

CITY OF OPELIKA
Minutes of City Council Meeting – January 6, 2015

The City Council of the City of Opelika met in regular session on the above date in the Council Chambers at City Hall.

President Eddie Smith called the meeting to order at 7:00 p.m. asking City Clerk Bob Shuman to call the roll.

PRESENT AND PRESIDING: Eddie Smith

MEMBERS PRESENT: Patricia Jones, Larry Gray, Dozier Smith T, David Canon

MEMBERS ABSENT: None.

President Smith called on Dr. Rod Herring, to provide the invocation.

President Smith asked Jordyn Cobb and James Kwart, students from Carver Primary School, to come up front to lead the Pledge of Allegiance.

READING OF MINUTES:

Mr. Gray made the motion to approve the City Council meeting minutes of December 16, 2014 and was seconded by Mr. Smith T. Designated item no. 1. Said minutes were approved as prepared with the following vote:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

UNFINISHED BUSINESS –

REMARKS BY THE MAYOR – Gary Fuller

Mayor Fuller reminder the City Council that the City's financial summary for October 2014 is in their council packets for their review and/or questions. Designated item no. 2.

Mayor Fuller and Lori Huguley, Economic Development Director, presented an employee performance award to Amanda Geiger.

Mayor Fuller presented a special recognition certificate to Conner Pruitt, an Opelika High School student, for winning a State Diving Championship.

Mayor Fuller and Councilman Dozier Smith T presented a proclamation to Elijah and Erin Beaver in recognition of becoming debt free by paying off over \$100,000 and for being on the Dave Ramsey national radio show.

Mayor Fuller recognized Opelika Police Officers James Daniel, Alfred White, Glen Loveday and Daniel Metivier for coming in 2nd place in the Lee County Swat Team competition.

CITIZENS COMMUNICATION – none.

REPORT OF DISBURSEMENTS – none.

COMMITTEE REPORTS – none.

GENERAL BUSINESS –

Bob Shuman, City Clerk, presented a request from Dollar General for a retail beer & wine off premise license. Designated item no 3. Mr. Smith T made the motion to approve with a second to said motion made by Mr. Canon. The following vote was recorded:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

Bob Shuman presented a request from Full Moon BBQ for a retail beer & wine on premise license. Designated item no 4. Mr. Canon made the motion to approve with a second to said motion made by Mr. Smith. The following vote was recorded:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

Bob Shuman, City Clerk, presented a request from King Food Mart package store for a lounge retail liquor class 2 license. Designated item no 5. Mr. Smith T made the motion to approve with a second to said motion made by Mr. Canon. The following vote was recorded:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith
VOTING NAY: None

Bob Shuman, City Clerk, presented a request from Holiday Inn Express for a retail beer & wine off premise license. Designated item no 6. Mr. Canon made the motion to approve with a second to said motion made by Mr. Smith T. The following vote was recorded:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith
VOTING NAY: None

Jerry Kelley, Planning Director, presented a summary to amend the development plan for the Academy Estates PUD for a public hearing. Designated item no. 7. President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said amendment. No one came forward to speak. President Smith closed the public hearing.

AWARDING OF BIDS –

RESOLUTION NO. 001-15

To rescind the bid to C&C Sanitation and award the bid for dumpster services in downtown Opelika to Waste Away Group, Inc. Designated item no. 8. Mr. Gray made the motion to approve and was seconded by Mr. Smith T. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith
VOTING NAY: None

RESOLUTIONS – Guy Gunter.

Resolution to authorize a demolition at 1808 2nd Avenue remained Tabled. Permit expires 3-24-15.

RESOLUTION NO. 002-15

Expense reports from various departments. Designated item no. 9. Mr. Canon made the motion to approve and was seconded by Ms. Jones. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith
VOTING NAY: None

RESOLUTION NO. 003-15

To designate city personal property as surplus and authorize disposal. Designated item no. 10. Mr. Smith T made the motion to approve and was seconded by Mr. Gray. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith
VOTING NAY: None

RESOLUTION NO. 004-15

To authorize a payment for transitional re-insurance program fees. Designated item no. 11. Mr. Canon made the motion to approve and was seconded by Mr. Gray. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith
VOTING NAY: None

RESOLUTION No. 005-15

To approve the annual appropriation contract with the Employer's Child Care Alliance. Designated item no. 12. Ms. Jones made a motion to approve and was seconded by Mr. Smith T. After the council had discussed the resolution in full, the question being put as to the passage of said motion and adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith
VOTING NAY: None

RESOLUTION NO. 006-15

To re-appoint the Municipal Judge and Public Defender in Municipal Court. Designated item no. 13. Mr. Gray made the motion to approve and was seconded by Ms. Jones. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

RESOLUTION No. 007-15

A special appropriation to the Arts Association of East Alabama. Designated item no. 14. Mr. Smith T made the motion to approve and was seconded by Ms. Jones. After the council had discussed the resolution in full, the question being put as to the passage of said motion and adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

RESOLUTION NO. 008-15

A re-transmission agreement with American Spirit Media for OPS. Designated item no. 15. Mr. Smith T made the motion to approve and was seconded by Ms. Jones. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

ORDINANCES –

The following ordinance was presented for a 2nd reading:

To amend the City Code of Ordinances, Sections 5.7-11, 12 and 13, cemetery charges. During the discussion Ms. Jones made the motion to Table to allow further discussion at a city council work session. Mr. Canon made a second to said motion. The following vote was recorded:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

VOTING NAY: None

The following ordinance was presented for a 1st reading:

To amend the development plan for the Academy Estates PUD. Mr. Smith T introduced this ordinance.

APPOINTMENTS – none.

ADJOURN –

At approximately 7:29 pm since there was no further City business to be considered, Ms. Jones made the motion to adjourn with a second provided by Mr. Gray. The following vote was recorded:

VOTING AYE: Jones, Gray, Smith T, Canon, Smith

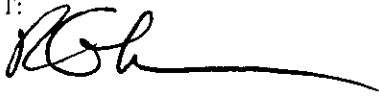
VOTING NAY: None

These City Council meeting minutes are hereby adopted and approved this the 20th day of January, 2015.



President of the City Council
City of Opelika, Alabama

ATTEST:



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

12/18/2014

City of Opelika
Combined Balance Sheet - All Funds and Account Groups
October 31, 2014

	Account Groups									
	Governmental Fund Types					Proprietary Funds				
	General	Special Revenue Funds	Debt Service Funds	*Capital Projects Funds	Internal Service Funds	Enterprise Funds	Agency Funds Total	General Fixed Assets	General Long Term Debt	Memo Total
Cash	28,267,892.79	3,417,968.73	46,708.86	5,227,482.94	3,079,951.59	18,538,543.65	-	-	-	58,628,548.56
Investments at cost or amortized cost	-	-	-	-	-	-	-	-	-	-
Receivables:	-	-	-	-	-	-	-	-	-	-
Taxes	7,871,231.93	5,853,343.25	-	-	-	-	-	-	-	13,724,575.18
Accounts and unbilled service	167,502.70	69,044.84	-	1,696,000.00	19,228.72	4,252,847.08	-	-	-	6,194,623.34
Assessments	49,333.19	-	-	-	-	-	-	-	-	49,333.19
Notes	-	-	-	-	-	-	-	-	-	-
Accrued interest	270.79	-	-	-	-	11,834.84	-	-	-	12,105.63
Due from other funds	830,362.51	341,490.04	-	-	56,283.22	322,235.57	-	-	-	1,558,371.34
Advances to other governments	38,937.48	138,515.43	-	-	-	271,916.05	-	-	-	447,758.96
Inventory of supplies, at cost	135,069.72	-	-	-	-	2,898,113.93	-	-	-	3,032,183.65
Prepaid expenses	-	-	-	-	-	215,433.45	-	-	-	219,433.45
Restricted assets:	-	-	-	-	-	-	-	-	-	-
Cash	-	-	-	-	-	4,858.12	-	-	-	4,858.12
Investments at cost or amortized cost	-	-	3,761,793.37	11,376,707.59	-	2,751,758.61	903,818.67	-	-	18,794,069.35
Accrued interest receivable	-	-	-	-	-	-	1,135.23	-	-	1,135.23
Due from other funds	-	-	-	-	-	-	3,625.00	-	-	3,625.00
Unamortized bond and issue costs	-	-	-	-	-	405,842.02	-	-	-	405,842.02
Land	-	-	-	-	-	2,423,070.98	-	9,780,123.79	-	12,203,194.78
Buildings and utility systems	-	-	-	-	-	123,140,906.82	-	42,592,098.50	-	176,733,005.32
Improvements other than buildings and systems	-	-	-	-	-	17,540.00	-	5,244,679.05	-	5,262,219.05
Equipment	-	-	-	-	-	8,679,868.07	-	91,847,893.48	-	100,527,761.55
Construction in progress	-	-	-	-	-	3,735,339.95	-	6,657,116.68	-	10,392,456.63
Accumulated depreciation	-	-	-	-	-	(33,045,573.00)	-	-	-	(33,045,573.00)
Other Assets	-	-	-	-	-	602,430.86	-	-	-	602,430.86
Amount available in debt service funds	-	-	-	-	-	-	-	-	105.32	105.32
Amount to be provided for retirement of general long term debt	-	-	-	-	-	-	-	-	-	-
Total assets	37,383,591.11	9,818,762.29	3,808,492.23	18,300,190.44	3,154,463.53	120,327,475.21	908,578.90	156,121,911.50	102,171,674.00	451,975,244.53

Sportsplex Fund Cash Balance is \$5,256,412.39

12/18/2014

City of Opelika
Combined Balance Sheet - All Funds and Account Groups
October 31, 2014

	Account Groups									
	Governmental Fund Types					Proprietary Funds				
	General	Special Revenue Funds	Debt Service Funds	*Capital Projects Funds	Internal Service Funds	Enterprise Funds	Agency Funds Total	General Fixed Assets	General Long Term Debt	Memo Total
Liabilities										
Accounts payable	1,518,403.22	4,524.65	-	7,176.00	353,805.45	3,576,499.52	-	-	-	5,560,408.84
Retainage payable	-	-	-	-	-	-	-	-	-	-
Current portion of bonds and notes payable	745,773.08	-	-	-	-	-	-	-	-	745,773.08
Liability for unpaid claims, current	-	-	-	-	-	-	-	-	-	-
Accrued payroll and benefits	538,443.54	1,167.56	-	-	-	308,491.53	-	-	-	846,102.63
Interest payable	-	-	-	-	-	-	-	-	-	-
Payable from restricted assets:	-	-	-	-	-	-	-	-	-	-
Accounts payable	-	-	-	-	-	-	-	-	-	-
Current portion of bonds payable	-	-	-	-	-	-	-	-	-	-
Interest payable	-	-	-	-	-	-	-	-	-	-
Due to other funds	304,752.36	216,462.85	-	-	-	515,000.00	-	-	-	515,000.00
Due to other governments	2,308.30	(86,046.34)	-	300,891.10	-	738,479.55	1,010.48	-	-	309,349.53
Deferred revenue	3,358,596.87	5,789,463.79	-	1,696,000.00	177,112.48	425,792.12	-	-	-	1,561,996.34
Customer deposits	-	-	-	-	-	2,498,725.00	-	-	-	(83,738.04)
Accrued employee benefits	-	-	-	-	-	359,661.66	-	-	-	11,457,475.26
Matured bonds and interest payable	-	-	-	-	-	-	-	-	-	2,498,725.00
Deferred compensation benefits payable	-	-	-	-	-	-	-	-	-	359,661.66
Liability for unpaid claims, long term	-	-	-	-	-	-	-	-	-	-
General obligation debt payable	-	-	-	-	282,733.00	-	-	-	-	282,733.00
Bonds, warrants and notes payable, net of current portion	-	-	-	-	-	-	-	-	102,171,779.32	102,171,779.32
	-	-	-	-	-	49,736,448.66	-	-	-	49,736,448.66
Total liabilities	6,478,287.37	5,926,472.51	-	2,004,067.10	813,650.93	50,568,447.63	1,010.48	-	102,171,779.32	175,993,715.34
Fund Equity										
Contributed capital	-	-	-	-	-	-	-	-	-	-
Investment in general fixed assets	-	-	-	-	-	-	-	156,121,911.50	-	156,121,911.50
Retained earnings:	-	-	-	-	-	-	-	-	-	-
Reserved for replacement and extension	-	-	-	-	-	-	-	-	-	-
Reserved for debt service	-	-	-	-	-	-	-	-	-	-
Unreserved	-	-	-	-	-	57,157,932.74	4,703.52	-	-	59,501,622.49
Fund balances:										
Nonspendable	139,069.72	69,044.84	-	-	-	-	891,908.13	-	-	1,100,022.69
Restricted	26,000.67	1,576,106.79	3,808,492.23	11,882,103.16	-	-	-	-	-	17,294,702.85
Committed	133,853.37	-	-	-	-	-	-	-	-	133,853.37
Encumbrances	8,889,532.05	490,898.77	-	853,263.21	1,826.37	4,601,094.84	-	-	-	14,836,615.24
Assigned	8,773,084.05	2,145,262.01	-	3,560,756.97	-	-	10,956.77	-	-	14,490,099.80
Unassigned	12,921,763.88	(389,022.53)	-	-	-	-	-	-	-	12,532,741.25
	30,885,303.74	3,892,269.78	3,808,492.23	16,296,123.34	2,340,812.50	61,759,027.58	907,558.42	156,121,911.50	-	276,011,529.19
Total fund equity	37,353,591.11	9,818,762.29	3,808,492.23	18,300,190.44	3,154,463.53	120,327,475.21	908,578.90	156,121,911.50	102,171,779.32	451,975,244.53
Total liabilities and fund equity										

Sportsplex Fund Cash Balance is \$5,256,412.39

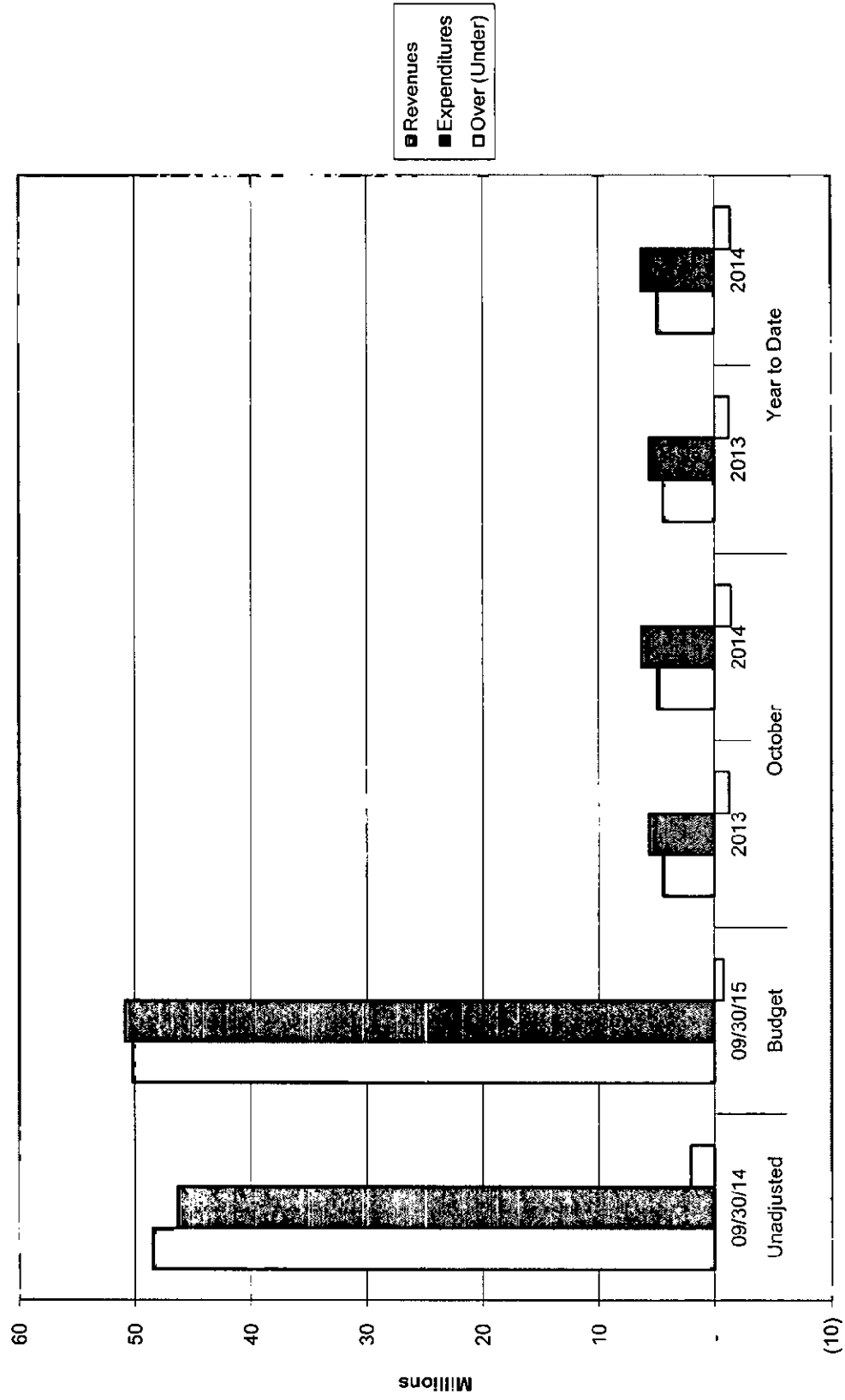
City of Opelika
 Combined Statement of Revenues, Expenditures and Changes in fund balance
 All Governmental Fund Types
 For the Month Ending October 31, 2014

	General	Special Revenue Funds	Debt Service Funds Total	*Capital Projects Funds	Library Trust Fund	Memo Total
Revenues:						
Taxes	2,256,693.70	57,845.49	-	-	-	2,324,539.19
Special Assessments	1,435.40	-	-	-	-	1,435.40
Licenses and permits	1,986,610.57	28,973.68	-	-	-	2,015,584.25
Intergovernmental revenues	21,682.35	20,103.12	-	-	-	41,785.48
Charges for services	146,391.42	-	-	-	-	146,391.42
Fines and forfeits	10,865.00	10,569.56	-	-	-	21,374.56
Miscellaneous revenues	27,050.00	857.90	11.12	2,499.10	-	30,458.72
Total revenues	4,450,709.05	128,349.75	11.12	2,499.10	-	4,581,569.02
Expenditures:						
Current:						
General Government	678,436.10	9,799.93	-	-	-	688,236.03
Public safety	1,194,579.94	-	-	-	-	1,194,579.94
Public works	328,663.19	(60,997.75)	-	(67,333.87)	-	200,351.57
Health, Education and Welfare	291,275.07	-	-	-	-	291,275.07
Culture and Recreation	506,248.86	-	-	4,176.00	-	510,424.86
Economic Development	100,568.64	178,503.40	-	-	-	279,172.04
Capital outlay	74,944.48	-	-	-	-	74,944.48
Debt service:						
Principal retirement	45,745.24	-	-	-	-	45,745.24
Interest	16,372.82	-	-	-	-	16,372.82
Bond issue cost	-	-	-	-	-	-
Payment to escrow agent	-	-	-	-	-	-
Total expenditures	3,236,854.34	127,405.58	-	(63,157.87)	-	3,301,102.05
Excess of revenues over (under) expenditures	1,213,854.71	944.17	11.12	85,656.97	-	1,280,466.97
Other financing sources:						
Proceeds from General Long Term Debt	-	-	-	-	-	-
Sale of fixed assets	-	-	-	-	-	-
Operating transfers in	499,077.03	-	3,018,424.46	199,067.82	-	3,716,569.31
Operating transfers out	(3,073,367.80)	-	(255,663.36)	(147,749.48)	-	(3,476,780.64)
Total other financing sources (uses)	(2,574,290.77)	-	2,762,761.10	51,318.34	-	239,788.67
Excess of revenues and other sources over (under) expenditures and other uses	(1,360,436.06)	944.17	2,762,772.22	116,975.31	-	1,520,255.64
Fund balances, beginning of year	32,245,739.80	3,891,345.61	1,045,720.01	16,179,148.03	10,956.77	53,372,910.22
Fund balances, end of year	30,885,303.74	3,892,289.78	3,808,492.23	16,296,123.34	10,956.77	54,893,165.86
Assigned, Committed, Restricted, etc	(17,963,539.86)	(4,281,312.41)	(3,808,492.23)	(16,296,123.34)	(10,956.77)	(42,360,424.61)
Fund balances, Unassigned	12,921,763.88	(389,022.63)	-	(0.00)	-	12,532,741.25

City of Opelika
 Combined Statement of Revenues, Expenses and Changes in Retained Earnings/
 Fund Balances - All Proprietary Fund Types and Similar Trust Funds
 For the Month Ending October 31, 2014

	Proprietary Fund Types						Fiduciary Fund Types Non-Expendable Trusts	Memo Total
	Enterprise Funds			Internal Service			Garden Hills Cemetery	
	Electric Utility	Telecommunication System	1985 Sewer System	Solid Waste Collection	Workman's Compensation	Health Insurance		
Operating revenues								
Charges for services	3,005,231.01	280,942.84	333,185.70	209,617.00	40,448.16	178,709.57	-	4,048,132.08
Interest	-	-	-	-	837.65	49.03	1,078.52	1,764.20
Total operating revenues	3,005,231.01	280,942.84	333,185.70	209,617.00	41,085.81	178,757.60	1,078.52	4,049,866.28
Operating expenses:								
Purchases	2,818,560.70	175,327.89	-	31,885.55	-	-	-	3,023,764.23
Depreciation	231,215.60	90,851.48	85,480.06	14,817.37	-	-	-	422,144.51
Personal services	241,477.63	38,223.29	312.00	88,463.07	-	-	-	368,506.29
Other	353,753.10	91,625.62	188,702.60	39,028.73	14,586.66	234,186.86	-	899,866.68
Total operating expenses	3,642,987.51	396,028.28	252,474.88	174,024.72	14,586.66	234,186.86	-	4,714,281.89
Operating income	(637,756.50)	(115,085.44)	80,711.04	35,592.28	26,514.15	(55,429.26)	1,078.52	(684,385.41)
Nonoperating revenue (expense):								
Interest revenue	5,901.05	-	368.33	243.80	-	-	-	6,513.18
Miscellaneous revenue	70,282.10	278.98	(911.01)	4,228.00	-	-	-	73,858.05
Interest expense and fiscal charges	(119,361.31)	(31,866.46)	(20,415.17)	-	-	-	-	(177,672.94)
Other expenses	-	-	-	-	-	-	-	-
Total nonoperating revenue(expense)	(43,228.16)	(31,587.50)	(20,046.85)	4,471.80	-	-	-	(97,301.71)
Income before operating transfers	(680,984.66)	(146,673.14)	53,753.19	40,064.08	26,514.15	(55,429.26)	1,078.52	(781,887.12)
Operating transfers in/Contributed Capital Developers	9,882.20	-	-	-	-	-	3,625.00	13,517.20
Operating transfers out	(243,413.67)	-	-	-	-	-	-	(243,413.67)
Total operating transfers	(233,531.47)	-	-	-	-	-	3,625.00	(229,896.47)
Net income (loss)	(914,516.13)	(146,673.14)	53,753.19	40,064.08	26,514.15	(55,429.26)	4,703.52	(991,583.58)
Retained earnings, Fund balances, beginning of year	39,026,518.36	(2,966,833.97)	25,833,984.98	832,750.21	2,369,727.71	-	891,908.13	65,988,035.42
Retained earnings, Fund balances, end of year	38,112,002.23	(3,113,507.11)	25,887,718.17	872,814.29	2,396,241.86	(55,429.26)	896,611.65	64,996,451.83
Encumbrances	3,674,129.20	(880,863.60)	1,449,258.91	138,570.33	2,000.00	(173.63)	-	4,802,921.21
Retained earnings, Fund balances, less encumbrances	34,437,873.03	(2,452,843.51)	24,438,459.26	734,243.96	2,394,241.86	(55,255.63)	896,611.65	60,393,530.62
Cash Flows:								
Add: Net Income (Loss)	(914,516.13)	(146,673.14)	53,753.19	40,064.08	26,514.15	(55,429.26)	4,703.52	(991,583.58)
Add: Depreciation	231,215.60	90,851.48	85,480.06	14,817.37	-	-	-	422,144.51
Subtract: Capital Outlay	(140,829.82)	(82,037.28)	0.00	0.00	-	-	-	(202,867.10)
Decrease (Increase) in Receivables	263,812.60	12,159.59	997,544.75	6,519.69	-	-	-	1,269,837.03
Decrease (Increase) in Inventory	(96,039.51)	-	-	-	-	-	-	(96,039.51)
Decrease (Increase) in Prepaid	(53,304.22)	(5,172.34)	(4,814.04)	(35,887.08)	-	-	-	(98,677.68)
Decrease (Increase) in Restricted Assets	(118,769.07)	-	59,868.71	-	-	-	-	(58,900.36)
Decrease (Increase) in Deferred charges	613.26	-	(0.00)	-	-	-	-	613.26
Increase (Decrease) in Liabilities	(2,541,583.32)	(63,833.18)	(29,454.68)	36,053.03	(33,166.76)	(39,105.36)	(335.84)	(2,671,426.11)
Add: Book Value of Disposed Assets	-	-	-	-	-	-	-	-
Change in Cash	(3,369,830.38)	(174,704.87)	1,152,355.99	61,567.29	(6,652.61)	(94,534.62)	4,367.68	(2,427,231.52)
Cash Balance September 30, 2014	17,075,762.00	816,728.39	2,621,838.54	504,826.89	2,765,774.19	415,364.83	893,254.45	24,993,348.89
Cash Balance October 31, 2014	13,706,131.62	642,023.52	3,674,194.53	566,193.98	2,759,121.58	320,830.01	897,622.13	22,568,117.37

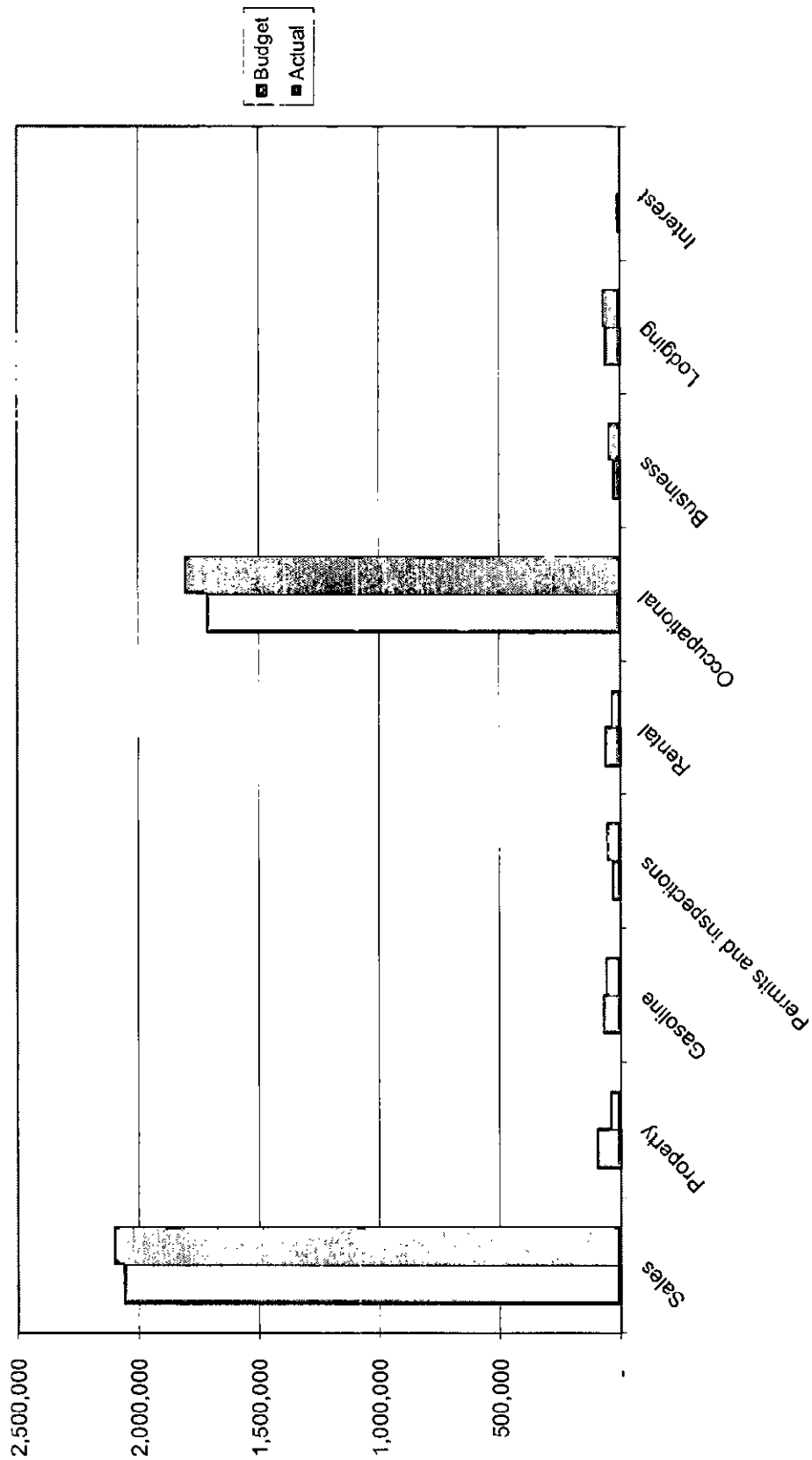
General Fund Revenue & Expenditure Summary



City of Opelika
General Fund
Revenue and Expenditure Summary

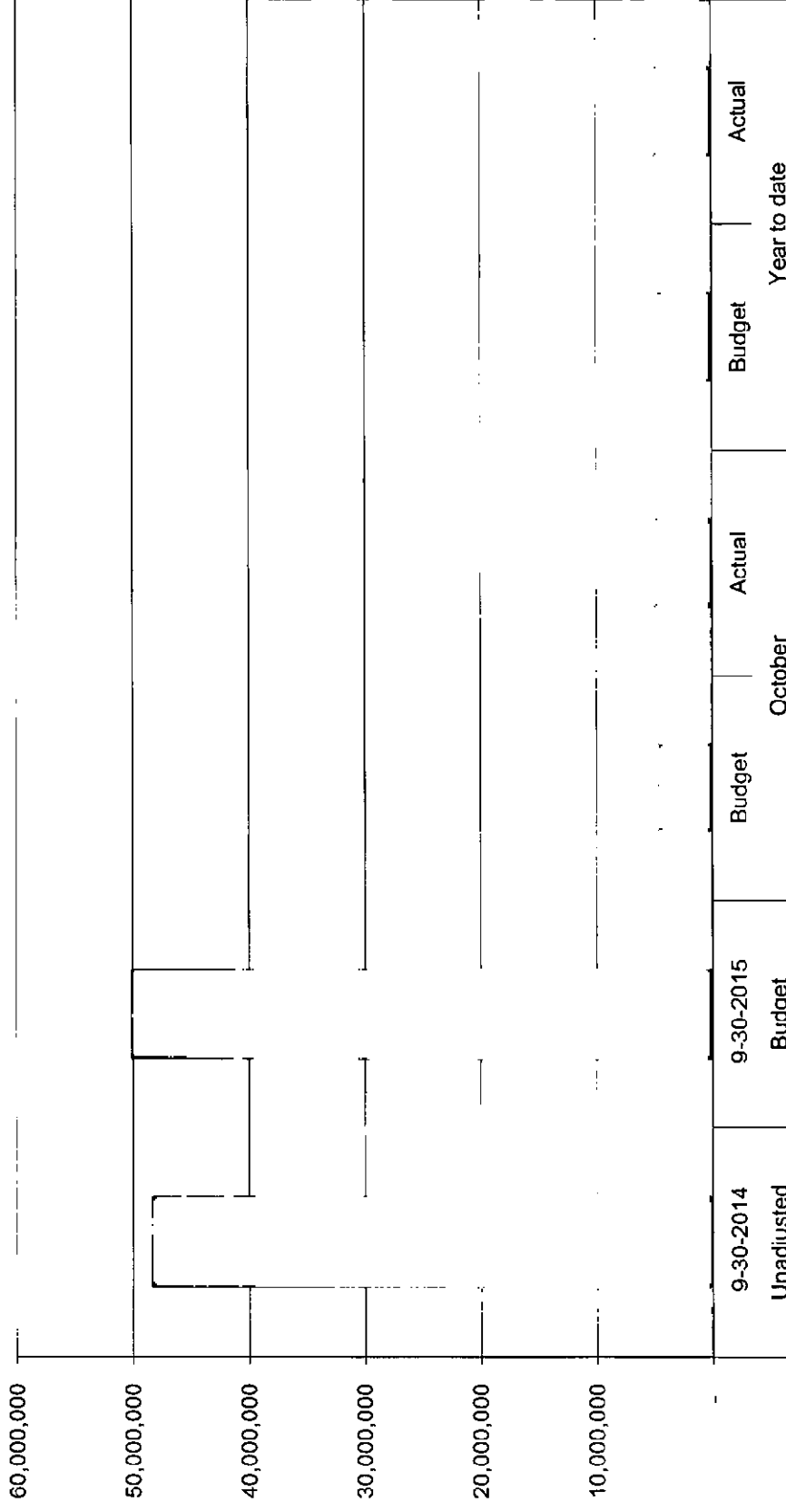
	Unadjusted 09/30/14	Budget 09/30/15	October 2013	October 2014	Year to Date 2013	Year to Date 2014	% Chg
Revenues:							
Taxes	29,957,518	30,161,000	2,106,059	2,256,694	2,106,059	2,256,694	7
Special assessments	8,382	10,000	415	1,435	415	1,435	
Licenses and permits	13,239,339	13,311,000	1,872,395	1,986,611	1,872,395	1,986,611	6
Intergovernmental revenues	520,395	460,262	27,592	21,682	27,592	21,682	(21)
Charges for services	1,846,646	1,637,370	217,159	146,391	217,159	146,391	(33)
Fines and forfeits	868,240	775,000	63,697	10,805	63,697	10,805	(83)
Miscellaneous	561,753	319,399	91,879	27,091	91,879	27,091	(71)
Total revenues	47,002,273	46,674,031	4,379,197	4,450,709	4,379,197	4,450,709	2
Expenditures:							
Current:							
General government	4,877,201	5,531,048	526,455	678,436	526,455	678,436	29
Public safety	13,466,390	14,535,320	1,000,866	1,194,580	1,000,866	1,194,580	19
Public works	3,732,121	3,884,368	278,423	328,683	278,423	328,683	18
Health, Education and Welfare	3,411,871	3,428,678	263,329	291,275	263,329	291,275	11
Culture and recreation	5,935,316	6,356,033	420,673	506,249	420,673	506,249	20
Economic Development	1,641,699	1,610,547	86,227	100,569	86,227	100,569	17
Capital outlay	1,991,724	3,547,852	7,003	74,944	7,003	74,944	970
Debt service:							
Principal retirement	1,786,555	561,984	43,471	45,745	43,471	45,745	5
Interest	211,371	183,433	18,647	16,373	18,647	16,373	(12)
Bond issue cost	-	-	-	-	-	-	-
Payment to escrow agent	-	-	-	-	-	-	-
Total expenditures	37,054,248	39,639,263	2,645,094	3,236,854	2,645,094	3,236,854	22
Excess of revenues over(under) expenditures	9,948,025	7,034,768	1,734,103	1,213,855	1,734,103	1,213,855	(30)
Other financing sources(uses):							
Proceeds form General Long Term Debt	327,939	-	-	-	-	-	-
Sale of fixed assets	80,165	21,350	-	-	-	-	-
Other financing sources	1,035,603	3,489,359	75,831	499,077	75,831	499,077	558
Operating transfers out	(9,290,527)	(11,266,721)	(3,011,283)	(3,073,368)	(3,011,283)	(3,073,368)	2
Total other financing sources(uses)	(7,846,820)	(7,756,012)	(2,935,453)	(2,574,291)	(2,935,453)	(2,574,291)	(12)
Excess of revenues and other sources over(under) expenditures and other uses	2,101,205	(721,244)	(1,201,349)	(1,360,436)	(1,201,349)	(1,360,436)	13
Fund balances, beginning	30,144,535	32,245,740	30,144,535	32,245,740	30,144,535	32,245,740	7
Fund balances, ending	32,245,740	31,524,496	28,943,186	30,885,304	28,943,186	30,885,304	7
Less:							
Restricted, Committed, Assigned, nonspendable and encumbered Fund Balance:							
Nonspendable Reserved for Inventory	146,057	139,070	166,246	139,070	166,246	139,070	(17)
Restricted for Law Enforcement	21,600	28,001	27,259	28,001	27,259	28,001	3
Committed for Ward I - Misc Projects	7,278	7,278	5,788	7,278	5,788	7,278	26
Committed for Ward II - Misc Projects	2,144	2,144	304	2,144	304	2,144	605
Committed for Ward III - Misc Projects	1,736	1,736	396	1,736	396	1,736	338
Committed for Ward IV - Misc Projects	10,735	10,235	7,745	10,235	7,745	10,235	32
Committed for Ward V - Misc Projects	5,215	5,215	2,725	5,215	2,725	5,215	91
Assigned for 1994 Warrants and Road Imp	2,949,888	2,949,888	2,380,319	2,949,888	2,380,319	2,949,888	24
Assigned for 2011 1% Sales Tax	7,664,672	5,823,196	3,806,154	5,823,196	3,806,154	5,823,196	53
Committed for Farrish Street Drainage	13,410	13,410	13,410	13,410	13,410	13,410	-
Committed for Southside Park	25,000	25,000	25,000	25,000	25,000	25,000	-
Committed for Facilities	-	-	-	-	-	-	-
Committed for Veterans Memorial	54,835	54,835	54,835	54,835	54,835	54,835	-
Committed for Drainage - Brannon/Jeter	14,000	14,000	14,000	14,000	14,000	14,000	-
Encumbrances	1,233,120	-	8,873,139	8,889,532	8,873,139	8,889,532	-
	12,149,690	9,074,008	15,379,320	17,963,540	15,379,320	17,963,540	17
Unassigned Fund Balance	20,096,050	22,450,488	13,563,866	12,921,764	13,563,866	12,921,764	(5)
20% Budgeted Revenues	9,334,806				9,334,806	9,334,806	
Amount remaining	10,761,244				4,229,059	3,586,958	

Budget vs Actual



October 2014

Total Revenue



■ Total revenue and other financing sources

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City of Opelika
General Fund - Revenues
Comparison of Actual to Budget

	Unadjusted 9-30-2014	Budget 9-30-2015	October		Year to date		% Over (Under)
			Budget	Actual	Budget	Actual	
Taxes:							
Sales	25,531,042	25,747,000	2,060,000	2,106,123	2,060,000	2,106,123	2
Property:							
Property	3,024,488	3,034,000	96,000	42,463	96,000	42,463	(56)
Payments in lieu of property tax	26,002	9,000	-	-	-	-	-
Total property	3,050,490	3,043,000	96,000	42,463	96,000	42,463	(56)
Other:							
Gasoline	769,258	818,000	69,000	59,485	69,000	59,485	(14)
Cigarette	83,243	89,000	8,000	10,232	8,000	10,232	28
Wine and liquor	23,319	25,000	2,000	1,815	2,000	1,815	(9)
Rental	500,166	439,000	58,000	36,576	58,000	36,576	(37)
Total other	1,375,986	1,371,000	137,000	108,107	137,000	108,107	(21)
Total taxes	29,957,518	30,161,000	2,293,000	2,256,694	2,293,000	2,256,694	(2)
Special assessments	8,382	10,000	-	1,435	-	1,435	-
Licenses and permits:							
Occupational license fee	8,917,011	9,029,000	1,712,000	1,808,248	1,712,000	1,808,248	6
Business:							
General	3,150,917	3,148,000	25,000	48,344	25,000	48,344	93
Lodging	671,296	618,000	59,000	72,434	59,000	72,434	23
Franchise fee	79,851	67,000	-	-	-	-	-
Total business	3,902,074	3,833,000	84,000	120,778	84,000	120,778	44
Telecommunications permits and fees	11,000	9,000	-	2,000	-	2,000	-
Permits and inspections	409,244	440,000	31,000	55,585	31,000	55,585	79
	420,244	449,000	31,000	57,585	31,000	57,585	79
Total licenses and permits	13,239,319	13,311,000	1,827,000	1,886,611	1,827,000	1,886,611	2
Intergovernmental:							
Shared County							
Motor vehicle license	103,277	112,000	10,000	9,565	10,000	9,565	(4)
Shared state:							
Bank excise	144,739	119,000	-	-	-	-	-
Business privilege tax	71,801	71,000	-	-	-	-	-
Liquor tax profits	121,362	118,000	7,000	8,584	7,000	8,584	23
State asset forfeiture	15,142	2,646	-	3,534	-	3,534	-
Total shared state	353,044	310,646	7,000	12,118	7,000	12,118	73
Other:							
Shared Federal asset forfeiture	27,363	27,616	2,301	-	2,301	-	-
State and county grants	36,709	10,000	-	-	-	-	-
Total other	64,072	37,616	2,301	-	2,301	-	-
Total intergovernmental	520,393	460,262	19,301	21,682	19,301	21,682	12
Charge for service:							
General government:							
Other	13,012	23,000	3,000	1,022	3,000	1,022	(66)
Public safety:							
Towing	2,301	320	7	320	7	320	-
Fire training	-	-	-	-	-	-	-
Highway Safety Program	1,444	-	-	-	-	-	-
City Schools	12,000	11,000	-	-	-	-	-
Housing Authority	35,000	-	-	-	-	-	-
911	102,000	40,000	10,000	-	10,000	-	-
Auburn University	64,608	60,050	13,004	16,902	13,004	16,902	30
Health:							
Graves and monuments	124,275	113,000	8,000	16,025	8,000	16,025	100
Public Works:							
Paving/Plan review fees	67,842	27,000	2,000	6,327	2,000	6,327	216
Culture and recreation:							
Entry fees and concessions	1,424,165	1,363,000	113,494	105,795	113,494	105,795	(7)
Total charges for service	1,846,647	1,637,370	149,505	146,391	149,505	146,391	(2)
Fines and forfeits:							
Fines and costs	868,240	775,000	59,000	10,805	59,000	10,805	(82)
Miscellaneous:							
Interest	86,412	92,000	8,000	3,084	8,000	3,084	(61)
Other	475,341	227,399	24,000	24,007	24,000	24,007	-
Total miscellaneous	561,753	319,399	32,000	27,091	32,000	27,091	(15)
Total revenue	47,002,272	46,674,031	4,379,806	4,450,709	4,379,806	4,450,709	2
Other Financing Sources:							
Proceeds of General Obligation Debt	327,939	-	-	-	-	-	-
Operating transfers-in:							
Electric fund	922,140	1,920,964	243,413	243,414	243,413	243,414	-
Sale of Fixed Assets	80,165	21,350	-	-	-	-	-
Other transfers	113,463	568,295	47,365	255,663	47,365	255,663	440
Total operating transfers-in	1,115,768	3,510,709	290,778	499,077	290,778	499,077	72
Total other financing sources	1,443,707	3,510,709	290,778	499,077	290,778	499,077	72
Total revenue and other financing sources	48,445,979	50,184,740	4,670,584	4,949,786	4,670,584	4,949,786	6

City of Opelika
General Fund - Revenues
Comparison to Last Year

	Unadjusted 9-30-2013	Budget 9-30-2014	October		Year to date		% Over (Under)
			2012	2013	2012	2013	
Taxes:							
Sales	25,531,042	25,747,000	1,894,184	2,106,123	1,894,184	2,106,123	11
Property:							
Property	3,024,488	3,034,000	104,085	42,463	104,085	42,463	(59)
Payments in lieu of property tax	26,002	9,000	-	-	-	-	-
Total property	3,050,490	3,043,000	104,085	42,463	104,085	42,463	(59)
Other:							
Casoline	769,258	818,000	65,003	59,485	65,003	59,485	(8)
Cigarette	83,243	89,000	9,349	10,132	9,349	10,232	9
Wine and liquor	23,319	25,000	1,250	1,815	1,856	1,815	(2)
Rental	500,166	439,000	31,582	36,576	31,582	36,576	15
Total other	1,375,986	1,371,000	107,790	108,107	107,790	108,107	-
Total taxes	29,957,518	30,161,000	2,106,059	2,256,694	2,106,059	2,256,694	7
Special assessments							
	8,382	10,000	415	1,435	415	1,435	246
Licenses and permits:							
Occupational license fee	8,917,021	9,029,000	1,738,051	1,808,248	1,738,051	1,808,248	4
Business:							
General	3,150,417	3,148,000	34,160	48,344	34,160	48,344	41
Lodging	671,196	618,000	46,020	72,434	46,020	72,434	57
Franchise fee	79,861	67,000	-	-	-	-	-
Total business	3,902,474	3,833,000	80,179	120,778	80,179	120,778	51
Telecommunications permits and fees	11,000	9,000	-	2,000	-	2,000	
Permits and inspections	409,244	440,000	54,165	55,585	54,165	55,585	3
	420,244	449,000	54,165	57,585	54,165	57,585	6
Total licenses and permits	13,239,339	13,311,000	1,872,395	1,986,611	1,872,395	1,986,611	6
Intergovernmental:							
Shared County							
Motor vehicle license	103,277	112,000	9,021	9,565	9,021	9,565	6
Shared state:							
Bank excise	144,739	119,000	-	-	-	-	-
Business privilege tax	71,801	71,000	-	-	-	-	-
Liquor tax profits	121,362	118,000	7,486	8,584	7,486	8,584	15
State asset forfeiture	15,142	2,646	5,636	3,534	5,636	3,534	(37)
Total shared state	353,044	310,646	13,122	12,118	13,122	12,118	(22)
Other:							
Shared Federal asset forfeiture	27,363	27,616	-	-	-	-	-
State and county grants	36,709	10,000	5,450	-	5,450	-	(22)
	64,072	37,616	5,450	-	5,450	-	(22)
Total intergovernmental	520,393	460,262	27,592	21,682	27,592	21,682	(21)
Charge for service:							
General government:							
Other	13,012	23,000	1,893	1,022	1,893	1,022	(46)
Public safety:							
Towing	2,301	350	81	320	81	320	295
Fire training	-	-	-	-	-	-	-
Highway Safety Program	1,444	-	-	-	-	-	-
City Schools	12,690	11,000	-	-	-	-	-
Housing Authority	35,600	-	17,500	-	17,500	-	-
ESII	102,000	40,000	72,000	-	72,000	-	-
Auburn University	64,608	60,050	14,025	16,902	14,025	16,902	21
Health:							
Graves and monuments	124,775	113,000	7,775	16,025	7,775	16,025	106
Public Works:							
Paving/Plan review fees	67,842	27,000	7,023	6,327	7,023	6,327	(10)
Culture and recreation:							
Entry fees and concessions	1,424,165	1,363,000	96,852	105,795	96,862	105,795	9
Total charges for service	1,846,647	1,637,370	217,159	146,391	217,159	146,391	(33)
Fines and forfeits:							
Fines and costs	868,240	775,000	63,697	10,805	63,697	10,805	(83)
Miscellaneous:							
Interest	86,412	92,000	2,414	3,084	2,414	3,084	28
Other	475,341	227,399	89,456	24,007	89,466	24,007	(73)
Total miscellaneous	561,753	319,399	91,879	27,091	91,879	27,091	(71)
Total revenue	47,002,272	46,674,031	4,379,197	4,450,709	4,379,197	4,450,709	2
Other Financing Sources:							
Proceeds of General Obligation Debt	327,939	-	-	-	-	-	-
Operating transfers-in:							
Electric fund	922,140	2,920,964	75,831	243,414	75,831	243,414	221
Sale of Fixed Assets	80,165	21,350	-	-	-	-	-
Other transfers	113,463	568,395	-	255,663	-	255,663	-
Total operating transfers-in	1,115,768	3,510,709	75,831	499,077	75,831	499,077	558
Total other financing sources	1,443,707	3,510,709	75,831	499,077	75,831	499,077	558
Total revenue and other financing sources	48,445,979	50,184,740	4,455,028	4,949,786	4,455,028	4,949,786	11

City of Opelika
General Fund
Comparison of Budget and Actual

	Unadjusted 9-30-2014	Budget 9-30-2015	October Budget	Actual	Year to date Budget	Actual	% YTD Budget
General Government:							
Legislative	333,084	426,596	32,776	53,723	32,776	53,723	64
Executive	210,899	372,993	32,025	11,997	32,025	11,997	(63)
Legal	95,949	140,696	11,715	9,287	11,715	9,287	(21)
Other:							
Administration	577,075	441,285	28,756	115,062	28,756	115,062	300
Accounting	332,122	370,246	30,849	23,991	30,849	23,991	(22)
Human Resources	328,028	442,490	37,280	34,233	37,280	34,233	(8)
Information Technology	899,393	1,225,137	101,843	310,189	101,843	310,189	205
Revenue	753,646	241,077	20,054	18,727	20,054	18,727	(9)
Municipal court	646,862	621,003	51,736	28,829	51,736	28,829	(44)
Purchasing	225,343	205,842	17,134	14,979	17,134	14,979	(13)
Community Development	126,582	142,082	11,834	10,398	11,834	10,398	(12)
Planning	316,620	353,024	25,293	25,460	25,293	25,460	(13)
Total other	3,705,671	4,042,156	328,779	581,368	328,779	581,368	77
Nondepartmental	531,698	543,607	45,027	22,062	45,027	22,062	(51)
Total general government	4,877,201	5,531,048	450,322	678,437	450,322	678,437	51
Public safety:							
Police:							
Total police	7,923,707	9,013,100	709,930	728,695	709,930	728,695	3
Fire:							
Total fire	5,208,207	5,190,744	430,022	465,885	430,022	465,885	8
Nondepartmental	334,476	331,476	27,622	-	27,622	-	(100)
Total public safety	13,466,390	14,535,320	1,167,574	1,194,580	1,167,574	1,194,580	2
Public Works:							
Streets							
Streets	1,068,506	1,091,719	89,965	92,930	89,965	92,930	3
Engineering							
Engineering	403,517	555,524	46,019	35,914	46,019	35,914	(22)
Other:							
Administration	335,004	342,724	28,519	27,840	28,519	27,840	(2)
Cemetery	206,968	191,986	15,925	16,079	15,925	16,079	1
Auto shop	342,786	347,660	28,789	49,781	28,789	49,781	73
Building maintenance	331,330	322,201	26,685	26,931	26,685	26,931	1
Inspection	477,869	488,560	40,554	33,081	40,554	33,081	(18)
Grounds maintenance	566,141	543,994	45,123	45,127	45,123	46,127	2
Total other	2,260,098	2,237,125	185,595	199,839	185,595	199,839	8
Total public works	3,732,121	3,884,368	321,579	328,683	321,579	328,683	2
Health, Education and Welfare							
Animal control	59,444	63,489	5,258	4,458	5,258	4,458	(15)
Nondepartmental	3,352,427	3,365,189	280,427	286,817	280,427	286,817	2
Total health, education and welfare	3,411,871	3,428,678	285,685	291,275	285,685	291,275	2
Culture and recreation							
Parks and recreation	5,091,594	5,547,156	459,810	453,798	459,810	453,798	(1)
Library	751,222	721,905	60,007	52,451	60,007	52,451	(13)
Nondepartmental	92,500	86,972	7,247	-	7,247	-	(100)
Total culture and recreation	5,935,316	6,355,033	527,064	506,249	527,064	506,249	(4)
Economic Development							
Economic Development	385,622	546,797	45,558	31,338	45,558	33,338	(27)
Nondepartmental	1,256,076	1,063,750	88,642	67,231	88,642	67,231	(24)
Total economic development	1,641,698	1,610,547	134,200	100,569	134,200	100,569	(25)
Capital outlay	1,991,224	3,547,852	293,234	74,944	293,234	74,944	(74)
Total expenditures	35,056,322	38,893,846	3,179,658	3,174,737	3,179,658	3,174,737	-
Transfers - out:							
Transfer to PR/Jail Construction Fund	2,388,327	2,418,375	201,531	199,068	201,531	199,068	(1)
Transfers to other funds	84,538	109,936	9,161	3,625	9,161	3,625	(60)
Debt service	8,815,588	9,483,827	790,317	2,932,793	790,317	2,932,793	271
Total transfers - out	11,288,453	12,012,138	1,001,009	3,135,486	1,001,009	3,135,486	213
Total expenditures and transfers - out	46,344,775	50,905,984	4,180,667	6,310,223	4,180,667	6,310,223	51

City of Opelika
General Fund
Expenditures

	Unadjusted 9-30-2014	Budget 9-30-2015	October 2013	October 2014	Year to date 2013	Year to date 2014	% Last Year
General Government:							
Legislative	333,084	426,596	26,241	53,723	26,241	53,723	105
Executive	210,899	377,993	11,700	11,997	11,700	11,997	3
Legal	95,949	140,696	-	9,287	-	9,287	-
Other:							
Administration	577,075	441,285	24,048	115,062	24,048	115,062	378
Accounting	332,122	370,246	20,842	23,991	20,842	23,991	15
Human Resources	328,028	442,490	24,442	34,233	24,442	34,233	40
Information Technology	899,393	1,225,137	304,124	310,189	304,124	310,189	2
Revenue	253,646	241,077	17,053	18,227	17,053	18,227	7
Municipal court	646,862	621,003	29,049	28,829	29,049	28,829	(1)
Purchasing	225,343	205,842	17,719	14,979	17,719	14,979	(15)
Community Development	126,582	142,052	6,736	10,398	6,736	10,398	54
Planning	316,620	353,024	23,750	25,460	23,750	25,460	7
Total other	3,705,671	4,042,156	467,763	581,368	467,763	581,368	24
Nondepartmental	531,598	543,607	20,750	22,062	20,750	22,062	6
Total general government	4,877,201	5,531,048	526,454	678,437	526,454	678,437	29
Public safety:							
Police:							
Total police	7,923,707	9,013,100	637,520	728,695	637,520	728,695	14
Fire:							
Total fire	5,208,207	5,190,744	363,346	465,885	363,346	465,885	28
Nondepartmental	334,476	331,476	-	-	-	-	-
Total public safety	13,466,390	14,535,320	1,000,866	1,194,580	1,000,866	1,194,580	19
Public Works:							
Streets	1,068,506	1,091,719	85,916	92,930	85,916	92,930	8
Engineering	403,517	555,524	22,528	35,914	22,528	35,914	59
Other:							
Administration	335,004	342,724	22,083	27,840	22,083	27,840	26
Cemetery	206,968	191,986	15,513	16,079	15,513	16,079	4
Auto shop	342,786	347,660	27,147	49,781	27,147	49,781	83
Building maintenance	331,330	322,201	26,229	26,931	26,229	26,931	3
Inspection	477,869	488,560	34,068	33,081	34,068	33,081	(3)
Grounds maintenance	566,141	543,994	44,938	46,127	44,938	46,127	3
Total other	2,260,098	2,237,125	169,978	199,839	169,978	199,839	18
Total public works	3,732,121	3,884,368	278,422	328,683	278,422	328,683	18
Health, Education and Welfare							
Animal control	59,444	63,489	4,513	4,458	4,513	4,458	(1)
Nondepartmental	3,352,427	3,365,189	258,817	286,817	258,817	286,817	11
Total health, education and welfare	3,411,871	3,428,678	263,330	291,275	263,330	291,275	11
Culture and recreation							
Parks and recreation	5,091,594	5,547,156	341,321	453,798	341,321	453,798	33
Library	751,222	721,905	69,352	52,451	69,352	52,451	(24)
Nondepartmental	92,508	86,972	10,000	-	10,000	-	(100)
Total culture and recreation	5,935,316	6,356,033	420,673	506,249	420,673	506,249	20
Economic Development							
Economic Development	385,622	546,797	26,689	33,338	26,689	33,338	25
Nondepartmental	1,256,076	1,063,750	59,538	67,231	59,538	67,231	13
Total economic development	1,641,698	1,610,547	86,227	100,569	86,227	100,569	17
Capital outlay	1,991,724	3,547,852	7,003	74,944	7,003	74,944	970
Total expenditures	35,056,322	38,893,846	2,582,975	3,174,737	2,582,975	3,174,737	1,084
Transfers - out:							
Transfer to PR/Jail Construction Fund	2,388,327	2,418,375	162,208	199,068	162,208	199,068	23
Transfers to other funds	84,538	109,936	1,750	3,625	1,750	3,625	107
Debt service	8,815,588	9,483,827	2,909,443	2,932,793	2,909,443	2,932,793	1
Total transfers - out	11,288,453	12,012,138	3,073,401	3,135,486	3,073,401	3,135,486	2
Total expenditures and transfers - out	46,344,775	50,905,984	5,656,376	6,310,223	5,656,376	6,310,223	12

City of Opelika
General Fund
Capital Outlay

	Unadjusted 2-30-2014	Budget 2-30-2015	October 2013	October 2014	Year to date 2013	Year to date 2014	% Annual Year
General Government:							
Legislative	-	-	-	-	-	-	-
Executive	-	55,000	-	50,279	-	50,279	91
Legal	-	-	-	-	-	-	-
Other:							
Administration	-	-	-	-	-	-	-
Accounting	-	-	-	-	-	-	-
Human Resources	-	-	-	-	-	-	-
Information Technology	413,782	686,458	29,765	4,564	29,765	4,564	1
Revenue	-	-	-	-	-	-	-
Municipal court	-	-	-	-	-	-	-
Purchasing	-	-	-	-	-	-	-
Community Development	-	-	-	-	-	-	-
Planning	-	-	-	-	-	-	-
Total other	413,782	686,458	29,765	4,564	29,765	4,564	1
Nondepartmental	-	-	-	-	-	-	-
Total general government	413,782	741,458	29,765	54,843	29,765	54,843	7
Public safety:							
Police:							
Total police	605,129	209,588	30,404	-	30,404	-	-
Fire:							
Total fire	53,909	764,168	-	-	-	-	-
Nondepartmental	-	-	-	-	-	-	-
Total public safety	659,038	973,756	30,404	-	30,404	-	-
Public Works:							
Streets	214,967	24,250	-	-	-	-	-
Engineering	487,630	1,570,429	(33,377)	-	(33,377)	-	-
Other:							
Administration	78,541	171,185	-	20,102	-	20,102	12
Cemetery	-	-	-	-	-	-	-
Auto shop	-	-	-	-	-	-	-
Building maintenance	-	-	-	-	-	-	-
Inspection	-	-	-	-	-	-	-
Grounds maintenance	-	-	-	-	-	-	-
Total other	78,541	171,185	-	20,102	-	20,102	12
Total public works	781,138	1,765,864	(33,377)	20,102	(33,377)	20,102	1
Health, Education and Welfare							
Animal control	-	-	-	-	-	-	-
Nondepartmental	-	-	-	-	-	-	-
Total health, education and welfare	-	-	-	-	-	-	-
Culture and recreation							
Parks and recreation	123,532	52,539	(19,789)	-	(19,789)	-	-
Library	14,235	14,235	-	-	-	-	-
Nondepartmental	-	-	-	-	-	-	-
Total culture and recreation	137,767	66,774	(19,789)	-	(19,789)	-	-
Economic Development	-	-	-	-	-	-	-
Conference Center	-	-	-	-	-	-	-
Total expenditures	1,991,725	3,547,852	7,003	74,945	7,003	74,945	8
Transfers - out:							
Transfers to other funds	-	-	-	-	-	-	-
Debt service	-	-	-	-	-	-	-
Total transfers - out	-	-	-	-	-	-	-
Total expenditures and transfers - out	1,991,725	3,547,852	7,003	74,945	7,003	74,945	8



Revenue Department
City of Opelika
204 South Seventh Street
Opelika, Alabama 36801
(334) 705-5160 or (334) 705-5162
Fax: (334) 705-5163

CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

Instructions: Select the schedule of the Controlled License for which you are applying.
Check each license applicable.

- | | | |
|--|------------------|---------------|
| ☐ BEER WHOLESALE | Schedule #70 | \$ 250.00 |
| ☐ WINE WHOLESALE | Schedule #71 | \$ 275.00 |
| ☐ BEER & WINE WHOLESALE | Schedule #72 | \$ 525.00 |
| ☐ LOUNGE RETAIL LIQUOR CLASS 1 | Schedule #73 | \$2,000.00 |
| ☐ RESTAURANT RETAIL LIQUOR | Schedule #74 | \$1,000.00 |
| ☐ PRIVATE CLUB LIQUOR | Schedule #75 | \$1,000.00 |
| ☒ RETAIL WINE OFF PREMISE | Schedule #76 | \$ 75.00 |
| ☐ RETAIL WINE ON PREMISE | Schedule #77 | \$ 300.00 |
| ☐ RETAIL BEER ON PREMISE | Schedule #78 | \$ 75.00 |
| ☒ RETAIL BEER OFF PREMISE | Schedule #79 | \$ 50.00 |
| ☐ LOUNGE RETAIL LIQUOR CLASS 2
(PACKAGE STORE) | Schedule #80 | \$2,250.00 |
|
☐ SPECIAL RETAIL BEER AND WINE LICENSE FOR PUBLIC AND PRIVATE GOLF COURSES. | | |
| | Schedule # 81 | \$ 250.00 |
| ☐ SPECIAL EVENTS RETAIL LICENSE | Schedule # 82 | \$ 100.00 |
| ☐ BREWPUB | Schedule # 28 | \$ 750.00 |
| ☐ MANUFACTURER | Schedule # 28 | \$ 500.00 |
|
☐ DANCE HALL |
Schedule #16 |
\$ 110.00 |
| ☐ SPECIAL RETAIL MORE THAN 30 DAYS | Schedule #16 | \$ 250.00 |



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

APPLICANT INFORMATION

Date of Application: 12/12/2014

Legal Business Name: DOLBENCORP, LLC

Doing Business as (DBA): DOLLAR GENERAL STORE #15353

Applicant's Name: DOLBENCORP, LLC

Applicant's Address: ATTN: TAX LICENSING, 100 MISSION RIDGE, GOODLETTSVILLE, TN 37072

Applicant's Phone: 615-855-4000 Date of Birth: KENTUCKY 2008

Driver License #: SEE STATE APPLICATION State: _____

Social Security Number: _____

Business Address: 55 N. UNIROVAL ROAD, OPELIKA, AL 36804

Mailing Address: ATTN: TAX LICENSING, 100 MISSION RIDGE, GOODLETTSVILLE, TN 37072
(if different from Business Location)

Length of time at this location: 2 1/2 MONTHS (10/12/2014)

Name of Previous Tenant: N/A
(if any)

What other businesses will be conducted in association with the license(s) being applied for on this form?

RETAIL MERCHANDISING

Will alcoholic beverages be warehoused at any location other than above location? If yes, list the location below.

NO

If this is an application for dance hall, give a description of the type of music which will be played (band, jukebox, etc.)

N/A

If this is an application for private club, have you attached the required Articles of Incorporation and a list of the 150 paid-up members?

N/A



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

OWNERSHIP AND MANAGEMENT INFORMATION

Furnish the name, title, date of birth, current residence address and length of time living there for managers, partners of a partnership or members of an association, or all officers and directors of a corporation:

NAME	TITLE	BIRTH DATE	Citizen Yes/No	CURRENT RESIDENCE ADDRESS	How Long?
LAWRENCE J. GATTA	LLE MANAGER	3/22/1960	YES	544 WINDSTONE BLVD. BRENTWOOD, TN 37027	
ROBERT R. STEPHENSON	LLE MANAGER	8/15/1964	YES	508 ALMADALE COURT BRENTWOOD, TN 37027	

Are all of the above U.S. Citizens? ☒ Yes ☐ No. If no, list name and give alien status:

List the previous address of any of the above-listed persons who have not resided at their current residence address for at least five years: (Must go back five years).

Has the applicant, whether an individual, partner, or association member or officer and/or directors of a corporation ever been refused a federal, state or local permit or license or had permit or license revoked for the sale of alcoholic beverages?

☐ Yes ☐ No. If yes, give details:

DEINHS ONLY FOR VARIOUS REASONS DURING INITIAL APPLICATION PROCESS.



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

CONVICTION INFORMATION

List your complete conviction record below, including convictions for driving while intoxicated: List CONVICTIONS of the Applicant, Partners or Association Members, Officers or Directors of the Corporation, whether they occurred in this city or any other jurisdiction. Exclude minor traffic violations. Attach background checks for each.

☒ I do not have any convictions according to the above instructions.

☐ I do have convictions as follows:

NAME	CONVICTION	DATE	LOCATION/JURISDICTION
SEE ATTACHED			

NOTE: You must list all CONVICTIONS for your application to receive consideration by the City Council. Failure to do so may result in your application being denied for consideration.

You may list any comments concerning the above CONVICTION(S) if you desire.

I hereby affirm that I have attached a certified copy of the police arrest record which details ALL CONVICTIONS as per the above instructions. I understand that unless I furnish said required certified documentation, my application may be refused for consideration by the City Council as an incomplete application.

SIGNED

DATE

12/15/14



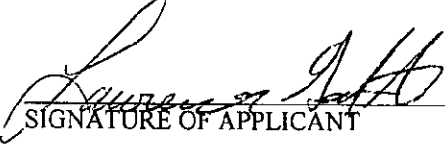
CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

AFFIRMATION OF STATEMENTS

The applicant hereby agrees, if the controlled license is issued, to comply with and fully observe all provisions of the CODE OF ORDINANCES OF THE CITY OF OPELIKA, and all the laws of the State of Alabama pertaining to a business of this type. The applicant further agrees, if the Controlled License is issued, to obey all rules and regulations promulgated by the Alabama Alcoholic Beverage Control Board, if applicable. The applicant understands that should he/she or it violate any of the provisions of any the laws of the State of Alabama, or any of the ordinances of the City of Opelika, Alabama, his/her or its license shall be subject to revocation. The applicant further understands that any application submitted which is incomplete or that contains false or inaccurate information shall be rejected and the processing of the application stopped. The applicant further understands that as a licensee, he/she or it will be held responsible for the actions and conduct of employees under their supervision while performing duties for him/her.

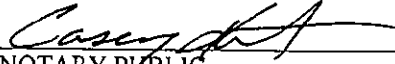
The applicant hereby agrees to release or provide all information relating to criminal convictions for use in processing and approval of this application.

The applicant for a Controlled License herein, hereby swears or affirms that he/she has read said application and all statements herein, and that facts set forth herein, are true and correct.


SIGNATURE OF APPLICANT

(Please initial each page to indicate that you have completed all information.)

Sworn to and subscribed before me on this the 19 day of DECEMBER, 20 14.


NOTARY PUBLIC

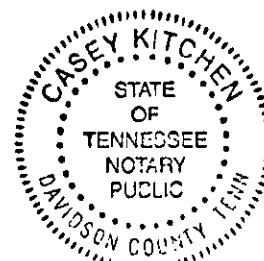
SEAL

Commission expires: MAY 8, 2017

FINAL INSTRUCTIONS:

Attach the following (where applicable):

- ☐ Form #0653 Site Plan Review
- ☐ Form #0652 License Requirements Verification
- ☐ A site plan and floor plan showing the following:
 - All rooms and their dimensions
 - Use of each room,
 - All exits
 - Fire extinguisher locations
 - Rest room/s
 - Parking with number and size of spaces identified.
- ☐ Certified Record of Criminal Convictions
- ☐ Articles of Incorporation (for private club only)
- ☐ List of paid members (for private club only)



My Commission Expires MAY 8 2017



Bill Haslam
Governor

TENNESSEE BUREAU OF INVESTIGATION

901 R.S. Gass Boulevard
Nashville, Tennessee 37216-2639
(615) 744-4000 (744-4057 for TORIS)
Facsimile (615) 744-4651 (Fiscal Svcs)
TDD (615) 744-4001



Mark Gwyn
Director

June 17, 2014

DOLLAR GENERAL CORPORATE
VALERIE JAMES
100 MISSION RIDGE
GOODLETTSVILLE, TN 37072

Tennessee Criminal History Records Request

Per your request for a criminal history record check on the following individual, there was no Tennessee information found:

GATTA, LAWRENCE JOSEPH

Please be aware that, unless a fingerprint comparison is performed, it is impossible for the Tennessee Bureau of Investigation to be sure the record belongs to the individual you requested. A fingerprint comparison will only be performed in the event of a written appeal of criminal history results. The information you receive will be based on only those arrests which occurred within the state of Tennessee.

The Tennessee Bureau of Investigation found NO Tennessee criminal history based on the information provided. No criminal record check was conducted for other states or for the Federal Bureau of Investigation.

Tennessee Open Records Information Services
Tennessee Bureau of Investigation



INTERNATIONALLY ACCREDITED SINCE 1994



Bill Haslam
Governor

TENNESSEE BUREAU OF INVESTIGATION

901 R.S. Gass Boulevard
Nashville, Tennessee 37216-2639
(615) 744-4000 (744-4057 for TORIS)
Facsimile (615) 744-4651 (Fiscal Svcs)
TDD (615) 744-4001



Mark Gwyn
Director

June 17, 2014

DOLLAR GENERAL CORPORATE
VALERIE JAMES
100 MISSION RIDGE
GOODLETTSVILLE, TN 37072

Tennessee Criminal History Records Request

Per your request for a criminal history record check on the following individual, there was no Tennessee information found:

STEPHENSON, ROBERT R

Please be aware that, unless a fingerprint comparison is performed, it is impossible for the Tennessee Bureau of Investigation to be sure the record belongs to the individual you requested. A fingerprint comparison will only be performed in the event of a written appeal of criminal history results. The information you receive will be based on only those arrests which occurred within the state of Tennessee.

The Tennessee Bureau of Investigation found **NO** Tennessee criminal history based on the information provided. No criminal record check was conducted for other states or for the Federal Bureau of Investigation.

Tennessee Open Records Information Services
Tennessee Bureau of Investigation



INTERNATIONALLY ACCREDITED SINCE 1994

TO BE COMPLETED BY CITY OFFICIALS (IN ORDER PRESENTED)

1) LEE COUNTY HEALTH DEPARTMENT PERMIT NUMBER _____

Martin E. Wright 12/22/14
LICENSE AND TAX EXAMINER/DATE

2) I HAVE REVIEWED THE PLANS AND/OR INSPECTED THE PREMISES AND CERTIFY THAT ALL APPLICABLE BUILDING AND ZONING CODES HAVE BEEN COMPLIED WITH AND THAT THE FOLLOWING INFORMATION IS ACCURATE:

- A. FLOOR SPACE OF CUSTOMER AREA N/A
B. ZONING DISTRICT C-3, GC
C. MAXIMUM OCCUPANCY N/A
D. PARKING REQUIREMENT N/A

I FURTHER CERTIFY THAT BUILDINGS NOT YET COMPLETED WILL MEET ALL APPLICABLE BUILDING AND ZONING CODES BEFORE A CERTIFICATE OF OCCUPANCY IS ISSUED.

COMMENTS: Beer + Wine Only

Shirley Kelly 12-22-14
ZONING ADMINISTRATOR/DATE

Jeff Rydman 12-22-14
BUILDING OFFICIAL/DATE

3) ENGINEERING DEPARTMENT HAS INSPECTED THE PLANS AND/OR PREMISES AND CERTIES THAT ALL PROVISIONS OF THE CITY CODE APPLICABLE TO ENGINEERING HAVE BEEN SATISFIED.

[Signature] 12/22/2014
ENGINEERING OFFICIAL/DATE

4) I HAVE INSPECTED THE PLANS AND/OR PREMISES AND CERTIES THAT ALL PROVISIONS OF THE APPLICABLE FIRE SAFETY CODES HAVE BEEN SATISFIED. I ALSO CERTIFY THAT ANY BUILDING NOT YET COMPLETED WILL BE INSPECTED IN ORDER TO ASSURE COMPLIANCE PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY.

Scott McBurney 12/22/2014
FIRE INSPECTOR/DATE

5) THE POLICE DEPARTMENT HAS PERFORMED ALL REQUIRED BACKGROUND CHECKS AND HAS ATTACHED ANY REPORTS RECEIVED
COMMENTS: _____

[Signature] 12/22/14
POLICE CHIEF/DATE

6) I HAVE REVIEWD THIS APPLICATION AND FIND THAT IT IS COMPLETE AND THAT ALL INSPECTIONS AND CERTIFICATIONS HAVE BEEN PERFORMED AND THAT THIS APPLICATION IS READY TO PRESENT TO THE COUNCIL.

[Signature] 12-22-14
PURCHASING/REVENUE MANAGER/DATE

7) () APPROVED () DISAPPROVED BY CITY COUNCIL ON _____

CITY CLERK/DATE



Revenue Department
City of Opelika
204 South Seventh Street
Opelika, Alabama 36801
(334) 705-5160 or (334) 705-5162
Fax: (334) 705-5163

CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

Instructions: Select the schedule of the Controlled License for which you are applying.
Check each license applicable.

- | | | |
|--|---------------|------------|
| ☐ BEER WHOLESALE | Schedule #70 | \$ 250.00 |
| ☐ WINE WHOLESALE | Schedule #71 | \$ 275.00 |
| ☐ BEER & WINE WHOLESALE | Schedule #72 | \$ 525.00 |
| ☐ LOUNGE RETAIL LIQUOR CLASS 1 | Schedule #73 | \$2,000.00 |
| ☐ RESTAURANT RETAIL LIQUOR | Schedule #74 | \$1,000.00 |
| ☐ PRIVATE CLUB LIQUOR | Schedule #75 | \$1,000.00 |
| ☐ RETAIL WINE OFF PREMISE | Schedule #76 | \$ 75.00 |
| ☒ RETAIL WINE ON PREMISE | Schedule #77 | \$ 300.00 |
| ☒ RETAIL BEER ON PREMISE | Schedule #78 | \$ 75.00 |
| ☐ RETAIL BEER OFF PREMISE | Schedule #79 | \$ 50.00 |
| ☐ LOUNGE RETAIL LIQUOR CLASS 2 | Schedule #80 | \$2,250.00 |
| (PACKAGE STORE) | | |
| ☐ SPECIAL RETAIL BEER AND WINE LICENSE FOR PUBLIC AND PRIVATE GOLF COURSES. | Schedule # 81 | \$ 250.00 |
| ☐ SPECIAL EVENTS RETAIL LICENSE | Schedule # 82 | \$ 100.00 |
| ☐ BREWPUB | Schedule # 28 | \$ 750.00 |
| ☐ MANUFACTURER | Schedule # 28 | \$ 500.00 |
| ☐ DANCE HALL | Schedule #16 | \$ 110.00 |
| ☐ SPECIAL RETAIL MORE THAN 30 DAYS | Schedule #16 | \$ 250.00 |



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

APPLICANT INFORMATION

Date of Application: 10/28/14

Legal Business Name: M Brothers FMTT, LLC

Doing Business as (DBA): Fall Moon BBQ

Applicant's Name: Scott M. Huff

Applicant's Address: 2494 Enterprise Dr.

Applicant's Phone: 205-281-2321 Date of Birth: 12/05/1963

Driver License #: 4539531 State: AL

Social Security Number: _____

Business Address: 2494 Enterprise Dr. Opelika, AL 36801

Mailing Address: 2613 Vestavia Forest Place, Vestavia, AL 35216
(if different from Business Location)

Length of time at this location: New... opening Early 2015

Name of Previous Tenant: _____
(if any)

What other businesses will be conducted in association with the license(s) being applied for on this form?

Restaurant

Will alcoholic beverages be warehoused at any location other than above location? If yes, list the location below.

No

If this is an application for dance hall, give a description of the type of music which will be played (band, jukebox, etc.)

N/A

If this is an application for private club, have you attached the required Articles of Incorporation and a list of the 150 paid-up members?

N/A



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

OWNERSHIP AND MANAGEMENT INFORMATION

Furnish the name, title, date of birth, current residence address and length of time living there for managers, partners of a partnership or members of an association, or all officers and directors of a corporation:

NAME	TITLE	BIRTH DATE	Citizen Yes/No	CURRENT RESIDENCE ADDRESS	How Long?
Kenneth Maluff	Member	12/29/1964	Yes	2613 Vestavia Forest Place Birmingham AL 35216	10 years
Scott Maluff	Member	12/05/1963	Yes	108 Chadwick Drive Helena, AL 35080	12 years

Are all of the above U.S. Citizens? ☒ Yes ☐ No. If no, list name and give alien status:

List the previous address of any of the above-listed persons who have not resided at their current residence address for at least five years: (*Must go back five years*).

Has the applicant, whether an individual, partner, or association member or officer and/or directors of a corporation ever been refused a federal, state or local permit or license or had permit or license revoked for the sale of alcoholic beverages?

☐ Yes ☒ No. If yes, give details:



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

CONVICTION INFORMATION

List your complete conviction record below, including convictions for driving while intoxicated: List CONVICTIONS of the Applicant, Partners or Association Members, Officers or Directors of the Corporation, whether they occurred in this city or any other jurisdiction. Exclude minor traffic violations. Attach background checks for each.

☐ I do not have any convictions according to the above instructions.

☒ I do have convictions as follows:

NAME	CONVICTION	DATE	LOCATION/JURISDICTION
Kenneth Maluff	2999 - Breaking Entering Vehicle	10/17/1986	Auburn, Alabama

NOTE: You must list all CONVICTIONS for your application to receive consideration by the City Council. Failure to do so may result in your application being denied for consideration.

You may list any comments concerning the above CONVICTION(S) if you desire.

I hereby affirm that I have attached a certified copy of the police arrest record which details ALL CONVICTIONS as per the above instructions. I understand that unless I furnish said required certified documentation, my application may be refused for consideration by the City Council as an incomplete application.

SIGNED

DATE

12/16/2014



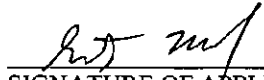
CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

AFFIRMATION OF STATEMENTS

The applicant hereby agrees, if the controlled license is issued, to comply with and fully observe all provisions of the CODE OF ORDINANCES OF THE CITY OF OPELIKA, and all the laws of the State of Alabama pertaining to a business of this type. The applicant further agrees, if the Controlled License is issued, to obey all rules and regulations promulgated by the Alabama Alcoholic Beverage Control Board, if applicable. The applicant understands that should he/she or it violate any of the provisions of any the laws of the State of Alabama, or any of the ordinances of the City of Opelika, Alabama, his/her or its license shall be subject to revocation. The applicant further understands that any application submitted which is incomplete or that contains false or inaccurate information shall be rejected and the processing of the application stopped. The applicant further understands that as a licensee, he/she or it will be held responsible for the actions and conduct of employees under their supervision while performing duties for him/her.

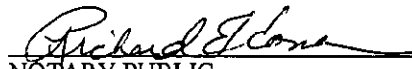
The applicant hereby agrees to release or provide all information relating to criminal convictions for use in processing and approval of this application.

The applicant for a Controlled License herein, hereby swears or affirms that he/she has read said application and all statements herein, and that facts set forth herein, are true and correct.


SIGNATURE OF APPLICANT

(Please initial each page to indicate that you have completed all information.)

Sworn to and subscribed before me on this the 27 day of October, 2014.


NOTARY PUBLIC

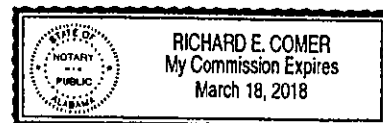
SEAL

Commission expires: MARCH 18, 2018

FINAL INSTRUCTIONS:

Attach the following (where applicable):

- ☐ Form #0653 Site Plan Review
- ☐ Form #0652 License Requirements Verification
- ☒ A site plan and floor plan showing the following:
 - All rooms and their dimensions
 - Use of each room,
 - All exits
 - Fire extinguisher locations
 - Rest room/s
 - Parking with number and size of spaces identified.
- ☐ Certified Record of Criminal Convictions
- ☐ Articles of Incorporation (for private club only)
- ☐ List of paid members (for private club only)



XXXXXXXXXX STATE ABI SEARCH RESULT AND RAP SHEET XXXXXXXXXXXX

TCN:8121410272

NAME:MALUFF,GEORGE SCOTT

SOC:424962071

ABI RESULT:NON IDENT

SID:AL02713661

ALABAMA ABC BOARD-REGION 4

CERTIFIED COPY
OF
ABI DOCUMENT

•IN THIS REPORT. WHEN EXPLANATION OF A CHARGE OR •
•DISPOSITION IS NEEDED, COMMUNICATE DIRECTLY WITH •
•THE ARRESTING AGENCY THAT FURNISHED THE DATA. •
•RECORD IS CONFIDENTIAL AND INTENDED FOR USE •
•BY CRIMINAL JUSTICE AGENCIES ONLY. •
•LAST PAGE ON SID AL01014535 •

SEQ # 0984 MRI # 23937875

Response Info

***** STATE ABI SEARCH RESULT AND RAP SHEET *****

TCN: S121410271

NAME: MALUFF, KENNETH WAYNE

SOC: 424960002

ABI RESULT IDENT

SID: AL01014535

TCN: S121410271

SID: AL01014535

11-06-2014 13:17 ALAST0049

*ATN: TCN: S121410271

*OPR: AFIS

*FOLLOWING RESPONSE IS TO YOUR INQUIRY ON SID AL01014535

*THERE ARE NO MORE INQUIRIES NECESSARY ON THIS

*RECORD - ALL ARRESTS ARE IN ALABAMA'S DATA BASE

*NOTICE AND WARNING

*THIS RECORD IS CONFIDENTIAL AND RESTRICTED

*FOR USE BY CRIMINAL JUSTICE AGENCIES ONLY.

*THIS IS NOT THE PUBLIC RECORD OF THE EVENTS

*DEPICTED AND DISSEMINATION IN VIOLATION OF

*THIS RESTRICTION WILL SUBJECT THE OFFENDER

*TO ALL APPLICABLE FEDERAL AND STATE CRIMINAL

*PENALTIES. THIS DOCUMENT MUST BE SECURED AND

*DESTROYED BY BURNING OR SHREDDING WHEN NO

*LONGER NEEDED.

CERTIFIED COPY
OF
ABI DOCUMENT

ALABAMA ABC BOARD-REGION 4

*ALABAMA CRIMINAL HISTORY- REPORT DATE: 11-06-2014 *

*NAME STATE ID NO. FBI ID NO.

*MALUFF, KENNETH W AL01014535

*SEX RACE BIRTH DATE HEIGHT WEIGHT EYE HAIR POB

*M W 12-29-1964 506 195 BLU BRO AL

*SOCIAL SECURITY SCARS-MARKS-TATTOOS

*424960002

*ALIAS NAMES

*MALUFF, KENNETH WAYNE

*FILE NUMBER BIRTH DATE SOCIAL SECURITY OCCUPATION

*01014535 WAITER

*ARREST-01

*DATE OF ARREST - 05-01-1986

*AGENCY - AUBURN POLICE DEPT ORI - AL0430100

*NAME - MALUFF, KENNETH W

*CHARGE 01 - 2299 BURGL-AUTO

*DATE OF OFFENSE - 04-17-1986

*AGENCY CASE NO - S6041020

*DISP - CONVICTED DATE OF DISP - 10-17-1986

*OFFENSE - 2999 BREAKING-ENTERING VEHICL

*OTHER COURT PROVISIONS- SENT SUSP. 12M

*FINE: 000250

*PROB: 02Y

*TOTAL NUMBER OF ARRESTS- 1

*RECORD LAST UPDATED 11-06-2014

*ALL ALABAMA ARRESTS RECEIVED BY ACJC ARE INCLUDED

TO BE COMPLETED BY CITY OFFICIALS (IN ORDER PRESENTED)

- 1) LEE COUNTY HEALTH DEPARTMENT PERMIT NUMBER _____

Martha E. Wright 12/16/14
LICENSE AND TAX EXAMINER / DATE

- 2) I HAVE REVIEWED THE PLANS AND/OR INSPECTED THE PREMISES AND CERTIFY THAT ALL APPLICABLE BUILDING AND ZONING CODES HAVE BEEN COMPLIED WITH AND THAT THE FOLLOWING INFORMATION IS ACCURATE:

- A. FLOOR SPACE OF CUSTOMER AREA 21/1
B. ZONING DISTRICT PUB
C. MAXIMUM OCCUPANCY Approved on building plans
D. PARKING REQUIREMENT ATOK

I FURTHER CERTIFY THAT BUILDINGS NOT YET COMPLETED WILL MEET ALL APPLICABLE BUILDING AND ZONING CODES BEFORE A CERTIFICATE OF OCCUPANCY IS ISSUED.

COMMENTS: _____

David E. Kelly 12/19/14 John Kesselman 12/18/14
ZONING ADMINISTRATOR / DATE BUILDING OFFICIAL / DATE

- 3) ENGINEERING DEPARTMENT HAS INSPECTED THE PLANS AND/OR PREMISES AND CERTIES THAT ALL PROVISIONS OF THE CITY CODE APPLICABLE TO ENGINEERING HAVE BEEN SATISFIED.

[Signature] 12/18/2014
ENGINEERING OFFICIAL / DATE

- 4) I HAVE INSPECTED THE PLANS AND/OR PREMISES AND CERTIES THAT ALL PROVISIONS OF THE APPLICABLE FIRE SAFETY CODES HAVE BEEN SATISFIED. I ALSO CERTIFY THAT ANY BUILDING NOT YET COMPLETED WILL BE INSPECTED IN ORDER TO ASSURE COMPLIANCE PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY.

Scott M. Burney 12/18/14
FIRE INSPECTOR / DATE

- 5) THE POLICE DEPARTMENT HAS PERFORMED ALL REQUIRED BACKGROUND CHECKS AND HAS ATTACHED ANY REPORTS RECEIVED
COMMENTS: _____

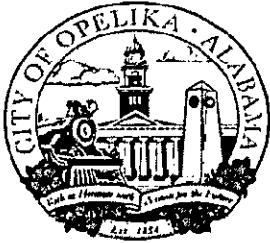
John M. St. John 12/22/14
POLICE CHIEF / DATE

- 6) I HAVE REVIEWD THIS APPLICATION AND FIND THAT IT IS COMPLETE AND THAT ALL INSPECTIONS AND CERTIFICATIONS HAVE BEEN PERFORMED AND THAT THIS APPLICATION IS READY TO PRESENT TO THE COUNCIL.

Lulu 12-22-14
PURCHASING/REVENUE MANAGER / DATE

- 7) () APPROVED () DISAPPROVED BY CITY COUNCIL ON _____

CITY CLERK / DATE



Revenue Department
City of Opelika
204 South Seventh Street
Opelika, Alabama 36801
(334) 705-5160 or (334) 705-5162
Fax: (334) 705-5163

CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

Instructions: Select the schedule of the Controlled License for which you are applying.
Check each license applicable.

- | | | |
|--|---------------|------------|
| ☐ BEER WHOLESALE | Schedule #70 | \$ 250.00 |
| ☐ WINE WHOLESALE | Schedule #71 | \$ 275.00 |
| ☐ BEER & WINE WHOLESALE | Schedule #72 | \$ 525.00 |
| ☐ LOUNGE RETAIL LIQUOR CLASS 1 | Schedule #73 | \$2,000.00 |
| ☐ RESTAURANT RETAIL LIQUOR | Schedule #74 | \$1,000.00 |
| ☐ PRIVATE CLUB LIQUOR | Schedule #75 | \$1,000.00 |
| ☐ RETAIL WINE OFF PREMISE | Schedule #76 | \$ 75.00 |
| ☐ RETAIL WINE ON PREMISE | Schedule #77 | \$ 300.00 |
| ☐ RETAIL BEER ON PREMISE | Schedule #78 | \$ 75.00 |
| ☐ RETAIL BEER OFF PREMISE | Schedule #79 | \$ 50.00 |
| ☒ LOUNGE RETAIL LIQUOR CLASS 2
(PACKAGE STORE) | Schedule #80 | \$2,250.00 |
|
☐ SPECIAL RETAIL BEER AND WINE LICENSE FOR PUBLIC AND PRIVATE GOLF COURSES. | | |
| | Schedule # 81 | \$ 250.00 |
| ☐ SPECIAL EVENTS RETAIL LICENSE | Schedule # 82 | \$ 100.00 |
| ☐ BREWPUB | Schedule # 28 | \$ 750.00 |
| ☐ MANUFACTURER | Schedule # 28 | \$ 500.00 |
|
☐ DANCE HALL | | |
| | Schedule #16 | \$ 110.00 |
| ☐ SPECIAL RETAIL MORE THAN 30 DAYS | Schedule #16 | \$ 250.00 |



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

APPLICANT INFORMATION

Date of Application: ✓ 6/19/14

Legal Business Name: GURKIRPA LLC

Doing Business as (DBA): King Food Mart Package store

Applicant's Name: HARPREET KAUR

Applicant's Address: 10699 US Hwy 280W Waverly AL 36879

Applicant's Phone: 334-559-3783 Date of Birth: 07-2-1980

Driver License #: ✓ 053496609 State: GA

Social Security Number: _____

Business Address: 823 Crawford Rd Opelika AL 36804

Mailing Address:
(if different from Business Location) _____

Length of time at this location: 1 month

Name of Previous Tenant:
(if any) R+M Foods

What other businesses will be conducted in association with the license(s) being applied for on this form?

✓ Gas + Convenience

Will alcoholic beverages be warehoused at any location other than above location? If yes, list the location below.

✓ NO

If this is an application for dance hall, give a description of the type of music which will be played (band, jukebox, etc.)

✓ NO

If this is an application for private club, have you attached the required Articles of Incorporation and a list of the 150 paid-up members?

✓ NO



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

OWNERSHIP AND MANAGEMENT INFORMATION

Furnish the name, title, date of birth, current residence address and length of time living there for managers, partners of a partnership or members of an association, or all officers and directors of a corporation:

NAME	TITLE	BIRTH DATE	Citizen Yes/No	CURRENT RESIDENCE ADDRESS	How Long?
HARPREET - KAUR	owner	07-02-1980	NO	4785 Big Valley Rd Stone Mountain GA 30083	2 years
				10699 US Hwy 280 W Waverly AL 36879	3 years

Are all of the above U.S. Citizens? ☐ Yes ☒ No. If no, list name and give alien status:

Permanent Resident

List the previous address of any of the above-listed persons who have not resided at their current residence address for at least five years: (Must go back five years).

None

Has the applicant, whether an individual, partner, or association member or officer and/or directors of a corporation ever been refused a federal, state or local permit or license or had permit or license revoked for the sale of alcoholic beverages?

☐ Yes ☒ No. If yes, give details:



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

CONVICTION INFORMATION

List your complete conviction record below, including convictions for driving while intoxicated: List CONVICTIONS of the Applicant, Partners or Association Members, Officers or Directors of the Corporation, whether they occurred in this city or any other jurisdiction. Exclude minor traffic violations. Attach background checks for each.

- ☒ I do not have any convictions according to the above instructions.
☐ I do have convictions as follows:

NAME	CONVICTION	DATE	LOCATION/JURISDICTION

NOTE: You must list all CONVICTIONS for your application to receive consideration by the City Council. Failure to do so may result in your application being denied for consideration.

You may list any comments concerning the above CONVICTION(S) if you desire.

N/A

I hereby affirm that I have attached a certified copy of the police arrest record which details ALL CONVICTIONS as per the above instructions. I understand that unless I furnish said required certified documentation, my application may be refused for consideration by the City Council as an incomplete application.

SIGNED

Harpreet Kaur

DATE

6-19-14



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

AFFIRMATION OF STATEMENTS

The applicant hereby agrees, if the controlled license is issued, to comply with and fully observe all provisions of the CODE OF ORDINANCES OF THE CITY OF OPELIKA, and all the laws of the State of Alabama pertaining to a business of this type. The applicant further agrees, if the Controlled License is issued, to obey all rules and regulations promulgated by the Alabama Alcoholic Beverage Control Board, if applicable. The applicant understands that should he/she or it violate any of the provisions of any the laws of the State of Alabama, or any of the ordinances of the City of Opelika, Alabama, his/her or its license shall be subject to revocation. The applicant further understands that any application submitted which is incomplete or that contains false or inaccurate information shall be rejected and the processing of the application stopped. The applicant further understands that as a licensee, he/she or it will be held responsible for the actions and conduct of employees under their supervision while performing duties for him/her.

The applicant hereby agrees to release or provide all information relating to criminal convictions for use in processing and approval of this application.

The applicant for a Controlled License herein, hereby swears or affirms that he/she has read said application and all statements herein, and that facts set forth herein, are true and correct.

MARPREET KAUR
SIGNATURE OF APPLICANT

(Please initial each page to indicate that you have completed all information.)

Sworn to and subscribed before me on this the 18th day of June, 2014.

ACACIA HARRIS
NOTARY PUBLIC
Fulton County - State of Georgia
My Comm. Expires Dec. 20, 2014
SEAL

[Signature]
NOTARY PUBLIC

Commission expires: December 20, 2014

FINAL INSTRUCTIONS:

Attach the following (where applicable):

- ☐ Form #0653 Site Plan Review
- ☐ Form #0652 License Requirements Verification
- ☐ A site plan and floor plan showing the following:
 - All rooms and their dimensions
 - Use of each room,
 - All exits
 - Fire extinguisher locations
 - Rest room/s
 - Parking with number and size of spaces identified.
- ☐ Certified Record of Criminal Convictions
- ☐ Articles of Incorporation (for private club only)
- ☐ List of paid members (for private club only)

Response Info

XXXXXXXXXX STATE ABI SEARCH RESULT AND RAP SHEET XXXXXXXXXXXX

TCN:8121407169

NAME:KAUR,HARPREET

SOC:573129614

ABI RESULT:NON IDENT

SID:AL02696156

ALABAMA ABC BOARD--REGION 4

CERTIFIED COPY
OF
ABI DOCUMENT

XXXXXXXXXX STATE ABI SEARCH RESULT AND RAP SHEET XXXXXXXXXXXX

TCN: 8121407169

NAME: KAUR, HARPREET

SOC: 673129614

ABI RESULT: NON IDENT

SID: AL02696156

ALABAMA ABC BOARD--REGION 4

CERTIFIED COPY
OF
ABI DOCUMENT

TO BE COMPLETED BY CITY OFFICIALS (IN ORDER PRESENTED)

- 1) LEE COUNTY HEALTH DEPARTMENT PERMIT NUMBER N/A

Martha E. Whelan 12/8/14
LICENSE AND TAX EXAMINER/DATE

- 2) I HAVE REVIEWED THE PLANS AND/OR INSPECTED THE PREMISES AND CERTIFY THAT ALL APPLICABLE BUILDING AND ZONING CODES HAVE BEEN COMPLIED WITH AND THAT THE FOLLOWING INFORMATION IS ACCURATE:

A. FLOOR SPACE OF CUSTOMER AREA N/A

B. ZONING DISTRICT C-3

C. MAXIMUM OCCUPANCY N/A

D. PARKING REQUIREMENT N/A

* Existing 1/4 acre
license being
renewed. No additional
space. OK

I FURTHER CERTIFY THAT BUILDINGS NOT YET COMPLETED WILL MEET ALL APPLICABLE BUILDING AND ZONING CODES BEFORE A CERTIFICATE OF OCCUPANCY IS ISSUED.

COMMENTS:

John E. Kelly 12/9/14
ZONING ADMINISTRATOR / DATE

John K. Kuehn 12/16/14
BUILDING OFFICIAL / DATE

- 3) ENGINEERING DEPARTMENT HAS INSPECTED THE PLANS AND/OR PREMISES AND CERTIES THAT ALL PROVISIONS OF THE CITY CODE APPLICABLE TO ENGINEERING HAVE BEEN SATISFIED.

[Signature] 12/18/2014
ENGINEERING OFFICIAL / DATE

- 4) I HAVE INSPECTED THE PLANS AND/OR PREMISES AND CERTIES THAT ALL PROVISIONS OF THE APPLICABLE FIRE SAFETY CODES HAVE BEEN SATISFIED. I ALSO CERTIFY THAT ANY BUILDING NOT YET COMPLETED WILL BE INSPECTED IN ORDER TO ASSURE COMPLIANCE PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY.

Scott McBurney 12/16/14
FIRE INSPECTOR / DATE

- 5) THE POLICE DEPARTMENT HAS PERFORMED ALL REQUIRED BACKGROUND CHECKS AND HAS ATTACHED ANY REPORTS RECEIVED

COMMENTS:

John M. Stinson 12/16/2014
POLICE CHIEF / DATE

- 6) I HAVE REVIEWD THIS APPLICATION AND FIND THAT IT IS COMPLETE AND THAT ALL INSPECTIONS AND CERTIFICATIONS HAVE BEEN PERFORMED AND THAT THIS APPLICATION IS READY TO PRESENT TO THE COUNCIL.

[Signature]
PURCHASING/REVENUE MANAGER / DATE

- 7) () APPROVED () DISAPPROVED BY CITY COUNCIL ON _____

CITY CLERK / DATE



Revenue Department
City of Opelika
204 South Seventh Street
Opelika, Alabama 36801
(334) 705-5160 or (334) 705-5162
Fax: (334) 705-5163

CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

Instructions: Select the schedule of the Controlled License for which you are applying.
Check each license applicable.

- | | | |
|--|---------------|------------|
| ☐ BEER WHOLESALE | Schedule #70 | \$ 250.00 |
| ☐ WINE WHOLESALE | Schedule #71 | \$ 275.00 |
| ☐ BEER & WINE WHOLESALE | Schedule #72 | \$ 525.00 |
| ☐ LOUNGE RETAIL LIQUOR CLASS 1 | Schedule #73 | \$2,000.00 |
| ☐ RESTAURANT RETAIL LIQUOR | Schedule #74 | \$1,000.00 |
| ☐ PRIVATE CLUB LIQUOR | Schedule #75 | \$1,000.00 |
| ☒ RETAIL WINE OFF PREMISE | Schedule #76 | \$ 75.00 |
| ☐ RETAIL WINE ON PREMISE | Schedule #77 | \$ 300.00 |
| ☐ RETAIL BEER ON PREMISE | Schedule #78 | \$ 75.00 |
| ☒ RETAIL BEER OFF PREMISE | Schedule #79 | \$ 50.00 |
| ☐ LOUNGE RETAIL LIQUOR CLASS 2
(PACKAGE STORE) | Schedule #80 | \$2,250.00 |
| ☐ SPECIAL RETAIL BEER AND WINE LICENSE FOR PUBLIC AND PRIVATE GOLF COURSES. | Schedule # 81 | \$ 250.00 |
| ☐ SPECIAL EVENTS RETAIL LICENSE | Schedule # 82 | \$ 100.00 |
| ☐ BREWPUB | Schedule # 28 | \$ 750.00 |
| ☐ MANUFACTURER | Schedule # 28 | \$ 500.00 |
| ☐ DANCE HALL | Schedule #16 | \$ 110.00 |
| ☐ SPECIAL RETAIL MORE THAN 30 DAYS | Schedule #16 | \$ 250.00 |



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

APPLICANT INFORMATION

Date of Application: 9/19/2014

Legal Business Name: LVP HI Opelika Holding Corp

Doing Business as (DBA): Holiday Inn Express Opelika

Applicant's Name: Joseph E. Teichman

Applicant's Address: 906 E. Kennedy Blvd., Lakewood, NJ 08701

Applicant's Phone: 732-796-4508 Date of Birth: 08/06/1973

Driver License #: T22554106508732 State: NJ

Social Security Number: _____

Business Address: 1801 Capps Landing, Opelika, AL 36804

Mailing Address: 1985 Cedar Bridge Ave., #1, Lakewood, NJ 08701
(if different from Business Location)

Length of time at this location: since April 1, 2014

Name of Previous Tenant: Magnolia Opelika LLC
(if any)

What other businesses will be conducted in association with the license(s) being applied for on this form?

none

Will alcoholic beverages be warehoused at any location other than above location? If yes, list the location below.

no

If this is an application for dance hall, give a description of the type of music which will be played (band, jukebox, etc.)

N/A

If this is an application for private club, have you attached the required Articles of Incorporation and a list of the 150 paid-up members?

N/A



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

OWNERSHIP AND MANAGEMENT INFORMATION

Furnish the name, title, date of birth, current residence address and length of time living there for managers, partners of a partnership or members of an association, or all officers and directors of a corporation:

NAME	TITLE	BIRTH DATE	Citizen Yes/No	CURRENT RESIDENCE ADDRESS	How Long?
Joseph Teichman	Pres & Sec	08/06/73	Y	906 E. Kennedy Blvd., Lakewood, NJ 08701	> 5yrs
Donna Brandin	CEO & CFO	02/27/57	Y	1461 Third Street, Bethlehem, PA 18020	> 5yrs

Are all of the above U.S. Citizens? ☒ Yes ☐ No. If no, list name and give alien status:

List the previous address of any of the above-listed persons who have not resided at their current residence address for at least five years: *(Must go back five years)*.

N/A

Has the applicant, whether an individual, partner, or association member or officer and/or directors of a corporation ever been refused a federal, state or local permit or license or had permit or license revoked for the sale of alcoholic beverages?

☐ Yes ☒ No. If yes, give details:



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

CONVICTION INFORMATION

List your complete conviction record below, including convictions for driving while intoxicated: List CONVICTIONS of the Applicant, Partners or Association Members, Officers or Directors of the Corporation, whether they occurred in this city or any other jurisdiction. Exclude minor traffic violations. Attach background checks for each.



I do not have any convictions according to the above instructions.



I do have convictions as follows:

NAME	CONVICTION	DATE	LOCATION/JURISDICTION
Joseph Teichman	N/A	N/A	N/A

NOTE: You must list all CONVICTIONS for your application to receive consideration by the City Council. Failure to do so may result in your application being denied for consideration.

You may list any comments concerning the above CONVICTION(S) if you desire.

N/A

I hereby affirm that I have attached a certified copy of the police arrest record which details ALL CONVICTIONS as per the above instructions. I understand that unless I furnish said required certified documentation, my application may be refused for consideration by the City Council as an incomplete application.

SIGNED

DATE

9/24/14



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

CONVICTION INFORMATION

List your complete conviction record below, including convictions for driving while intoxicated: List CONVICTIONS of the Applicant, Partners or Association Members, Officers or Directors of the Corporation, whether they occurred in this city or any other jurisdiction. Exclude minor traffic violations. Attach background checks for each.



I do not have any convictions according to the above instructions.



I do have convictions as follows:

NAME	CONVICTION	DATE	LOCATION/JURISDICTION
Donna Brandin	N/A	N/A	N/A

NOTE: You must list all CONVICTIONS for your application to receive consideration by the City Council. Failure to do so may result in your application being denied for consideration.

You may list any comments concerning the above CONVICTION(S) if you desire.

N/A

I hereby affirm that I have attached a certified copy of the police arrest record which details ALL CONVICTIONS as per the above instructions. I understand that unless I furnish said required certified documentation, my application may be refused for consideration by the City Council as an incomplete application.

SIGNED

Donna Brandin

DATE

9/24/14



CONTROLLED LICENSE APPLICATION - ALCOHOL BEVERAGE

AFFIRMATION OF STATEMENTS

The applicant hereby agrees, if the controlled license is issued, to comply with and fully observe all provisions of the CODE OF ORDINANCES OF THE CITY OF OPELIKA, and all the laws of the State of Alabama pertaining to a business of this type. The applicant further agrees, if the Controlled License is issued, to obey all rules and regulations promulgated by the Alabama Alcoholic Beverage Control Board, if applicable. The applicant understands that should he/she or it violate any of the provisions of any the laws of the State of Alabama, or any of the ordinances of the City of Opelika, Alabama, his/her or its license shall be subject to revocation. The applicant further understands that any application submitted which is incomplete or that contains false or inaccurate information shall be rejected and the processing of the application stopped. The applicant further understands that as a licensee, he/she or it will be held responsible for the actions and conduct of employees under their supervision while performing duties for him/her.

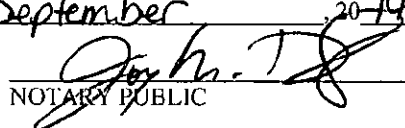
The applicant hereby agrees to release or provide all information relating to criminal convictions for use in processing and approval of this application.

The applicant for a Controlled License herein, hereby swears or affirms that he/she has read said application and all statements herein, and that facts set forth herein, are true and correct.


SIGNATURE OF APPLICANT

(Please initial each page to indicate that you have completed all information.)

Sworn to and subscribed before me on this the 24 day of September, 2014.


NOTARY PUBLIC

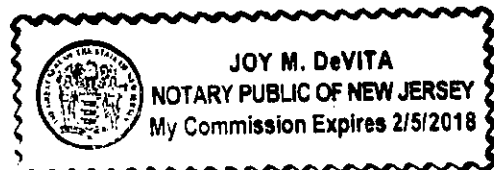
SEAL

Commission expires: _____

FINAL INSTRUCTIONS:

Attach the following (where applicable):

- ☐ Form #0653 Site Plan Review
- ☐ Form #0652 License Requirements Verification
- ☐ A site plan and floor plan showing the following:
 - All rooms and their dimensions
 - Use of each room,
 - All exits
 - Fire extinguisher locations
 - Rest room/s
 - Parking with number and size of spaces identified.
- ☐ Certified Record of Criminal Convictions
- ☐ Articles of Incorporation (for private club only)
- ☐ List of paid members (for private club only)



Response Info

XXXXXXXXXX STATE ABI SEARCH RESULT AND RAP SHEET XXXXXXXXXXXX

TCN:8121409052

NAME:BRANDIN,DONNA P

SOC:204506594

ABI RESULT:NON IDENT

SID:AL02707550

ALABAMA ABC BOARD-REGION 4

CERTIFIED COPY
OF
ABI DOCUMENT

Response Info

STATE ABI SEARCH RESULT AND RAP SHEET

TCN:8121409031

NAME: TEICHMAN, JOSEPH ELIYAHU

SOC: 48979302

ABI RESULT: NON IDENT

SHD: AL02707528

ALABAMA ABC BOARD-REGION 4

CERTIFIED COPY
OF
ABI DOCUMENT

TO BE COMPLETED BY CITY OFFICIALS (IN ORDER PRESENTED)

- 1) LEE COUNTY HEALTH DEPARTMENT PERMIT NUMBER _____

Martha Ellington 12/16/14
LICENSE AND TAX EXAMINER/DATE

- 2) I HAVE REVIEWED THE PLANS AND/OR INSPECTED THE PREMISES AND CERTIFY THAT ALL APPLICABLE BUILDING AND ZONING CODES HAVE BEEN COMPLIED WITH AND THAT THE FOLLOWING INFORMATION IS ACCURATE:

- A. FLOOR SPACE OF CUSTOMER AREA N/A
B. ZONING DISTRICT C-3/BC
C. MAXIMUM OCCUPANCY N/A
D. PARKING REQUIREMENT N/A

I FURTHER CERTIFY THAT BUILDINGS NOT YET COMPLETED WILL MEET ALL APPLICABLE BUILDING AND ZONING CODES BEFORE A CERTIFICATE OF OCCUPANCY IS ISSUED.

COMMENTS: Beers were in locked closet for hotel guests.

David E. Ellington 12-15-14
ZONING ADMINISTRATOR / DATE

Jeff Kynelrum 12/16/14
BUILDING OFFICIAL / DATE

- 3) ENGINEERING DEPARTMENT HAS INSPECTED THE PLANS AND/OR PREMISES AND CERTIES THAT ALL PROVISIONS OF THE CITY CODE APPLICABLE TO ENGINEERING HAVE BEEN SATISFIED.

[Signature] 12/16/14
ENGINEERING OFFICIAL / DATE

- 4) I HAVE INSPECTED THE PLANS AND/OR PREMISES AND CERTIES THAT ALL PROVISIONS OF THE APPLICABLE FIRE SAFETY CODES HAVE BEEN SATISFIED. I ALSO CERTIFY THAT ANY BUILDING NOT YET COMPLETED WILL BE INSPECTED IN ORDER TO ASSURE COMPLIANCE PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY.

Scott McBurney 12/16/14
FIRE INSPECTOR / DATE

- 5) THE POLICE DEPARTMENT HAS PERFORMED ALL REQUIRED BACKGROUND CHECKS AND HAS ATTACHED ANY REPORTS RECEIVED
COMMENTS: _____

John McElroy 12/16/2014
POLICE CHIEF / DATE

- 6) I HAVE REVIEWD THIS APPLICATION AND FIND THAT IT IS COMPLETE AND THAT ALL INSPECTIONS AND CERTIFICATIONS HAVE BEEN PERFORMED AND THAT THIS APPLICATION IS READY TO PRESENT TO THE COUNCIL.

Lolli Fay
PURCHASING/REVENUE MANAGER / DATE

- 7) () APPROVED () DISAPPROVED BY CITY COUNCIL ON _____

CITY CLERK / DATE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika will hold a Public Hearing on Tuesday, January 6, 2015, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 S. 7th Street, Opelika, Lee County, Alabama.

PURPOSE

The purpose of said Public Hearing will be to consider the adoption of an ordinance to amend the Development Plan for Academy Estates PUD. The Development Plan for Academy Estates PUD was approved by the City Council as required by Section 8.18(n) of the Zoning Ordinance. At said Public Hearing all who desire to be heard shall have the opportunity to speak for or in opposition to the adoption of the following ordinance:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE DEVELOPMENT PLAN FOR ACADEMY ESTATES PUD

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

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

"(a) Preston Holdings, LLC heretofore submitted to the City a Development Plan for a planned unit development ("PUD") entitled "Academy Estates PUD" consisting of approximately 99 acres.

(b) Pursuant to Ordinance 116-05, the City Council approved said Development Plan for Academy Estates PUD and amended the official Zoning Map of the City to designate the zoning classification of Planned Unit Development ("PUD") for approximately 99 acres located on the west of Veterans Parkway, east of Lee-Scott Academy and on Academy Drive.

(c) Academy Estates is a mixed residential development consisting of patio homes, townhomes, condominiums and apartment buildings.

(d) Auburn at the Estates, LLC, the owner of certain lots on parcels in Academy Estates PUD has heretofore submitted to the City a proposed Amended Development Plan for the Academy Estates PUD.

(e) The original parcel lines within the PUD are outdated and need to be adjusted based on the current property boundaries and the development within the PUD.

(f) The associated parcel density requirements have been realigned in the Amended Development Plan to coincide with the updated parcels.

(g) Approximately 66 acres of the original 99 acres within Academy Estates PUD have been developed.

(h) The Amended Development Plan describes the concept of development, including the character and use of properties, both as they exist and as proposed.

(i) Copies of the proposed Amended Development Plan are available in the office of the City Clerk and the Planning Department and are open for public inspection.

(j) The Planning Commission of the City of Opelika heretofore conducted a public hearing on the proposed Amended Development Plan.

(k) The Planning Commission sent a positive recommendation to the City Council to approve the Amended Development Plan for Academy Estates PUD.

(l) It is advisable and in the interest of the City and in the public interest that the Amended Development Plan be approved.

Section 2. Approval of the Amended Development Plan. The Amended Development Plan for Academy Estates PUD as submitted for review is hereby approved and confirmed as required by Section 8.18(n) of the Zoning Ordinance of the City.

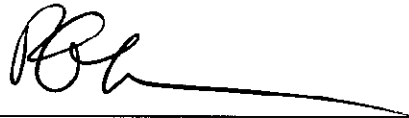
Section 3. Retention of copies of the Amended Development Plan. Copies of the Amended Development Plan shall be maintained in the offices of the City Clerk, City Planner, City Engineer, and Building Official and shall be open for public inspection.

Section 4. Repealer. Any ordinance or part thereof in conflict with provisions of this Ordinance be and the same are hereby repealed.

Section 5. Effective Date. This Ordinance shall become effective upon its adoption, approval and publication as required by law.

Section 6. Publication. This Ordinance shall be published one (1) time in a newspaper of general circulation in the City of Opelika, Lee County, Alabama.

WITNESS my hand this the 12th day of December, 2014.



CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

TO: PUBLISHER O/O

Opelika, Alabama 36801

Please publish the foregoing Notice one (1) time in the Dec, 12th, 2014 issue of your paper.



CITY CLERK

SYNOPSIS OF ZONING NOTICE

The City Council of the City of Opelika will hold a public hearing on Tuesday, January 6, 2015, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 S. 7th Street, Opelika, Lee County, Alabama, to consider the adoption of an ordinance to amend the Development Plan for Academy Estates PUD. The applicant, Preston Holdings, LLC has heretofore submitted to the City Council a proposed Amended Development Plan. The original parcel lines as shown in the Development Plan are adjusted based on the current property boundaries and development within the PUD. Copies of the Amended Development Plan are open for public inspection in the offices of the Planning Department and the City Clerk.

Public Notice of this public hearing with insertion of the proposed ordinance was first published on Dec. 12th, 2014 in the Opelika Observer. This notice is given pursuant to Section 11-52-78 Code of Alabama (1975).

THIS NOTICE is given under my hand this the 19th day of December, 2014.



CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

TO: PUBLISHER

o/o

Opelika, Alabama 36801

Please publish the foregoing Notice one (1) time in the Dec. 19th, 2014, issue of your paper.



CITY CLERK

Shuman, Robert

From: Jones, Jill P
Sent: Monday, November 24, 2014 2:00 PM
To: Shuman, Robert
Cc: Kelley, Gerald E. "Jerry"; Ogren, Marty; Fuller, Gary; Arrington, Barbara; Motley, Joey
Subject: Academy Estates PUD
Attachments: NOTICE OF PUBLIC HEARING Academy Estates PUD 112114.docx; SYNOPSIS 112114..docx; ORDINANCE TO amend PUD Academy Estates 112114.docx

Bob,

At the City Council work session to be held on December 2, 2014, Jerry Kelley will seek authorization to advertise an Ordinance to amend the Development Plan for Academy Estates. To effect the amendment of the Development Plan, I am enclosing for your review the following documents;

1. Notice of Public Hearing
2. Synopsis
3. Ordinance

You will note that the Public Hearing is scheduled for January 6, 2015. If the Opelika-Auburn News is selected, the Notice of Public Hearing should be published on December 14, 2014 and the Synopsis on December 21, 2014. If the Opelika Observer is selected, the Notice of Public Hearing should be published on December 12, 2014 and the Synopsis on December 19, 2014.

If you have any questions, please don't hesitate to call me.

Guy Gunter

Jill P. Jones
Administrative Assistant
City Attorney's Office
City of Opelika, Alabama
205 South 6th Street
Opelika, AL 36801

(334) 705-2075 (Office)
(334) 705-5155 (FAX)

jjones@ci.opelika.al.us

www.opelika.org

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RESOLUTION NO. 001-15

WHEREAS, the City Council awarded B13-016 for Dumpster Services Downtown Opelika to C&C Sanitation on Resolution #072-13 approved by Council on March 5, 2013; and

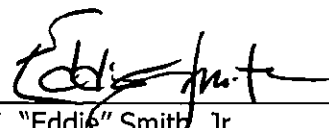
WHEREAS, the Contract with C&C Sanitation is being canceled due to poor performance; and

WHEREAS, Waste Away Group, Inc. was the next low bidder meeting specifications;

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

1. That Resolution #072-13 be rescinded and replaced with this Resolution.
2. That the Contract awarded to C&C Sanitation be rescinded and that the Contract be awarded to Waste Away Group, Inc. on their bid meeting specifications in the amount of \$208.00 per month per dumpster.
3. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Waste Away Group, Inc.
4. That the Mayor be authorized to execute all documents pertaining to this Contract.

APPROVED AND ADOPTED this the 6th day of January 2015.


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

ATTEST:


Robert G. Shuman
City Clerk - Treasurer

FACT SHEET

SUBJECT: Sealed Bid #B13-016 – Contract – Dumpster
Service for Downtown

FACTS:

- Bid opening date – 02/25/13
- User department(s) - Opelika Solid Waste
- Mailed to 4 vendors
- Received 3 bids
- Contract was awarded to C&C Sanitation
 - ✓ The Contract with C&C Sanitation is being canceled due to poor performance
 - ✓ Waste Away Group, Inc. was the next lowest bidder that met the specifications
- Budgeted Contract
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend the Council rescind Resolution 072-13 approved by Council on March 5, 2013 awarding the Contract to C&C Sanitation and that the Contract be awarded to Waste Away Group, Inc. on their next low bid meeting specifications.**

RESOLUTION 002-15

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

- 1) That the following employees were required by the City of Opelika to travel on City business and/or attend a training session, meeting or conference.

Employee	Department	\$ Amount
<u>Larry Burke</u>	<u>OPS</u>	<u>\$ 16.23</u>
<u>Roger Key</u>	<u>OPS</u>	<u>17.12</u>
<u>Gary Fuller</u>	<u>MAYOR</u>	<u>224.20</u>
<u>Eddie Smith</u>	<u>President-CC</u>	<u>448.40</u>

- 2) That attached is an expense report(s) prepared, dated and signed by the City employee or official covering the various expenses incurred on said trip and reviewed/approved by the City's accounting department and City official(s).
- 3) That the Opelika City Council hereby approves the attached expense reports for reimbursement to said City employee or official.
- 4) That the Mayor and/or appropriate City official is hereby directed and authorized to take the necessary steps so a check can be prepared covering the attached expense reports.
- 5) That the City Treasurer is authorized to sign said check so it can be delivered to the appropriate City employee or official.

ADOPTED and APPROVED this the 6th day of January, 2015.



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

Attest:



Robert G. Shuman, CMC
City Clerk – City Treasurer

NAME

Corey Burke

DEPARTMENT
OPS

EXPENSE REPORT

PERIOD ENDING

12/19/2014

DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS		ENTERTAINMENT	MISC. EXPENSES	DAILY TOTAL
			AIR RAIL ETC.	RENTAL CAR LIMO ETC.	LOCAL TAXI, TOLLS & PUB. LIC TRANSIT	AUTO EXPENSES Rental Below	BREAKFAST	LUNCH			
SUN											0.00
MON											0.00
TUE											0.00
WED 12/17	Newnan, GA							16.23			0.00
THU											16.23
FRI											0.00
SAT											0.00
WEEKLY CATEGORY TOTALS \$		0.00	0.00	0.00	0.00	0.00	0.00	16.23	0.00	0.00	16.23

WEEKLY TOTAL EXPENSES

NUMBER OF DAYS AWAY FROM HOME

2

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

0%

NATURE OR PURPOSE OF TRAVEL

Corey Burke and Roger Key attending Advance Lineworker Program Class 2 - Module 4 in Newnan, GA

DATE	NAME OF PERSON(S) ENTERTAINED, COMPANY, TITLE	TIME & PLACE	NATURE & PURPOSE OF ENTERTAINMENT	AMOUNT	% OR \$ ALLOCATED TO BUSINESS
12/17	Corey Burke & Roger Key/OPS/Lead Line Workers	O'Charley's	Lunch while attending training	16.23	100%

ITEMIZED AUTOMOBILE EXPENSES

DATE	ITEMS	AMOUNT

ITEMIZED MISCELLANEOUS EXPENSES

DATE	ITEMS	AMOUNT

METHOD OF REIMBURSEMENT

☐ DIRECT FROM☒ BY ADVANCE

Corey Burke

Corey Burke

SIGNATURE

APPROVED BY

David A. Hutton

NAME

Roger Key

DEPARTMENT

OPS

EXPENSE REPORT

PERIOD ENDING

12/23/2014

DAY	CITY AND STATE	LOGGING	TRANSPORTATION				BUSINESS MEALS		ENTERTAIN- MENT Itemize Below	MISC EXPENSES Itemize Below	DAILY TOTAL
			AIR RAIL ETC	RENTAL CAR LIMO ETC	LOCAL TAXI, TOLLS & PUB- LIC TRANSIT	AUTO EXPENSES Itemize Below	BREAKFAST	LUNCH			
SUN											0.00
MON											0.00
TUE											0.00
WED 12/17	Newnan, GA							17.12			17.12
THU											0.00
FRI											0.00
SAT											0.00
WEEKLY CATEGORY TOTALS \$											17.12

WEEKLY TOTAL EXPENSES

NUMBER OF DAYS AWAY FROM HOME

2

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

0%

NATURE OR PURPOSE OF TRAVEL

Roger Key attended Advance Line Worker
Program Class 2 - Module 4 in Newnan, GA

METHOD OF REIMBURSEMENT

☐ DEDUCT FROM
MY ADVANCE☒ MAIL TO

Roger Key

ITEMIZED MISCELLANEOUS EXPENSES

ITEMIZED AUTOMOBILE EXPENSES

DATE	ITEMS	AMOUNT

DATE	MILEAGE, GAS, PARKING REPAIRS, ETC.	AMOUNT

SIGNATURE

APPROVED BY

EXPENSE REPORT

PERIOD ENDING

DEPARTMENT

Department 5105

NAME

Name Gary Fuller

DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS			ENTERTAINMENT	MISC. EXPENSES	DAILY TOTAL		
			AIR RAIL ETC	RENTAL CAR LIMO ETC.	LOCAL TAXI, TOLLS & PUB- LIC TRANSIT	AUTO EXPENSES	BREAKFAST	LUNCH	DINNER					
SUN												0.00		
MON												0.00		
TUE												0.00		
WED												0.00		
THU												0.00		
FRI												0.00		
SAT 3/7/15	Washington, D.C.		224.20									224.20		
WEEKLY CATEGORY TOTALS \$											0.00	0.00	0.00	224.20

WEEKLY TOTAL EXPENSES

NUMBER OF DAYS AWAY FROM HOME 5

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS 0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS 100%

NATURE OR PURPOSE OF TRAVEL
Attend the 3rd Congressional Dinner, Washington, D.C.

METHOD OF REIMBURSEMENT
☐ DEDUCT FROM MY ADVANCE
☒ MAIL TO

Employee Gary Fuller
 Department Administration

SIGNATURE

APPROVED BY

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

ITEMIZED AUTOMOBILE EXPENSES		ITEMIZED MISCELLANEOUS EXPENSES	
DATE	AMOUNT	DATE	AMOUNT

RESOLUTION NO. 003-15

WHEREAS, the City of Opelika, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Alabama Code of 1975 authorizes the Municipal Governing body to dispose of unneeded personal property;

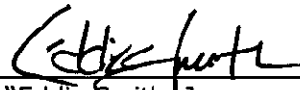
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika, Alabama as follows:

SECTION 1. That the following personal property owned by the City of Opelika, Alabama, is no longer needed for public or municipal purposes:

No.	Qty	Unit	Item Description	Fixed Asset #
1.	2	Ea	Brown Drawer	NA
2.	1	Ea	Motorola CentraCom Dispatch Console	87001922
3.	2	Ea	Office Chair	NA
4.	1	Ea	2002 Ford Explorer 1FMZU73E92UA74066	NA
5.	3	Ea	HP Laser Jet Printer	NA
6.	2	Ea	View Sonic Monitor	NA
7.	5	Ea	Cisco IP Phone	NA

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

ADOPTED AND APPROVED this the 6th day of January, 2015.


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

ATTEST:


 Robert G. Shuman
 City Clerk - Treasurer

RESOLUTION NO. 004-15

**RESOLUTION AUTHORIZING PAYMENT OF
TRANSITIONAL REINSURANCE PROGRAM FEES**

WHEREAS, the Patient Protection and Affordable Care Act commonly called the Affordable Care Act ("ACA" or "Obamacare") was signed into law by President Barack Obama on March 23, 2010; and

WHEREAS, the ACA expands health insurance coverage for low-income Americans; and

WHEREAS, Section 1341 of the ACA establishes a transitional reinsurance program ("TRP") to stabilize premiums for individual healthcare coverage; and

WHEREAS, the transitional reinsurance program is funded by fees assessed on all issuers of fully insured insurance healthcare coverage and on all self-funded group healthcare plans; and

WHEREAS, this fee is called the "transitional reinsurance fee or contribution"; and

WHEREAS, the City of Opelika is liable for contributions under the Reinsurance Program, although the City provides healthcare insurance for its full-time employees; and

WHEREAS, the City's TRP contribution is based on "covered lives"; and

WHEREAS, the definition of "covered lives" includes both the insured employees and the non-employee beneficiaries (retirees, public officials, etc.); and

WHEREAS, the TRP contribution for 2014 is \$63.00 per covered life; and

WHEREAS, the City is liable for the payment of TRP contributions for 2014, 2015 and 2016; and

WHEREAS, the annual TRP contribution can be paid in two installments with the first installment being due no later than January 15, 2015 and the second installment being due no

later than November 15, 2015; and

WHEREAS, if the City chooses to pay two installments for 2014, it must pay \$52.50 per covered life no later than January 15, 2015 with the remaining \$10.50 per covered life due no later than November 15, 2015; and

WHEREAS, failing to comply with ACA's requirements may trigger a penalty of \$100.00 per day with respect to each covered individual.

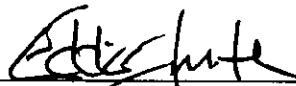
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika, Alabama, as follows:

1. That the City hereby elects to pay its TRP contribution to the United States Treasury in two installments, one installment being due no later than January 15, 2015 and the second being due no later than November 15, 2015.
2. That the Mayor and the Director of Human Resources are hereby authorized and directed to pay the 2014 TRP contribution in the total amount of \$46,053.00 to the United States Treasury, with \$38,377.50 being due on January 15, 2015 and \$7,675.50 being due on November 15, 2015.
3. That the City's TRP contribution shall be paid from the Unassigned Fund Balance and the Controller is hereby authorized and directed to make all necessary accounting and budgetary entries to carry into effect the provisions of this Resolution.
4. That the officers of the City and any person or persons designated and authorized by any officers of the City to act in the name and on behalf of the City, or any one or more of them, are authorized to do or cause to be done or performed in the name and on behalf of the City such other acts and to execute and deliver or cause to be executed and delivered in the name and on behalf of the City such other notices, certificates, assurances or other instruments or other

communications under the seal of the City or otherwise, as they or any of them deem necessary or advisable or appropriate in order to carry into effect the intent of the provisions of this Resolution.

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

ADOPTED AND APPROVED this the 6th day of January, 2015.



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

ATTEST:



CITY CLERK

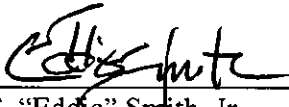
RESOLUTION NO. 005-15

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

1) That the proposed CONTRACT FOR SERVICES to be entered into between the City of Opelika and the Employer's Child Care Alliance, a copy of which is hereto attached as Exhibit "A", be and the same is hereby approved, adopted, authorized, ratified and confirmed,

2) That Gary Fuller, Mayor of the City of Opelika is hereby authorized and empowered to execute the foregoing agreement in the name and on behalf of the City of Opelika and the City Clerk is hereby authorized to affix the corporate seal of the City of Opelika thereto and to attest the same, and the Mayor shall deliver one copy to the Employer's Child Care Alliance, and retain one copy.

ADOPTED and APPROVED this the 6th day of January, 2015.


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

Attest:



Robert G. Shuman, CMC
City Clerk – Treasurer

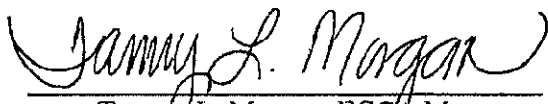


Employers' Child Care Alliance
City of Opelika
Contract

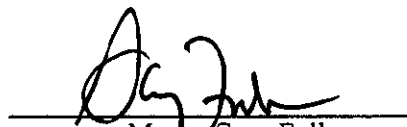
As a partner of the Employers' Child Care Alliance, the City of Opelika will invest \$6,000 in the Alliance to support the implementation of the projects for the 2014-2015 fiscal year. (October 1, 2014-September 30, 2015)

The description of specific projects and services supported by this contribution follows:

- 1) Child Care Resource and Referral services for employees of City of Opelika (including employee families moving to the top of waiting list at participating child care centers), and data base search of child care for the Opelika Police department.
- 2) Quality Enhancement Partnership-City of Opelika helps sponsor a child care program where city employee families' children are enrolled, providing free training scholarships for teachers and the program's participation in the STEPS to Accreditation program.
- 3) Non-Standard Child Care- continuation of recruitment program of child care providers for types of care outside the typical 7:00 -5:00 care; development of child care referral listing for evening, back-up and mildly ill care.
- 4) ECCA Management-overall management services for all project development, implementation and expansion.
- 5) FAMILY RESOURCE CENTER-Child Care Resource Center Inc (CCRC) in partnership with Employers' Child Care Alliance, has recently opened a Family Resource Center located in Opelika. The Family Resource Center will serve to reconnect families with their community through seamless services, education and awareness.



Tammy L. Morgan, ECCA Manager
Child Care Resource Center



Mayor Gary Fuller
City of Opelika

RESOLUTION NO. 006-15

**RESOLUTION APPOINTING A MUNICIPAL JUDGE AND
PUBLIC DEFENDER FOR THE MUNICIPAL COURT**

WHEREAS, §12-14-30, *Code of Alabama*, 1975, provides that a municipal court shall have the number of judges specified by the municipal governing body; and

WHEREAS, §12-14-30, *Code of Alabama*, 1975 provides that the municipal court judges shall be appointed by a majority vote of the members of the municipal governing body, and

WHEREAS, the term of office for a part-time judge is two years; and

WHEREAS, Honorable H. Kenneth Wilkes has been serving as a part-time municipal judge and the City Council desires to reappoint Judge Wilkes; and

WHEREAS, §12-14-9, *Code of Alabama*, 1975, requires all municipalities which retain municipal courts to provide indigent defense services as authorized and provided by law; and

WHEREAS, §15-12-2, *Code of Alabama*, 1975, allows a municipal governing body to appoint public defenders; and

WHEREAS, M. Joanne Camp has been serving as the public defender of the Municipal Court of the City of Opelika, and the City Council desires to reappoint Ms. Camp as public defender.

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

1. That Honorable H. Kenneth Wilkes is reappointed as part-time Municipal Judge of the Municipal Court of the City of Opelika for a two year term beginning January 2, 2015 and ending January 2, 2017, upon the taking of the oath of office and the compensation affixed to his position is provided by separate resolution.

2. That M. Joanne Camp is reappointed as the Public Defender of the Municipal Court of the City of Opelika for a two year term beginning January 2, 2015 and ending January 2, 2017, and the compensation affixed to her position is provided by separate resolution.

3. That this Resolution shall become effective after passage and approval.

ADOPTED AND APPROVED this the 6th day of JANUARY, 2015.



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

ATTEST:



CITY CLERK

RESOLUTION NO. 007-15

WHEREAS, the Mayor of Opelika and the City Council fully supports the various programs provided by the Arts Association of East Alabama (AAEA), and

WHEREAS, AAEA is now in need of additional funds to assist with the expenses in celebrating their 50th anniversary with a Gala Weekend on February 7-8, 2015, and

WHEREAS, City Council President Eddie Smith Ward 4, President Pro-tem Patricia Jones Ward 1, Councilman Larry Gray Ward 2, Councilman Dozier Smith T Ward 3 and Councilman David Canon Ward 5 each wishes to appropriate \$1,000.00 each from their respective discretionary funds, to assist with funding the 50th anniversary Gala Weekend.

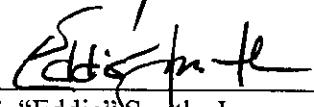
WHEREAS, the Mayor and the City Council also wish to appropriate an additional \$5,000 to assist with the funding of said event with these funds coming from the Unassigned Fund Balance.

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

1. The City Council approves a total special appropriation of \$10,000.00 to the Arts Assoc. of East Alabama to assist in funding their 50th anniversary celebration.
2. The Opelika City Council hereby declares and determines that said expenditure of these public funds serve a public purpose for the City of Opelika and approves the attached Funding Agreement.
3. The Mayor and the Controller is hereby authorized and directed to move the discretionary funds as detailed below to the appropriate account(s):

Patricia Jones	Ward 1	Reserve fund	\$ 1,000.00
Larry Gray	Ward 2	Reserve fund	\$ 1,000.00
Dozier Smith T	Ward 3	Reserve fund	\$ 1,000.00
Eddie Smith	Ward 4	Reserve fund	\$ 1,000.00
David Canon	Ward 5	Reserve fund	\$ 1,000.00
4. The Mayor and the Controller is also hereby authorized and directed to make the appropriate budget adjustments for an additional \$5,000.00 with these funds coming from the Unassigned Fund Balance.
5. The City Clerk-Treasurer is hereby authorized and directed to prepare the appropriate documents so that a check for \$10,000.00 payable to the Arts Association of East Alabama can be prepared and delivered with said funds being earmarked and designated for the 50th anniversary Gala Weekend.

APPROVED and ADOPTED this the 6th day of January, 2015.



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

ATTEST:



 Robert G. Shuman, CMC
 City Clerk – Treasurer

RESOLUTION NO. 008-15**RESOLUTION APPROVING AMENDMENT TO THE RETRANSMISSION CONSENT AGREEMENT WITH AMERICAN SPIRIT MEDIA, LLC**

WHEREAS, the City of Opelika, Alabama (the "City") and American Spirit Media, LLC ("American Spirit Media") entered into that certain Retransmission Consent Agreement dated February 1, 2013; and

WHEREAS, American Spirit Media and the City desire to amend the Retransmission Consent Agreement; and

WHEREAS, a proposed Amendment to the Retransmission Consent Agreement (the "Amendment") has been prepared and submitted to the City Council for approval and the City Council has determined that it is now in the best interest of the City and its citizens to approve said Amendment.

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

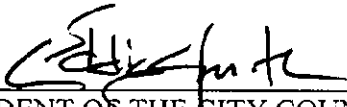
1. That the proposed AMENDMENT TO THE RETRANSMISSION CONSENT AGREEMENT, a copy of which is on file in the office of the City Clerk, is hereby approved, authorized, ratified and confirmed in the form substantially submitted to the City Council with such changes thereto (by addition, deletion or substitution) as the Mayor shall approve, which approval shall be conclusively evidenced by the execution and delivery of said Amendment.

2. That the Mayor is hereby authorized and directed to execute and deliver said Amendment and such other ancillary documents and certificates as may be necessary to carry into effect the purpose and intent of said Amendment and carry out fully the transactions contemplated therein on behalf of the City.

3. That the officers of the City and any person or persons designated and authorized by any officers of the City to act in the name and on behalf of the City, or any one or more of them, are authorized to do or cause to be done or performed in the name and on behalf of the City such other acts and to execute and deliver or cause to be executed and delivered in the name and on behalf of the City such other notices, certificates, assurances or other instruments or other communications under the seal of the City or otherwise, as they, or any of them deem necessary or advisable or appropriate in order to carry into effect the intent of the provisions of this Resolution and the attached Amendment.

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

ADOPTED AND APPROVED this the 6th day of January, 2015.



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

ATTEST:



CITY CLERK

**AMENDMENT TO
RETRANSMISSION CONSENT AGREEMENT**

This Amendment to that certain Retransmission Consent Agreement, dated February 1, 2013 (the "Agreement"), is entered into by and between City of Opelika, Alabama on behalf of its applicable Affiliates set forth in Exhibit B to the Agreement (collectively, "Operator"), and American Spirit Media, LLC ("American Spirit") (Parent Company of Southeastern Media Holdings, Inc.) on behalf of each licensee ("Licensee") of the television stations listed in Exhibit A ("Station(s)") for carriage on the cable system(s) listed in Exhibit B ("Cable System(s)") as amended herein. This Amendment is effective January 1, 2015 (the "Amendment Effective Date"). Capitalized terms used in this Amendment that are not otherwise defined herein shall have the meaning ascribed to them in the Agreement.

In consideration of the mutual benefits conferred upon the parties and for other good and valuable consideration, the sufficiency of which is hereby mutually acknowledged, the parties agree as follows:

1. **Term.** Section 1 (Term) of the Agreement shall be deleted in its entirety and replaced with the following:

"The term of this Agreement ("Term") shall commence on February 1, 2013 and end on December 31, 2017 at 5:00 p.m. Eastern time (the "Termination Date")."

2. **Retransmission Consent.** Section 2 of the Agreement shall be amended to add the following sentence at the end of the section:

"The parties hereby acknowledge and agree that each Licensee has validly elected retransmission consent on the applicable Cable System(s) for the 2012-2014 and 2015-2017 must carry/retransmission consent election cycles."

3. **Retransmission Fee.** Table 6.1 in Section 6 of the Agreement shall be deleted in its entirety and replaced with the following revised language and Table 6.1:

<u>Period</u>	<u>Monthly Retransmission Fee Per Per Subscriber per Fee Signal</u>
	IN DMA RATES
Effective Date thru Dec. 31, 2013	\$1.00
Jan. 1, 2014 thru Dec. 31, 2014	\$1.10
Jan. 1, 2015 thru Dec. 31, 2015	\$1.40
Jan. 1, 2016 thru Dec. 31, 2016	\$1.50
Jan. 1, 2017 thru Dec. 31, 2017	\$1.60

4. **Unauthorized Use.** Section 16 (Unauthorized Use) of the Agreement shall be amended to add the following sentence at the end of the section:

"All rights not specifically granted to Operator by this Agreement shall be retained and fully exploitable by American Spirit and Licensee to the maximum extent permitted by



law, including, but not limited to, the right to distribute the Broadcast Signal(s) via non-broadcast distribution services in which any portion of a Broadcast Signal provided to viewers; wireless or broadband distribution to mobile or portable devices; interactive or internet distribution platforms or any other non-television protocol or platform.”

5. **Exhibits.** Exhibit A (List of Television Stations) and Exhibit B (List of Systems) in the Agreement shall be deleted in their entirety and replaced with the attached Exhibit A (List of Television Stations) and Exhibit B (List of Systems). For clarity, any and all references in the Agreement to a “Station” or a “Cable System” shall refer to the Stations and Systems listed herein. By signing the Amendment, Operator represents and warrants that Exhibit B (List of Systems) is accurate and complete.

6. **Notices.** Section 25 (Notices) of the Agreement shall be amended to include the following contact information for American Spirit:

“When a Station is the intended recipient:

American Spirit, LLC
2131 Arysley Town Boulevard, Suite 300
Charlotte, NC 28273
Attn: Tom Henson, President & CEO
Phone: (704) 643-4148

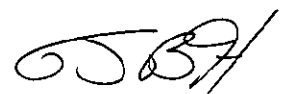
Written notice under this Agreement may be sent by e-mail to American Spirit or a Station at thenson@ayrsley.com and to Operator at artelco@brightnet.net.

7. **Integration.** This Amendment and the Agreement set forth the parties’ entire agreement with respect to the subject matter hereof and thereof. Except as expressly modified by this Amendment, each and every term and condition set forth in the Agreement, and each Party’s rights and obligations thereunder, shall remain in full force and effect in accordance with its terms for the duration of the Term.

8. **Counterparts; Facsimile.** This Amendment may be executed in counterparts, each of which when signed shall constitute an original, and all such counterparts shall constitute one and the same instrument. Signatures to this Amendment may be delivered by facsimile or by other means of electronic transmission and will be binding upon the parties.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed by their duly authorized officers as of the date set forth below to be effective as of January 1, 2015.

A handwritten signature in black ink, appearing to be "JBA", is located in the bottom right corner of the page.

AMERICAN SPIRIT MEDIA, LLC

By: Thomas B. Henson

Name: Thomas B. Henson

Title: President & CEO

Date: 1-9-15

CITY OF OPELIKA, ALABAMA

By: Gary Fuller

Name: Gary Fuller

Title: Mayor

Date: 1-7-15

Exhibit A ¹
List of Television Stations
(As of August 15, 2014)

<u>Station</u>	<u>Major Channel</u>	<u>City of License</u>	<u>Licensee</u>	<u>DMA</u>	<u>Digital Channels</u>
KYOU-TV	15	Ottumwa, IA	KYOU License Subsidiary, LLC	Ottumwa, IA- Kirksville, MO	D1: Fox D3: GRIT
WDBD(TV)	40	Jackson, MS	WDBD License Subsidiary, LLC	Jackson, MS	D1: Fox D2: Cozi TV D3: GRIT
WSFX-TV	26	Wilmington, NC	WSFX License Subsidiary, LLC	Wilmington, NC	D1: Fox D2: ThisTV D3: GRIT
WUPV(TV)	65	Ashland, VA	WUPV License Subsidiary, LLC	Richmond- Petersburg, VA	D1: CW D2: Bounce D3: GRIT
WUPW(TV)	36	Toledo, OH	WUPW License Subsidiary, LLC	Toledo, OH	D1: Fox D2: Bounce D3: Escape
WXTX(TV)	54	Columbus, GA	WXTX License Subsidiary, LLC	Columbus, GA	D1: Fox D2: Live Well D3: Escape (as of 11/15/14)

Notes:

¹ Not all translators or repeaters are included in this Exhibit A.

SBH

Exhibit B
List of Systems

[OPERATOR TO CONFIRM]

<u>Station</u>	<u>System Name</u>	<u>System Mailing Address</u>
WXTX	Opelika, AL	

SBH