



**CITY OF OPELIKA
CITY COUNCIL
CALLED MEETING AGENDA
300 Martin Luther King Blvd.
March 7, 2023
TIME: 12:00 PM**

1. CALL TO ORDER
2. ROLL CALL
 1. George Allen, Erica Norris, Tim Aja, Todd Rauch, Eddie Smith
3. RESOLUTIONS
 1. Canvassing 02-28-23 Special Election Results for the Renewal and Continuation of an 11 Mill Ad Valorem Tax for the Support and Futherance of Education in the City of Opelika.
4. ADJOURN
 1. Motion to Adjourn.

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

SUGGESTED FORM OF CANVASS PROCEEDINGS

The President of the Council stated that this was the date fixed by law for the canvass of the returns of the special municipal tax election held in the City on February 28, 2023, which had been called by Ordinance No. 031-22, adopted on November 15, 2022. The Council, constituting a board of canvassers, thereupon proceeded to canvass the returns respecting the proposition submitted to the electors of the City at the said election, and upon completion of such canvass the following resolution, together with the preambles thereto, was introduced in writing by Councilmember _____:

A RESOLUTION CANVASSING AND DECLARING THE RESULTS OF A SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF OPELIKA, ALABAMA, ON TUESDAY, FEBRUARY 28, 2023, REGARDING THE RENEWAL AND CONTINUATION OF AN 11 MILL AD VALOREM TAX FOR THE SUPPORT AND FURTHERANCE OF EDUCATION IN THE CITY OF OPELIKA

WHEREAS, at a meeting of the City Council ("the Council") of the City of Opelika ("the City") in the State of Alabama held on November 15, 2022, Ordinance No. 031-22 was duly adopted by the Council in which a special municipal election was called to be held in the City on February 28, 2023 (being the fourth Tuesday in the said month of February), for the purpose of submitting to the qualified electors of the City to determine their will with respect to the following proposition:

Whether the City shall be authorized to renew and continue the annual levy and collection, commencing with the tax year for which taxes become due and payable on October 1, 2025, and continuing thereafter until and including the tax year for which taxes become due and payable on October 1, 2052, of a special ad valorem tax for the support and furtherance of education at the excess per annum rate of one and one-tenths percent (or 11 mills) on each dollar of the assessed valuation of the taxable property in the City, which levy shall represent a renewal and continuation of the said tax and

shall not operate to increase the rate of taxation for public school purposes now being levied in the City.

WHEREAS, notice of the said election was published in *The Observer*, a newspaper published and having general circulation in the City once a week for four consecutive weeks in the issues of the said newspaper published on December 15, 22 and 29, 2022, and January 5, 2023, in the form of the said notice as provided in the said ordinance, the first of the said dates of publication having been more than thirty days before the date of the said election, and having been on or before the fourth Tuesday of the second month next preceding the month in which the said election was held;

WHEREAS, the said election was held in the City on February 28, 2023, in all respects as provided in the said notice between the hours of 7:00 o'clock, a.m., and 7:00 o'clock, p.m., being the legal hours provided by law for the holding of the said election, and the ballots used in the said election were in all respects in the forms therefor set out in the said ordinance, and the officials who conducted the said election have duly made and duly filed with the Council their respective reports, returns, and certificates; and

WHEREAS, the Council is required by Section 11-46-55 of the Code of Alabama 1975, as amended, to canvass the returns of the said election by the first Tuesday next after the said election, by the hour of 12:00 noon, and declare the results thereof, and at a meeting of the Council held on March 7, 2023, the Council, acting as a board of canvassers, has duly canvassed the said returns and ascertained the results of the said election with respect to the said proposition;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika, acting as a board of canvassers for the purpose of canvassing the results of the said election, as follows:

(1) the recitations contained in the foregoing preambles are hereby found and declared to be true and are hereby adopted as a part of this resolution;

(2) the said election was duly called, notice thereof was duly given, and the said election was duly held and the ballots used thereat were in all respects as provided by law;

(3) at the said election on the said proposition, the canvass of the returns indicated the following:

<u>District Number</u>	<u>Voting Location</u>	<u>For the Proposed Renewal and Continuation</u>	<u>Against the Proposed Renewal and Continuation</u>
One	Covington Community Center 213 Carver Avenue	_____	_____
Two	Opelika Learning Center (formerly Old Jeter School) 214 Jeter Avenue	_____	_____
Three	Opelika Community Center 1102 Denson Drive	_____	_____
Four	East Alabama Medical Center Education Center 2027 Pepperell Parkway	_____	_____
Five	Opelika Sportsplex 1001 Andrews Road	_____	_____
Absentee Ballot Box	City Clerk's office Municipal Building 204 South 7 th Street	_____	_____
	Provisional Ballots	_____	_____

(4) at the said election on the said proposition a total of _____ votes were received and cast; of the said votes so received and cast _____ votes were received and cast for the levy of the said special tax and _____ votes were received and cast against the levy of the said special tax; that the number of votes received and cast in the said election for the levy of the said special tax exceeded by _____ votes the number of votes received and cast in the said election against the levy of the said special tax; and that at the said election a majority of the qualified electors of the said City who voted thereat voted for the levy of the said special tax.

BE IT FURTHER RESOLVED, that this resolution shall comprise the canvass and declaration by the Council of the results of the aforesaid election and shall be recorded in the minutes of the proceedings of the City and a certified copy of this resolution shall be filed with (a) the office of the Judge Probate of Lee County, (b) the Secretary of State's office, (c) the Alabama League of Municipalities and (d) the office of the Revenue Commissioner of Lee County.

APPROVED AND ADOPTED this ____ day of _____, 2023.

President of the Council

ATTEST:

City Clerk

[S E A L]

Councilmember _____ thereupon moved that the foregoing resolution be adopted, which motion was seconded by Councilmember _____ and, upon the same being put to vote, the following vote was recorded:

YEAS

NAYS

The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

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