AGENDA
AUGUST 20, 2024
CITY COUNCIL MEETING

The Enterprise City Council will convene in Regular Session at 6:00 p.m., Tuesday, August 20, 2024, at Enterprise Civic Center.

ROLL CALL.....President

OPENING PRAYER & PLEDGE OF ALLEGIANCE.....President

APPROVAL OF AGENDA.....President

Call for a motion to approve the agenda of the meeting as submitted.

CONSIDERATION OF CONSENT AGENDA.....President

All matters listed within the Consent Agenda have been distributed to each member of the Council for review, are considered to be routine, and will be enacted by one motion of the City Council with no separate discussion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request of a member of the City Council. Call for a motion to approve the Consent Agenda as presented:

- City Council Work Session Minutes of August 6, 2024
- City Council Meeting Minutes of August 6, 2024
- Contract Billings in the amount of **$637,555.95** as follows:
  Whaley Construction Co., Inc. -
  Application No. 19 - $411,770.34 – Construction – Recreation & Aquatics Center
  Wiregrass Construction Company, Inc. -
  Estimate No. 11 - $198,440.10 – Construction – FY22 Resurfacing Phase III (A)/Dozier Road
  Poly, Inc. -
  Invoice No. 20530 - $21,095.51 – Construction Services – Dozier Road Improvements
  Fine Geddie & Associates -
  Invoice No. 3016 - $6,250.00 – Contract Services – August 2024
- Travel Requests as follows:
  Municipal Court
  Tammy Stuckey
  AMCCMA Annual Conference
  Perdido Beach, Alabama
  September 25-28, 2024
  Estimated Cost: $1,580.00

  Police Department
  SRO Tina Johnson
  Officer KD Griswold
  Officer Ruby White
  Officer Lori Alford
  Women in Leadership Conference
  Irondale, Alabama
  September 2-4, 2024
  Estimated Cost: $2,212.38

  Tourism
  Tammy Doerer
  Southeast Tourism Society Connections Conference
  Auburn, Alabama
  September 9-12, 2024
  Estimated Cost: $1,715.75

  Tammy Doerer
  Rural Tourism Conference
  Union City, Tennessee
  October 21-23, 2024
  Estimated Cost: $1,370.00

MAYORAL RECOGNITION – Molly Marsh.....President

Recognize Mayor Cooper for a presentation to Molly Marsh, Distinguished Young Woman Coffee County.

REQUEST TO ADDRESS COUNCIL/PERMIT REQUEST.....President
(Maggie Thompson/EJWC 5K)

Recognize Maggie Thompson, representing Enterprise Junior Women's Club, who has requested to address the Council to obtain a permit to hold the club's annual 5K on Saturday, April 5, 2025, from 7:30 a.m. until 1:00 p.m., with a rain date of Saturday, April 12, 2025.

Refer to Police Chief Michael Moore prior to consideration.

PRIVILEGE OF THE FLOOR (Persons allowed 3 minutes to address the Council).....President

STAFF REPORTS.....President

OLD BUSINESS

PUBLIC HEARING & CONSIDERATION/ORDINANCE 07-16-24.....President
(Amend Zoning Ordinance)

Call for a public hearing prior to consideration of Ordinance 07-16-24, providing for an amendment to Ordinance 02-20-24, Enterprise Zoning Ordinance. The ordinance clarifies regulations applicable to Special Districts: Highway Corridor Overlay District; Use-Specific Regulations: Home Occupations; and Administration: Amendments. All remaining provisions of Ordinance 02-20-24 remain unchanged and in full force and effect.

At the close of the hearing, call for consideration of Ordinance 07-16-24.

NEW BUSINESS

ADOPTION OF FY 2025 TRANSPORTATION PLAN.....President

Call for a motion to adopt the City of Enterprise Fiscal Year 2025 Transportation Plan in accordance with the Rebuild Alabama Act. The plan, adopted annually, provides that estimated revenues of $195,000.00 anticipated from the Rebuild Alabama Act (Fuel Bill) fund during the 2025 Fiscal Year will be used to perform roadway improvements, repairs, resurfacing, reconstruction or maintenance toward completion of the FY25 Phase V Master Street Resurfacing List; and/or as match monies for any state or federal grant funded projects to perform roadway improvements, repairs, resurfacing, reconstruction or maintenance within the city's existing street/road network during said fiscal year.

PUBLIC HEARING – Public Nuisance Properties/Excessive Weed Growth.....President

Call for a public hearing regarding the abatement and removal of noxious or dangerous weeds at the following properties:

- 204 W Adams Street
- 406 Dixie Drive
- 502 S Ouida Street

REVIEW & CONSIDER RESOLUTION 08-20-24.....President
(Declare Weed Nuisance & Direct Abatement)

Introduce and call for consideration of Resolution 08-20-24, declaring certain properties which are overgrown with weeds, scrub, wild bushes, grass and other vegetable growth as injurious to the health, safety and welfare of the community as nuisances and ordering that the properties be abated.

REVIEW & CONSIDER RESOLUTION 08-20-24-A.....President
(Declaring Certain Properties a Public Nuisance)

Introduce and call for consideration of Resolution 08-20-24-A, declaring certain properties which are overgrown with weeds, scrub, wild bushes, grass and other vegetable growth as injurious to the health, safety and welfare of the community as nuisances and calling for a public hearing to be held at the regular meeting scheduled for September 17, 2024.

REQUEST TO PURCHASE JANITORIAL EQUIPMENT & SUPPLIES.....President
(Recreation & Aquatics Center)

Introduce and call for consideration of a request from Billy Powell, Director of Community Services and Recreation, to purchase janitorial/cleaning equipment and floor mats from Enterprise Paper & Janitorial through Purchasing Cooperation of America (PCA) at a cost of $100,406.26. The items are included in the FY24 budget and under the budgeted amount.

REVIEW & CONSIDER STREET LIGHTING MODIFICATION.....President
(Hunters Hill Subdivision, Phase IV)

Introduce and call for consideration of a request from Thomas Hardy, Assistant Director of Engineering, to install six (6) 49W Type III black fixtures and poles in Hunters Hill Subdivision, Phase IV, at an annual cost of $560.16.

INTRODUCE ABC LICENSE REQUEST – Mikata Enterprise.....President

Introduce a request from Mikata Japanese Steakhouse, LLC, d/b/a Mikata Enterprise, for a Restaurant Retail Liquor license located at 1109 Boll Weevil Circle, Suite 5.

Call for a public hearing to be held at the regular meeting scheduled for September 3, 2024.

MAYORS REPORT.....President

COUNCIL MEMBER COMMENTS.....President

ADJOURNMENT: 5:00 p.m., Tuesday, September 3, 2024 Council Work Session.....President

ADDENDUM:

TO: **MAYOR AND CITY COUNCIL**

FROM: **BEVERLY SWEENEY, CITY CLERK**

RE: **CONSENT AGENDA FOR AUGUST 20, 2024 COUNCIL MEETING**

DATE: **AUGUST 16, 2024**

By approving the Consent Agenda, you will cumulatively approve the following items as presented in your packets:

A. The minutes of the August 6, 2024 Work Session.

B. The minutes of the August 6, 2024 Regular Session.

C. Contract Billings in the amount of **$637,555.95** as follows:
Whaley Construction Co., Inc. -
Application No. 19 - $411,770.34 – Construction – Recreation & Aquatics Center
Wiregrass Construction Company, Inc. -
Estimate No. 11 - $198,440.10 – Construction – FY22 Resurfacing Phase III (A)/Dozier Road
Poly, Inc. -
Invoice No. 20530 - $21,095.51 – Construction Services – Dozier Road Improvements
Fine Geddie & Associates -
Invoice No. 3016 - $6,250.00 – Contract Services – August 2024

D. Travel Requests as follows:

Municipal Court
Tammy Stuckey
AMCCMA Annual Conference
Perdido Beach, Alabama
September 25-28, 2024
Estimated Cost: $1,580.00

Police Department
SRO Tina Johnson
Officer KD Griswold
Officer Ruby White
Officer Lori Alford
Women in Leadership Conference
Irondale, Alabama
September 2-4, 2024
Estimated Cost: $2,212.38

Tourism
Tammy Doerer
Southeast Tourism Society Connections Conference
Auburn, Alabama
September 9-12, 2024
Estimated Cost: $1,715.75

Tammy Doerer
Rural Tourism Conference
Union City, Tennessee
October 21-23, 2024
Estimated Cost: $1,370.00

CITY COUNCIL WORK SESSION MINUTES OF AUGUST 6, 2024

The Enterprise City Council convened in Work Session at 5:00 p.m., Tuesday, August 6, 2024, at Enterprise Civic Center. Notice of the meeting was posted as Per Act 2005-40 Code of Alabama.

PRESENT: Council President Turner Townsend, District #5
Council President Pro-Tem Sonya W. Rich, District #1
Council Member Eugene Goolsby, District #2
Council Member Greg Padgett, District #3
Council Member Scotty Johnson, District #4

ALSO PRESENT: Mayor William E. Cooper
City Administrator Jonathan Tullos
City Clerk Beverly Sweeney was present and kept the minutes.
City Attorney Ashley Marshall
Consulting Engineer Glenn Morgan
City Department Heads

ROLL CALL – Council President Townsend noted that all Council Members were present.

Q3 GOALS UPDATE

City Administrator Jonathan Tullos reported on the status of the 2024 Q3 goals, including completed items and a timeline for nearly completed items.

REVIEW OF AGENDA

Council President Townsend requested a review of the August 6, 2024, Council Meeting agenda. Following review and discussion, Council Members requested no additions, deletions, or changes.

EXECUTIVE SESSION

Council President Townsend informed those in attendance that an Executive Session was needed to discuss issues requiring legal advice and counsel related to good name and character. City Attorney Ashley Marshall advised the Council that it would be appropriate to go into Executive Session to discuss such matters. A motion was made by Council Member Goolsby, seconded by Council Member Rich, for the Council to go into Executive Session. All Council Members – Aye. Before moving into Executive Session, Council President Townsend notified attendees that the Council expected to be in Executive Session for approximately 30 minutes.

CALL FOR EXECUTIVE SESSION

At 5:25 p.m., Attorney Ashley Marshall appeared before the Council and stated that items pending before the Council involved issues requiring legal advice and counsel related to reputation and character.

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Enterprise, Alabama, with a quorum being present, was conducting a meeting on the 6th day of August, 2024, the time, date, place, and agenda of which was duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law Act 2005-40 (Act); and,

WHEREAS, the following persons were in attendance: Council Members Rich, Goolsby, Padgett, Johnson, and Townsend. Council President Townsend presided over the meeting. Mayor William E. Cooper and City Administrator Jonathan Tullos were present. City Attorney Ashley Marshall was present; and,

WHEREAS, during the course of said meeting, a motion was made by Council Member Goolsby for the Council to go into Executive Session for the purpose of legal advice and counsel and reputation and character, both being one of the following purposes authorized by the Act:

- Reputation and Character
- Legal Advice and Counsel
- Security Plans
- State and/or Federal Law
- Law Enforcement
- Real Estate Transactions
- Trade Secrets
- Public Employee Negotiations
- Quasi-Judicial Deliberations

Which motion was seconded by Council Member Rich; and,

WHEREAS, the Attorney advised the Council that a declaration was required by the Act for an Executive Session if it was in regard to any of the following purposes:

- Legal Advice and Counsel
- Law Enforcement
- Trade Secrets
- Employee Negotiations

WHEREAS, Attorney Ashley Marshall appeared before the Council and stated for the record that he/she was duly qualified and/or had the personal knowledge to provide the requisite declaration for the stated purpose of the Executive Session authorized by the Act and informed the Council that an Executive Session was necessary for the following reason:

Discussion of issues requiring legal advice and counsel related to reputation and character.

WHEREAS, the President directed the City Clerk to enter into said motion, purpose, and declaration into the minutes of the meeting and called for a vote on said motion; and,

WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows:

	Yeas	Nays
1.	Rich	
2.	Goolsby	
3.	Padgett	
4.	Johnson	
5.	Townsend	

And the President declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session at 5:25 p.m. for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 30 minutes.

By:_____
President

By:_____
Attorney

Attest:_____

Attest:_____

RECONVENE IN WORK SESSION

The Work Session was recessed into Executive Session at 5:25 p.m. and reconvened into Work Session at 5:55 p.m.

ADJOURNMENT

There being no further business before the Council, the President declared the Work Session adjourned at 5:55 p.m.

_____
Turner Townsend
Council President

_____
Beverly Sweeney
City Clerk

CITY COUNCIL MEETING MINUTES OF AUGUST 6, 2024

The Enterprise City Council convened in Regular Session at 6:00 p.m., Tuesday, August 6, 2024, at Enterprise Civic Center.

PRESENT: Council President Turner Townsend, District #5
Council President Pro-Tem Sonya W. Rich, District #1
Council Member Eugene Goolsby, District #2
Council Member Greg Padgett, District #3
Council Member Scotty Johnson, District #4

ALSO PRESENT: Mayor William E. Cooper
City Administrator Jonathan Tullos
City Clerk Beverly Sweeney was present and kept the minutes.

ROLL CALL – Council President Townsend noted that all Council Members were present.

APPROVAL OF AGENDA

The President called for a motion to approve the agenda of the meeting as submitted. Council Member Johnson moved to approve the agenda of the meeting as submitted. Council Member Rich seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

CONSIDERATION OF CONSENT AGENDA

The President called for a motion to approve the Consent Agenda as presented:

- City Council Work Session Minutes of July 2, 2024
- City Council Work Session Minutes of July 16, 2024
- City Council Meeting Minutes of July 16, 2024
- Accounts Payable (A) for July 2024 in the amount of **$1,340,229.04** as follows:
  City of Enterprise - $1,163,787.22 Water Works Board - $176,441.82
- Contract Billings in the amount of **$5,452.35** as follows:
  Poly, Inc. -
  Invoice No. 20485 - $562.07 – Engineering Services – Staking of Existing Hangar Lot/Airport
  Invoice No. 20490 - $4,890.28 – Engineering/Design – Multipurpose Rec Complex/Phase II
- Travel Requests as follows:
  Parks & Recreation
  Billy Powell
  Blake Moore
  ARPA Fall Workshop
  Orange Beach, Alabama
  September 24-26, 2024
  Estimated Cost: $1,227.76

  Police Department

  Captain Louis Kent
  Sergeant Gerard Dube
  Drug Unit Commander Course
  Jacksonville, Florida
  August 25-30, 2024
  Estimated Cost: $3,220.83

  Sergeant Gerard Dube
  Corporal Chris Byrd
  Undercover Drug Enforcement Techniques Course
  Jacksonville, Florida
  September 29-October 4, 2024
  Estimated Cost: $3,139.37

  Chief Michael Moore
  2024 IACP Conference
  Boston, Massachusetts
  October 18-23, 2024
  Estimated Cost: $3,484.50

  Captain Louis Kent
  Major Case Management Course
  Altamonte Springs, Florida
  November 17-20, 2024
  Estimated Cost: $1,256.13

Council Member Goolsby moved to approve the Consent Agenda as presented. Council Member Johnson seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

MAYORAL RECOGNITION – Hillcrest Elementary School Beta Club

Mayor Cooper, joined by Council Members, presented a certificate to the Hillcrest Elementary School Beta Club in recognition of their numerous awards earned at the National Convention, June 10-15, 2024, in Savannah, Georgia.

PRESENTATION OF CERTIFICATES – Enterprise 12U Braves Country Champions

Mayor Cooper and the City Council, joined by representatives from the Braves organization and Alabama Recreation and Parks Association, presented certificates to the members and coaches of the Enterprise 12U baseball team in recognition of winning the 2024 Braves Country Championship.

PRIVILEGE OF THE FLOOR (Persons allowed 3 minutes to address the Council)

No one requested to address the Council.

STAFF REPORTS

No reports were presented.

OLD BUSINESS

PUBLIC HEARING & CONSIDERATION/ORDINANCE 07-02-24 (Longleaf Properties LLC Rezone)

The President called for a public hearing prior to consideration of Ordinance 07-02-24, providing for the rezoning of 71.84 acres of land owned by Longleaf Properties LLC from R-T (Townhouse Residential District) to PRD (Planned Residential District), located on County Road 622. David White and Cade Brunson, representing Boyd Engineering, LLC, presented the request on behalf of the applicant and requested its approval. Thomas Hardy, Assistant Director of Engineering, stated that the rezone aligns with the city's long-range plan and that the staff and Planning Commission both recommend approval. Hearing no further comments, the President closed the hearing and called for consideration of Ordinance 07-02-24.

Council Member Johnson moved to adopt Ordinance 07-02-24. Council Member Rich seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 07-02-24 duly passed and adopted.

REVIEW & CONSIDER ORDINANCE 07-16-24-A (Brightspeed Franchise)

The President called for consideration of Ordinance 07-16-24-A, providing to grant a non-exclusive franchise to Brightspeed to construct, install, operate, and maintain a telecommunications system in, under, along, over, and across the present and future streets, alleys, and public ways of the City of Enterprise. The franchise agreement is for a term of fifteen (15) years with a franchise fee of 3% of the annual gross revenues.

Council Member Rich moved to adopt Ordinance 07-16-24-A. Council Member Padgett seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 07-16-24-A duly passed and adopted.

PUBLIC HEARING & CONSIDERATION/ABC LICENSE REQUEST (Par & Pour)

The President called for a public hearing prior to consideration of a request from Par & Pour, LLC d/b/a Par & Pour, for an Alcohol Service – Special Retail More than 30 Days license located at 110 Easy Street. Ali and Michael Maquet, applicants, advised they were in attendance to answer any questions if needed. Hearing no further comments, the President closed the hearing and called for consideration of the ABC license request.

Council Member Johnson moved to approve the ABC license request as submitted. Council Member Rich seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

NEW BUSINESS

REVIEW & CONSIDER RESOLUTION 08-06-24 (Acceptance of Deeds/Veterans Home)

The President introduced and called for consideration of Resolution 08-06-24, concerning the acceptance of deeds from the Alabama Department of Veterans Affairs and the Industrial Development Board of the City of Enterprise, Alabama related to real property located at and near the real property comprising the Command Sgt. Major Bennie G. Adkins Veterans Home, including for purposes of accepting and dedicating street/road rights of way. Resolution 08-06-24 authorizes the Mayor to accept deeds on behalf of the City from the Department of Veterans Affairs and Industrial Development Board of the City as to real property comprising, among other real property, the rights of way for the newly established Veterans Parkway which will serve the new Veterans Home and the newly modified Dozier Road, and to dedicate and accept ownership and maintenance of the said rights of way, along with officially naming said rights of way and accepting street light improvements related thereto.

Council Member Goolsby moved to suspend the rules to allow for immediate consideration of Resolution 08-06-24. Council Member Padgett seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and called for consideration of Resolution 08-06-24.

RESOLUTION 08-06-24 (Continued):

Council Member Rich moved to adopt Resolution 08-06-24. Council Member Johnson seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 08-06-24 duly passed and adopted.

AUTHORIZE MEMORANDUM OF AGREEMENT (United Aero Group-Alabama/ARFF Services)

The President called for a motion to authorize the Fire Chief to execute a Memorandum of Agreement with United Aero Group (UAG) Alabama for Aircraft Rescue and Firefighting (ARFF) Emergency Services at Enterprise Municipal Airport. The agreement lays out the procedures in the event of a potential or actual emergency on or near the hangar operations of UAG Alabama. The term of the agreement is for one year.

Council Member Johnson moved to authorize the Fire Chief to execute the Memorandum of Agreement as submitted. Council Member Padgett seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

REQUEST TO UTILIZE FUND-RAISED MONIES (Main Street Enterprise/Trash Receptacles)

The President introduced and called for consideration of a request from Main Street Director Mariah Montgomery to use fund-raised money to purchase five (5) 34-gallon gloss black trash receptacles with side openings at a cost of $12,116.40. All funds were raised by Main Street Enterprise and intended for downtown beautification projects.

Council Member Rich moved to utilize the fundraised monies as requested. Council Member Goolsby seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

RECESS REGULAR SESSION

The Regular Session was recessed at 6:40 p.m. and convened into the E-911 Board Meeting.

RECONVENE IN REGULAR SESSION

The Regular Session was reconvened at 6:45 p.m., following adjournment of the E-911 Board Meeting.

MAYORS REPORT

Mayor Cooper shared updates and announcements from various departments and events.

COUNCIL MEMBER COMMENTS

Council Members congratulated award winners, thanked meeting attendees and citizens watching online.

ADJOURNMENT

There being no further business before the Council, the President declared the Regular Session adjourned at 6:50 p.m.

Turner Townsend
Council President

Beverly Sweeney
City Clerk

CONTRACT BILLINGS REGISTER
AUGUST 20, 2024

1. **Whaley Construction Co., Inc. -**
   Application No. 19 - $411,770.34 – Construction – Recreation & Aquatics Center

2. **Wiregrass Construction Company, Inc. -**
   Estimate No. 11 - $198,440.10 – Construction - FY22 Resurfacing Phase III (A)/Dozier Road

3. **Poly, Inc. -**
   Invoice No. 20530 - $21,095.51 – Construction Services – Dozier Road Improvements

4. **Fine Geddie & Associates -**
   Invoice No. 3016 - $6,250.00 – Contract Services – August 2024

TOTAL CONTRACT BILLINGS - $637,555.95

Item Id	Description	Contract Amount	Percent Complete	Total Billed	Previous Billed	Total This Invoice
1605	FEEDERS	207,992.00	86.00 %	178,873.12	178,873.12	
1606	POWER BRANCH CIRCUITS	401,232.00	86.00 %	345,059.52	345,059.52	
1607	LIGHTING BRANCH CIRCUITS	373,684.00	86.00 %	321,368.24	321,368.24	
1608	MECHANICAL EQUIPMENT POWE	77,043.00	90.00 %	69,338.70	68,568.27	770.43
1609	TRIMOUT	15,839.00	76.00 %	12,037.64	12,037.64	
1610	FIRE ALARM AND AUXILLARY SY:	179,570.00	85.00 %	152,634.50	152,634.50	
1611	GENERATOR ROUGH IN & INSTAI	77,477.00	95.00 %	73,603.15	73,603.15	
1612	LIGHTING	339,679.00	90.00 %	305,711.10	305,711.10	
1700	CONTINGENCIES AND ALLOWAN					
1701	UNFORSEEN	500,000.00	75.00 %	375,000.00	375,000.00	
Total		23,074,155.00	91.11 %	21,023,599.07	20,611,828.73	411,770.34

Accompanying Documentation:

GROSS AMOUNT DUE	$21,023,599.07
PLUS ADD-ONS	0.00
PLUS TAX	0.00
LESS RETAINAGE	576,853.87
AMOUNT DUE TO DATE	20,446,745.20
LESS PREVIOUS PAYMENTS	20,034,974.86
AMOUNT DUE ALL APPLICATIONS	411,770.34
AMOUNT DUE THIS APPLICATION	$411,770.34

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that: (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment numbered 1 through _____ inclusive: (2) title to all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all liens, claims, security interest and encumberances (except such as are covered by Bond acceptable to OWNER indemnifying OWNER against any such lien, claim, security interest or encumberance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective as that term is defined in the Contract documents.

Approved
BMott
8/14/2024

Dated 07/31/24

WHALEY CONSTRUCTION COMPANY, INC.

CONTRACTOR

By Chuey Jones

(Authorized Signature)

Payment of the above AMOUNT DUE THIS APPLICATION is recommended .

Dated 07/31/24

Seay, Seay, & Litchfield

ARCHITECT

By

(Authorized Signature)

(A) Original Contract Amount	$3,995,328.50
(B) Plus: Additions Scheduled in Change Orders	$608,848.75
(C) Less: Deductions Scheduled in Change Order	
(D) Adjusted Contract Amount to Date	$4,604,177.25

ANALYSIS OF WORK PERFORMED:

(A) Cost of original contract work performed to date	$3,669,237.75
(B) Change Order work performed to date	$391,626.00
(C) Total Cost of work performed to date	$4,060,863.75
(D) Stored Materials	
(E) Subtotal of Items (c) and (d)	$4,060,863.75
(F) Less: Amount retained in accordance with contract terms	$406,086.38
(G) Net amount earned on contract work to date	$3,654,777.38
(H) Less: Amount of previous payments	$3,456,337.28
(I) **BALANCE DUE THIS PAYMENT**	$198,440.10

Approved
BMott
8/14/2024

CONTRACTOR'S CERTIFICATION

According to the best of my knowledge and belief, I certify that all items and amounts shown on the face of this Periodic Estimate for Partial Payment are correct; that all work has been performed and/or materials supplied in full accordance with the requirements of the referenced contract, and/or duly authorized deviations, substitutions, alterations, and/or additions; that the foregoing is a true and correct statement of the contract account up to and including the last day of the period covered by this Periodic Estimate; that no part of the "Balance Due this Payment" has been received, and that the undersigned and his subcontractors have complied with all the labor provisions of said contract.

I further certify that the labor and materials listed on this request for payment have been used in the construction of this work or that all materials included in this request for payment and not yet incorporated into the construction are now on the site or stored at an approved location; and payment received from the last request for payment has been used to make payments to all first tier subcontractors and suppliers except as listed below.

Jamey Padget, Assistant Secretary

8-5-24
Date

ENGINEER'S CERTIFICATION

I certify that I have checked the above Periodic Estimate for Partial Payment and that to the best of my knowledge and belief it is a true and correct statement of work performed and/or material supplied by the Contractor; and that partial payment claim and requested by the Contractor is correctly computed on the basis of work performed and/or material supplied to date.

C. Glenn Morgan, P.E., Poly, Inc.

08/12/2024
Date

INVOICE

Poly, Inc.
P.O. Box 837 - Dothan, AL 36302
1935 Headland Ave. - Dothan, AL 36303
Telephone: 334.793.4700
Fax: 334.793.9015
www.poly-inc.com

The City of Enterprise
PO Box 311000
Enterprise, Alabama 36331-1000

Attn: Mrs. Beverly Sweeney, City Clerk

INVOICE :	**20530**
DATE:	**08/13/24**
TERMS:	**NET 30 Days**
JOB NO.:	**11-453.02**

FOR PROFESSIONAL SERVICES RENDERED AS FOLLOWS:

Re: Dozier Road Improvements

Construction services rendered under Task Order No. 51 for FY22 Resurfacing Improvements - Phase III(A) Change Order No. 1:

Construction Amount - $608,848.75
Wiregrass Construction, Inc.

Amount Due Construction Administration:
$608,848.75 x 2.0% x **64%** $7,793.26

Construction Representative (04/01/2024 - 07/31/2024)
Resident Project Representative II:
310 hrs. (Reg.) x $96.88/hr..... $30,032.80
45 hrs. (OT) x $145.32/hr..... $6,539.40

Total Amount	$44,365.46
Less Previous Payments	$23,269.95
Amount Due This Invoice	**$21,095.51**

Approved
BMott
8/14/2024

Please Remit To: Poly, Inc., P.O. Box 837, Dothan, AL 36302

THANK YOU FOR YOUR BUSINESS!

FINE GEDDIE
& ASSOCIATES
L MITED LIABILITY COMPANY

City of Enterprise
P. O. Box 311000
Enterprise, AL 36331

Invoice

Date	Invoice #
8/1/2024	3016

	Amount
Services Rendered August 2024	6,250.00
Total	$6,250.00

POST OFFICE BOX 138, 36101 • 423 SOUTH HULL STREET • MONTGOMERY, ALABAMA 36104
334.262.2577 • WWW.FINEGEDDIE.COM

TRAVEL REQUESTS
CITY COUNCIL MEETING
AUGUST 20, 2024

Municipal Court
Tammy Stuckey
AMCCMA Annual Conference
Perdido Beach, Alabama
September 25-28, 2024
Estimated Cost: $1,580.00

Police Department
SRO Tina Johnson
Officer KD Griswold
Officer Ruby White
Officer Lori Alford
Women in Leadership Conference
Irondale, Alabama
September 2-4, 2024
Estimated Cost: $2,212.38

Tourism
Tammy Doerer
Southeast Tourism Society Connections Conference
Auburn, Alabama
September 9-12, 2024
Estimated Cost: $1,715.75

Tammy Doerer
Rural Tourism Conference
Union City, Tennessee
October 21-23, 2024
Estimated Cost: $1,370.00

CITY OF ENTERPRISE

TRAVEL REQUEST FORM

NAME OF EMPLOYEE: Tammy Stuckey

TITLE OF EMPLOYEE: Court Clerk

DEPARTMENT: Municipal

ANTICIPATED TRAVEL DATES: Sept. 25 – Sept 28 2024

LOCATION OF TRAVEL: Perdido Beach AL

SPECIFIC BUSINESS PURPOSE: AMCMA Annual Conf. Req CLE Hours
(i.e. seminar, attend conference, continuing education, etc.)

Describe the essential nature of the travel request and how this travel will benefit the City:
(Make sure to provide the full name of acronyms used.)

Registration:	$420
mileage	$ 200
meals	$ 160
Hotel	$ 800

Employee Signature: _____ Date: 7.29.24

Dept. Head Signature: _____ Date: 8/5/24

CITY OF ENTERPRISE

TRAVEL REQUEST FORM

NAME OF EMPLOYEE: Tina Johnson, KD Griswold, Ruby WHite, Lori Alford

TITLE OF EMPLOYEE: Officers

DEPARTMENT: Police Department

ANTICIPATED TRAVEL DATES: September 2-4, 2024

LOCATION OF TRAVEL: Irondale, Al

SPECIFIC BUSINESS PURPOSE: Leadership Conference

(i.e. seminar, attend conference, continuing education, etc.)

Describe the essential nature of the travel request and how this travel will benefit the City:

(Make sure to provide the full name of acronyms used.)

Officers will be attending Women in Leadership: Meeting the challenges in today's law enforcement environment Conference (see attached flyer). The cost of the conference is $295.00 per officer. PerDiem will be $40.00 a day per Officer. Hotel accommodations will be at the Hampton Inn & Suites Birmingham east Irondale and will total $552.38.

Conference Cost:	$1,180.00 (4 Officer's)
Per Diem:	$ 480.00 (4 Officer's)
Hotel Cost:	$ 552.38 (Two Rooms)

Employee Signature: _____ Date: 8/12/2024

Dept. Head Signature: _____ Date: 8/13/2024

CITY OF ENTERPRISE

TRAVEL REQUEST FORM

NAME OF EMPLOYEE: Tammy Doerer

TITLE OF EMPLOYEE: Tourism and Community Relations Director

DEPARTMENT: Tourism

ANTICIPATED TRAVEL DATES: September 9-12, 2024

LOCATION OF TRAVEL: Auburn, AL

SPECIFIC BUSINESS PURPOSE: Southeast Tourism Society Connections Conference- Annual Event

Describe the essential nature of the travel request and how this travel will benefit the City:

Request permission to attend the 2024 Southeast Tourism Society Connections Conference Auburn, AL. This event will take place on Sunday, September 9 through Wednesday, September 12, 2024. I will be driving to Auburn on Sunday, September 9 and returning on Wednesday, September 12. The conference will be held at The Hotel at Auburn University and Dixon Conference Center, 241 S College St, Auburn, Alabama, 36830

Transportation: Approximately $150.75
(225 miles x 67 cents per mile)

Lodging: Approximately $600.00
(3 Nights at $200)

Meals: Approximately $ 120.00
(4 Days @per diem rate of $40 a day)

Conference Fee: $845.00

Total Cost $1,715.75 (Travel #55024: $870.75) (Registration #53005: $845.00)

Employee Signature: Tammy Doerer Date: 8/15/24

Dept. Head Signature: Date: 8/15/24

CITY OF ENTERPRISE

TRAVEL REQUEST FORM

NAME OF EMPLOYEE: Tammy Doerer

TITLE OF EMPLOYEE: Tourism and Community Relations Director

DEPARTMENT: Tourism

ANTICIPATED TRAVEL DATES: October 21-23 2024

LOCATION OF TRAVEL: Union City, Tennessee

SPECIFIC BUSINESS PURPOSE: Rural Tourism Conference- Annual Event

Describe the essential nature of the travel request and how this travel will benefit the City:
Request permission to attend the 2024 Alabama Rural Tourism Conference in Union City, Tennessee. This event will take place on Monday, October 21 through Wednesday, October 23, 2024. I will be driving to Union City on Monday, October 21 and returning on Wednesday, October 23. The conference will be held at Discovery Park and lodging will be held at the Holiday Inn Express & Suites, 810 Bream Blvd., Union City, TN 38261

Transportation: Approximately $670.00
(miles 1000 x 67 cents per mile)

Lodging: Approximately $400.00
(2 Nights at $200)

Meals: Approximately $ 150.00
(3 Days @per diem rate of $50 a day)

Conference Fee: $150.00

Total Cost $1,370.00 (Travel #55024: $1220.00) (Registration #53005: $150.00)

Employee Signature: Tammy Doerer Date: 8/15/24

Dept. Head Signature: Date: 8/15/24

CITY OF ENTERPRISE
APPLICATION FOR A PARADE/PUBLIC DEMONSTRATION PERMIT

DATE: August 16, 2024

NAME OF ORGANIZATION: Enterprise Junior Women's Club **PHONE:** 334-449-5122

PERSON/ORGANIZATION RESPONSIBLE: Maggie Thompson
maggielynnthompson@gmail.com **PHONE:** 334-449-5122

MAILING ADDRESS: 1802 E. Neva Drive In Rd.
Geneva, Al 36340

It is respectfully submitted that a public assembly permit be issued to the above-named person or organization. The following items of information are submitted:

(1) The purpose of the public assembly is: A race to be held by EJWC to serve as a fundraiser to provide money for various organizations and people in Enterprise, AL.

(2) Date of Assembly: April 5, 2025 (3) Hours: Begin 7:30 End 1:00

(4) Number of Persons: 500 Number of Animals: 0 Number of Floats: 0

(5) Route of parade: (Attach map if needed) See attached map, which is the same route ran in the 2024 5k race.

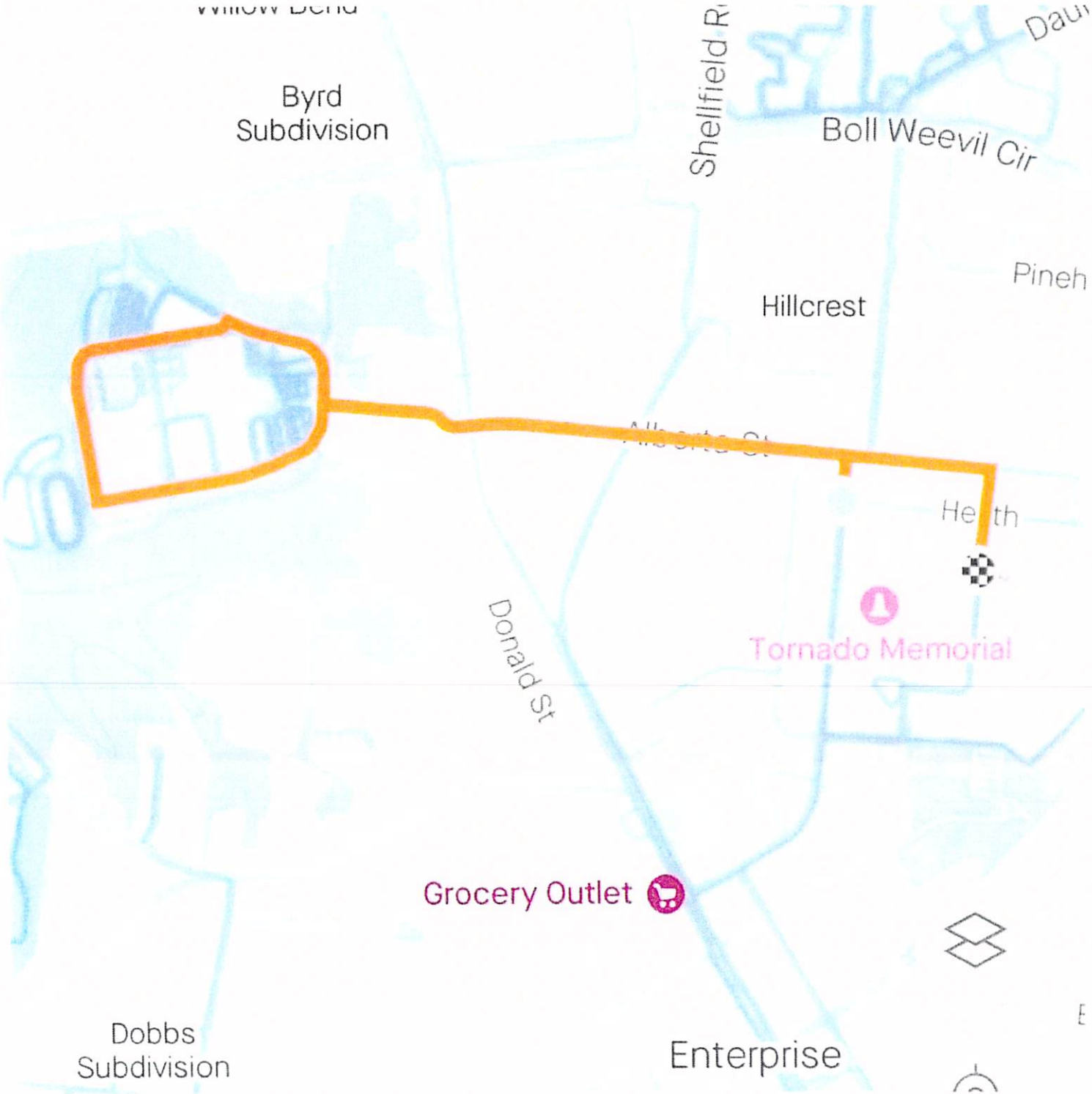
Rain Date: April 12, 2025

This requested permit is hereby ( ) Granted ( ) Denied

DATE: _____

_____
William E. Cooper
Mayor
Enterprise, Alabama

Your permit must be submitted at least five (5) days before the event is to take place.


Byrd
Subdivision
Shellfield R
Boll Weevil Cir
Hillcrest
Pineh
He th
Tornado Memorial
Donald St
Grocery Outlet
Dobbs
Subdivision
Enterprise

ORDINANCE 07-16-24

AN AMENDMENT TO ORDINANCE 02-20-24
ENTERPRISE ZONING ORDINANCE

WHEREAS, the City Council of the City of Enterprise passed Ordinance 02-20-24 (adopted March 19, 2024) which is known as the "Enterprise Zoning Ordinance" (sometimes referred to herein as the "Zoning Ordinance");

WHEREAS, the City Council desires to amend the Zoning Ordinance to clarify regulations applicable to Special Districts: Highway Corridor Overlay District; Use-Specific Regulations: Home Occupations; and Administration: Amendments;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENTERPRISE, ALABAMA, AS FOLLOWS:

Section 1. Ordinance 02-20-24, Article 6, Section 6.02.02 is amended such that said section shall read as follows:

These regulations apply to new development and redevelopment in all lots, parcels and tracts that are zoned B-1 and B-3 that boarder Highways 27, 84, 134, 167, 192 and 248, excluding any M-1, M-2, B-2 zoned property and any property within the Downtown Overlay.

Section 2. Ordinance 02-20-24, Article 7, Section 7.08.02 is amended such that said section shall read as follows:

Home occupations must be conducted entirely within the principal building and/or accessory structure. Outside display or storage of materials, goods, supplies, or equipment used in the home occupation shall be completely screened from public view and shall only be allowed in the side and rear yard of the primary structure. Storage of materials, goods, supplies, or equipment used in the home occupation shall not exceed 20% of the side or rear yard combined.

Section 3. Ordinance 02-20-24, Article 13, Section 13.04.02(D) is amended such that said section shall read as follows:

Notice of the time and place of public hearings will be given as required by state law. Written notice will be given to all owners of adjoining and adjacent property. An additional notice will be posted on or as near the site as possible to serve as visual notification to the public. The requirements for the notice are defined by the City of Enterprise.

Section 4. Ordinance 02-20-24, Article 13, is amended to include Section 13.04.02(E) as follows:

In the case of multiple zones on one parcel of real property, each zone shall be rezoned independently and shall constitute its own request.

Section 5. Except as amended as stated above, the provisions of Ordinance 02-20-24 remain unchanged and in full force and affect.

Section 6. If any section, clause, phrase, or part of this ordinance is for any reason declared to be invalid by the valid judgment or decree of a court of competent jurisdiction, such decision shall not affect any remaining sections, sentences, clauses, phrases or parts of this ordinance.

Section 7. This ordinance shall take effect upon its approval by the City Council, or upon it otherwise becoming law, but shall nevertheless be published as required by law.

Duly Passed and Adopted this _____ day of _____, 2024.

COUNCIL:

_____
Council President Turner Townsend
District #5

_____
Council Member Sonya W. Rich
District #1

_____
Council Member Eugene Goolsby
District #2

_____
Council Member Greg Padgett
District #3

_____
Council Member Scotty Johnson
District #4

ATTEST:

_____
Beverly Sweeney
City Clerk

Transmitted to the Mayor this _____ day of _____, 2024.

_____
Beverly Sweeney
City Clerk

ACTION OF THE MAYOR:

Approved this _____ day of _____, 2024.

_____
William E. Cooper
Mayor

ATTEST:

_____
Beverly Sweeney
City Clerk

City of Enterprise
Department of Engineering Services & Public Works
501 S Main Street
Enterprise, Alabama 36330
Phone (334) 348-2671
engineering@enterpriseal.gov

July 10, 2024

Enterprise City Council Members
City of Enterprise
Enterprise, Alabama

Council Members:

The Enterprise Planning Commission held a public hearing on July 9, 2024, to consider and act upon the following amendments to the Enterprise Zoning Ordinance:

1. A request by the City of Enterprise to amend Section 6.02.02 of the Zoning Ordinance as follows:

   These regulations apply to new development and redevelopment in all lots, parcels and tracts that are zoned B-1 and B-3 that boarder Highways 27, 84, 134, 167, 192 and 248, excluding any M-1, M-2, B-2 zoned property and any property within the Downtown Overlay.

2. A request by the City of Enterprise to amend Section 7.08.02 of the Zoning Ordinance as follows:

   Home occupations must be conducted entirely within the principal building and/or accessory structure. Outside display or storage of materials, goods, supplies, or equipment used in the home occupation shall be completely screened from public view and shall only be allowed in the side and rear yard of the primary structure. Storage of materials, goods, supplies, or equipment used in the home occupation shall not exceed 20% of the side or rear yard combined.

3. A request by the City of Enterprise to amend Section 13.04.02(D) of the Zoning Ordinance as follows:

   Notice of the time and place of public hearings will be given as required by state law. Written notice will be given to all owners of adjoining and adjacent property. An additional notice will be posted on or as near the site as possible to serve as visual notification to the public. The requirements for the notice are defined by the City of Enterprise.

4. A request by the City of Enterprise to add Section 13.04.02(E) to the Zoning Ordinance as follows:

   In the case of multiple zones on one parcel of real property, each zone shall be rezoned independently and shall constitute its own request.

The Planning Commission recommends that you approve these requests.

Sincerely,

Thomas Hardy
Assistant Director of Engineering Services

The Enterprise Ledger

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

State of Alabama , County of Jefferson , ss:

Patricia Walker , being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Enterprise Ledger, a newspaper printed and published in the City of Enterprise, County of Coffee and Dale, State of Alabama, and that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
Aug. 3, 2024

NOTICE ID: prdIg4wCc1PakiiFaj9H

The sum charged by the Newspaper for said publication does not exceed the lowest classified rate paid by commercial customers for an advertisement of similar size and frequency in the same newspaper(s) in which the public notice appeared.

There are no agreements between the Newspaper and the officer or attorney charged with the duty of placing the attached legal advertising notices whereby any advantage, gain or profit accrued to said officer or attorney.

PUBLISHER ID: COL-350285
NOTICE NAME: Second Notice of Public Hearing-Ord 07-16-24
Publication Fee: 358.16

I declare under penalty of perjury under the law of the State of Alabama that the foregoing is true and correct.

(Signed) Patricia Walker

VERIFICATION

State of Alabama
County of Jefferson

Subscribed in my presence and sworn to before me on this: 8/04/2024

Notary Public

KRISTI THOMPKINS NOTARY PUBLIC ALABAMA STATE AT LARGE

Second Notice of Public Hearing

SECOND NOTICE OF PUBLIC HEARING
ORDINANCE 07-16-24

The first Public Notice having been given on Saturday, July 27, 2024, in the Enterprise Ledger, a newspaper of general circulation and published in the City of Enterprise, Coffee County, Alabama, Second Public Notice is hereby given that at 6:00 p.m., August 20, 2024, the City Council of the City of Enterprise, Alabama, at a regular meeting held at Enterprise Civic Center, 2401 Neil Metcalf Road, will consider for passage and adoption Ordinance 07-16-24, which proposes to amend the existing Enterprise Zoning Ordinance(s) as amended and the Zoning Map of the City of Enterprise. A public hearing will be held by said City Council at the aforesaid time and place before the passage and adoption of said ordinance, when, at that time, all persons who desire shall have an opportunity of being heard in opposition to or in favor of said ordinance at said meeting of the City Council. The proposed ordinance is as set out in its entirety in this notice.

Beverly Sweeney
City Clerk
August 3, 2024

ORDINANCE 07-16-24
AN AMENDMENT TO ORDINANCE 02-20-24
ENTERPRISE ZONING ORDINANCE

WHEREAS, the City Council of the City of Enterprise passed Ordinance 02-20-24 (adopted March 19, 2024) which is known as the "Enterprise Zoning Ordinance" (sometimes referred to herein as the "Zoning Ordinance");
WHEREAS, the City Council desires to amend the Zoning Ordinance to clarify regulations applicable to Special Districts: Highway Corridor Overlay District; Use-Specific Regulations: Home Occupations; and Administration: Amendments;
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENTERPRISE, ALABAMA, AS FOLLOWS:
Section 1. Ordinance 02-20-24, Article 6, Section 6.02.02 is amended such that said section shall read as follows:
These regulations apply to new development and redevelopment in all lots, parcels and tracts that are zoned B-1 and B-3 that boarder Highways 27, 84, 134, 167, 192 and 248, excluding any M-1, M-2, B-2 zoned property and any property within the Downtown Overlay.
Section 2. Ordinance 02-20-24, Article 7, Section 7.08.02 is amended such that said section shall read as follows:
Home occupations must be conducted entirely within the principal building and/or accessory structure. Outside display or storage of materials, goods, supplies, or equipment used in the home occupation shall be completely screened from public view and shall only be allowed in the side and rear yard of the primary structure. Storage of materials, goods, supplies, or equipment used in the home occupation shall not exceed 20% of the side or rear yard combined.
Section 3. Ordinance 02-20-24, Article 13, Section 13.04.02(D) is amended such that said section shall read as follows:
Notice of the time and place of public hearings will be given as required by state law. Written notice will be given to all owners of adjoining and adjacent property. An additional notice will be posted on or as near the site as possible to serve as visual notification to the public. The requirements for the notice are defined by the City of Enterprise.
Section 4. Ordinance 02-20-24, Article 13, is amended to include Section 13.04.02(E) as follows:
In the case of multiple zones on one parcel of real property, each zone shall be rezoned independently and shall constitute its own request.
Section 5. Except as amended as stated above, the provisions of Ordinance 02-20-24 remain unchanged and in full force and affect.
Section 6. If any section, clause, phrase, or part of this ordinance is for any reason declared to be invalid by the valid judgment or decree of a court of competent jurisdiction, such decision shall not affect any remaining sections, sentences, clauses, phrases or parts of this ordinance.
Section 7. This ordinance shall take effect upon its approval by the City Council, or upon it otherwise becoming law, but shall nevertheless be published as required by law.
COL-350285
8/03/2024

The Enterprise Ledger

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

State of AL , County of , ss:

MONTGOMERY

Steven Kloss , being first duly sworn, deposes and says:

That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Enterprise Ledger, a newspaper printed and published in the City of Enterprise, County of Coffee and Dale, State of Alabama, and that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
Jul. 27, 2024

NOTICE ID: C0STBgMChYSAhyVgqsro

The sum charged by the Newspaper for said publication does not exceed the lowest classified rate paid by commercial customers for an advertisement of similar size and frequency in the same newspaper(s) in which the public notice appeared.

There are no agreements between the Newspaper and the officer or attorney charged with the duty of placing the attached legal advertising notices whereby any advantage, gain or profit accrued to said officer or attorney.

PUBLISHER ID: COL-350284
NOTICE NAME: First Notice of Public Notice - Ord 07-16-24
Publication Fee: 374.72

I declare under penalty of perjury under the law of the State of Alabama that the foregoing is true and correct.

(Signed)

VERIFICATION

State of AL
County of MONTGOMERY

Subscribed in my presence and sworn to before me on this: July 29th, 2024

Notary Public

SARA KASAMANIAN
NOTARY PUBLIC
ALABAMA STATE AT LARGE
MY COMMISSION EXPIRES
SEPTEMBER 23, 2026

First Notice of Public Hearing

FIRST NOTICE OF PUBLIC HEARING

ORDINANCE 07-16-24

First public notice is hereby published in the Enterprise Ledger, a newspaper of general circulation in the City of Enterprise, Coffee County, Alabama, that pursuant to Title 11-52-77, Code of Alabama, 1975, as amended, the City Council of the City of Enterprise at a regular meeting at 6:00 p.m., August 20, 2024, at Enterprise Civic Center, 2401 Neil Metcalf Road, will consider for adoption Ordinance 07-16-24 which proposes to amend the applicable Zoning Ordinance(s) as amended and the Zoning Map of the City of Enterprise, Alabama. A public hearing will be held by said City Council of the City of Enterprise at the aforesaid time and place before the passage and adoption of said ordinance, when at that time, all persons who desire shall have an opportunity of being heard in opposition to or in favor of said ordinance. The proposed ordinance is as set out in its entirety in this notice.

Beverly Sweeney
City Clerk
July 27, 2024

ORDINANCE 07-16-24
AN AMENDMENT TO ORDINANCE 02-20-24

ENTERPRISE ZONING ORDINANCE

WHEREAS, the City Council of the City of Enterprise passed Ordinance 02-20-24 (adopted March 19, 2024) which is known as the "Enterprise Zoning Ordinance" (sometimes referred to herein as the "Zoning Ordinance");
WHEREAS, the City Council desires to amend the Zoning Ordinance to clarify regulations applicable to Special Districts: Highway Corridor Overlay District; Use-Specific Regulations: Home Occupations; and Administration: Amendments;
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENTERPRISE, ALABAMA, AS FOLLOWS:
Section 1. Ordinance 02-20-24, Article 6, Section 6.02.02 is amended such that said section shall read as follows:
These regulations apply to new development and redevelopment in all lots, parcels and tracts that are zoned B-1 and B-3 that boarder Highways 27, 84, 134, 167, 192 and 248, excluding any M-1, M-2, B-2 zoned property and any property within the Downtown Overlay.
Section 2. Ordinance 02-20-24, Article 7, Section 7.08.02 is amended such that said section shall read as follows:
Home occupations must be conducted entirely within the principal building and/or accessory structure. Outside display or storage of materials, goods, supplies, or equipment used in the home occupation shall be completely screened from public view and shall only be allowed in the side and rear yard of the primary structure. Storage of materials, goods, supplies, or equipment used in the home occupation shall not exceed 20% of the side or rear yard combined.
Section 3. Ordinance 02-20-24, Article 13, Section 13.04.02(D) is amended such that said section shall read as follows:
Notice of the time and place of public hearings will be given as required by state law. Written notice will be given to all owners of adjoining and adjacent property. An additional notice will be posted on or as near the site as possible to serve as visual notification to the public. The requirements for the notice are defined by the City of Enterprise.
Section 4. Ordinance 02-20-24, Article 13, is amended to include Section 13.04.02(E) as follows:
In the case of multiple zones on one parcel of real property, each zone shall be rezoned independently and shall constitute its own request.
Section 5. Except as amended as stated above, the provisions of Ordinance 02-20-24 remain unchanged and in full force and affect.
Section 6. If any section, clause, phrase, or part of this ordinance is for any reason declared to be invalid by the valid judgment or decree of a court of competent jurisdiction, such decision shall not affect any remaining sections, sentences, clauses, phrases or parts of this ordinance.
Section 7. This ordinance shall take effect upon its approval by the City Council, or upon it otherwise becoming law, but shall nevertheless be published as required by law.
COL-350284
7/27/2024

Fiscal Year 2025
City of Enterprise
Transportation Plan

In accordance with the Rebuild Alabama Act signed into law March 12, 2019, the City of Enterprise hereby adopts this annual Transportation Plan to use the estimated revenues of $195,000 anticipated from the Rebuild Alabama Act (Fuel Bill) fund during the 2025 Fiscal Year to perform roadway improvements, repairs, resurfacing, reconstruction or maintenance toward completion of the City of Enterprise FY25 Phase V Master Street Resurfacing List; and/or as match monies for any state or federal grant funded projects to perform roadway improvements, repairs, resurfacing, reconstruction or maintenance within our existing street/road network during said fiscal year.

IN WITNESS WHEREOF, the City of Enterprise has caused this Fiscal Year 2025 City of Enterprise Transportation Plan to be executed in its name and on its behalf by its Mayor and Clerk on this the ____ day of _____, 2024, which was passed at a Regular Council Meeting of the Enterprise City Council.

_____ _____

William E. Cooper Sr., MAYOR **Beverly Sweeney, CITY CLERK**

RESOLUTION 08-20-24

A RESOLUTION DECLARING A WEED AND OTHER VEGETATION NUISANCE AND DIRECTING THE ABATEMENT OF SAID NUISANCE

WHEREAS, the following properties are overgrown with weeds, scrub, wild bushes, grass or other vegetative growth which bear seeds of a wingy or downy nature or which attain such growth of 12 inches or taller which becomes a fire menace when dry or are otherwise noxious or dangerous;

204 W Adams Street
Parcel 19 16 05 16 3 003 034.000
ONE LOT IN SW 1 4 OF SW 1 4 DESC. AS FOLLOWS: BEG. N R W ADAMS AVE. 176 FT NE OF S R W RAWLS ST. TH RUN NW 210 FT TH NE 70 FT TH SW 210 FT TH SW 70 FT TO P.O.B.

406 Dixie Drive
Parcel 19 16 02 10 4 002 007.000
LOT 10 BL D FOREST PARK SUBD

502 S Ouida Street
Parcel 19 16 05 22 3 002 009.000
GREEN ACRES SUBD BLK B LOT 11 IN ENTERPRISE

WHEREAS, a public hearing was held on the 20th day of August, 2024 to hear any objections to the abatement of nuisances on the above properties.

WHEREAS, no objections were filed.

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

Section 1. It is hereby declared that the following listed properties; more particularly described above, are injurious to the health, safety and welfare of the community or a portion thereof, and therefore are nuisances and should be abated.

204 W Adams Street
406 Dixie Drive
502 S Ouida Street

Section 2. That the City is hereby authorized and directed to abate such nuisances by removing, or causing to be removed, any and all weeds, scrub, wild bushes, grass or other vegetative growth which bear seeds of a wingy or downy nature or which attain such growth of 12 inches or taller which becomes a fire menace when dry or are otherwise noxious or dangerous.

Section 3. That all costs associated with the abatement procedures will be assessed against the property and added to the next tax bill. Property that has been brought into compliance, or is brought into compliance prior to the City's abatement, will be assessed with all costs associated with the abatement procedures up to the date of compliance. All such costs will be assessed and collected pursuant to the City of Enterprise Code of Ordinances Section 11-70 *et. seq.*

Duly Passed and Adopted this _____ day of _____, 2024.

COUNCIL:

_____
Council President Turner Townsend
District #5

_____
Council Member Sonya W. Rich
District #1

_____
Council Member Eugene Goolsby
District #2

_____
Council Member Greg Padgett
District #3

_____
Council Member Scotty Johnson
District #4

ATTEST:

_____
Beverly Sweeney, City Clerk

The Enterprise Ledger

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

State of Alabama County of Jefferson , ss

Patricia Walker , being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Enterprise Ledger, a newspaper printed and published in the City of Enterprise, County of Coffee and Dale, State of Alabama, and that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
Jul. 27, 2024, Aug. 3, 2024

NOTICE ID: Hvu7Y0y6D5bs7PJbq5U1

The sum charged by the Newspaper for said publication does not exceed the lowest classified rate paid by commercial customers for an advertisement of similar size and frequency in the same newspaper(s) in which the public notice appeared.

There are no agreements between the Newspaper and the officer or attorney charged with the duty of placing the attached legal advertising notices whereby any advantage, gain or profit accrued to said officer or attorney.

PUBLISHER ID: COL-350283
NOTICE NAME: Notice to Destroy Weeds
Publication Fee: 280.88

I declare under penalty of perjury under the law of the State of Alabama that the foregoing is true and correct.

(Signed) Patricia Walker

VERIFICATION

State of Alabama
County of Jefferson

8/06/2024

Subscribed in my presence and sworn to before me on this 8/6/2024

KWESI THOMPKINS NOTARY PUBLIC ALABAMA STATE AT LARGE

Notary Public

Notice To Destroy Weeds

Notice is hereby given that on the 20th day of August, 2024, at 6:00 p.m., at Enterprise Civic Center, 2401 Neil

If no objections are filed with the City Clerk at least five days before the meeting of the City Council and unless such person appears before the City Council in person or through his representative to show cause, if any, why his objection should be sustained, it shall be presumed that the person accepts the notice as fact and waives any rights that he may have to contest the removal of the weeds. The action of the Council shall be final unless good and sufficient cause can be otherwise shown.

Reference is hereby made to said resolution, on file in the office of the City Clerk, for further particulars.

This notice applies to the following attached addresses:

SITE ADDRESS PARCEL NUMBER

1. 204 WEST ADAMS STREET 19 16 05 16 3 003 034.000
2. 406 DIXIE DRIVE 19 16 02 10 4 002 007.000
3. 502 SOUTH OUIDA STREET 19 16 05 22 3 002 009.000

COL-350283

7/27/2024, 8/03/2024

RESOLUTION 08-20-24-A

A RESOLUTION DECLARING CERTAIN PROPERTIES A PUBLIC NUISANCE EXCESSIVE WEED GROWTH

WHEREAS, the following properties are overgrown with weeds, scrub, wild bushes, grass or other vegetable growth which bear seeds of a wingy or downy nature or which attain such growth of twelve (12) inches or taller which becomes a fire menace when dry or are otherwise noxious or dangerous;

601 Carver Street
Parcel 19 16 05 16 4 004 038.000
A LOT IN SE 1 4 OF SE 1 4 DES AS BEG AT NE INT OF CARVER & B
ROWN STS TH N 124 E 129 S 102 WLY ALONG N S CARVER ST 110
TO POB

103 Colonial Drive
Parcel 19 16 02 04 3 002 016.000
VALLEY HILLS SUBD 5TH ADD BLK A LOT 8 ENTERPRISE

303 Wimbledon Drive

Parcel 19 16 02 04 3 001 001.054
VALLEY HILLS S D 14TH ADDN BLK B LOT 5

300 Kramer Court

Parcel 19 16 02 04 3 001 058.000
VALLEY HILLS SUBD 15TH ADD BLK C LOT 8

512 Fleming Street

Parcel 19 16 04 17 4 004 018.000
A LOT IN SW1 4 OF SE1 4 DESC AS FOL BEG AT FLEMING ST @ 380
N OF ADAMS ST & RUN N 43 TO E 262 TH S43 TH W 268 TO POB

301 McCormick Street

Parcel 19 16 05 22 2 001 028.000
COM AT NE INT OF MCCORMICK ST & COMET ST E 63 TO POB
TH N 100 E 75 S 100 W 75 TO POB

306 McCormick Street

Parcel 19 16 05 22 2 001 031.000
LOT IN NE1 4 OF NW1 4 COM @ INT MCCORMICK ST & OUIDA ST E 72
0 TO POB E 50 S 100 W 50 N 100 TO POB

119 Pinecrest Loop

Parcel 19 16 04 19 1 000 007.016
LOT 10 BLK A PINE FOREST SUBDIVISON PLAT BK 3 PG 97

1441 Damascus Road

Parcel 19 16 04 18 1 000 010.000
A PARCEL IN THE E 1 2 OF THE SW 1 4 OF THE NE 1 4 DESC AS FOLLOWS
BEG 330 W OF SE CORNER OF SW 1 4 OF THE NE 1 4 TH SW
18 TH NW 420 TH NE 840 TO RD TH SE 210 TH SW 420 TH SE
210 TH SW 400 TO POB CONTAINING 6 ACRES ENTERPRISE

113 Petty Street

Parcel 19 16 04 17 4 004 048.000
LOT 12 CITY BOARD OF EDUCATION SUBD

615 West Watts Street

Parcel 19 16 04 17 4 004 001.000
BEG @ INT S R W W WATTS ST & E R W FLEMING ST E 45 (S) S 205
(S) W 55 N ALG FLEMING ST 205 (S) TO POB

217 Dominey Street

Parcel 19 16 04 17 1 002 019.000
BEG 1131 W OF SW INT OF PITTMAN ST & DOMINEY ST TH S 210
TH W 135 THN 215.5 TH E 166.5 TO POB. CONT .62 ACRES.

708 West College Street

Parcel 19 16 04 20 1 001 034.000
COM AT INT W R W JONES ST & N LY R W COLLEGE ST SW LY ALG
COLLEGE ST 337.8 TO POB. TH NW LY 165 SW LY 78.5 SE LY
149.2 NE LY ALG COLLEGE AVE 77 TO POB

108 Byrd Street

Parcel 19 16 04 20 2 004 027.000
GRIFFIN HGTS SUBD BLK B LOT 5

502 West Park Avenue

Parcel 19 16 05 21 2 004 071.000
E 1 2 OF LOT 5 BLK B BAMA S D PLAT BK 1 PG 47 & 48

107 Falcon Drive

Parcel 19 16 04 17 3 002 040.000
SUNNY HGTS SUBD BLK C LOT 4

806 West College Street

Parcel 19 16 04 20 1 001 031.000
BLK 8 PT OF LOT 12 DESC AS BEG AT SE COR SAID LOT SAID BLK TH
WLY 161.2 TH NE 100 E 100 S 87.5 TO P O B ENTERPRISE

WHEREAS, said conditions are injurious to the general public health, safety and welfare by providing breeding grounds and shelter for rats, mice, mosquitoes and other vermin, insects and pests, by causing the spread of weeds, by hiding debris, such as broken glass or metal, which could inflict injury on any person going upon the property, and

WHEREAS, said conditions are unsightly and diminish the property value of neighboring properties, and

WHEREAS, efforts to get the property owners to correct the above deficiencies have been in vain.

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

Section 1. It is hereby declared that the above listed properties are injurious to the health, safety and welfare of the community or a portion thereof, and therefore are nuisances and should be abated.

Section 2. That a public hearing on this matter shall be held at the regularly scheduled meeting of the Enterprise City Council, in the Enterprise Civic Center, 2401 Neil Metcalf Road, Enterprise, Alabama, at 6:00 p.m. on the 17th day of September, 2024 for the City Council to hear any objections and vote to abate the nuisances.

Duly Passed and Adopted this _____ day of _____, 2024.

COUNCIL:

_____
Council President Turner Townsend
District #5

_____
Council Member Sonya W. Rich
District #1

_____
Council Member Eugene Goolsby
District #2

Council Member Greg Padgett
District #3

Council Member Scotty Johnson
District #4

ATTEST:

Beverly Sweeney
City Clerk

421 East Lee Street
P. O. Box 311000
Enterprise, AL 36331-1000

City of Enterprise

PARKS AND RECREATION DEPARTMENT

Billy Powell, Director

Phone: (334) 348-2684
Fax: (334) 347-1120
Email: eprd@enterpriseal.gov

MEMO

TO: City Council and Mayor Cooper
FROM: Billy Powell, Director
DATE: August 14, 2024

SUBJECT: Janitorial Equipment and Supplies for New Recreation Facility

I am requesting permission to purchase janitorial/cleaning equipment and floor mats to be used in the new recreation facility. These items are to be purchased from Enterprise Paper & Janitorial thru a purchasing contract with Purchasing Cooperation of America (PCA).

The total amount to purchase is $100,406.26

2, 100-NSS7609 Champ 2417, w/ batteries @$9,470. ea =	$18,940.00
1, 221-NSS2821 Ultimaxx 1900 SD50MBU Kit =	$ 7,515.00
2, 220-NSS4889 Swingo 250 Cleaning Machine @$5,398.ea=	$10,796.00
1, 381-NSS1042 M1, Pig Vacuum #1001042	$ 1,778.00
1, 381-NSS2559 M1, Pig Over Head Cleaning Tool#3092559	$ 795.00
1, 408-NSS1014 Colt 1450 pp w/front mount squeegee #081014	$ 2,075.00
1, 438-NSS0004 Basic Wet Pickup kit	$ 395.00
1, 439-NSS0121 Pacer 12UE 120V Vacuum Cleaner #9600121	$ 509.00
1, 433NSS2713 Sidewinder 27MB BAT, OBC#6202713	$ 4,815.00
1, 253-NSS3412 Manta 34RS 34" Ride-on Sweeper	$16,000.00
24, 530-MAT0555 4x6 Super Scraper Mat @$140.ea=	$ 3,360.00
13, 555-MAT0305 3x5 Super Scrap Mat @$130.ea=	$ 1,690.00
5, 440-SSS6023 SSS Puma X 3 Speed Air Mover @$710.=	$ 3,550.00
5, 440-SSS8406 Puma Blower Handle Kit @$235.ea =	$ 1,175.00
3, 341-rdi2797 35Qt. Mop Bucket w/Ringer Combo @$74.10=	$ 222.30
2, 380-LAG3325 6173 Multi-shelf cleaning cart @$307.=	$ 614.00
24,381-LAG56GR 28Qt Deskside wastebasket 7gal. @$13.76ea=	$ 330.24
12, 381-KAG3145 Brute 55gal. Trash Can @$129.50ea=	$ 1,554.00
12, 381-LAG2790 Brute Twist on/off Dolly @$91.ea =	$ 1,092.00
16, 201-ESS4060 Slim Jim 23gal. w/venting channels @$81.29ea=	$ 1,300.67

ENTERPRISE, ALABAMA PARKS & RECREATION

421 East Lee Street
P. O. Box 311000
Enterprise, AL 36331-1000

City of Enterprise

PARKS AND RECREATION DEPARTMENT

Billy Powell, Director

Phone: (334) 348-2684
Fax: (334) 347-1120
Email: eprd@enterpriseal.gov

16, 201-ESS2673 Swing lid for Slim Jim Waste Container @$60.248ea =	$ 963.27
2,380-RJS1400 Rubbermaid rotomolded 850lb. Tilt Truck @$895.ea =	$ 1,790.00
6, 381-ULI2865 Courtyard Trash Can 36Ga w/flat lid @$1,100.ea =	$ 6,600.00
24, 381-MAT2240 4x6 Waterhog Max Herringbone @$158.ea =	$ 3,792.00
13, 381-MAT0422 3X5 Waterhog Max Herringbone @$145.ea =	$ 1,885.00
12, 530-AND7008 4'x6' Comfort Flow @$175.ea =	$ 2,088.00
1,438-NSS3102 Pacer 30 wide Area Vacuum Cleaner #3103102	$ 3,078.00
1,438-NSS0027 Pacer 30 Filter Bags 6pk#3190791	$ 82.71
2, 500-IPCCL50 Cleano 5"Teleoscopic Indoor cleaning system@$295.ea=	$ 590.00
4, 500-IPC1001 10" Glass Pads for cleaning @$37.67ea =	$ 150.71
1, 381-NSS8862 M1 Pig Filter Bags 6pk #1098861	$ 44.21
1, 438-NSS1911 Pacer 12UE Filter Bags 10/pk #9691911	$ 36.45
Total:	**$100,406.26**

Thank you for your consideration and approval of this request.

PRICE QUOTE

ENTERPRISE JANITORIAL & PAPER
300 AIRPORT ROAD
ENTERPRISE, AL 36330
Phone 334-347-5394
Fax 334-470-2001

Printed 08/14/24 MH

Quoted

City of Enterprise
Accounts Payable- Bobbi Jo Lewis
P.O. Box 311000
Enterprise AL 36331
Tel:334-347-1211 Fax:334-348-2613

Ship To

PARKS AND RECREATION DEPT
Attn: Melissa Ellisor
CITY OF ENTERPRISE
311 EAST BRUNSON STREET
ENTERPRISE AL 36330

Quote #	Quote Date	Exp Date	Customer #	Customer P/O #	Ship Via	Writer
Q004072	08/09/2024	02/05/2025	0007300		T3 - DAVID	MH

Job ID	Customer Terms	Salesman
	NET 10 Prox	CHRIS MITTEN

Product	Description	UM	Quant	Unit Price	Extension
	**********				
	* *				
	* *				
	**********				
100-NSS7609	Champ 2417 RB With AGM Batteries #7609002	EA	2	9470.00	18940.00
221-NSS2821	Ultimaxx 1900 SD50 GEL MBU Kit (Single Disc) #D1232821	EA	1	7515.00	7515.00
250-NSS4889	Swingo 250 Cleaning Machine w/2 Lithium Batteries, Charger, 2 Brushes #D1230538	EA	2	5398.00	10796.00
381-NSS1042	M1 Pig Vacuum (No Tool Kit) #1001042	EA	1	1778.00	1778.00
381-NSS2559	M1 Pig Over Head Cleaning Tool #3092559	EA	1	795.00	795.00
408-NSS1014	Colt 1450 P w/Front Mount Squeegee #0801014	EA	1	2075.00	2075.00
438-NSS0004	BASIC WET PICKUP KIT	EA	1	394.00	394.00
439-NSS0121	Pacer 12UE 120V 50/60HZ 120V Vacuum Cleaner #9600121	EA	1	509.00	509.00
433NSS2713	Sidewinder 27MB BAT 120V OBC #6202713	EA	1	4815.00	4815.00
253-NSS3412	MANTA 34RS 34" RIDE-ON SWEEPER 4X6V 235 AH WET BATTERIES 115V CHARGER	EA	1	16000.00	16000.00
530-MAT0555	4X6 Super Scrape Mat Black	EA	24	140.00	3360.00
555-MAT0305	3X5 Black Super Scrape Mat	EA	13	130.00	1690.00
440-SSS6023	SSS Puma X 3 Speed Transportable Air Mover	EA	5	710.00	3550.00
440-SSS8406	PUMA BLOWER HANDLE KIT	EA	5	235.00	1175.00
341-RDI2797	35 Quart Mop Bucket/Ringer Combo	EA	3	74.10	222.30
380-LAG3325	6173 Multi-Shelf Cleaning Cart, Plastic, 4 Shelves, 1	EA	2	307.00	614.00

Continue...

ENTERPRISE JANITORIAL & PAPER

300 AIRPORT ROAD
ENTERPRISE, AL 36330

PRICE QUOTE

Phone 334-347-5394
Fax 334-470-2001

Printed 08/14/24 MH

Quoted

City of Enterprise
Accounts Payable- Bobbi Jo Lewis
P.O. Box 311000
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Tel:334-347-1211 Fax:334-348-2613

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Quote #	Quote Date	Exp Date	Customer #	Customer PO #	Ship Via	Writer
Q004072	08/09/2024	02/05/2025	0007300		T3 - DAVID	MH

Job ID	Customer Terms	Salesman
	NET 10 Prox	CHRIS MITTEN

Product	Description	UM	Quant	Unit Price	Extension
381-LAG56GR	Bin, 20" x 45" x 38.25", Black 2956 - 28QT Deskside Plastic Wastebasket, 7 gal, Plastic, Gray	EA	24	13.76	330.24
381-LAG3145	Brute 55 Gallon Trash Can, Gray, Plastic	EA	12	129.50	1554.00
381-LAG2790	Brute Round Twist On/Off Dolly, 250 lb Capacity, Fits 20 to 55 Gallon BRUTE Containers, Black	EA	12	91.00	1092.00
201-ESS4060	Slim Jim with Venting Channels, 23 gal, Plastic, Gray	EA	16	81.2921	1300.67
201-ESS2673	Swing Lid for Slim Jim Waste Container, Gray	EA	16	60.2483	963.97
380-RJS1400	RUBBERMAID ROTOMOLDED 850LB. TILT TRUCK BLACK, 1 CUBIC YARD	EA	2	895.00	1790.00
381-ULI2865	Courtyard Trash Can - Flat Lid, 36 Gallon, Black	EA	6	1100.00	6600.00
381-MAT2240	4x6 WaterHog Max Herringbone, Smoke Black	EA	24	158.00	3792.00
381-MAT0422	3x5 Waterhog Max Herringbone, Smoke Black	EA	13	145.00	1885.00
530-AND7008	4'X6' COMFORT FLOW BLACK 420	EA	12	174.00	2088.00
438-NSS3102	Pacer 30 Wide Area Vacuum Cleaner #3103102	EA	1	3878.00	3878.00
438-NSS0027	Pacer 30 Filter Bags 6/PK #3190791	PK	1	82.71	82.71
500-IPCCL50	Cleano 5' Teleoscopic Indoor Window and Solid Surface Cleaning System. Includes 3 Pads	EA	2	295.00	590.00
500-IPC1001	10" Glass Pads Green Microfiber Pad for Cleaning	PK	4	37.6766	150.71

Continue...

ENTERPRISE JANITORIAL & PAPER

300 AIRPORT ROAD
ENTERPRISE, AL 36330

PRICE QUOTE

Phone 334-347-5394
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Printed 08/14/24 MH

Quoted

City of Enterprise
Accounts Payable- Bobbi Jo Lewis
P.O. Box 311000
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Ship To

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Attn: Melissa Ellisor
CITY OF ENTERPRISE
311 EAST BRUNSON STREET
ENTERPRISE AL 36330

Quote #	Quote Date	Exp Date	Customer #	Customer PID #	Ship Via	Writer
Q004072	08/09/2024	02/05/2025	0007300		T3 - DAVID	MH

Job ID	Customer Terms	Salesman
	NET 10 Prox	CHRIS MITTEN

Product	Description	UM	Quant	Unit Price	Extension
	glass 6/PK (Cleano)				
381-NSS8861	M1 Pig Filter Bags 6/PK #1098861	PK	1	44.2097	44.21
438-NSS1911	Pacer 12UE Filter Bag 10/PK #9691911	PK	1	36.4454	36.45

X:_____
(Accepted by)

Sub Total	$100,406.26
Freight	$0.00
Misc Charges	$0.00
Tax Amount	$0.00

Total 100,406.26

MESSAGE

TERMS

City of Enterprise

Department of Engineering Services & Public Works
501 S Main Street
Enterprise, Alabama 36330
Phone (334) 348-2671
engineering@enterpriseal.gov

MEMORANDUM

TO:	**Enterprise City Council**
FROM:	**Thomas Hardy, Assistant Director of Engineering**
DATE:	**8/5/2024**
RE:	**Street Light Request**

This letter is a request for approval of new street lights in Hunters Hill Subdivision, Phase IV, as follows:

- Install six (6) 49W Type III black fixtures and poles.
- The monthly billing rate is estimated at $46.68, for an annual cost of $560.16.

Lighting Services NESC® Lease Agreement (Governmental-S)

ALABAMA POWER
A SOUTHERN COMPANY

Customer Legal Name CITY OF ENTERPRISE DBA HUNTER'S HILL SUBDIVISION PH IV

Service Address 0 STREET LIGHTS ENTERPRISE, AL. 36330 County Coffee

Mailing Address PO BOX 311000 ENTERPRISE, AL. 36331

Email _____ Tel # 334-347-1211 Alt Tel 334-348-2650

Tax ID _____ Business Description Other General Government Support

Existing Customer? Yes ☑ No ☐ If Yes (and if possible), does Customer want Equipment added to an existing account? Yes ☑ No ☐ Existing Account 00247-75040
For informational purposes only

Equipment

	Qty	Wattage	Type	Description	OH/ UG	M/ UM	Equipment Amount ($)	Estimated Regulated Charge ($)*	Estimated Monthly Charge ($)*
(1)	6	49	DEC	4,500 - 7,000 Lumens - Type III Black	UG	UM			
(2)									
(3)									
(4)									
(5)									
(6)									
(7)									
(8)									
(9)									
(10)									
						Monthly Total *	$40.14	$6.54	$46.68

Project Notes: Install fixtures as listed above and associated equipment.

Developer to pay upfront amount of $24,099.17.

Initial Term 36 **months**

Prepaid Amount $ 0

** The Regulated Charge is subject to change at any time as dictated by the Alabama Public Service Commission. The amount shown is an estimate based on the Unmetered Outdoor Lighting (ODL) rate in effect at time of Agreement proposal; actual charges may vary.*

Customer agrees to lease the Equipment referenced above from Alabama Power Company on the attached terms and conditions and authorizes all actions noted above.

Customer Authorized Signature	**Date**	**Alabama Power Company**	**Date**
Sign Here _____		Sign Here _____	
Print Name _____		Print Name _____	
Print Title _____		Print Title _____	

APC Internal Use Only - APC Reference Number (if applicable):

TERMS and CONDITIONS *(NESC Governmental-S)*

1. **Lighting Equipment Lease.** This Lease Agreement ("Agreement") states the agreed terms and conditions upon which Alabama Power Company ("APC") will: (i) lease to "Customer" (identified on Page 1) the "Equipment" referenced on Page 1 for use at the stated "Service Address" (the "Premises"); and (ii) provide electric service to operate the Equipment. The "Equipment" includes all poles, bases, wiring, conduit, fixtures, controls, and related items necessary to provide lighting service through the listed fixtures, unless expressly noted otherwise in "*Project Notes*." Customer acknowledges that regulatory change during the Agreement term may require APC to modify or replace some Equipment.

2. **Intent and Title.** This Agreement is not a sale of the Equipment to Customer. **Customer expressly acknowledges that APC retains title to the Equipment** and agrees that this Agreement only gives Customer the right to use the Equipment during the Agreement term, so long as Customer complies with all terms and conditions. Customer acknowledges that the Equipment, although attached to real property, always will remain the exclusive personal property of APC and that APC may remove the Equipment when this Agreement ends. Customer authorizes APC, without further consent or action, to file any UCC financing statement or security agreement relating to the Equipment and agrees that APC may record those documents. **APC makes no representation or warranty regarding treatment of this transaction by the Internal Revenue Service or the status of this Agreement under any federal or state tax law; Customer enters into this Agreement in sole reliance upon Customer's own advisors.**

3. **Term.** The initial Agreement term is stated on Page 1, calculated from the date of the first monthly bill. After the initial term, this Agreement automatically renews on a month-to-month basis until terminated by either party by providing written notice of intent to terminate to the other party at least 30 days before the desired termination date. APC's address for notice is P.O. Box 2641, Birmingham, Alabama 35203; Customer's mailing address is noted on Page 1.

4. **Payment.** APC will invoice Customer per the terms stated on Page 1, subject to any change in the electric service charge dictated by the Alabama Public Service Commission. Customer agrees to pay the amount billed by the due date (20 days after billing date). Applicable taxes included in the Equipment price are subject to change at any time. If a balance is outstanding past the due date, Customer agrees to pay the greater of 1.5% of the unpaid balance or $2.00 and acknowledges that APC may require Customer to pay a deposit of up to two times the Estimated Monthly Charge in order to continue service. If applicable, Customer must provide a copy of its Alabama sales tax exemption certificate.

5. **Premises Activity.** Customer grants a license and right of access to APC, and its contractors and representatives, to enter the Premises with vehicles and equipment to: (i) install and connect the Equipment and, if applicable, remove or disconnect existing equipment (collectively, the "Installation"); (ii) inspect, maintain, test, replace, repair, or remove the Equipment; (iii) provide electric service for the Equipment; or (iv) conduct any other Agreement-related activity (items–(iv) collectively, the "APC Activity"). Customer will not cause or permit any obstruction that may interfere with APC's access to the Equipment. Customer represents that the individual signing this Agreement on its behalf has authority to do so and that it has express authority from all Premises owners (and any other party with rights in the Premises) to enter into this Agreement and to authorize the APC Activity. **Customer is solely responsible for safety of the Premises and agrees that APC has no obligation to ensure the safety of the Premises or persons or property entering onto Customer's Premises.**

6. **Installation.** Customer represents that: (i) the Premises' final grade will vary no more than 6 inches from the grade existing at the time of installation; and (ii) if applicable and required for proper installation, Premises property lines will be clearly marked before installation.
   - A. **Customer Work.** If APC, upon Customer's request, allows Customer to perform any part of the installation (including trenching) itself or through a third party, Customer warrants that the work will meet APC's installation specifications (which APC will provide to Customer and are incorporated by this reference). Customer is responsible for all reasonable additional costs arising from Customer's non-compliance with APC's specifications or lack of timely (i.e., 10 days') notice to APC that APC's installation activity can commence.
   - B. **Underground Facility/Obstruction Not Subject to Dig Law.** Because APC Activity may require excavation not subject to the Alabama's Underground Prevention Legislation (Ala. Code §§ 37-15-1 - 37-15-11) ("Dig Law"), **Customer must mark any private utility or facility (e.g., gas/ water/sewer line; irrigation facility; low voltage data/communication line) or other underground obstruction at the Premises that is not subject to the Dig Law.** If APC causes or incurs damage due to Customer's failure to mark a private facility or obstruction before APC commences installation, Customer is responsible for all damages and any resulting delay.
   - C. **Unforeseen Condition.** The estimated charges shown on Page 1 include no allowance for any subsurface rock, wetland, underground stream, buried waste, unsuitable soil, underground obstruction, archeological artifact, burial ground, threatened or endangered species, hazardous substance, etc. not properly marked or identified ("Unforeseen Condition"). If APC encounters an Unforeseen Condition, APC, in its sole discretion, may stop all APC Activity until Customer either remedies the condition or agrees to reimburse all APC costs arising from the condition. Customer is responsible for all costs of Equipment modification or change requested by Customer or dictated byan Unforeseen Condition or circumstance outside APC's control.

7. **Equipment Protection and Damage.** After installation and throughout this Agreement's term, in the event of any work or digging near the Equipment, Customer (or any person or entity working on Customer's behalf) must: (i) provide notices and locate requests by calling Alabama 811 or 1-800-292-8525; and (ii) provide notices to other utilities or operators as required by the Dig Law. As between Customer and APC, Customer is responsible for all damages arising from failure to comply with applicable law or for Equipment damage caused by anyone other than APC (or an APC contractor or representative).

8. **Verification of Equipment Installed.** Each party will appoint representative(s) (the "Representative") to verify the completion of the installation by counting the upgraded equipment (the "Equipment Count"). In the event that the Equipment Count is not completed within thirty (30) days of completion, billing will be updated based on APC's installation completion count until such time as verification can be completed. Any discrepancies will be mutually resolved and billing will be adjusted accordingly.

9. **Maintenance.** During this Agreement's term, APC will maintain the Equipment and will bear the cost of routine repair or replacement. **Customer must notify APC of any need for Equipment repair by calling the Business Service Center at 1-888-430-8787.**

10. **Disclaimer; Damages. APC makes no covenant, warranty, or representation of any kind (including warranty of fitness for a particular purpose or of merchantability) regarding the Equipment or any APC Activity.** Customer also acknowledges that, due to the unique characteristics of the Premises, Customer's needs, or Equipment choice, the Equipment may not follow IESNA guidelines. **Customer waives any right to consequential, special, indirect, treble, exemplary, incidental, punitive, loss of business reputation, or loss of use (including loss of revenue, profits, or capital costs) damages in connection with the Equipment or this Agreement, or arising from damage, hindrance, or delay involving the Equipment or this Agreement, whether or not reasonable, foreseeable, contemplated, or avoidable.**

11. **Indemnity.** To the fullest extent allowed by law, Customer agrees to indemnify, release, hold harmless, and, at APC's request, defend APC and its affiliates and contractors (and their officers, directors, employees, representatives, and agents) from or against any loss, damage, cost, expense, or liability (including actual attorneys' fees reasonably incurred and all expenses of investigation and defense) for any damage or claim for personal or bodily injury (including death), property damage (including loss of use), monetary damage, or equitable relief caused by or arising out of any misrepresentation or act or omission of Customer involving this Agreement, the Equipment, or the Premises, whether or not caused by or arising out of the joint, concurrent, or contributory (but not sole) negligence of APC.

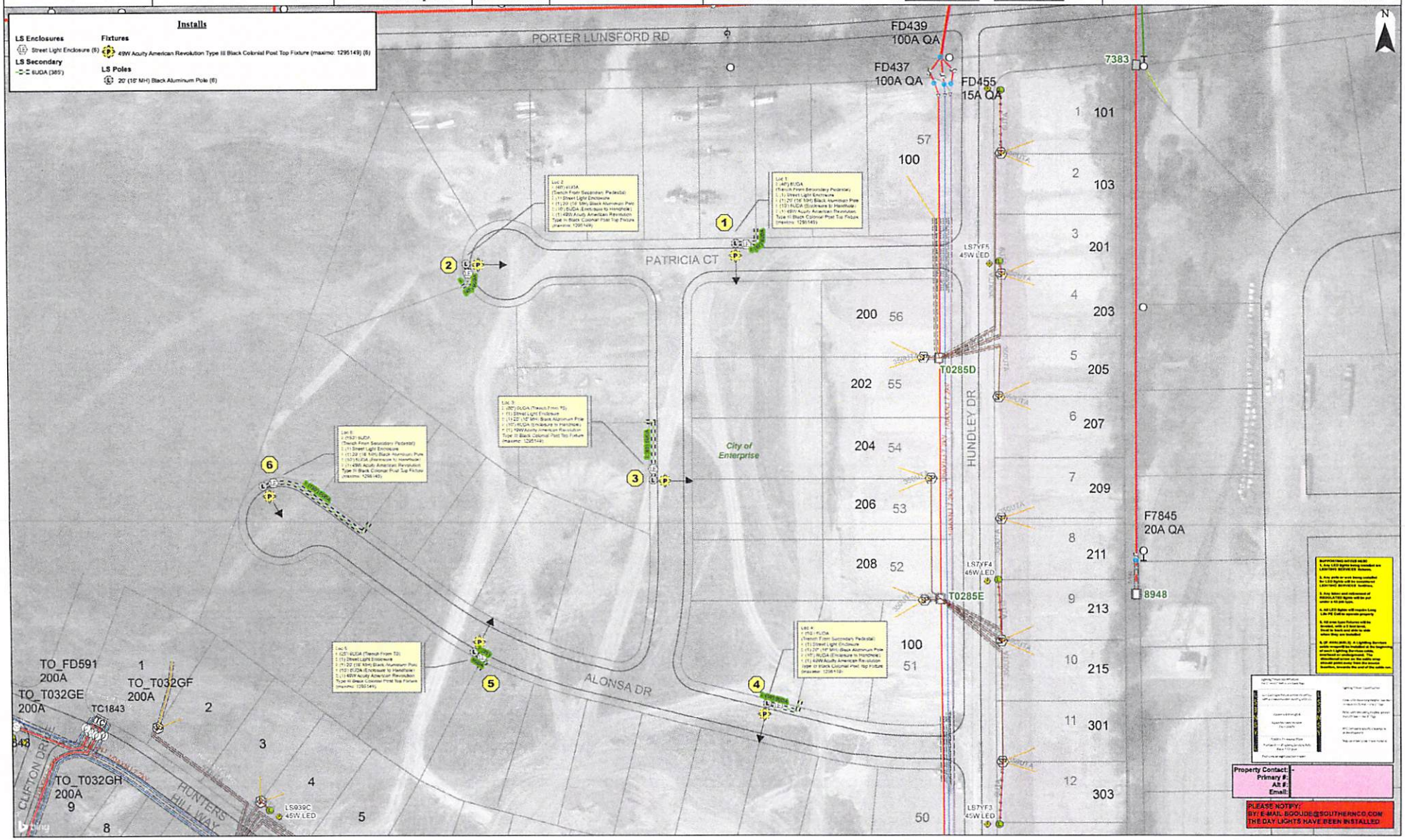
12. **Default.** Customer is in default if Customer does not pay the entire amount owed within 45 days of billing. APC's waiver of any past default will not waive any other default. If default occurs, APC, at its discretion, may immediately terminate this Agreement, collect all past due amounts (including late fees) and all amounts due for the Equipment during the remaining Agreement term, remove the Equipment from the Premises, and seek any other available remedy.

13. **Miscellaneous.** This Agreement contains the parties' entire agreement relating to the Equipment and replaces any prior agreement, written or oral. Only a written amendment signed by each party can modify this Agreement, except that either party may update administrative or contact information (e.g., address, phone, website) at any time by written notice to the other party. Customer will not assign, in whole or in part, this Agreement or its Agreement rights or obligations without APC's prior written consent. No assignment, whether with or without consent, relieves Customer of its Agreement obligations. Customer must provide advanced notice of a change in control of all, or substantially all, of Customer's ownership or interest in the Premises. In this Agreement, "including" means "including, but not limited to." Alabama law governs this Agreement. If a court rules an Agreement provision unenforceable to any extent, the rest of that provision and all other provisions remain effective.

Rev. 05112017

Customer	Location	Type of Work	County	Section	Township	Range	Add'l Info.	Charge Numbers
City of Enterprise - Hunter's Hill Phase IV	200 Hundley Dr	NESC	Coffee	3	04N	22E	1 inch = 50 feet	P: 11051333 T: A6760-66-24

Division	District	Town	UserID	Created:	Substation			Map Center	
Southeast	Enterprise	Enterprise	BGOUDE	9/29/2023	Rucker Blvd DS	x: 29216	y: FD761 FD763	Map Center UTM: 2004179 11379213	Map Center LatLon: 31.344699 -85.834415



ABC INTRODUCTION
AUGUST 20, 2024

BUSINESS NAME: **MIKATA JAPANESE STEAKHOUSE, LLC**

DBA: **MIKATA ENTERPRISE**

LOCATION ADDRESS: **1109 BOLL WEEVIL CIR., SUITE 5**

ENTERPRISE, AL 36330

LICENSES APPLYING FOR:

RESTAURANT RETAIL LIQUOR

THIS LICENSE CAN BE INTRODUCED AUGUST 20, 2024.