.com

**Phone** 3347055339  
**Fax**

**Phone** 3347055339  
**Fax**

Here is the quote you requested.

| Terms                                                                               |     | P.O. Number     | Ship Via                                                                                                                                                                                                                             |            |            |
|-------------------------------------------------------------------------------------|-----|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------|
| Line                                                                                | Qty | Description     |                                                                                                                                                                                                                                      | Unit Price | Ext. Price |
| 1                                                                                   | 1   | EH040L110211100 | CONTINENTAL E SERIES 40LB CAPACITY<br>HIGH SPEED SOFT MOUNT 354 G EXTRACT<br>WASHER EXTRACTOR WITH PRO LOGIC<br>CONTROL ( LOGI) CONTROL, TOP<br>DISPENSER, GRAVITY DRAIN EXTERNAL<br>DOSING WITH 4 CHEMICAL SIGNALS,<br>208-240/60/1 | \$8,456.00 | \$8,456.00 |
|  |     |                 |                                                                                                                                                                                                                                      |            |            |
| 2                                                                                   | 1   | SBEHL040-4      | ELEVATION LEG KIT 4" FOR EH040                                                                                                                                                                                                       | \$157.00   | \$157.00   |
| 3                                                                                   | 1   | C4-MU           | EXPRESS DRY GEAR DRYER - 4-PLACE<br>UNIT, NO HEAT, REMOVABLE BLOWER,<br>MANUAL TIMER, 120/60/1PH                                                                                                                                     | \$7,624.00 | \$7,624.00 |
|  |     |                 |                                                                                                                                                                                                                                      |            |            |
| 4                                                                                   | 1   | INSTALLATION    | INSTALLATION, RIG EQUIPMENT INTO<br>FACILITY, UNCRATE, SET, LEVEL AND<br>CONNECT TO OWNER PROVIDED UTILITY<br>CONNECTIONS, ALL UTILITY<br>CONNECTIONS MUST BE WITHIN 2' OF THE<br>REAR CENTER OF THE FINAL LOCATION OF               | \$720.00   | \$720.00   |

**ORDERS REQUIRE A 20% NON-REFUNDABLE DEPOSIT. ORDER CANCELLATION IS SUBJECT TO A 25% RESTOCKING FEE. ORDER IS SECURED WITH UCC-1 FILING. PRICES ARE VALID FOR 90 DAYS, PRICES ARE BASED UPON TOTAL PURCHASE PAYABLE BY CASH OR CHECK CREDIT CARD PAYMENTS WILL INCUR AN ADDITIONAL 4%.**

| Line | Qty | Description                                                                                                                                                                                         | Unit Price | Ext. Price |
|------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------|
|      |     | THE EQUIPMENT AND BE OF THE PROPER<br>SIZE AND TYPE TO MEET<br>MANUFACTURER'S SPECIFICATIONS<br>REGARDING UTILITY CONNECTIONS<br>PROGRAMMING AND OPERATIONAL<br>TRAINING FOR ALL RELEVANT PERSONNEL |            |            |

WE SHALL NOT BE LIABLE FOR ANY LOSS OF PROFITS, BUSINESS, GOODWILL, INTERRUPTION OF BUSINESS, NOR FOR INCIDENTAL OR CONSEQUENTIAL MERCHANTABILITY OR FITNESS OF PURPOSE, DAMAGES RELATED TO THIS AGREEMENT. CUSTOMER UNDERSTANDS AND AGREES THERE ARE NO RETURNS ON ELECTRICAL, ELECTRONIC, OR SPECIAL ORDER PARTS/EQUIPMENT. CUSTOMER UNDERSTANDS AND AGREES THAT PARTS OR EQUIPMENT THAT IS DROP SHIPPED TO THE CUSTOMER IS FOB. CUSTOMER CANNOT REFUSE SHIPMENT, AND IS RESPONSIBLE FOR FILING FREIGHT DAMAGE CLAIMS (IF ANY) WITH THE CARRIER. WARRANTIES ARE AS PROVIDED BY THE MANUFACTURER, PLEASE SEE SPECIFIC WARRANTY BOND FOR DETAILS. WARRANTY REPLACEMENT PARTS MUST BE PURCHASED, ONCE THE DEFECTIVE PART IS RETURNED TO THE MANUFACTURER AND CREDIT IS ISSUED BY THE MANUFACTURER, CREDIT WILL BE ISSUED TO THE CUSTOMER, ALL RELATED SHIPPING CHARGES FOR THE INCOMING REPLACEMENT PART AND THE RETURN OF THE DEFECTIVE PART TO THE MANUFACTURER IS THE SOLE RESPONSIBILITY OF THE PURCHASER. ALL WARRANTY INFORMATION MUST BE PROVIDED AT THE TIME OF THE PURCHASE OF THE REPLACEMENT PART INCLUDING MACHINE MODEL #, MACHINE SERIAL #, INSTALLATION DATE, AND SPECIFIC CONDITION OF FAILURE OF THE DEFECTIVE PART. ABUSE VANDALISM, IMPROPER OPERATION OR OTHER CONDITIONS NOT SPECIFICALLY TIED TO A DEFECT IN MATERIALS OR WORKMANSHIP IS NOT COVERED. LABOR IS NOT COVERED UNLESS SPECIFICALLY NOTED ON THE INVOICE. CUSTOMER UNDERSTANDS AND AGREES TO PAY 1.5% INTEREST PER MONTH ON PAST DUE BALANCES. CUSTOMER UNDERSTANDS AND AGREES THAT SHOULD PAST DUE BALANCES EXCEED 15 DAYS PAST THE DUE DATE, WHOLESALE COMMERCIAL LAUNDRY EQUIPMENT SE LLC MAY TAKE LEGAL ACTION TO COLLECT PAST DUE BALANCES.

|                 |                    |
|-----------------|--------------------|
| <b>SubTotal</b> | \$16,957.00        |
| <b>Tax</b>      | \$0.00             |
| <b>Shipping</b> | \$583.05           |
| <b>Total</b>    | <b>\$17,540.05</b> |

Please contact me if I can be of further assistance.

**ORDERS REQUIRE A 20% NON-REFUNDABLE DEPOSIT. ORDER CANCELLATION IS SUBJECT TO A 25% RESTOCKING FEE. ORDER IS SECURED WITH UCC-1 FILING. PRICES ARE VALID FOR 90 DAYS, PRICES ARE BASED UPON TOTAL PURCHASE PAYABLE BY CASH OR CHECK CREDIT CARD PAYMENTS WILL INCUR AN ADDITIONAL 4%.**

CITY OF OPELIKA  
Sole Source Justification

DEPARTMENT Fire Department

REQUISITION NUMBER \_\_\_\_\_

NAME OF REQUESTING EMPLOYEE Byron Prather

VENDOR Wholesale Commercial Laundry Equipment, SE LLC

PRODUCT/SERVICE Washer and dryer for turnout gear

Estimated annual expenditure for the commodity or service \$ 17,540.05

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

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

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

DEPARTMENT HEAD SIGNATURE Byron Prather (928)  
 DEPARTMENT/DIVISION/DATE 7/3/19

**PURCHASING DEPARTMENT USE ONLY**

PURCHASING AGENT APPROVAL  
 (SIGNATURE/DATE) AGM - 7/10/19.

DISAPPROVAL/DATE \_\_\_\_\_

COMMENTS \_\_\_\_\_

COUNCIL ACTION/DATE \_\_\_\_\_

**Wholesale Commercial Laundry Equipment SE, LLC**

2950 Highway 77  
 Southside, Alabama 35907  
 Phone: (256)413-7623  
 Fax: (256) 413-0955



Serving Self-Service & On-Premise Laundries  
 throughout the South since 1980

**Wholesale Commercial  
 Laundry Equipment S.E., LLC**

If it's laundry equipment, we've got it.

Jon Kennedy  
 City of Opelika

June 20, 2019

Mr. Kennedy,

We, at Wholesale Commercial Laundry Equipment are the sole Continental Girbau authorized equipment distributor and repair service for your area. We perform certified by the Manufacturer warranty work on all Continental Machines. Keep in mind, any service provider who is not factory authorized could void the machines warranties.

We carry a vast array of stock parts (in our parts room) for both the washers, dryers, and our chemical system so that we can insure that repair services are performed more expeditiously than any contractor who is not factory authorized.

If you have any questions please do not hesitate to contact us. Again, thank you for your inquiry- we look forward to working with you.

Sincerely,

Racheal Reynolds

Operations Manager  
 Wholesale Commercial Laundry Equipment S.E., LLC  
 2950 Highway 77  
 Southside, AL 35907  
 (866) 544-7228 (256)413-3309

## RESOLUTION NO. 193-19

Purchase, furniture for new Municipal Court room - MC.**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, Municipal Court desires to purchase furniture for the new Municipal Court Room utilizing the State of Alabama Contract #T390; and

**WHEREAS**, OFS Brands Holdings, Inc. is the State vendor with Alabama Office Supply being the assisted dealer; and

**WHEREAS**, funds for this purchase are budgeted;

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

1. That purchase be awarded to OFS Brands Holdings, Inc.; Alabama Office Supply as the assisted dealer.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to OFS Brands Holdings, Inc.; Alabama Office Supply as the assisted dealer in the total amount of \$48,667.56.
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 \_\_\_\_\_, 2019.

---

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

ATTEST:

---

Robert G. Shuman, CMC  
City Clerk - Treasurer



# PROPOSAL

## Alabama Office Supply

201 S 8th Street • P.O. Box 467  
Opelika, AL 36803-0467  
Phone (334) 749-3456 • Fax (334) 749-5583  
wakea@alaooffice.com • www.alaooffice.com

TO City of Opelika Police Department  
Municipal Court Room

PROPOSAL NO.

DATE July 11, 2019

CUSTOMER ID

EXPIRATION DATE

| DESCRIPTION                                         | QUANTITY | UNIT PRICE | LINE TOTAL  |
|-----------------------------------------------------|----------|------------|-------------|
| 9 to 5 1250-GT-A18B<br>Bariatric Chair              | 12       | \$517.10   | \$6,205.20  |
| 9 to 5 1210-GT-A00<br>Armless Chair                 | 124      | \$233.60   | \$28,966.40 |
| RFM 1525-25A<br>Task Chair w/ adj arms              | 4        | \$530.75   | \$2,123.00  |
| 9 to 5 1210-GT-A00<br>Armless Chair (for officers)  | 6        | \$233.60   | \$1,401.60  |
| SPECIAL T ELLA<br>30x72 w/ GC w/ 72" modesty        | 2        | \$798.00   | \$1,596.00  |
| 9 to 5 GC1/GC2<br>Ganging clips                     | 108      | \$17.42    | \$1,881.36  |
| EGAN TLLS/AC Tec Tern Lecturn<br>ADA Lecturn Podium | 1        | \$6,494.00 | \$6,494.00  |
| Pricing Per. State of Alabama T390                  |          | SUBTOTAL   | \$48,667.56 |
| 9 to 5 @ 46" off list                               |          | SALES TAX  |             |
| RFM @ 45" off list                                  |          | TOTAL      | \$48,667.56 |
| Special T @ 45" off list                            |          |            |             |

### TERMS

### F.O.B.

### EST. SHIP DATE

### TAX INCLUDED

### INSTALLED

Pre-paid

No

Yes

BY:

Managing Partner, Wake Asbury

THANK YOU FOR YOUR BUSINESS!

Total Seats 124  
+ 24 (2 seats per Bariatric Chair)  
148 seats (includes 2 chairs for Front Tables)

Attachment: 7-16-19 - PURCHASE - FURNITURE FOR NEW MUNICIPAL COURT ROOM - STATE CONTRACT #T390 - CNCL PKT (193-19 :

State of Alabama



#T390  
Assisting Dealers

Opelika

Alabama Office Supply

201 S 8<sup>th</sup> Street

Opelika, AL 36801

Wake Asbury

wakea@aaoffice.com

334-749-3456

## RESOLUTION NO. 194-19

Weed Abatement Assessment - 20 Jeter Ave

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION FIXING AMOUNT OF ASSESSMENT  
FOR WEED LIEN AGAINST PROPERTY LOCATED AT  
20 Jeter Ave, Parcel No. 022.000**

=====

**WHEREAS**, the weed nuisance growing upon or in front of the property located at 20 Jeter Ave, parcel no. 022.000 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 20 Jeter Ave, a copy of said itemized statement being attached hereto as Exhibit "A"; and

**WHEREAS**, the 16th day of July, 2019 at 7:00 p.m. in the City Council Chambers in the Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

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

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

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

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

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

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

**WHEREAS**, the City Council has considered all evidence and other matters in relation to the proposed assessment and the members of the Council are of the opinion that the amount to be assessed against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$203.47 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 20 Jeter Ave, Parcel no. 022.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-03-07-1-001-022.000 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 16th day of July, 2019.

---

President of the City Council

City of Opelika, Alabama

Attest:

---

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

**WEED ABATEMENT INVOICE****Date: 07/08/2019****To: Lonzie & Henrietta Frazier  
20 Jeter Ave  
Opelika AL 36801****Property Address:  
20 Jeter Ave  
Opelika AL 36801  
Parcel # 10-03-07-1-001-022.000**

On April 23, 2019 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

|                    |                             |
|--------------------|-----------------------------|
| Cost of Abatement: | <u>190.13</u>               |
| Certified mail:    | <u>13.34</u>                |
| Misc.              | <u>                    </u> |
| Total              | <u>203.47</u>               |

Attachment: WEED INVOICE 20 Jeter Ave (194-19 : Weed Abatement Assessment - 20 Jeter Ave)

RESOLUTION NO. 195-19

Weed Abatement Assessment - 311 S 3Rd St.

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION FIXING AMOUNT OF ASSESSMENT  
FOR WEED LIEN AGAINST PROPERTY LOCATED AT  
311 S 3<sup>rd</sup> St., Parcel No. 021.000**

=====

**WHEREAS**, the weed nuisance growing upon or in front of the property located at 311 S 3<sup>rd</sup> St., parcel no. 021.000 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 311 S 3<sup>rd</sup> St., a copy of said itemized statement being attached hereto as Exhibit "A"; and

**WHEREAS**, the 16<sup>th</sup> day of July, 2019 at 7:00 p.m. in the City Council Chambers in the Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

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

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

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

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

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

**WHEREAS**, the President of the City Council presided over said public hearing and opened the

floor for comments from the public and any persons interested in said assessment or the amount thereof;

and

**WHEREAS**, the City Council has considered all evidence and other matters in relation to the

proposed assessment and the members of the Council are of the opinion that the amount to be assessed

against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

follows:

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$107.39 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 311 S 3<sup>rd</sup> St, Parcel no. 021.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-03-08-3-000-021.000 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 16th day of July, 2019.

---

President of the City Council

City of Opelika, Alabama

Attest:

---

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

**WEED ABATEMENT INVOICE****Date: 07/08/2019****To: Roderick & Michelle Hillion  
PO Box 894  
Smith Station, AL 36877****Property Address:  
311 S 3<sup>rd</sup> St  
Opelika AL 36801  
Parcel # 10-03-08-3-000-021.000**

On May 30, 2019 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

|                    |                             |
|--------------------|-----------------------------|
| Cost of Abatement: | <u>94.05</u>                |
| Certified mail:    | <u>13.34</u>                |
| Misc.              | <u>                    </u> |
| Total              | <u>107.39</u>               |

Attachment: WEED INVOICE 311 S 3rd St. (195-19 : Weed Abatement Assessment - 311 S 3Rd St.)

## RESOLUTION NO. 196-19

Weed Abatement Assessment - 514 Old Columbus Rd.

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION FIXING AMOUNT OF ASSESSMENT  
FOR WEED LIEN AGAINST PROPERTY LOCATED AT  
514 Old Columbus Rd., Parcel No. 010.000**

=====

**WHEREAS**, the weed nuisance growing upon or in front of the property located at 514 Old Columbus Rd., parcel no. 010.000 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 514 Old Columbus Rd., a copy of said itemized statement being attached hereto as Exhibit "A"; and

**WHEREAS**, the 16th day of July, 2019 at 7:00 p.m. in the City Council Chambers in the Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

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

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

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

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

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

**WHEREAS**, the President of the City Council presided over said public hearing and opened the

floor for comments from the public and any persons interested in said assessment or the amount thereof;

and

**WHEREAS**, the City Council has considered all evidence and other matters in relation to the

proposed assessment and the members of the Council are of the opinion that the amount to be assessed

against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

follows:

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$605.59 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 514 Old Columbus Rd., Parcel no. 010.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-04-20-1-000-010.000 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 16<sup>th</sup> day of July, 2019.

---

C. E. "Eddie" Smith, Jr.

President of the City Council

City of Opelika, Alabama

Attest:

---

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

**WEED ABATEMENT INVOICE****Date: July 8, 2019****To: Phillip Ray Allen  
64 Lee Rd 2093  
Valley Al. 36854****Property Address:  
514 Old Columbus Rd.  
Opelika Al. 36801  
Parcel # 10-04-20-1-000-010.000**

On May 30, 2019 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: 592.25

Certified mail: 13.34

Misc.                     

Total 605.59

Attachment: WEED INVOICE 514 Old Columbus Rd (196-19 : Weed Abatement Assessment - 514 Old Columbus Rd.)

## RESOLUTION NO. 197-19

Weed Abatement Assessment - 803 E Towne Lake Circle

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION FIXING AMOUNT OF ASSESSMENT  
FOR WEED LIEN AGAINST PROPERTY LOCATED AT  
803 E Towne Lake Circle, Parcel No. 017.000**

=====

**WHEREAS**, the weed nuisance growing upon or in front of the property located at 803 E Towne Lake Circle, parcel no. 017.000 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 803 E Towne Lake Circle, a copy of said itemized statement being attached hereto as Exhibit "A"; and

**WHEREAS**, the 16<sup>th</sup> day of July, 2019 at 7:00 p.m. in the City Council Chambers in the Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

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

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

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

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

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

**WHEREAS**, the President of the City Council presided over said public hearing and opened the

floor for comments from the public and any persons interested in said assessment or the amount thereof;

and

**WHEREAS**, the City Council has considered all evidence and other matters in relation to the

proposed assessment and the members of the Council are of the opinion that the amount to be assessed

against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

follows:

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$367.67 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 803 E Towne Lake Circle, Parcel no. 017.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-02-09-1-000-017.000 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 16th day of July, 2019.

---

President of the City Council

City of Opelika, Alabama

Attest:

---

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

**WEED ABATEMENT INVOICE****Date: 07/08/2019****To: Sirote & Permutt PC  
2311 Highland Avenue  
Birmingham Al. 35205-2973****Property Address:  
803 E. Towne Lake Circle  
Opelika Al. 36801****Parcel # 10-02-09-1-000-017.000**

On May 15, 2019 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: 354.33

Certified mail: 13.34

Misc.

Total 367.67

Attachment: WEED INVOICE 803 E Towne Lake Circle (197-19 : Weed Abatement Assessment - 803 E Towne Lake Circle)

## RESOLUTION NO. 198-19

Weed Abatement Assessment - 810 Williamson Ave

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION FIXING AMOUNT OF ASSESSMENT  
FOR WEED LIEN AGAINST PROPERTY LOCATED AT  
810 Williamson Ave, Parcel No. 007.000**

=====

**WHEREAS**, the weed nuisance growing upon or in front of the property located at 810 Williamson Ave, parcel no. 007.000 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 810 Williamson Ave, a copy of said itemized statement being attached hereto as Exhibit "A"; and

**WHEREAS**, the 16th day of July, 2019 at 7:00 p.m. in the City Council Chambers in the Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

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

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

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

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

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

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

**WHEREAS**, the City Council has considered all evidence and other matters in relation to the proposed assessment and the members of the Council are of the opinion that the amount to be assessed against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$163.34 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 810 Williamson Ave, Parcel no. 007.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-04-19-2-000-007.000 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 16th day of July, 2019.

---

President of the City Council

City of Opelika, Alabama

Attest:

---

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

**WEED ABATEMENT INVOICE****Date: 07/08/2019****To: Larry Wakefield  
1954 Shades Crest Rd  
Vestavia Hills, Al. 35216****Property Address:  
810 Williamson Ave  
Opelika Al. 36801  
Parcel # 10-04-19-2-000-007.000**

On May 22, 2019 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

|                    |                             |
|--------------------|-----------------------------|
| Cost of Abatement: | <u>150.0</u>                |
| Certified mail:    | <u>13.34</u>                |
| Misc.              | <u>                    </u> |
| Total              | <u>163.34</u>               |

Attachment: WEED INVOICE 810 Williamson Ave (198-19 : Weed Abatement Assessment - 810 Williamson Ave)

## RESOLUTION NO. 199-19

Vacate Right-Of-Way - Portion SE ROW Frederick Road & N. ROW Frederick Ave.

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION APPROVING THE VACATION OF A PORTION OF THE  
SOUTHEASTERLY RIGHT-OF-WAY OF FREDERICK ROAD AND A PORTION OF  
THE NORTHERLY RIGHT-OF-WAY OF FREDERICK AVENUE**

WHEREAS, East Alabama Power Sports, LLC, an Alabama limited liability company, is the owner of all of the property abutting along a portion of the southeasterly right-of-way of Frederick Road and a portion of the northerly right-of-way of Frederick Avenue; and

WHEREAS, a Petition to vacate a portion of the southeasterly right-of-way of Frederick Road and a portion of the northerly right-of-way of Frederick Avenue, duly executed by East Alabama Power Sports, LLC, as the abutting property owner, has been presented to the City Council (the "City Council") of the City of Opelika, Alabama (the "City"), a municipal corporation, for the assent and approval of the governing body, said Petition with map attached being hereto affixed, marked Exhibit "A" and made a part hereof; and

WHEREAS, the Petition is filed in accordance with the provisions of §23-4-20, *Code of Alabama*, 1975, which provides that any street or alley may be vacated, in whole or in part, by the owner or owners of the land abutting the street or alley or abutting that portion of the street or alley desired to be vacated; and

WHEREAS, the portions of the rights-of-way of Frederick Road and Frederick Avenue to be vacated are more particularly described as follows:

Commencing at the southeast corner of Section 13, T-19-N, R-26-E, in Opelika, Lee County, Alabama; thence N1°26'53"W, 262.00 feet; thence N89°41'53"W,

947.70 feet to a 1/2" rebar at the northwest corner of Lot 12-A1 of a Resubdivision of Lots 12-A, 17 & 18, Block C, Johnston Subdivision, as recorded in Plat Book 36, Page 138, in the office of the Judge of Probate of Lee County, Alabama; said corner being on the southeasterly R/W line of Frederick Road; thence, along said R/W Line, S33°23'00"W, 54.11 feet to a 6" concrete R/W monument and the True Point of Beginning of the Parcel of Land herein described; thence, along said R/W line, S1°26'53"E, 154.94 feet to a Magnail set in a rock on the northerly R/W line of Frederick Avenue; thence southwesterly along a curve concave southeasterly and having a chord bearing and distance of S61°56'54"W, 31.34 feet, a radius of 889.44 feet, and an arc length of 31.34 feet to a spindle set; thence N56°38'24"W, 43.45 feet to a 1/2" rebar and cap (LS18677) set; thence northerly along a curve concave easterly and having a chord bearing and distance of N11°38'24"W, 42.43 feet, a radius of 30.00 feet, and an arc length of 47.12 feet to a 1/2" rebar and cap (LS18677) set; thence N33°21'36"E, 124.74 feet to the True Point of Beginning.

Said Parcel containing 7658 Square Feet or 0.1758 Acre

Being further described according to and as shown by that certain survey or drawing prepared by Mark L. Miller, Registered Surveyor, attached hereto and marked Exhibit "B".

WHEREAS, the Petition states that no property owners will be deprived of any right they may have to convenient and reasonable means of ingress and egress to and from their property as a result of the requested vacation; and

WHEREAS, the remaining portions of the rights-of-way of Frederick Road and Frederick Avenue will remain public rights-of-way; and

WHEREAS, the City desires to reserve to The Utilities Board of the City of Opelika and the City of Opelika, utility easements for existing water mains, storm water drainage facilities,

sanitary sewer lines and cable television and telecommunications fiber conduit as depicted on the attached survey; and

WHEREAS, a public hearing was conducted by the City Council on the 16<sup>th</sup> day of July, 2019, at which all persons were given the opportunity to be heard in favor of or in opposition to the proposed right-of-way vacation; and

WHEREAS, public notice of the public hearing was provided in accordance with §23-4-2, *Code of Alabama*, 1975; and

WHEREAS, the City Council has determined that it is in the best interest of the City to vacate the portions of the rights-of-way of Frederick Road and Frederick Avenue as described in the attached Petition and the rights-of-way of said streets should be conveyed to East Alabama Power Sports, LLC as requested by the Petitioner, subject to existing easements for water mains, storm water drainage facilities, sanitary sewer lines and cable television and telecommunications fiber conduit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika that the vacation of the above-described portions of the rights-of-way of Frederick Road and Frederick Avenue is assented to and approved and the same is hereby vacated pursuant to the provisions of Section 23-4-20, et.seq. of the *Code of Alabama*, and also pursuant to said *Code* in §35-2-54.

BE IT FURTHER RESOLVED that the City of Opelika, Alabama, a municipal corporation, remise, release and quitclaim unto East Alabama Power Sports, LLC, whatever right, title and interest the said City of Opelika, Alabama, may have acquired in and to the above described portions of the rights-of-way of Frederick Road and Frederick Avenue by virtue of the

dedication or vacation of said roadways or otherwise, subject to the reservation of the above-described utility easements.

BE IT FURTHER RESOLVED that Gary Fuller, the Mayor of the City of Opelika, Alabama, a municipal corporation, be and he is hereby authorized and directed on behalf of the City of Opelika, Alabama, to execute a quitclaim deed to East Alabama Power Sports, LLC, subject to the reservation of the above-described utility easements, for the purpose of carrying out the intent and intention of this Resolution and that Robert G. Shuman, City Clerk, be and he is hereby authorized and directed on behalf of the City of Opelika, Alabama, to attest the same.

BE IT FURTHER RESOLVED that the City Clerk will cause a copy of this Resolution to be filed in the Probate Office of Lee County, Alabama, and shall further cause a copy of this Resolution to be published once in a newspaper of general circulation in Lee County, Alabama, no less than fourteen (14) days after its adoption.

ADOPTED AND APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2019.

---

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

ATTEST:

---

CITY CLERK

**PETITION TO VACATE A PORTION OF THE SOUTHEASTERLY  
RIGHT-OF-WAY OF FREDERICK ROAD AND THE  
NORTHERLY RIGHT-OF-WAY OF FREDERICK AVENUE**

STATE OF ALABAMA  
COUNTY OF LEE

TO THE HONORABLE MEMBERS OF THE CITY COUNCIL OF THE CITY OF OPELIKA

COMES NOW EAST ALABAMA POWER SPORTS, LLC, an Alabama limited liability company (hereinafter referred to as the "Petitioner") and represents as follows:

1. The Petitioner is the owner of all of the property abutting upon a portion of the southeasterly right-of-way of Frederick Road and a portion of the northerly right-of-way of Frederick Avenue, and it does, by this written instrument, hereby vacate said portion of the southeasterly right-of-way of Frederick Road and the northerly right-of-way of Frederick Avenue, being more particularly described as follows, to wit:

Commencing at the southeast corner of Section 13, T-19-N, R-26-E, in Opelika, Lee County, Alabama; thence N1°26'53"W, 262.00 feet; thence N89°41'53"W, 947.70 feet to a 1/2" rebar at the northwest corner of Lot 12-A1 of a Resubdivision of Lots 12-A, 17 & 18, Block C, Johnston Subdivision, as recorded in Plat Book 36, Page 138, in the office of the Judge of Probate of Lee County, Alabama; said corner being on the southeasterly R/W line of Frederick Road; thence, along said R/W Line, S33°23'00"W, 54.11 feet to a 6" concrete R/W monument and the True Point of Beginning of the Parcel of Land herein described; thence, along said R/W line, S1°26'53"E, 154.94 feet to a Magnail set in a rock on the northerly R/W line of Frederick Avenue; thence southwesterly along a curve concave southeasterly and having a chord bearing and distance of S61°56'54"W, 31.34 feet, a radius of 889.44 feet, and an arc length of 31.34 feet to a spindle set; thence N56°38'24"W, 43.45 feet to a 1/2" rebar and cap (LS18677) set; thence northerly along a curve concave easterly and having a chord bearing and distance of N11°38'24"W, 42.43 feet, a radius of 30.00 feet, and an arc length of 47.12 feet to a 1/2" rebar and cap (LS18677) set; thence N33°21'36"E, 124.74 feet to the True Point of Beginning.

Said Parcel containing 7658 Square Feet or 0.1758 Acre

Being further described according to and as shown by that certain survey or drawing prepared by Mark L. Miller, Registered Surveyor, attached hereto and marked Exhibit "A".

Attachment: petition frederick road (199-19 : Vacate Right-Of-Way - SE Portion of Frederick Road)

2. The Petitioner hereby represents and declares that it is the sole owner of the property abutting upon the portions of the rights-of-way of Frederick Road and Frederick Avenue to be vacated. It is not the intention of the Petitioner to vacate any other portions of Frederick Road and Frederick Avenue, except as described in Section 1 above.

3. The Petitioner hereby certifies that convenient and reasonable means of ingress and egress is afforded to all other property owners owning property in the area.

4. The Petitioner certifies that Frederick Road and Frederick Avenue will remain public rights-of-way.

5. The Petitioner desires to vacate the above-described portions of Frederick Road and Frederick Avenue so as to destroy the force and effect of any dedication of the same and have divested therefrom all public rights therein.

6. The Petitioner agrees that the property within the vacated rights-of-way, as described in Section 1 above, shall constitute the property of the Petitioner, subject to the following existing utility easements, as depicted on the attached survey:

- (a) Water main easement to The Utilities Board of the City of Opelika.
- (b) Storm water drainage easement to the City of Opelika.
- (c) Sanitary sewer easement to the City of Opelika.
- (d) Cable television and telecommunications easement to the City of Opelika.

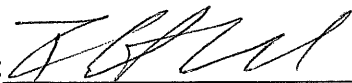
It is understood and agreed by the Petitioner that the City of Opelika reserves the right, in conjunction with other utility companies, to use all or part of the property described in Section 1 above, for the operation, maintenance, replacement and repair of utility mains, lines and facilities (including, without limitation, water, wastewater, stormwater and drainage and cable television and telecommunications systems in, over, under and across said property).

7. This declaration of vacation is executed by the Petitioner in accordance with the provisions of §35-2-54, *Code of Alabama*, 1975, and also pursuant to said Code in §23-4-20.

NOW, THEREFORE, in consideration of the premises, the Petitioner hereby requests that Your Honors assent to, approve, ratify and confirm, the vacation of the above-described portions of the rights-of-way of Frederick Road and Frederick Avenue, the annulment of any dedication thereof, and the divestment of all public rights therein except existing easements for water mains, storm water drainage facilities, sanitary sewer lines and cable television and telecommunications fiber conduit, and that the City of Opelika, through its duly elected officials, adopt such appropriate Resolution and authorize the execution of such appropriate instruments as may be meet and proper to effect the vacation of said portions of the rights-of-way Frederick Road and Frederick Avenue in order to divest the public of all rights to use the same and convey to the Petitioner whatever right, title and interest which the City has or may have in and to the above described portions of said rights-of-way, subject to all existing easements for public utilities.

IN WITNESS WHEREOF, the Petitioner has hereunto set its hand and seal on this the 10<sup>th</sup> day of MAY, 2019.

EAST ALABAMA POWER SPORTS, LLC  
An Alabama Limited Liability Company

By: 

Title: ITS MANAGING MEMBER  
PHILIP M. SACK

Attachment: petition frederick road (199-19 : Vacate Right-Of-Way - SE Portion of Frederick Road)

STATE OF ALABAMA  
COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that PHILIP M. SACK, whose name is signed to the foregoing instrument as Managing Member of EAST ALABAMA POWER SPORTS, LLC, who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, she, in such capacity and as Managing Member of East Alabama Power Sports, LLC, and with full authority, executed the same voluntarily as said Managing Member of East Alabama Power Sports, LLC, on the day the same bears date on behalf of said company.

GIVEN under my hand and official seal of office this the 10<sup>th</sup> day of MAY, 2019.

Jane M. Rothfuss  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 9/10/22

STATE OF ALABAMA  
COUNTY OF LEE

Attachment: petition fredrick road (199-19 : Vacate Right-Of-Way - SE Portion of Frederick Road)

## PROPERTY DESCRIPTION FOR CONVEYANCE AND ALSO BLANKET EASEMENT

THE CITY OF OPELIKA

TO EAST ALABAMA POWER SPORTS LLC

Commencing at the southeast corner of Section 13, T-19-N, R-26-E, in Opelika, Lee County, Alabama; thence N1°26'53"W, 262.00 feet; thence N89°41'53"W, 947.70 feet to a 1/2" rebar at the northwest corner of Lot 12-A1 of a Resubdivision of Lots 12-A, 17 & 18, Block C, Johnston Subdivision, as recorded in Plat Book 36, Page 138, in the office of the Judge of Probate of Lee County, Alabama; said corner being on the southeasterly R/W line of Frederick Road; thence, along said R/W Line, S33°23'00"W, 54.11 feet to a 6" concrete R/W monument and the True Point of Beginning of the Parcel of Land herein described; thence, along said R/W line, S1°26'53"E, 154.94 feet to a Magnail set in a rock on the northerly R/W line of Frederick Avenue; thence southwesterly along a curve concave southeasterly and having a chord bearing and distance of S61°56'54"W, 31.34 feet, a radius of 889.44 feet, and an arc length of 31.34 feet to a spindle set; thence N56°38'24"W, 43.45 feet to a 1/2" rebar and cap (LS18677) set; thence northerly along a curve concave easterly and having a chord bearing and distance of N11°38'24"W, 42.43 feet, a radius of 30.00 feet, and an arc length of 47.12 feet to a 1/2" rebar and cap (LS18677) set; thence N33°21'36"E, 124.74 feet to the True Point of Beginning.

Said Parcel containing 7658 Square Feet or 0.1758 Acre

Attachment: petition frederick road (199-19 : Vacate Right-Of-Way - SE Portion of Frederick Road)

GRANTEE'S ADDRESS:  
East Alabama Power Sports, LLC

**NO TITLE OPINION RENDERED**

|                  |   |                                 |
|------------------|---|---------------------------------|
| STATE OF ALABAMA | ) |                                 |
|                  | : | QUITCLAIM DEED WITH RESERVATION |
| COUNTY OF LEE    | ) | OF UTILITY EASEMENTS            |

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations to the undersigned Grantor, City of Opelika, Alabama, in hand paid by East Alabama Power Sports, LLC, (the "Grantee"), the receipt whereof is hereby acknowledged, the undersigned City of Opelika, Alabama, a municipal corporation (hereinafter called "Grantor"), does hereby remise, release, quitclaim, and convey unto East Alabama Power Sports, LLC, an Alabama limited liability company, subject to the permanent utility easements as more particularly described below, all of its right, title, claim and interest in and to the following described real property situated in Opelika, Lee County, Alabama, to-wit:

Commencing at the southeast corner of Section 13, T-19-N, R-26-E, in Opelika, Lee County, Alabama; thence N1°26'53"W, 262.00 feet; thence N89°41'53"W, 947.70 feet to a 1/2" rebar at the northwest corner of Lot 12-A1 of a Resubdivision of Lots 12-A, 17 & 18, Block C, Johnston Subdivision, as recorded in Plat Book 36, Page 138, in the office of the Judge of Probate of Lee County, Alabama; said corner being on the southeasterly R/W line of Frederick Road; thence, along said R/W Line, S33°23'00"W, 54.11 feet to a 6" concrete R/W monument and the True Point of Beginning of the Parcel of Land herein described; thence, along said R/W line, S1°26'53"E, 154.94 feet to a Magnail set in a rock on the northerly R/W line of Frederick Avenue; thence southwesterly along a curve concave southeasterly and having a chord bearing and distance of S61°56'54"W, 31.34 feet, a radius of 889.44 feet, and an arc length of 31.34 feet to a spindle set; thence N56°38'24"W, 43.45 feet to a 1/2" rebar and cap (LS18677) set; thence northerly along a curve concave easterly and having a chord bearing and distance of N11°38'24"W, 42.43 feet, a radius of 30.00 feet,

Attachment: QUIT CLAIM DEED - SE Portion of Frederick Road (199-19 : Vacate Right-Of-Way - SE Portion of Frederick Road)

and an arc length of 47.12 feet to a 1/2" rebar and cap (LS18677) set; thence N33°21'36"E, 124.74 feet to the True Point of Beginning.

Said Parcel containing 7658 Square Feet or 0.1758 Acre

Being further described according to and as shown by that certain survey or drawing prepared by Mark L. Miller, Registered Surveyor, attached hereto and marked Exhibit "A".

The Grantor hereby reserves to The Utilities Board of the City of Opelika and the City of Opelika., perpetual utility easements for existing water mains, storm water drainage facilities, sanitary sewer lines and cable television and telecommunications fiber conduit as depicted on the survey prepared by Mark L. Miller, Registered Surveyor, attached hereto and marked Exhibit "A" and further described as follows:

- (1) a water main easement to The Utilities Board of the City of Opelika.
- (2) a storm water drainage easement to the City of Opelika
- (3) a sanitary sewer easement to the City of Opelika
- (4) cable television and telecommunications easement to the City of Opelika.

The permanent, non-exclusive utility easement reserved to the City of Opelika and the Utilities Board of the City of Opelika is defined as a blanket easement containing 0.1758 acres as depicted on the survey attached hereto and marked Exhibit "A" and is the identical property conveyed by Grantor to Grantee herein. The purpose of the easement is for erecting, constructing, installing, replacing, repairing, operating, using, inspecting, reconstructing, modifying, removing and maintaining any and all public utilities (including water, stormwater drainage, gas, electric, telephone, cable television and electronic data transmission services), together with all lines, pipes, conduits and other equipment, improvements and appurtenances

used in the supply and provision of public utilities. This conveyance is made by Grantor and accepted by Grantee subject to all existing utility easements.

IN WITNESS WHEREOF, the City of Opelika, Alabama, a municipal corporation, has caused this instrument to be executed by Gary Fuller, its Mayor, and its seal to be affixed by Robert G. Shuman, its City Clerk, both of whom are hereunto authorized pursuant to Resolution No. \_\_\_\_-19 of the City Council of the City of Opelika, Alabama, a copy of which is attached hereto, marked Exhibit "B" on this the \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF OPELIKA, ALABAMA

BY: \_\_\_\_\_  
GARY FULLER, MAYOR

ATTEST:

\_\_\_\_\_  
ROBERT G. SHUMAN  
CITY CLERK

STATE OF ALABAMA  
COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that Gary Fuller and Robert G. Shuman, whose names as Mayor and City Clerk, respectively of the City of Opelika, Alabama, are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day, that, being informed of the contents of said conveyance they, as such officers and with full authority, executed the same voluntarily as the act of said municipal corporation on the day the same bears date.

GIVEN under my hand and official seal of office this the \_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:

Attachment: QUIT CLAIM DEED - SE Portion of Frederick Road (199-19 : Vacate Right-Of-Way - SE Portion of Frederick Road)

**THIS INSTRUMENT WAS PREPARED BY:  
GUY F. GUNTER, III  
CITY ATTORNEY  
CITY OF OPELIKA  
608 Avenue A  
P.O. BOX 390  
OPELIKA, AL 36801  
334-705-2074  
334-705-5515 - FAX**

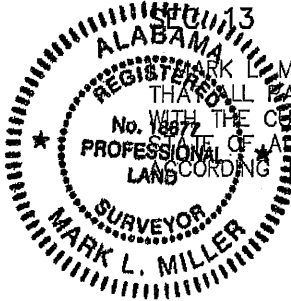
**Attachment: QUIT CLAIM DEED - SE Portion of Frederick Road (199-19 : Vacate Right-Of-Way - SE Portion of Frederick Road)**

BOUNDARY SURVEY FOR  
THE CITY OF OPELIKA

OPELIKA

LEE COUNTY  
T-19-N

ALABAMA  
R-26-E



I, **MARK L. MILLER**, A REGISTERED SURVEYOR IN THE STATE OF ALABAMA, HEREBY CERTIFY  
 THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE  
 WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE  
 STATE OF ALABAMA, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.  
 ACCORDING TO MY SURVEY OF APRIL 9, 2019.

Cert. No. 18677

**NOTES:**

**Basis of Bearings is Grid North, NAD 83, Alabama East Zone, as determined from GPS observations.**

*The Primary Source of Information for this survey was:  
Plat of A Resubdivision of Lots 12-A, 17 & 18, Block C,  
Johnston Subdivision as recorded in Plat Book 36, Page 138,  
in the office of the Judge of Probate of Lee County, Alabama.*

**No easements were provided to the Surveyor.  
The Surveyor is not liable for undisclosed  
easements or those not readily visible.**

No buildings or structures were located or shown except where there was the possibility of an encroachment onto property lines.

Via Locate Request #190811132, responders to Alabama  
7-Call service report no underground utilities  
in this area except as shown.

- = Found Iron Pin
- = Set 1/2" Rebar  
(Capped: 18677)
- = Found Conc. Monument
- △ = Calculated Point
- ⊕ = Government Corner
- R/W = Right-of-Way
- ⊗ = Sanitary Manhole
- 田 = Grate Inlet
- ⊙ = Power Pole
- ⚙ = Fire Hydrant
- = Water Valve
- = Water Meter

SCALE 1" = 50 FEET

FREDERICK ROAD  
(R/W Varies)

R30.00'  
A47.12'  
CBN11°38'24"W  
C42.43'

$$\begin{array}{r} 2.1758 \\ \times 7658 \\ \hline \end{array}$$

(Plot: CB S72°28'00"W)  
R889.44'  
A363.23'  
39°26"W

LOT 12A-1

SW  
A T & T Manhole  
FREDERICK  
S  
AVE.  
(R/W Varies)

CITY OF OPELIKA  
ENGINEERING DEPT.  
700 FOX TRAIL  
OPELIKA, AL 36801  
(334) 705-5450  
mmiller@opelika-al.gov  
Frederick Rd And Ave R W Abandonment 32019

## RESOLUTION NO. 200-19

Request from ATT for a SUP for a cell tower at 2000 Steel St.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, AT&T has requested to modify their equipment at an existing wireless telecommunication facility located at 2000 Steel Street, Opelika, AL to provide improved wireless services essentially within the corporate limits and police jurisdiction of the City of Opelika, and;

WHEREAS, AT&T 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 AT&T'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 AT&T's equipment at this facility located at 2000 Steel Street, which consist of a 248' self-support tower;

THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika, Alabama that AT&T is hereby granted a Special Use Permit to modify their equipment at the wireless telecommunications facility located at 2000 Steel Street. 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, AT&T or the tower owner must submit to the City for review and approval, a ANSI/TIA-222-G Annex J: Conditions and Maintenance Assessment for the self-support tower. Assessment shall include a remediation report for all safety items noted as deficient on the report. Assessment shall include a twist and plumb report for the self-support tower. Twist and plumb report shall include all calculations, allowable tolerances and methodology used to determine the results of the report.

2. 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. AT&T may petition the City of an extension of this for good cause shown, but the decision whether not to grant the extension shall exclusively be the prerogative of the City.
3. AT&T must provide contractor information to CMS and to the City prior to request for issuance of the Building Permit.
4. Once, AT&T has met all the conditions of the permit and any other requirements of the City and a building permit is issued, AT&T must notify the City's consultant for all inspections.
5. At the completion of construction, AT&T 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.
6. 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 \_\_\_\_\_, 2019.

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

ATTEST:

\_\_\_\_\_  
 R. G. Shuman, CMC

City Clerk-Treasurer

## RESOLUTION NO. 201-19

Request from ATT for a SUP for a cell tower at 2404 Frederick Rd.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, AT&T has requested to modify their equipment at an existing wireless telecommunication facility located at 2404 Frederick Road, Opelika, AL to provide improved wireless services essentially within the corporate limits and police jurisdiction of the City of Opelika, and;

WHEREAS, AT&T 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 AT&T'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 AT&T's equipment at this facility located at 2404 Frederick Road, which consist of a 107' monopole tower;

THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika, Alabama that AT&T is hereby granted a Special Use Permit to modify their equipment at the wireless telecommunications facility located at 2404 Frederick Road. 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, AT&T or the tower owner must submit to the City for review and approval, a rigorous structural analysis in compliance with ANSI/TIA-222-G for the monopole tower. Analysis shall have an overall tower rating of 100.0% or less. Analysis shall include all calculations used to determine the results of the report. If tower modifications are required to lower the overall rating of the tower, certified construction drawings for the required tower modifications should be included in the structural analysis.
2. Prior to the issuance of the Building Permit, AT&T or the tower owner must submit to the City for review and approval, a ANSI/TIA-222-G Annex J: Conditions and Maintenance Assessment for the monopole tower. Assessment shall include a remediation report for all safety items noted as deficient on the report. Assessment shall include a plumb report for the monopole tower. Plumb report shall include all calculations, allowable tolerances and methodology used to determine the results of the report.

3. Prior to the issuance of the Building Permit, AT&T or the tower owner must submit to the City for review and approval, bands for frequencies being used at this facility.
4. Prior to the issuance of the Building Permit, AT&T or the tower owner must submit to the City for review and approval, FCC License for frequency bands being used at this facility.
5. 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. AT&T may petition the City of an extension of this for good cause shown, but the decision whether not to grant the extension shall exclusively be the prerogative of the City.
6. AT&T must provide contractor information to CMS and to the City prior to request for issuance of the Building Permit.
7. Prior to the issuance of the Certificate of Completion, AT&T or the tower owner shall remediate the following safety issues that were noted at the pre-application site visit:
  - a. Replace or repair one missing ground on the towers base.
  - b. Install locking devices on foundation nuts or mark foundation nuts with torque lines.
8. Once, AT&T has met all the conditions of the permit and any other requirements of the City and a building permit is issued, AT&T must notify the City's consultant for all inspections.
9. At the completion of construction, AT&T 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.
10. 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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
C.E. "Eddie" Smith, Jr.

President City Council

Opelika, Alabama

ATTEST:

---

R. G. Shuman, CMC

City Clerk-Treasurer

## RESOLUTION NO. 202-19

Agreement for professional services, Game Day security - OPD.

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BY AND  
AMONG THE CITY OF OPELIKA, ALABAMA, THE CITY OF AUBURN, ALABAMA  
AND THE AUBURN GAME DAY LAW ENFORCEMENT CORPORATION  
FOR GAME DAY SECURITY AND CROWD CONTROL SERVICES**

**WHEREAS,** the City of Opelika (the “City”) maintains and staffs the Opelika Police Department for the purpose of providing traffic and law enforcement services; and

**WHEREAS,** The Auburn Game Day Law Enforcement Corporation (the “Corporation”) desires the assistance of the Opelika Police Department to provide security and crowd control services during major sporting events and/or special events; and

**WHEREAS,** the City shall render the above services under the direction and supervision of the City of Auburn Police Chief and/or his/her designee; and

**WHEREAS,** a proposed Professional Services Contract (the “Contract”) to be entered into by and among the City, the City of Auburn and the Corporation has been prepared and submitted to the City Council for approval, and the City Council has determined that it is now in the best interest of the City and its citizens to approve said Contract.

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

1. That the proposed inter-governmental Professional Services Contract to be entered into by and among the City of Opelika, the City of Auburn, and The Auburn Game Day

Law Enforcement Corporation, a copy of which is attached hereto and marked Exhibit “A”, be and the same is hereby approved, authorized, ratified and confirmed in the form substantially submitted to the City Council with such changes thereto (by addition, deletion or substitution) as the Mayor shall approve which approval shall be conclusively evidenced by execution and delivery of said Contract.

2. That the Mayor is hereby authorized and directed to execute and deliver said Contract 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 Contract.

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

**ADOPTED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

---

PRESIDENT OF THE CITY COUNCIL  
OF THE CITY OF OPELIKA

ATTEST:

---

CITY CLERK

**Auburn Game Day Law Enforcement Corporation  
Professional Services Contract**

This Professional Services Contract (the "Agreement") made and entered into on this the \_\_\_\_ day of \_\_\_\_\_, 2019, by and between The Auburn Game Day Law Enforcement Corporation, an Alabama corporation (the "Company"), the City of Auburn, Alabama, a municipal corporation (the "City") and \_\_\_\_\_ (Assisting Agency).

The parties hereby state and agree as follows:

1. The City has entered into a Professional Services Contract with Auburn University (the "University") whereby the City agrees to provide Law Enforcement Officers; Fire; Communications and Judicial personnel with the City as well as assisting agencies to provide security and traffic direction for University athletic and other special events.
2. \_\_\_\_\_ (Assisting Agency), acting in support of City of Auburn (Auburn) Public Safety/Police Division shall provide law enforcement services.
4. The Assisting Agency, acting in support of the City's Public Safety Department/Police Division, shall provide support services to include, but not limited to crowd control, traffic direction, and security at Auburn University campus locations during major sporting events and/or special events.
5. The Assisting Agency shall render the above services under the direction and supervision of the City of Auburn Police Chief or his/her designee.
6. The Assisting Agency shall provide the above services during the time period from August 1, 2019 to July 31, 2020.
7. The Assisting Agency will be compensated by the City on behalf of the Company for the above services at the following rates: Assignment: Stadium- ; Traffic- ; Supervisor- . The Assisting Agency's liability for services provided under this Agreement shall be limited to the intentional and/or negligent acts or omissions of its employees.
8. The Assisting Agency will receive compensation for services provided within ten working days of the receipt of an approved invoice.
9. The Assisting Agency **will not** be compensated for travel expenses.
10. The Company shall secure and provide to Assisting Agency's employees Workers Compensation Insurance.
11. The Assisting Agency agrees to comply with all applicable Federal and State laws and regulations in the performance of this Contract. Assisting Agency represents that it is an Equal Opportunity Employer and does not discriminate on the grounds of disability, age, race, color, religion, sex, national origin, veteran status, genetic information or any other classification protected by Federal and/or Alabama state constitutional and/or statutory law.

This contract has been reviewed and accepted by the undersigned on this the \_\_\_\_ day of \_\_\_\_\_, 2019.

**ASSISTING AGENCY**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Agency Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Tax I.D. Number

\_\_\_\_\_  
City, State, Zip Code

**AUBURN GAME DAY LAW ENFORCEMENT CORPORATION**

\_\_\_\_\_  
President

**ADOPTED AND APPROVED** by the City Council of the City of Auburn, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Manager

## RESOLUTION NO. 203-19

Special appropriation to East Ala. Community Ballet.**RESOLUTION NO. \_\_\_\_\_**

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

**WHEREAS**, EACB will be producing their 2019 performance of the Nutcracker and will provide a free field trip to Opelika Third graders for their own Nutcracker experience, and

**WHEREAS**, City Council President Eddie Smith Ward 4, President Pro-tem Patricia Jones Ward 1, Councilwoman Tiffany Pitts Ward 2, Councilman Dozier Smith T Ward 3 and Councilman David Canon Ward 5 each wishes to appropriate \$200.00 each from their respective discretionary funds, to assist with funding the 2019 Nutcracker performance.

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

1. The City Council approves a total special appropriation of \$1,000.00 to the East Alabama Community Ballet to assist in funding the 2019 Nutcracker performance.
2. The Opelika City Council hereby declares and determines that said expenditure of these public funds serve a public purpose for the City of Opelika and approves the attached Funding Agreement.
3. The Mayor and the Controller is hereby authorized and directed to move the discretionary funds as detailed below to the appropriate account(s):

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

4. The City Clerk-Treasurer is hereby authorized and directed to prepare the appropriate documents so that a check for \$1,000.00 payable to the East Alabama Community Ballet can be prepared and delivered with said funds being earmarked and designated for the 2019 performance of the Nutcracker.

**APPROVED and ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

---

C. E. "Eddie" Smith, Jr.

President City Council

City of Opelika, Alabama

ATTEST:

---

Robert G. Shuman, CMC

City Clerk - Treasurer

## RESOLUTION NO. 204-19

Special appropriation to Dream Day Foundation to support 2nd Annual Black Male Summit.

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the Dream Day Foundation is sponsoring the 2<sup>nd</sup> Annual Black Male Summit on Saturday July 27, 2019 at Auburn High School with an estimated 75% of the participants being from Opelika, and

**WHEREAS**, the Black Male Summit is designed to create a platform for the middle and high School African-American males to discuss critical issues that young men face such as ethics, decision-making, wellness, employment & careers, cooperation & conflict, relationships and self-esteem, and

**WHEREAS**, the Dream Day Foundation, in partnership with the 100 Black Men of Lee County and the Boys & Girls Clubs of Greater Lee County, are ready to address these questions, and most importantly, provide the information, support and guidance that our young men deserve, and

**WHEREAS**, President Pro-tem Patricia Jones Ward 1, Councilwoman Tiffany Pitts Ward 2, Councilman Dozier Smith T Ward 3, President Eddie Smith Ward 4 and Councilman David Canon Ward 5 would like to contribute a portion of their discretionary funds to the Dream Day Foundation to help sponsor the 2019 Black Male Summit.

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

1. The City Council approves a special appropriation of \$2,500.00 from the City Council discretionary funds as detailed below:

|                |                      |          |
|----------------|----------------------|----------|
| Patricia Jones | Ward 1 Reserve Fund  | \$500.00 |
| Tiffany Pitts  | Ward 2 Current Year. | \$500.00 |
| Dozie Smith T  | Ward 3 Reserve Fund  | \$500.00 |
| Eddie Smith    | Ward 4 Reserve Fund  | \$500.00 |
| David Canon    | Ward 5 Reserve Fund  | \$500.00 |

2. That the City Council hereby declares and determines that the expenditures of said public funds will serve a public purpose for the City of Opelika.
3. That Mayor Fuller and the Controller are hereby authorized and directed to transfer said funds as designated above to the appropriate account(s).

4. That the City Clerk-Treasurer is hereby authorized to prepare and process the appropriate document(s) so that a check can be prepared for \$2,500.00 payable to the Dream Day Foundation.

**ADOPTED and APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2019.

---

President of the City Council  
City of Opelika, Alabama

ATTEST:

---

Robert G. Shuman, CMC  
City Clerk - Treasurer

## RESOLUTION NO. 205-19

Proposal from OSMOSE for Pole Attachment Count - OPS.

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION APPROVING PROPOSAL FOR PROFESSIONAL SERVICES**  
**FROM OSMOSE UTILITIES SERVICES, INC.**

**WHEREAS**, Osmose Utilities Services, Inc. (“Osmose”) is a leading provider of critical inspection, maintenance and structural services for utility and telecom infrastructure in the United States; and

**WHEREAS**, the City of Opelika, Alabama (the “City”) desires to engage Osmose to perform a comprehensive review, survey and analysis of joint pole use, pole loading and cost recovery for Opelika Power Services (“OPS”); and

**WHEREAS**, the City desires to engage Osmose to conduct a turnkey program to identify, update, manage and reduce double-wood pole conditions that exist in the field; and

**WHEREAS**, the City will require the services of a professional consulting engineering firm to provide said services; and

**WHEREAS**, OPS staff recommends Osmose to perform said services; and

**WHEREAS**, a Proposal for Professional Services (“Proposal”), a copy of which is attached hereto as Exhibit “A”, has been prepared by Osmose 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 Proposal; and

**WHEREAS**, the budget for this project is approximately \$305,000, of which amount

approximately \$200,000 will be billed to other entities; and

**WHEREAS**, the Director of OPS has certified that sufficient funds are available in the budget to cover all costs associated with the Proposal.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Opelika, Alabama (the “City”), as follows:

1. That the Proposal submitted by Osmose, a copy of which is attached hereto as Exhibit “A”, is hereby approved and accepted in substantially the form submitted to the City Council.
2. That the Mayor is hereby authorized and directed to execute and deliver said Proposal in the name and on behalf of the City.
3. That Osmose will perform the work under the Proposal in accordance with the terms and conditions of the Professional Services Agreement between the City and Osmose dated November 16, 2010 and amended March 31, 2011.
4. That the Mayor is hereby authorized and directed to execute and deliver such other ancillary and related documents that may be necessary or appropriate in order to carry into effect the intent of this Resolution and to carry out fully the transactions contemplated therein on behalf of the City.
5. 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 Proposal.

6. That the Purchasing-Revenue Manager is authorized and directed to issue all necessary and appropriate purchase orders to implement this Resolution.

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

**ADOPTED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
 PRESIDENT OF THE CITY COUNCIL  
 OF THE CITY OF OPELIKA

ATTEST:

\_\_\_\_\_  
 CITY CLERK



May 13, 2019

Mr. Derek S. Lee  
 Director  
 OPELIKA POWER SERVICES (OPS)  
 600 Fox Run Parkway  
 Opelika, AL 36801

**RE: JOINT USE INVENTORY PRICING PROPOSAL – 2019**

Dear Mr. Lee:

At the request of our Senior Director-Business Development, Mr. Glen Andrew, we are submitting the attached unit prices (Schedule 1) for your approval and acceptance. This proposal pertains to the 3<sup>rd</sup> party attachment and double wood audits to be performed in 2019.

The following prices are for 2019. For 2020, we propose using the Consumer Price Index (CPI) for price rate adjustments with a minimum increase of 2% and a maximum increase of 4% annually. The annual increases will be based on the most current "Table 3. Consumer Price Index for All Urban Consumers (CPI-U): U.S. city average, special aggregate indexes (Services)." A current copy of this table is attached for your reference.

If the attached pricing is acceptable, Osmose will perform the work in accordance with the terms and conditions under our Professional Services Agreement dated November 16, 2010 and amended March 31, 2011.

As discussed in our meeting that took place July 25, 2018 at our Atlanta, GA office, this entails the first steps to a comprehensive double wood program for OPS. In this proposal you will find the following:

- Outline of work performed with pricing and estimated scheduling
- Project Budget and Spend Forecast

An insurance certificate covering Osmose for this work is attached for your convenience.

If you need further assistance or have any questions concerning this proposal, please do not hesitate to contact Glen at 205-613-7269.

We look forward to working with you on this important project. If these prices are acceptable, please issue a Change Order to the Agreement so we can schedule crews to begin this project.

Sincerely,

Jose Villalba  
 Vice President-Contracts

Attachment

JV/cd  
 C: File

# Proposal to Perform Joint Use Survey

---

Prepared for



By Osmose Utilities Services, Inc.

May 13, 2019

## Osmose®

Osmose Utilities Services, Inc.

635 Highway 74 S  
Peachtree City, GA 30269  
(770) 632-6700  
[www.OsmoseUtilities.com](http://www.OsmoseUtilities.com)



## Table of Contents

---

|                                                               |           |
|---------------------------------------------------------------|-----------|
| <b>Project Overview.....</b>                                  | <b>3</b>  |
| <b>Project Metrics .....</b>                                  | <b>3</b>  |
| <b>Project Approach .....</b>                                 | <b>3</b>  |
| <b>Scope of Work.....</b>                                     | <b>4</b>  |
| <b>Violations.....</b>                                        | <b>6</b>  |
| <b>Attachment Identification .....</b>                        | <b>6</b>  |
| <b>Pole Tagging .....</b>                                     | <b>7</b>  |
| <b>Field Software Solution (DCT).....</b>                     | <b>7</b>  |
| <b>Project Follow-on .....</b>                                | <b>7</b>  |
| <b>Additional Options for Survey/Post Survey include.....</b> | <b>8</b>  |
| <b>Schedule.....</b>                                          | <b>10</b> |
| <b>Pricing Schedule .....</b>                                 | <b>10</b> |

**Proprietary Information:** The information contained in this document is the property of Osmose Utilities Services, Inc., and is furnished to the recipient as confidential matter. The holder of this document shall not share, disclose, divulge, or otherwise communicate the document's contents, in whole or in part, to any third party except as expressly authorized by Osmose Utilities Services, Inc.

**Copyright:** © 2019 Osmose Utilities Services, Inc. All rights reserved. No part of this document may be reproduced, transmitted, transcribed, or translated into any language without the prior written permission of Osmose Utilities Services, Inc.



## Project Overview

Opelika Power Services (“Customer”) is looking to engage in a 3rd party attachment process review which will consist of:

- Review their current attachment agreements and an understanding of each stakeholder’s responsibilities and timelines
- A Joint Use Inventory of their plant while sharing the cost with attachers
- Collect attachment type, owner, quantity
- Pole Tagging (Primary Structures Only)
- Pole Brand Information, GPS
- Double Wood
- Transfer pending classification: bare, simple, complex
- Major Clearance Violations, guying violations or unauthorized attachment method violations

The result of the attachment survey will be used to execute a Turn Key Double Wood Program.

## Project Metrics

- Opelika Power Services (OPS) is a public power utility located in Opelika, AL serving over 13,000 customers. OPS recently sold the municipally owned fiber optic system.

## Project Approach

Based on our experience with large and complex utility projects, Osmose believes the most important step in the project lifecycle is the Project Kick-Off phase. Prior to field collection, Osmose will work with OPS to review pole contracts, develop a final Scope of Work (SOW) document that describes all of the field collection rules and guidelines, and completely document the work-flow and technical details of managing the data deliveries to OPS. This phase will consist of several meetings with key personnel from both Osmose and OPS. At the appropriate time, key personnel from the attaching companies may also be involved to ensure all parties to the audit are sufficiently aware and engaged with the audit process. The primary goal of this phase is to identify and mitigate risk that is inherent to a project of this size with numerous stakeholders. Main topics of discussion at these Project Kick-Off Meetings will include, but not be limited to:

- GIS Data Management: A discussion regarding how data will be exchanged throughout the project will be conducted with the appropriate technical staff from OPS and Osmose.
- Field Collection and Field Safety Practices: A plan for handling field-related questions, customer inquiries, trouble call scenarios (i.e. down wires), etc. will be developed between the appropriate staff.
- Review of Pole Contracts: Osmose and OPS will review the pole contracts between OPS and their 3rd Party Attachers and will develop methods for mitigating the risk of rejection of audit results by the 3rd Party Attachers.



## Scope of Work

### 1. Workshop Kick-off & Setup:

- a. Creation of ICD (mapping of source data → field model → deliverable format). This is a sample only.

|                  |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pole (Structure) | New Pole                            | In field and not in GIS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                  | Not In Field                        | In GIS and not in field                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                  | Ownership                           | For new poles Osmose will validate ownership before adding new pole                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                  | Tag ID                              | Osmose “build & installed” Tag ID (OPS-B-XXXXX)                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Attachment       | Type                                | Through Bolt<br>J-Hook                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                  | Ownership                           | AT&T, WOW, Charter, Point Broad Band (PON) & OPS Fiber Ring                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                  | Quantity                            | Numeric Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                  | Attachment Position                 | Position 1 is at the top of the pole, if on arm a lettering convention will be followed, i.e. 1A, 1B                                                                                                                                                                                                                                                                                                                                                                                                     |
|                  | Violations                          | See violations section                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Double Wood      | Photos                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                  | Transfer                            | What needs to be transferred including equipment and construction type                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                  | Attachments position on Double Wood | Top down 1-N, if on arm denote with a letter, i.e. 1A and 1B                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                  | Accessibility                       | Backyard, Locked Gate, No Truck Access                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                  | Condition                           | Significant Rot, Leaning                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                  | Type                                | Simple - A bare pole or a pole transfer that can be performed in a minimal amount of time with basic line crew and truck such as a bare pull or swap of through bolts<br><br>Complex - A transfer that requires any additional work above and beyond the definition of a simple transfer above including but not limited to guying changes, splicing or re-splicing, replacement of a pole-mounted terminal (PMT) with a Strand-Mounted or Span-Mounted Terminal (SMT), relocation of riser cables, etc. |



- b. NJUNS Process
  - c. Double Wood notification
  - d. Close out all legacy tickets
  - e. Violations tickets
  - f. Prepare for Double Wood Management
  - g. Status meetings
  - h. PAR tracking
  - i. Reports
  - j. Invoicing
  - k. Project schedule
  
- 2. Intake:
  - a. OPS will provide GIS data for use in the survey to Osmose
    - o Intake will include substation location, circuit path, all poles, and OH equipment
    - o Exiting 3<sup>rd</sup> party agreements
  
- 3. Pre-Field Processing:
  - a. Osmose Delivery group processes source data for Osmose's handheld tablet, DCT
  - b. Pre-populate model with source data provided and pole locations
  - c. Model will have ability to add poles and take photos
  
- 4. Field Verification:
  - a. Crews visit all poles
  - b. Pole Data collection based on model configuration requirements identified in workshop
  - c. Pole tags installed on all primary run poles
  
- 5. Post-Processing & Deliverables:
  - a. Create shapefile or PGDB deliverable containing all updates captured in the field + associated images
  - b. Create Spreadsheet depicting:
    - i. Double Wood locations
    - ii. Poles where ownership changed
    - iii. Violations to be fed into NJUNS
  - c. Work with OPS to load data into Work Management System
  - d. NJUNS Tickets and Management
    - i. Delete and remove legacy tickets
    - ii. Create new tickets for each double wood locations pending transfer
    - iii. Manage tickets to closure



## Violations

1. Violations will be collected on OPS owned poles only.
2. Streetlight and Traffic Signal; electric circuitry is to be excluded from the estimated violation spacing rules on <40" and <30" violations.
3. Any questionable violations will be measured using a measuring stick for accuracy.  
*\*Standard indemnity and warranty language does not apply to Clearance Violations where no physical measurements are taken.*
4. Spacing measurements are all VERTICAL.
5. Violations to be identified:
  - a. At pole power to communications less than 40 inches (Exception OPS Ring Fiber is installed in the Power Zone)
  - b. At midspan power to communication less than 30 inches
6. Ground Clear less than 15.5 feet (main line power or communications only – excluded service wires) over travel route. This is a road, driveway, alley, parking lot or area a full-size truck/tractor has been driving or can be excepted to be using as a travel route.
7. Easement less than 9.5 feet (main line power or communication only – exclude service wires) anywhere other than a main line is less than 9.5 feet from the soil surface.
8. Unconventional attachment (rope, j-hook, wire tie for mainline, etc.).
9. Any major safety issue identified will be called into OPS for immediate resolution.
10. Improper/Missing Guy wire, limited to tangent and dead-end poles.
  - a. Guy required but not present
  - b. Damaged
  - c. Improperly sharing anchor

## Attachment Identification

Osmose will use two primary methods for determining attachment ownership. Before field collection begins, service territory maps will be requested and reviewed. This information will then be organized and used by the field team as a preliminary reference before auditing each work area. Although service territory maps will provide a valuable reference for many situations, the primary method for determining attachment ownership is field observation. The typical indicators of attachment ownership that are recognizable in the field include:

- Company tag on the attachment at the pole
- Company name on the service drop entrance
- Company name on risers, pedestals, or other equipment (i.e. power supply)
- Tracing of connectivity/continuity of known attachments to their extents

Osmose crews are trained and experienced in using these indicators to identify attachment ownership. In problematic areas where a large section of plant cannot be identified, full-time support staff and supervision will be notified to assist both in the field, and by using other data or contacts available. This methodology has proved successful for Osmose on similar projects.



## Pole Tagging

Osmose will assemble and install pole tags provided by OPS on all primary run poles. Pole tags will be in a seven-digit format with the following rules:

- Hung vertically approximately 5 ft. off the ground facing the road
- First tag will be OPS
- The next tag will be a letter if a switch is present, or a blank tag if no switch is present
- The remaining numbers will correspond to the tag ID already present on the pole
- If no tag is present, Osmose will tag the structure with a number higher than the highest pole number in OPS's data

## Field Software Solution (DCT)

To collect data during the field survey, Osmose Field Technicians/Engineers will be equipped with tablet devices which will be integrated with our DCT Mobile data collection software ("DCT").

DCT provides an efficient means of collecting and updating network data and reduces the time and expense of performing data collection and data maintenance tasks. In addition, DCT is configurable for any type of project or data model. All types of GIS information can be viewed or captured in DCT, including pole information, joint use information, GPS locations, digital photos, etc. Source data from GIS, CIS, or any other information system can be incorporated into a project using DCT. Data collected in DCT is mapped into the customer's personal Geodatabase, shapefiles, or other database, preserving the original data model and formatting.

Rather than placing individual components and managing those components and their relationships as CAD and GIS systems do, DCT uses the Point of Network Interest ("PONI") system to store and manage network data. This approach allows the field technician to collect or verify large volumes of network data quickly and accurately, and eliminates the laborious tasks of managing layers and selecting individual objects that are required in a CAD or GIS. A PONI, in the simplest sense, is an object that is used to organize information about a particular point in the network. A typical PONI may include information about a pole at a specific site, including the pole's GPS position together with information about the pole's attachments, associated devices, and so forth.

In addition to simplifying the display of network information on a handheld device, use of the PONI system streamlines data capture by automating many processes that would otherwise be manual. Objects associated with the PONI, such as poles, foreign attachments, and other network features, can be easily added and deleted. Values for these objects are logged in an organized interface that is easy to learn and use.

## Project Follow-on

Conduct a Turnkey double wood remediation program after the completion of the JU project

- Estimated at 1,000 poles
- Results from JU audit
- Scope
  - Pull bare poles
  - Complete simple transfers, pull double wood poles
  - Complete complex transfers, pull double wood poles
  - Notification system management
  - Delivery and integration with asset management system(s)



## Additional Options for Survey/Post Survey include

1. NJUNS:
  - a. This assembly unit will consist of all systems and data entry work required to create, maintain and manage NJUNS tickets resulting from the joint use audit. Osmose will develop and maintain a database of all NJUNS tickets and manage them to closure or final stage which may include pole removal and transfer of foreign facilities. Osmose will track each pole through the notification life cycle and adhere to the governing joint use agreement between OPS and attacher.
  - b. This unit is intended for use on double wood / transfer facilities pending poles and not intended for clearance violations.
  - c. This unit will be a flat fee per pole.
  - d. Only to be used when requested and approved by OPS management in writing.
  - e. This unit will be split into two billables due to its level of effort. One when the ticket is opened, and one when the ticket gets closed.
2. Distribution Engineering #1:
  - a. This hourly rate will consist of all labor, tools and equipment required to support distribution engineering work for OPS. This work may include: permit sketches and supporting calculations, engineering and design of aerial or underground facilities including pole/anchor/transfer activities, ROW, clearing and grading and street use permits.
  - b. Distribution engineering 1 is defined as an associate with 0-2 years of distribution engineering experience. All distribution engineering 1 work will be reviewed by a distribution engineer 2 prior to delivery to OPS.
  - c. Only to be used when requested and approved by OPS management in writing.
3. Distribution Engineering #2:
  - a. This hourly rate will consist of all labor, tools and equipment required to support distribution engineering work for OPS. This work may include: permit sketches and supporting calculations, engineering and design of aerial or underground facilities including pole/anchor/transfer activities, ROW, clearing and grading and street use permits.
  - b. Distribution engineering 2 is defined as an associate with 2 or more years of distribution engineering experience.
  - c. Only to be used when requested and approved by OPS management in writing.
4. Post Construction Inspection:
  - a. Supplier will deploy field technicians to verify rearrangement and position of new attachment adheres to the make ready prescription provided to the applicant. The technician will ensure no new clearance violations exist. If violations exist due to incorrect rearrangement or improper placement of proposed facilities, a remedy to solve clearance issues will be documented and provided to responsible parties.
5. Digital Image:
  - a. A digital photo may be provided of the pole when requested. General guidelines to follow for this include:
    - i. The whole pole is in the picture
    - ii. The camera is rotated 90 degrees for a portrait view
    - iii. All attachments are visible and identifiable
    - iv. Relative heights are in perspective
    - v. Pole location and surroundings are visible
    - vi. Photo is clear and in focus



Notes:

- ✓ Osmose has already provided services for OPS in a past ANI VDC survey.
- ✓ Joint use audit notification letters sent to all attachers (AT&T, WOW, Charter, Point Broad Band). This is the required notification in advance of the audit per the joint use agreement terms.
- ✓ OPS will provide Osmose the pole tagging material needed to be installed on each primary run pole.
- ✓ Standard indemnity and warranty language does not apply to Clearance Violations where no physical measurements are taken.
- ✓ Clearance violations will be assessed with a visual inspection. Questionable clearances will be verified with a hot stick. Standard indemnity and warranty language does not apply to clearance violations where no physical measurements are taken.
- ✓ Violation assessment is a spot-in-time assessment. Conditions at the pole may change after the assessments were completed. Osmose inspectors will make a reasonable effort to highlight and identify all open and obvious violations and hazards while at the structure.
- ✓ If an immediate safety hazard is discovered during this inspection, an Osmose field crew will call an OPS representative and wait at the structure until dispatched by an emergency response crew. Hourly rates will be utilized by Osmose for this wait time.

# Osmose®

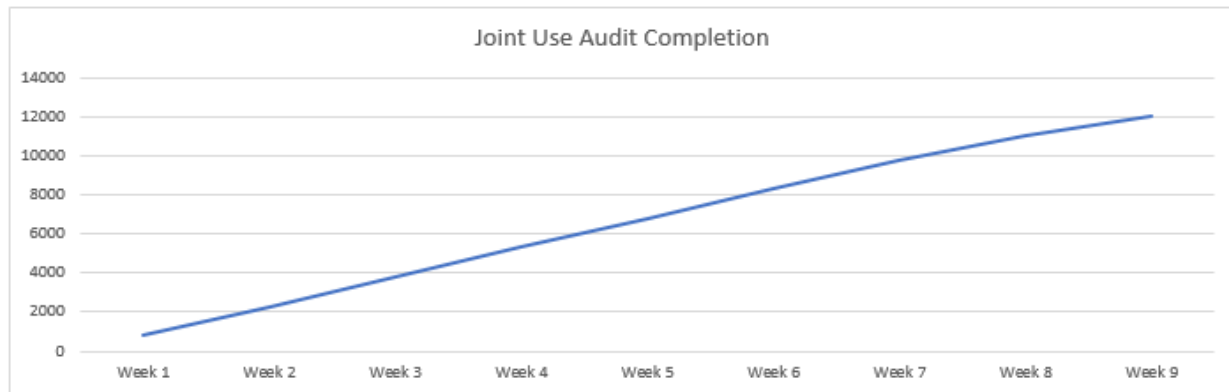
## Schedule



Proposed Joint Use Audit Field Operations Schedule For Opelika Power Services  
Revision Date: 4/01/2019

# Osmose®

|                          | Week 1 | Week 2 | Week 3 | Week 4 | Week 5 | Week 6 | Week 7 | Week 8 | Week 9 |
|--------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Poles Completed Per Week | 800    | 1500   | 1500   | 1500   | 1500   | 1500   | 1500   | 1200   | 500    |
| Cummulative              | 800    | 2300   | 3800   | 5300   | 6800   | 8300   | 9800   | 11000  | 11500  |



## Pricing Schedule

| Description                                  | Pricing Option 1 |
|----------------------------------------------|------------------|
| JU Pole Visit                                | \$7.38           |
| Field Standby Rate (Per Hour/Per Crew)       | \$115.00         |
| Build & Install Pole Stencil                 | \$5.25           |
| NJUNS Open Ticket – Per Pole                 | \$20.52          |
| NJUNS Closed Ticket – Per Pole               | \$20.52          |
| Distribution ENG I (Back Office) - Per Hour  | \$79.00          |
| Distribution ENG II (Back Office) - Per Hour | \$98.00          |
| Post Construction Inspection - Per Pole      | \$33.00          |
| Digital Image (As Required)                  | \$6.55           |
| GPS (As Required)                            | \$1.90           |
| Stick Measurement (As Required)              | \$13.35          |

\*The following prices are for 2019. For 2020, we propose using the Consumer Price Index (CPI) for price rate adjustments with a minimum increase of 2% and a maximum increase of 4% annually



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
07/11/2018

13.15.a

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|                                                                                                       |                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PRODUCER</b><br>Marsh USA Inc.<br>1560 Sawgrass Corporate Pkwy, Suite 300<br>Sunrise, FL 33323     | <b>CONTACT NAME:</b><br><b>PHONE (A/C, No, Ext):</b><br><b>E-MAIL ADDRESS:</b><br><b>FAX (A/C, No):</b>                                                                                                                                                                                             |
| CN101742660--GAWU-18-19                                                                               | <b>INSURER(S) AFFORDING COVERAGE</b><br><b>INSURER A:</b> Zurich American Insurance Company<br><b>INSURER B:</b> National Fire & Marine Insurance Co<br><b>INSURER C:</b> Navigators Insurance Company<br><b>INSURER D:</b> Everest National Insurance Co<br><b>INSURER E:</b><br><b>INSURER F:</b> |
| <b>INSURED</b><br>Osmose Utilities Services, Inc.<br>635 Highway 74 South<br>Peachtree City, GA 30269 | <b>NAIC #</b><br>16535<br>20079<br>42307<br>10120                                                                                                                                                                                                                                                   |

**COVERAGES** **CERTIFICATE NUMBER:** ATL-004394421-06 **REVISION NUMBER:** 0

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE                                                                                                                                                                                                                                                                                                                                                 | ADDL INSD                                      | SUBR WVD | POLICY NUMBER                                                                           | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                                                                  |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|----------|-----------------------------------------------------------------------------------------|-------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A        | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC<br><input type="checkbox"/> OTHER: |                                                |          | GLO0381439-03<br><br>Buffer limit is<br>Per Occ/Aggr/Prod Comp Ops<br>NY18 EXC903879 IV | 07/01/2018              | 07/01/2019              | EACH OCCURRENCE \$ 1,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000<br>MED EXP (Any one person) \$ 10<br>PERSONAL & ADV INJURY \$ 1,000<br>GENERAL AGGREGATE \$ 2,000<br>PRODUCTS - COMP/OP AGG \$ 2,000<br>Buffer: \$ 1,000 |
| C        |                                                                                                                                                                                                                                                                                                                                                                   |                                                |          |                                                                                         |                         |                         |                                                                                                                                                                                                                                         |
| A        | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY<br><input checked="" type="checkbox"/> ANY AUTO<br><input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY                                                                         |                                                |          | BAP 0381440-03<br><br>42-XSF-302666-03                                                  | 07/01/2018              | 07/01/2019              | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>Excess Automobile Limit: \$ 1,000                                              |
| B        |                                                                                                                                                                                                                                                                                                                                                                   |                                                |          |                                                                                         |                         |                         |                                                                                                                                                                                                                                         |
| D        | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR<br><input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE<br><input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$                                                                                                         |                                                |          | XC5EX00501-181                                                                          | 07/01/2018              | 07/01/2019              | EACH OCCURRENCE \$ 10,000<br>AGGREGATE \$ 10,000<br>\$                                                                                                                                                                                  |
| A        | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below                                                                                                                                                                     | Y / N<br><input checked="" type="checkbox"/> N | N / A    | WC 0381438-03                                                                           | 07/01/2018              | 07/01/2019              | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER<br>E.L. EACH ACCIDENT \$ 1,000<br>E.L. DISEASE - EA EMPLOYEE \$ 1,000<br>E.L. DISEASE - POLICY LIMIT \$ 1,000                                           |
| C        | Excess                                                                                                                                                                                                                                                                                                                                                            |                                                |          | NY18FXS939504IV (Excess)                                                                | 07/01/2018              | 07/01/2019              | Limit: \$ 15,000<br>Policy is XS of \$10,000,000                                                                                                                                                                                        |

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**

Certificate holder is an additional insured as required by written contract regarding work performed by the insured for the certificate holder.

## CERTIFICATE HOLDER

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

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE  
of Marsh USA Inc.

Sandi Lee

*Sandra Lee*

© 1988-2016 ACORD CORPORATION. All rights reserved.

## RESOLUTION NO. 206-19

Proposal & Agreement for Pavement Consulting Services - Eng.

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION ACCEPTING PROPOSAL FOR PAVEMENT CONSULTING  
SERVICES SUBMITTED BY TTL, INC.**

**WHEREAS**, the City of Opelika, Alabama, (the “City”) intends to restore, rehabilitate and resurface Northpark Drive from Joanne Drive to Andrews Road and Industrial Boulevard from Lake Condry Road to Sharp Street (the “Project”); and

**WHEREAS**, in planning for both the design and construction of the Project, the City needs to investigate existing site conditions and geotechnical constraints, including subsurface conditions along the road segments; and

**WHEREAS**, professional geotechnical engineering and pavement specialized services are needed to complete the exploration, laboratory testing of the subsurface materials, and provide an engineering analysis and report of pavement rehabilitation recommendations of the Project for the City; and

**WHEREAS**, TTL, Inc. (“TTL”) is a professional engineering firm that possesses the requisite knowledge, skill and resources to explore, test, analyze the Project and to prepare the necessary reports and other documents; and

**WHEREAS**, a Proposal for pavement engineering services (the “Proposal”) has been prepared by TTL 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 Proposal for engineering services.

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

1. That the Proposal submitted by TTL, a copy of which is attached hereto and marked Exhibit "A", be and the same is hereby approved and accepted in the form substantially submitted to the City Council.
2. That the Mayor is further authorized and directed to execute and deliver the Proposal in the name and on behalf of the City and to execute and deliver or cause to be executed or delivered in the name and on behalf of the City such other agreements, contracts, change orders, notices, certificates, assurances or other instruments or other communications as he deems necessary or appropriate in order to carry into effect the intent of the provisions of this Resolution.
3. That the compensation to be paid to TTL shall come from the Unassigned Fund Balance and the Controller is hereby authorized and directed to make all necessary and appropriate budget adjustments to implement this Resolution.
4. That the Purchasing-Revenue Manager is hereby authorized and directed to issue a purchase order to TTL for the provision for engineering services as outlined in the Proposal attached hereto at a total cost not to exceed \$ 24,343.50.
5. That this Resolution shall take effect upon its passage and adoption by the City Council.

**ADOPTED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
PRESIDENT OF THE CITY COUNCIL OF THE

CITY OF OPELIKA, ALABAMA

ATTEST:

---

CITY CLERK



3516 Greensboro Avenue  
Tuscaloosa, AL 35401  
205-345-0816  
www.TTLUSA.com

July 1, 2019

City of Opelika, Engineering Department  
Attn: Mr. Scott Parker, P.E.  
P.O. Box 390  
Opelika, AL, 36803-0390

T: 334-705-5450

E: [sparker@opelika-al.gov](mailto:sparker@opelika-al.gov)

RE: Proposal for Pavement Consulting Services  
Northpark Drive and Industrial Boulevard  
Opelika, Lee County, Alabama  
TTL Proposal No. P00190101753.00

Dear Mr. Parker:

TTL, Inc. (TTL), is pleased to submit this proposal to provide pavement consulting services for Industrial Boulevard and Northpark Drive in Opelika, Alabama. This proposal contains our understanding of the project, our proposed scope of services along with our fee estimate and schedule for the proposed work.

## PROJECT INFORMATION

Mr. Rex Bush and Mr. Frank Upchurch of TTL visited the sites to observe the general condition of the pavement at both locations and to discuss the history of both pavements with Mr. Parker and Mr. McInnis.

### Northpark Drive

Northpark Drive was constructed in the early 2000's and because of the roadways was experiencing distress, roadway improvements were designed by Goodwin Mills and Cawood (GMC) in 2012. The improvements to Northpark Drive were completed in early 2014 and shortly thereafter, pavement distress began to be observed near the entrance to the Walmart Distribution Center. Pavement evaluations to determine the cause of the distress were performed by GMC and AMS later in 2014. We have been provided copies the following documents by GMC and AMS for this project.

- Geotechnical Report from AMS 9/26/2014
- GMC Response to AMS report
- GMC Recommendations report 04/03/2015
- Traffic Count for Northpark Drive
- Improvement plan for Northpark Drive by GMC

Additionally, we understand that ALDOT evaluated the distressed roadway and provided some estimates on potential repair options. We have received copies of a letter prepared by ALDOT on repair options and some data obtained by ALDOT in preparation of the recommendations.

The section of Northpark Drive to be evaluated extends from Joe Ann Drive to Andrews Road, a distance of approximately 4000 feet. The roadway from the Wal-mart entrance to Andrews Drive (the northernmost 1600 feet) is currently exhibiting fatigue cracking and some rutting. Also water has been reported to seep from cracks in the roadway near the Wal-mart entrance. This water is suspected of contributing to the problem.

The reports prepared by others indicates there is some lack of agreement on the design parameters and the needed pavement structure to support the current traffic and additional differences of opinion on the cause of the distress.

### Industrial Boulevard

Industrial Boulevard begins at Lake Condry Road and extends approximately 4200 feet to the north terminating just south of the railroad. The businesses along Industrial Drive have generally been in place for over 20 years. The West Fraser lumber mill facility added a radial log stacker and a new structure in 2018. The roadway is presently showing signs of distress and the pavement is needing repair. The most distress is occurring between Lake Condry Road and the West Fraser facility but the remainder of the roadway is nearing its' expected service life and may need to be upgraded.

## SCOPE OF SERVICES

The purposes of the field work for this project will be to obtain information on the in-place pavement structure and subsurface data from the site, to document the type and extent of the distress being exhibited by the pavement and develop recommendations for rehabilitation of the roadways based on the expected traffic. The assessment of environmental conditions is beyond the scope of the geotechnical exploration.

### Field Exploration

For each of the roadways to be evaluated, we will obtain information on the existing pavement structures by performing the following tasks:

- Perform a visual inspection of the in-place roadway and document the type and extent of the observed distress;
- Select locations for coring the in-place pavement and performing shallow borings and document their location using a hand-held Global Positioning System (GPS) unit. The purpose of the testing will be to measure the in-place pavement layers and to classify the subgrade materials and document their consistency. Locations will be selected to obtain information

on the areas judged to be performing adequately and on areas which are exhibiting distress;

- We will install shallow piezometers in areas suspected of having elevated groundwater which may be contributing to the pavement failure.

Prior to the start of drilling, TTL will submit a ticket for the proposed exploration area with the Alabama 811 One Call service.

The proposed scope of drilling and sampling is summarized in the table below.

| Location                                                              | Number of Borings | Expected Boring Depths |
|-----------------------------------------------------------------------|-------------------|------------------------|
| Industrial Boulevard – Lake Condry Road to the West Frasier facility  | 5                 | 6 feet                 |
| Industrial Boulevard - West Frasier Facility to the northern terminus | 4                 | 6 feet                 |
| Northpark Drive -Jo Ann Drive to the Wal-Mart Entrance                | 6                 | 6 feet                 |
| Northpark Drive – Walmart Entrance to Andrews Drive                   | 6                 | 11 feet                |
| TOTAL                                                                 | 20                |                        |

Our field exploration, testing, and sampling program will include:

- core the asphalt pavement to determine the thickness of the pavement layers
- soil test borings advanced by hollow-stem auger drilling;
- Standard Penetration Testing (SPT) and split-spoon sampling of soil in general accordance with ASTM D1586, with four samples in the upper 6 feet. (If soft soil, fill, or organic material is encountered at the planned termination depth, the borings will be extended);
- collecting Shelby tubes in select borings for Resilient Modulus (Mr) testing;
- checking borings for the presence of groundwater upon completion of hollow-stem auger drilling and approximately one hour after drilling is completed;
- based on our conversation with Mr. Parker, we have assumed that the City of Opelika will assist in providing the required traffic control necessary to safely perform the field testing in this proposal

If we encounter conditions that are unusual or possibly problematic for the project, we will contact you to discuss modifications to the scope. At that time, we can adjust the exploration program to address any specific needs dictated by the conditions encountered.

### Access, Utility Clearance, Site Restoration

Our budget and schedule are based on the following.

- Field services can be performed during normal working hours (Monday through Friday, 7 am to 5 pm), although we may want to work other times at our discretion, if possible.

- We will contact the Alabama 811 one call service to have participating utility companies notified of the pending subsurface penetrations.
- We are not responsible for utilities that are not marked or are incorrectly marked or that cannot be located based on the above listed methods.
- We will backfill boreholes with soil cuttings and patch the pavement using asphalt cold patch.
- Piezometers will be left in-place to allow for continued monitoring of the water table if desired.

### Laboratory Testing

After returning soil samples to the laboratory, we will:

- visually classify soil samples using the Unified Soil Classification System (ASTM D2487 and D2488) as a guide;
- test selected soil samples for moisture contents (ASTM D2216);
- test selected soil samples for Atterberg Limits (ASTM D4318);
- test selected soil samples for gradation and percent fines (ASTM D6913), if needed to assist with classification;
- test selected soil Shelby tube samples for laboratory Resilient Modulus testing;

### Engineering Analyses and Report

We will perform engineering analyses necessary to provide pavement rehabilitation recommendations for each of the roadways. The report will include:

- type, severity, and approximate quantity of distress exhibited in each roadway section; thickness and type of in-place roadway materials; general description and consistency of subgrade materials; location of observed or suspected groundwater;
- results of laboratory tests performed;
- recommendations for pavement rehabilitation using bituminous concrete and rigid Portland concrete (if practical).

TTL intends to submit the pavement evaluation report first as a draft for review by City of Opelika personnel and then as a final version after we receive comments from the City. It is TTL's understanding that the purpose of the review is to enable mutual agreement on recommendations and on the extent of the report coverage. The draft report will be submitted as a PDF file by email. Once comments from the draft report have been addressed, the final report will be submitted to the Owner as a PDF file by email.

### SCHEDULE

We will begin the exploration a minimum of one week after receipt of signed authorization to allow time for the Alabama 811 ticket to be activated.

We expect the following schedule:

- Mobilize equipment to the site to begin the field exploration services within two weeks after authorization.
- Complete pavement distress survey in two working days (1 day per site).
- Complete drilling and sampling in two working days (1 day per site).
- Review field data as it is generated and provide preliminary verbal/email results within a week after completion of drilling.
- Submit a draft version of the report for review within three weeks of completion of the field work.
- Submit the final report within about five weeks of the completion of field work (allowing for review of the draft report).

This schedule generally reflects submittal of our final geotechnical report within about 7 weeks after receiving authorization.

## COMPENSATION

We propose to perform the scope as outlined in this proposal on a time and materials compensation basis as presented in the attached fee schedule. Our estimated fee for the proposed work is as follows:

|                  |   |             |
|------------------|---|-------------|
| Industrial Drive | - | \$10,623.50 |
| Northpark Drive  | - | \$13,720.00 |
| Total Cost       | - | \$24,343.50 |

If additional services are requested or are deemed necessary based on changes to the project description or conditions encountered in our exploration, we will seek authorization for the additional services and fees before proceeding, and the fees reflected in this proposal will be used for additional services.

## AUTHORIZATION

If the proposed scope, fees, and schedule are acceptable, please signify your acceptance by having an authorized representative sign the attached Client Project Services Agreement (CPSA) and returning it with a copy of the entire proposal to formally authorize our services on this project. The terms and conditions that accompany the CPSA are an integral part of our agreement and will govern our services on this project.

All information (written or electronic) from TTL concerning TTL's work is for the sole use and reliance of TTL's Client. TTL intends no third-party beneficiaries (expressed or implied) and copies of such information received by any other third parties are NOT for reliance unless TTL receives a signed Secondary Client Agreement from the third party.

## CLOSING

We appreciate this opportunity to be of service. Please contact us at your convenience if you have questions or require additional information.

Respectfully submitted,

**TTL, Inc.**



Harvey F. Upchurch, Jr.  
Sr Project Manager



Kevin Blake, P.E.  
Principal Engineer

*Attachments:*

*CPSA*

*Cost Estimates*

## CLIENT PROJECT SERVICES AGREEMENT

Northpark Drive and Industrial Boulevard  
TTL Proposal Number P00190101753.00  
Page 1 of 2

This AGREEMENT is between ("Client") and TTL, Inc. ("Consultant") for Services to be provided by Consultant for Client on the project ("Project"), as described in the Project Information section of Consultant's Proposal dated July 1, 2019 ("Proposal") unless the Project is otherwise described in Exhibit A to this Agreement (which section or exhibit is incorporated into this Agreement).

**1. Scope of Services.** The scope of Consultant's services is described in the Scope of Services section of the Proposal ("Services"), unless Services are otherwise described in Exhibit B to this Agreement (which section or exhibit is incorporated into this Agreement). Portions of the Services may be subcontracted. Consultant's Services do not include the investigation or detection of, nor do recommendations in Consultant's reports address the presence or prevention of biological pollutants (e.g., mold, fungi, bacteria, viruses, or their byproducts) or occupant safety issues, such as vulnerability to natural disasters, terrorism, or violence, unless specifically addressed in Consultant's proposal or Exhibit B. Consultant's findings, opinions, and recommendations are based solely upon data and information obtained by and furnished to Consultant at the time of the Services.

**2. Acceptance/Termination.** Client agrees that execution of this Agreement is a material element of the consideration Consultant requires to execute the Services, and if Services are initiated by Consultant prior to execution of this Agreement as an accommodation for Client at Client's request, both parties shall consider that commencement of Services constitutes formal acceptance of all terms and conditions of this Agreement. Additional terms and conditions may be added or changed only by written amendment to this Agreement signed by both parties. In the event Client uses a purchase order or other form to administer this Agreement, the use of such form shall be for convenience purposes only and any additional or conflicting terms it contains are stricken. This Agreement shall not be assigned by either party without prior written consent of the other party. Either party may terminate this Agreement or the Services upon written notice to the other. In such case, Consultant shall be paid costs incurred and fees earned to the date of termination plus reasonable costs of closing the project.

**3. Change Orders.** Client may request changes to the Scope of Services by altering or adding to the Services to be performed. If Client so requests, Consultant will return to Client a statement (or supplemental proposal) of the change setting forth an adjustment to the Services and fees for the requested changes. Following Client's review, Client shall provide written acceptance. If Client does not follow these procedures, but instead directs, authorizes, or permits Consultant to perform changed or additional work, the Services are changed accordingly and Consultant will be paid for this work according to the fees stated or its current fee schedule. If project conditions change materially from those observed at the site or described to Consultant at the time of proposal, Consultant is entitled to a change order equitably adjusting its Services and fee.

**4. Compensation and Terms of Payment.** Client shall pay compensation for the Services performed at the fees stated in the Compensation section of the Proposal unless fees are otherwise stated in Exhibit C to this Agreement (which section or exhibit is incorporated into this Agreement). If not stated in either, fees will be according to Consultant's current fee schedule. Fee schedules are valid for the calendar year in which they are issued. Consultant may invoice Client at least monthly and payment is due upon receipt of invoice. Client shall notify Consultant in writing, at the address on Page 2, within 15 days of the date of the invoice if Client objects to any portion of the charges on the invoice, and shall promptly pay the undisputed portion. Client shall pay a finance fee of 1.5% per month, but not exceeding the maximum rate allowed by law, for all unpaid amounts 30 days or older. Client agrees to pay all collection-related costs that Consultant incurs, including attorney's fees. Consultant may suspend or terminate Services for lack of timely payment without liability to Client in connection with such suspension or termination.

**5. Third Party Reliance.** This Agreement and the Services provided are for Consultant and Client's sole benefit and exclusive use with no third party beneficiaries made or intended. Reliance upon the Services and any work product is limited to Client, and is not permitted as to third parties. For a limited time period, not to exceed three months from the date of the report, Consultant will issue additional reports to others agreed upon with Client, however Client understands that such reports will be strictly for informational purposes only and not for reliance and that reliance by any third party will not be granted until those third parties sign and return Consultant's reliance agreement and Consultant receives the agreed-upon reliance fee. Client also acknowledges that such third party disclosures for reliance could create an issue of conflict of interest for Consultant and Client hereby waives any and all claims of conflict of interest as Consultant, Consultant's employees or sub-consultants or subcontractors as to any disclosure to a third party for informational or reliance purposes.

**6. LIMITATION OF LIABILITY.** CLIENT AND CONSULTANT HAVE EVALUATED THE RISKS AND REWARDS ASSOCIATED WITH THIS PROJECT, INCLUDING CONSULTANT'S FEE RELATIVE TO THE RISKS ASSUMED, AND AGREE TO ALLOCATE CERTAIN OF THE ASSOCIATED RISKS, TO THE FULLEST EXTENT PERMITTED BY LAW, THE TOTAL MAXIMUM AGGREGATE LIABILITY OF CONSULTANT (AND ITS RELATED CORPORATIONS AND CONSULTANT'S SUBCONSULTANTS AND SUBCONTRACTORS AND THE OFFICERS, DIRECTORS, MANAGERS, MEMBERS, SHAREHOLDERS, AGENTS, REPRESENTATIVES AND EMPLOYEES OF ALL OF THE FOREGOING) TO CLIENT AND THIRD PARTIES GRANTED RELIANCE IS LIMITED TO THE GREATER OF \$50,000 OR CONSULTANT'S FEE, FOR ANY AND ALL INJURIES, DAMAGES, CLAIMS, LOSSES, OR EXPENSES (INCLUDING ATTORNEY AND EXPERT FEES) ARISING OUT OF CONSULTANT'S SERVICES OR THIS AGREEMENT. UPON WRITTEN REQUEST FROM CLIENT, CONSULTANT MAY NEGOTIATE A HIGHER LIMITATION FOR ADDITIONAL CONSIDERATION. THIS LIMITATION SHALL APPLY REGARDLESS OF AVAILABLE INSURANCE COVERAGE, CAUSE(S) OR THE THEORY OF LIABILITY, INCLUDING NEGLIGENCE, INDEMNITY, STATUTORY, CONTRACTUAL OR EQUITABLE CONTRIBUTION OR INDEMNITY OBLIGATION OR ANY OTHER THEORY OF RECOVERY. THIS LIMITATION SHALL NOT APPLY TO THE EXTENT THE DAMAGE IS PAID UNDER CONSULTANT'S COMMERCIAL GENERAL LIABILITY POLICY.

**7. Indemnity/Statute of Limitations.** Consultant and Client shall indemnify and hold harmless the other and their respective employees from and against legal liability for claims, losses, damages, and expenses to the extent such claims, losses, damages, or expenses are legally determined to be caused by their negligent acts, errors, or omissions. In the event such claims, losses, damages, or expenses are legally determined to be caused by the joint or concurrent negligence of Consultant and Client, they shall be borne by each party in proportion to its own negligence under comparative fault principles. Neither party shall have a duty to defend the other party, and **no duty to defend is hereby created by this indemnity provision** and such duty is **explicitly waived** under this Agreement. Causes of action arising out of Consultant's services or this Agreement regardless of cause(s) or the theory of liability, including negligence, indemnity or other recovery shall be deemed to have accrued and the applicable statute of limitations shall commence to run not later than the date of Consultant's substantial completion of services on the project.

**8. Warranty.** Consultant will perform the Services in a manner consistent with that level of care and skill ordinarily exercised by members of the Consultant's profession currently practicing under similar conditions in the same locale. **CONSULTANT MAKES NO WARRANTIES OR GUARANTEES, EXPRESS OR IMPLIED, RELATING TO CONSULTANT'S SERVICES AND CONSULTANT EXPRESSLY AND FULLY DISCLAIMS ANY AND ALL IMPLIED WARRANTIES OR WARRANTIES IMPOSED BY LAW, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.**

**9. Insurance.** Consultant represents that it now carries, and will continue to carry: (i) workers' compensation insurance in accordance with the laws of the states having jurisdiction over Consultant's employees who are engaged in the Services, and employer's liability insurance (\$1,000,000); (ii) commercial general liability insurance (\$1,000,000 occurrence / \$2,000,000 aggregate); (iii) automobile liability insurance (\$1,000,000 Bodily Injury and Property Damage combined single limit); and (iv) professional liability insurance (\$1,000,000 claim / aggregate). Certificates of insurance will be provided upon request. Client and Consultant shall waive subrogation against the other party on all general liability and property coverage.

**10. CONSEQUENTIAL DAMAGES.** NEITHER PARTY SHALL BE LIABLE TO THE OTHER FOR LOSS OF PROFITS OR REVENUE; LOSS OF USE OR OPPORTUNITY; LOSS OF GOOD WILL; COST OF SUBSTITUTE FACILITIES, GOODS, OR SERVICES; COST OF CAPITAL; OR FOR ANY SPECIAL, CONSEQUENTIAL, INDIRECT, PUNITIVE, OR EXEMPLARY DAMAGES.

**11. Dispute Resolution.** Client shall not be entitled to assert a Claim against Consultant based on any theory of professional negligence unless and until Client has obtained the written opinion of a registered, independent, and reputable engineer, or geologist licensed in the jurisdiction in which the work in question was performed that Consultant has violated the standard of care applicable to Consultant's performance of the Services. Client shall provide this opinion to Consultant and the parties shall endeavor to resolve the dispute within 30 days, after which Client may pursue its remedies at law. This Agreement shall be governed by and construed according to Alabama law.

# CLIENT PROJECT SERVICES AGREEMENT

Northpark Drive and Industrial Boulevard  
TTL Proposal Number P00190101753.00  
Page 2 of 2

**12. Subsurface Explorations.** Subsurface conditions throughout the site may vary from those depicted on logs of discrete borings, test pits, or other exploratory services. Client understands Consultant's layout of boring and test locations is approximate and that Consultant may deviate a reasonable distance from those locations. Consultant will take reasonable precautions to reduce damage to the site when performing Services; however, Client accepts that invasive services such as drilling or sampling may damage or alter the site. Site restoration is not provided unless specifically included in the Services and Client assumes responsibility for site restoration.

**13. Testing and Observations.** Client understands that testing and observation are discrete sampling procedures, and that such procedures indicate conditions only at the depths, locations, and times the procedures were performed. Consultant will provide test results and opinions based on tests and field observations only for the work tested. Client understands that testing and observation are not continuous or exhaustive, and are conducted to reduce - not eliminate - project risk. Client agrees to the level or amount of testing performed and the associated risk. Client is responsible (even if delegated to contractor) for requesting services, and notifying and scheduling Consultant so Consultant can perform these Services. Consultant is not responsible for damages caused by services not performed due to a failure to request or schedule Consultant's services. Consultant shall not be responsible for the quality and completeness of Client's contractor's work or Client's contractor's adherence to the project documents, and Consultant's performance of testing and observation services shall not relieve Client's contractor in any way from Client's contractor's responsibility for defects discovered in Client's contractor's work, or create a warranty or guarantee from Consultant of any nature. Consultant will not supervise or direct the work performed by Client's contractor or Client's contractor's subcontractors at any tier and is not responsible for their means and methods.

**14. Sample Disposition, Affected Materials, and Indemnity.** Samples are consumed in testing or disposed of upon completion of tests (unless stated otherwise in the Services). Client shall furnish or cause to be furnished to Consultant all documents and information known or available to Client that relate to the identity, location, quantity, nature, or characteristic of any hazardous waste, biohazard, toxic, radioactive, or contaminated materials ("Affected Materials") at or near the site, and shall immediately transmit new, updated, or revised information as it becomes available. Client agrees that Consultant is not responsible for the disposition of Affected Material unless specifically provided in the Scope of Services submitted by Consultant, and that Client is responsible for directing such disposition. In the event that test samples obtained during the performance of Services (i) contain substances hazardous to health, safety, or the environment, or (ii) equipment used during the Services cannot reasonably be decontaminated, Client shall sign documentation (if necessary) required to ensure the equipment and/or samples are transported and disposed of properly, and agrees to pay Consultant the fair market value of this equipment and all reasonable disposal costs. In no event shall Consultant be required to sign a hazardous waste manifest or take title to any Affected Materials. Client shall have the obligation to make all spill or release notifications to appropriate governmental agencies. The Client agrees that Consultant neither created nor contributed to the creation or existence of any Affected Materials conditions at the site. Accordingly, Client waives any claim against Consultant and agrees to indemnify and save Consultant, Consultant's related companies, Consultant's subconsultants or subcontractors, and the agents, representatives, officers, directors, members, managers and shareholders of all of the foregoing harmless from any claim, liability or defense cost, including attorney and expert fees, for injury or loss sustained by any person or entity from such exposures allegedly arising out of Consultant's non-negligent performance of services hereunder, or for any claims against Consultant as a generator, disposer, or arranger of Affected Materials under federal, state, or local law or ordinance.

**15. Documents.** Work product, such as reports, logs, data, notes, photographs, or calculations, prepared by Consultant shall remain Consultant's property. Proprietary concepts, systems, and ideas developed during performance of the Services shall remain the sole property of Consultant. Files shall be maintained in general accordance with Consultant's document retention policies and practices. Upon Client's request, Consultant's work product may be provided via electronic media. By such request, Client agrees that the written copy retained by Consultant in its files shall be the official base document. Consultant makes no warranty or representation to Client that the magnetic copy is accurate or complete, but will correct in good faith any omissions or errors brought to Consultant's attention by Client. Any modifications of such electronic copy by Client or others shall be at Client's risk and without liability to Consultant. Such magnetic copy is subject to all other conditions of this Agreement. Documents, reports, tests, information and communications from Consultant to Client or Client's designees are to be used only relating to the specific project/site to which they relate and may not be re-used for other projects or sites without express written consent from Consultant; any unauthorized re-use is at Client's or the recipient's sole and exclusive risk and is without liability as to Consultant, its related companies, its subconsultants or subcontractors, or the officers, directors, employees, agents, representatives, members, managers or shareholders of all of the foregoing. Consultant may rely upon information provided to Consultant by or on behalf of Client or third parties without any duty to independently verify the accuracy or completeness or currency of same, and Consultant shall have no liability to Client arising from any deficiency of such information.

**16. Utilities.** Client shall provide the location and/or arrange for the marking of private utilities and subterranean structures. Consultant shall take reasonable precautions to avoid damage or injury to subterranean structures or utilities. Consultant shall not be responsible for damage to (or claims arising out of damage to) subterranean structures or utilities that are not called to Consultant's attention or are not correctly marked, including being marked by a utility location service, or are incorrectly shown on the plans furnished to Consultant.

**17. Site Access and Safety.** Client shall secure all necessary site related approvals, permits, licenses, and consents necessary to commence and complete the Services and will execute any necessary site access agreement. Consultant will be responsible for supervision and site safety measures for its own employees, but shall not be responsible for the supervision or health and safety precautions for any other parties, including Client, Client's contractors and subcontractors, or other parties present at the site.

**18. Unforeseen Circumstances.** It is possible that unforeseen conditions or occurrences may be encountered at the site which could substantially alter the necessary services or the risks involved in completing Consultant's services. If this occurs, Consultant will promptly notify and consult with Client, but will act based on Consultant's sole judgment where risk to Consultant's personnel, the public or where professional duties to disclose hazards or conditions are involved. Possible actions could include: (A.) Complete the original Scope of Services in accordance with the procedures originally intended in Consultant's Proposal, if practicable in Consultant's judgment; (B.) Agree with Client to modify the Scope of Services and the estimate of charges to include assessment of the unforeseen conditions or occurrences, with such revision agreed to in writing; (C.) Terminate the services effective on the date specified by Consultant in writing; (D.) Disclose information to regulators or government authorities when required by statute or professional canons of ethics.

**19. Survival.** All provisions of this Agreement for indemnity or allocation of responsibility or liability between Client and Consultant shall survive the completion of the services and the termination of this Agreement.

**20. Severability.** In the event that any provision of this Agreement is found to be unenforceable under law, the remaining provisions shall continue in full force and effect.

## CLIENT

Form name: \_\_\_\_\_  
Authorized by: \_\_\_\_\_ Date: \_\_\_\_\_  
Print name: \_\_\_\_\_ Title: \_\_\_\_\_  
Address: P.O. Box 390 Telephone no.: \_\_\_\_\_  
City and state: Opelika, AL Zip: 36803 Fax no.: \_\_\_\_\_  
E-mail address: \_\_\_\_\_ Cell no.: \_\_\_\_\_

## CONSULTANT

Form name: TTL, Inc.  
Form address for notifications: P.O. Drawer 1128 Tuscaloosa, AL 35403  
TTL approval by: \_\_\_\_\_ Date: \_\_\_\_\_  
Print name: \_\_\_\_\_ Title: \_\_\_\_\_



**Cost Estimate**  
**Pavement Evaluation**  
**Industrial Boulevard**  
**Opelika, Lee County, Alabama**

| Task                                  | Item                                                             | Unit | Rate      | Quantity | Item Cost            | Task Subtotal       |
|---------------------------------------|------------------------------------------------------------------|------|-----------|----------|----------------------|---------------------|
| <b>Pavement Distress Survey</b>       |                                                                  |      |           |          |                      |                     |
|                                       | Staff Professional 1                                             | hour | \$ 88.00  | 0        | \$ -                 |                     |
|                                       | Staff Professional 2                                             | hour | \$ 99.00  | 8        | \$ 792.00            |                     |
|                                       | Staff Professional 3                                             | hour | \$ 120.00 | 0        | \$ -                 |                     |
|                                       | Staff Professional 4                                             | hour | \$ 144.00 |          | \$ -                 |                     |
|                                       | Staff Professional 5                                             | hour | \$ 175.00 | 0        | \$ -                 |                     |
|                                       | Staff Professional 6                                             | hour | \$ 193.00 | 5        | \$ 965.00            |                     |
|                                       | Milage                                                           | mile | \$ 0.580  | 100      | \$ 58.00             |                     |
|                                       |                                                                  |      |           |          | \$                   | 1,815.00            |
| <b>Drilling</b>                       |                                                                  |      |           |          |                      |                     |
|                                       | Mobilization/Demobilization                                      | mile | \$ 5.00   | 0        | \$ 300.00            |                     |
|                                       | Soil Borings AASHTO T206<br>w/SPT at 5 Foot Intervals            | feet | \$ 14.25  | 50       | \$ 712.50            |                     |
|                                       | Split Spoon Sample (SPT) in<br>Addition to One Every 5 Feet      | foot | \$ 10.50  | 16       | \$ 168.00            |                     |
|                                       | Asphalt Coring (6" Dia./Inch Depth)                              | each | \$ 10.00  | 16       | \$ 160.00            |                     |
|                                       | Installation of 2" Diam. PVC<br>Piezometer (In Pre-Drilled Hole) | foot | \$ 13.00  | 0        | \$ -                 |                     |
|                                       | Thin-Walled Tube Sampling                                        | each | \$ 61.50  | 4        | \$ 246.00            |                     |
|                                       | Bag Sample                                                       | each | \$ 19.00  | 4        | \$ 76.00             |                     |
|                                       | Staff Professional 2                                             | hour | \$ 99.00  | 8        | \$ 792.00            |                     |
|                                       | Staff Professional 6                                             | hour | \$ 193.00 | 2        | \$ 386.00            |                     |
|                                       |                                                                  |      |           |          | \$                   | 2,840.50            |
| <b>Laboratory Testing</b>             |                                                                  |      |           |          |                      |                     |
|                                       | Atterberg Limits                                                 | each | \$ 85.00  | 5        | \$ 425.00            |                     |
|                                       | Sieve Analysis                                                   | each | \$ 70.00  | 5        | \$ 350.00            |                     |
|                                       | Soil Classification w/ Hydrometer                                | each | \$ 250.00 | 0        | \$ -                 |                     |
|                                       | Moisture Content                                                 | each | \$ 10.00  | 32       | \$ 320.00            |                     |
|                                       | pH (Soil and Water)                                              | each | \$ 14.50  | 0        | \$ -                 |                     |
|                                       | Sulfate                                                          | each | \$ 45.00  | 0        | \$ -                 |                     |
|                                       | Chlorides                                                        | each | \$ 45.00  | 0        | \$ -                 |                     |
|                                       | Standard Proctor                                                 | each | \$ 120.00 | 3        | \$ 360.00            |                     |
|                                       | Laboratory Resilient Modulus                                     | each | \$ 475.00 | 3        | \$ 1,425.00          |                     |
|                                       | Staff Professional 1                                             | hour | \$ 88.00  | 0        | \$ -                 |                     |
|                                       |                                                                  |      |           |          | \$                   | 2,880.00            |
| <b>Pavement Recommendation Report</b> |                                                                  |      |           |          |                      |                     |
|                                       | Staff Professional 1                                             | hour | \$ 88.00  | 0        | \$ -                 |                     |
|                                       | Staff Professional 2                                             | hour | \$ 99.00  | 0        | \$ -                 |                     |
|                                       | Staff Professional 3                                             | hour | \$ 120.00 | 10       | \$ 1,200.00          |                     |
|                                       | Staff Professional 6                                             | hour | \$ 193.00 | 6        | \$ 1,158.00          |                     |
|                                       | Administrative Assistant                                         | hour | \$ 57.00  | 5        | \$ 285.00            |                     |
|                                       | Draftsman - CADD                                                 | hour | \$ 89.00  | 5        | \$ 445.00            |                     |
|                                       |                                                                  |      |           |          | \$                   | 3,088.00            |
|                                       |                                                                  |      |           |          | <b>Cost Estimate</b> | <b>\$ 10,623.50</b> |

Attachment: Exhibit "A" Agreement with TTL (206-19 : Pavement Consulting Services Agreement)



**Cost Estimate**  
**Pavement Evaluation**  
**Northpark Drive**  
**Opelika, Lee County, Alabama**

| Task                                  | Item                                                          | Unit | Rate      | Quantity | Item Cost   | Task Subtotal                     |
|---------------------------------------|---------------------------------------------------------------|------|-----------|----------|-------------|-----------------------------------|
| <b>Pavement Distress Survey</b>       |                                                               |      |           |          |             |                                   |
|                                       | Staff Professional 1                                          | hour | \$ 88.00  | 0        | \$ -        |                                   |
|                                       | Staff Professional 2                                          | hour | \$ 99.00  | 10       | \$ 990.00   |                                   |
|                                       | Staff Professional 3                                          | hour | \$ 120.00 | 0        | \$ -        |                                   |
|                                       | Staff Professional 4                                          | hour | \$ 144.00 |          | \$ -        |                                   |
|                                       | Staff Professional 5                                          | hour | \$ 175.00 | 0        | \$ -        |                                   |
|                                       | Staff Professional 6                                          | hour | \$ 193.00 | 6        | \$ 1,158.00 |                                   |
|                                       | Milage                                                        | mile | \$ 0.580  | 100      | \$ 58.00    |                                   |
|                                       |                                                               |      |           |          |             | \$ 2,206.00                       |
| <b>Drilling</b>                       |                                                               |      |           |          |             |                                   |
|                                       | Mobilization/Demobilization                                   | mile | \$ 5.00   | 0        | \$ 300.00   |                                   |
|                                       | Soil Borings AASHTO T206 w/SPT at 5 Foot Intervals            | feet | \$ 14.25  | 72       | \$ 1,026.00 |                                   |
|                                       | Split Spoon Sample (SPT) in Addition to One Every 5 Feet      | foot | \$ 10.50  | 24       | \$ 252.00   |                                   |
|                                       | Asphalt Coring (6" Dia./Inch Depth)                           | each | \$ 10.00  | 20       | \$ 200.00   |                                   |
|                                       | Installation of 2" Diam. PVC Piezometer (In Pre-Drilled Hole) | foot | \$ 13.00  | 25       | \$ 325.00   |                                   |
|                                       | Piezometer Completion                                         | each | \$ 150.00 | 4        | \$ 600.00   |                                   |
|                                       | Thin-Walled Tube Sampling                                     | each | \$ 61.50  | 6        | \$ 369.00   |                                   |
|                                       | Bag Sample                                                    | each | \$ 19.00  | 4        | \$ 76.00    |                                   |
|                                       | Staff Professional 2                                          | hour | \$ 99.00  | 8        | \$ 792.00   |                                   |
|                                       | Staff Professional 6                                          | hour | \$ 193.00 | 2        | \$ 386.00   |                                   |
|                                       |                                                               |      |           |          |             | \$ 4,326.00                       |
| <b>Laboratory Testing</b>             |                                                               |      |           |          |             |                                   |
|                                       | Atterberg Limits                                              | each | \$ 85.00  | 8        | \$ 680.00   |                                   |
|                                       | Sieve Analysis                                                | each | \$ 70.00  | 8        | \$ 560.00   |                                   |
|                                       | Soil Classification w/ Hydrometer                             | each | \$ 250.00 | 0        | \$ -        |                                   |
|                                       | Moisture Content                                              | each | \$ 10.00  | 48       | \$ 480.00   |                                   |
|                                       | pH (Soil and Water)                                           | each | \$ 14.50  | 0        | \$ -        |                                   |
|                                       | Sulfate                                                       | each | \$ 45.00  | 0        | \$ -        |                                   |
|                                       | Chlorides                                                     | each | \$ 45.00  | 0        | \$ -        |                                   |
|                                       | Standard Proctor                                              | each | \$ 120.00 | 4        | \$ 480.00   |                                   |
|                                       | Laboratory Resilient Modulus                                  | each | \$ 475.00 | 4        | \$ 1,900.00 |                                   |
|                                       | Staff Professional 1                                          | hour | \$ 88.00  | 0        | \$ -        |                                   |
|                                       |                                                               |      |           |          |             | \$ 4,100.00                       |
| <b>Pavement Recommendation Report</b> |                                                               |      |           |          |             |                                   |
|                                       | Staff Professional 1                                          | hour | \$ 88.00  | 0        | \$ -        |                                   |
|                                       | Staff Professional 2                                          | hour | \$ 99.00  | 0        | \$ -        |                                   |
|                                       | Staff Professional 3                                          | hour | \$ 120.00 | 10       | \$ 1,200.00 |                                   |
|                                       | Staff Professional 6                                          | hour | \$ 193.00 | 6        | \$ 1,158.00 |                                   |
|                                       | Administrative Assistant                                      | hour | \$ 57.00  | 5        | \$ 285.00   |                                   |
|                                       | Draftsman - CADD                                              | hour | \$ 89.00  | 5        | \$ 445.00   |                                   |
|                                       |                                                               |      |           |          |             | \$ 3,088.00                       |
|                                       |                                                               |      |           |          |             | <b>Cost Estimate \$ 13,720.00</b> |

Attachment: Exhibit "A" Agreement with TTL (206-19 : Pavement Consulting Services Agreement)

## RESOLUTION NO. 207-19

Special appropriation to The Rain Group for Love U Love U event.**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the City of Opelika and the Opelika City Council appreciates and fully supports the 2019 Love U Love U (LULU) event being provided by The Rain Group, Inc. in Opelika on Saturday, July 27<sup>th</sup>, and

**WHEREAS**, the Rain Group is in need of additional funding to assist in covering the expenses involved in the LULU event which will focus on celebrating love, unity and service in the Opelika community, and

**WHEREAS**, the City Council wishes to appropriate the total of \$1,000.00 from their discretionary funds to assist in covering the expenses involved with the 2019 LULU event.

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

1. The City Council hereby approves a special appropriation of \$1,000.00 with each City Council member contributing as detailed below, to assist in covering the expenses involved with the 2019 LULU event:

|                            |        |              |          |
|----------------------------|--------|--------------|----------|
| Patricia Jones             | Ward 1 | Reserve fund | \$200.00 |
| Tiffany Pitts              | Ward 2 | Current year | \$200.00 |
| Dozier Smith T<br>\$200.00 | Ward 3 | Reserve fund |          |
| Eddie Smith                | Ward 4 | Reserve fund | \$200.00 |
| David Canon                | Ward 5 | Reserve fund | \$200.00 |

2. The Opelika City Council hereby declares and determines that said expenditure of these public funds serve a public purpose for the City of Opelika.
3. The Mayor and the Controller is hereby authorized and directed to move \$1,000.00 as detailed in number 1. above to the appropriate account.

4. The City Clerk-Treasurer is hereby authorized and directed to prepare the appropriate documents so that a check for \$1,000.00 payable to the Rain Group and earmarked for the 2019 LULU event may be prepared and mailed.

**APPROVED and ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2019.

---

President of the City Council  
City of Opelika, Alabama

ATTEST:

---

Robert G. Shuman, CMC  
City Clerk - Treasurer

ORDINANCE NO. (ID # 3496)

Amend Zoning Ord & Map: Rezone 47.3 Acres, 1300 Block Fox Run Parkway - 1st Reading.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE ZONING  
ORDINANCE AND ZONING MAP OF THE CITY OF OPELIKA  
(FOX RUN DEVELOPMENT PUD)

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

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

(a) Koul Properties, Inc., an Alabama corporation, (the “Company”) is the owner of record of that certain real property consisting of approximately 47.3 acres located on the east side of Fox Run Parkway.

(b) The Company heretofore submitted to the City a development plan for a planned unit development (“PUD”) entitled “Fox Run Development PUD” consisting of approximately 47.3 acres.

(c) The proposed development is a mixed use development divided primarily into four (4) sections. A future commercial section is located along Fox Run Parkway and is comprised of approximately 4.7 acres. The westernmost residential section is a townhome and is approximately 2.2 acres located inside the existing Pinehurst Apartments. The middle section is that includes 3.55 acres of open space. The easternmost residential section is a single-family detached house area that is approximately 23.61 acres that includes 7.2 acres of open space.

(d) The Planning Commission heretofore conducted a public hearing on the proposed development and referred to the City Council its recommendation to approve the proposed development.

(e) It is advisable and in the interest of the City and the public interest that the property described in Section 3 below should be developed as a mixed use planned unit development.

Section 2. APPROVAL OF THE DEVELOPMENT PLAN. The Development Plan as submitted for review is hereby approved and affirmed as required by Section 8.18N of the Zoning Ordinance of the City.

Section 3. DESIGNATION OF A PLANNED UNIT DEVELOPMENT. The official Zoning Map is hereby amended and the zoning classification for the following parcel of land shall be changed from a C-2 District (Office District) to a Planned Unit Development (PUD) on the official zoning map of the City.

Commencing at the southeast corner of Section 5, T-19-N, R-27-E, in Opelika, Lee County, Alabama; thence North 2° 30' 38" West, 1,251.1 feet to the TRUE POINT OF BEGINNING of the parcel of land herein described; thence South 86° 45' 22" West 2,175.84 feet to the northeasterly right-of-way line of Fox Run Parkway (U.S. Highway 431); thence northwesterly along said right-of-way line, being a curve concave southwesterly, and having a radius of 5,809.58 feet, for 17.20 feet; thence North 29° 51' 21" West 103.47 feet; thence North 41° 43' 51" West 102.44 feet; thence North 54° 00' 02" West 103.52 feet; thence Northwesterly along a curve concave southwesterly and having a radius of 5,809.58 feet, for 367.63 feet; thence leaving said right-of-way line North 1° 54' 18" West 245.30 feet; thence South 65° 11' 27" East, 22.35 feet; thence North 1° 56' 29" West 79.05 feet; thence North 87° 01' 52" East 1,129.62 feet; thence North 87° 06' 49" East, 1,486.88 feet; thence South 1° 44' 40" East 824.69 feet to the TRUE POINT OF BEGINNING.

The above-described property is located on the east side of Fox Run Parkway near Betts Shopping Center.

Section 4. RETENTION OF COPIES OF DEVELOPMENT PLAN. Copies of the Development Plan shall be maintained in the office of the City Clerk, City Planner, City Engineer and Building Official and shall be open for public inspection.

Section 5. REPEALER. Any ordinance or part thereof in conflict with provisions of this Ordinance be and the same are hereby repealed.

Section 6. EFFECTIVE DATE. This Ordinance shall become effective upon its adoption, approval and publication as required by law.

Section 7. PUBLICATION. This Ordinance shall be published one (1) time in a newspaper of general circulation in the City of Opelika, Lee County, Alabama.

All interested persons are invited to attend the public hearing and be heard. Written comments concerning the above matter may be mailed to the City Clerk at P.O. Box 390, Opelika, AL 36803 at any time prior to the public hearing and may be further submitted to the City Council at the meeting and the public hearing.

Please contact Kevin Rice, the City's ADA Coordinator, at 334-705-2083 at least two (2) working days prior to the meeting if you require special accommodations due to any disability.

ADOPTED AND APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2019.

---

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

ATTEST:

---

CITY CLERK

TRANSMITTED TO MAYOR on this the \_\_\_\_ day of \_\_\_\_\_,  
2019.

\_\_\_\_\_  
CITY CLERK

ACTION BY MAYOR

APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

## ORDINANCE NO. 017-19-ORD

Amend City Code of Ordinances, Section 5.5 307(b) - 1st Reading.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 5.5-307(b) OF THE**  
**CODE OF ORDINANCES OF THE CITY OF OPELIKA, ALABAMA;**  
**CORRECTING TYPOGRAPHICAL ERROR**

**WHEREAS**, a typographical error was discovered in Ordinance No. 014-19 that was adopted on July 2, 2019; and

**WHEREAS**, in subsection (b) of Section 5.5-307 (Application Fee) the text does not match the numerical amount included in the parenthesis; and

**WHEREAS**, the text specifies an application fee of two thousand dollars while the amount in parenthesis is \$2,500; and

**WHEREAS**, the City Council intended to specify an application fee of \$2,500.

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

Section 1. That subsection (b) of Section 5.5-307 of the *Code of Ordinances* of the City of Opelika, Alabama is hereby amended to read as follows:

- (b) An application for special use permit for collocation on an existing tower or support structure, where no increase in height of the tower or structure, nor substantial modification, is proposed, shall be accompanied by payment of a nonrefundable application fee of two thousand five hundred dollars (\$2,500.00).

Section 2. That Chapter 5.5 of the *Code of Ordinances*, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

Section 3. That this Ordinance shall take effect and be enforced immediately upon its adoption and publication as required by law.

Section 4. That the City Clerk of the City of Opelika is hereby authorized and directed to cause a copy of this Ordinance to be published one (1) time in a newspaper of general circulation in the City of Opelika, Alabama.

ADOPTED AND APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2019.

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

ATTEST:

\_\_\_\_\_  
CITY CLERK

TRANSMITTED TO MAYOR this the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CITY CLERK

ACTION BY MAYOR

APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK