



OPELIKA CITY COUNCIL

“ REGULAR MEETING AGENDA “

204 South 7th Street

April 7, 2015

TIME: 7:00 PM

- 1) CALL TO ORDER (TIME _____) Eddie Smith
- 2) ROLL CALL Patricia Jones, Larry Gray, Dozier Smith T, David Canon, Eddie Smith.
- 3) INVOCATION Joey Motley
- 4) PLEDGE OF ALLEGIANCE Taylor Pigg and Jacqueline Lucas Lopez from Opelika High School.
- 5) READING OF MINUTES
 1. Council Meeting minutes of March 17, 2015.
- 6) UNFINISHED BUSINESS
- 7) REMARKS BY THE MAYOR
 1. City Financial Report for February 2015
- 8) CITIZEN COMMUNICATIONS
- 9) REPORT OF DISBURSEMENTS
- 10) COMMITTEE REPORTS
- 11) GENERAL BUSINESS
 1. Request from Main Street, Outdoor Concert on 4-15-15.
 2. Public Hearing, Amend Zoning Ordinance & Map, VC GC District to C-3, Smallwood Park
- 12) AWARDING OF BIDS
 1. Maintenance, IBM Hardware & Software - IT
- 13) RESOLUTIONS
 1. Tabled, Order Demolition at 1808 2Nd Avenue. Permit Expires 3-24-15
 2. Expense Reports from Various Depts.
 3. Designate City Personal Property as Surplus & Authorize Disposal
 4. Agreement, Test Development & Administer Exam, Police Lieutenant
 5. Agreement, Extension with AT&T - OPS
 6. Agreement, Revised, Road Project with Lee County and Bush Properties
 7. Agreement, Road Project with ALDOT, Northpark Dr - Golden States
 8. Special Appropriation to KOB, 2015 Garden in the Park
 9. Special Appropriation to Opelika City Schools, HOSA Program
 10. Special Appropriation to ACS 2015 Relay for Life
- 14) ORDINANCES
 1. Amend City Code, Section 5.7 - 11,12,13 - Cemetery RatesFirst Reading
 2. Amend Zoning Ordinance, R-2 to R-1A Lake Forest SD - 2Nd ReadingFirst Reading
 3. Amend City Code of Ordinances, Chapter 26, Encroachment Public ROW - 1St ReadingFirst Reading
 4. Amend Zoning Ordinance,& Map, VC CG District to C-3, Smallwood Park - 1St ReadingFirst Reading
- 15) APPOINTMENTS
 1. Reappoint Wayne Gibson to the Property Maintenance Board. New term expires 3-16-18.
 2. Reappoint Joyce Cahela to the Mental Health Board. New term expires 4-01-21.
- 16) ADJOURN
 1. Time _____



City Council
200 Main Street
South City, NY 12345

SCHEDULED

Meeting: 04/07/15 07:00 PM
Department: City Clerk
Category: Report
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:

MAYOR'S REMARKS (ID # 1017)

DOC ID: 1017

City Financial Report for February 2015

City of Opelika
 Combined Statement of Revenues, Expenditures and Changes in fund balance
 All Governmental Fund Types
 For Five Months Ending February 28, 2015

	General	Special Revenue Funds	Debt Service Funds Total	*Capital Projects Funds	Library Trust Fund	Memo Total
Revenues:						
Taxes	14,478,085.87	5,646,936.85	-	-	-	20,125,022.72
Special Assessments	6,480.06	-	-	-	-	6,480.06
Licenses and permits	7,961,699.64	139,674.19	-	-	-	8,101,373.83
Intergovernmental revenues	148,652.38	187,264.38	-	-	-	335,916.76
Charges for services	698,173.26	-	-	-	-	698,173.26
Fines and forfeits	259,318.74	53,356.27	-	-	-	312,675.01
Miscellaneous revenues	132,988.98	7,848.26	50.59	75,064.93	-	215,952.76
Total revenues	23,685,398.93	6,035,079.95	50.59	75,064.93	-	29,795,594.40
Expenditures:						
Current:						
General Government	2,208,711.89	90,151.94	-	-	-	2,298,863.83
Public safety	5,750,695.48	11,709.04	-	69,739.94	-	5,832,144.46
Public works	1,518,266.86	(31,194.00)	-	841,483.79	-	2,328,556.65
Health, Education and Welfare	1,415,633.89	4,928,527.00	-	-	-	6,344,160.89
Culture and Recreation	2,358,492.40	-	-	4,176.00	-	2,362,668.40
Economic development	689,636.77	215,761.24	-	-	-	905,398.01
Capital outlay	470,454.05	14,810.00	-	-	-	485,264.05
Debt service:						
Principal retirement	230,682.49	-	2,630,000.00	-	-	2,860,682.49
Interest	79,907.81	-	1,848,671.80	-	-	1,928,579.61
Bond issue cost	-	-	147,351.70	-	-	147,351.70
Payment to escrow agent	-	-	5,395.50	-	-	5,395.50
Total expenditures	14,722,481.64	5,229,765.22	4,631,419.00	915,399.73	-	25,499,065.59
Excess of revenues over (under) expenditures	8,962,917.29	805,314.73	(4,631,368.41)	(840,334.80)	-	4,296,528.81
Other financing sources:						
Proceeds form General Long Term Debt	45,588.90	-	9,944,000.05	-	-	9,989,588.95
Sale of fixed assets	55,825.20	-	-	-	-	55,825.20
Operating transfers in	1,647,390.08	29,187.24	3,960,446.18	1,066,403.39	-	6,703,426.89
Operating transfers out	(4,001,513.54)	(435,008.81)	(10,046,956.88)	(846,951.05)	-	(15,330,430.28)
Total other financing sources (uses)	(2,252,709.36)	(405,821.57)	3,857,489.35	219,452.34	-	1,418,410.76
Excess of revenues and other sources over (under) expenditures and other uses	6,710,207.93	399,493.16	(773,879.06)	(620,882.46)	-	5,714,939.57
Fund balances, beginning of year	32,240,820.41	3,886,299.92	1,045,720.01	16,192,952.41	10,956.77	53,376,749.52
Fund balances, end of year	38,951,028.34	4,285,793.08	271,840.95	15,572,069.95	10,956.77	59,091,689.09
Assigned, Committed, Restricted, ect.	(18,307,627.41)	(4,965,023.59)	(271,840.95)	(15,572,069.95)	(10,956.77)	(39,127,518.67)
Fund balances, Unassigned	20,643,400.93	(679,230.51)	-	(0.00)	-	19,964,170.42

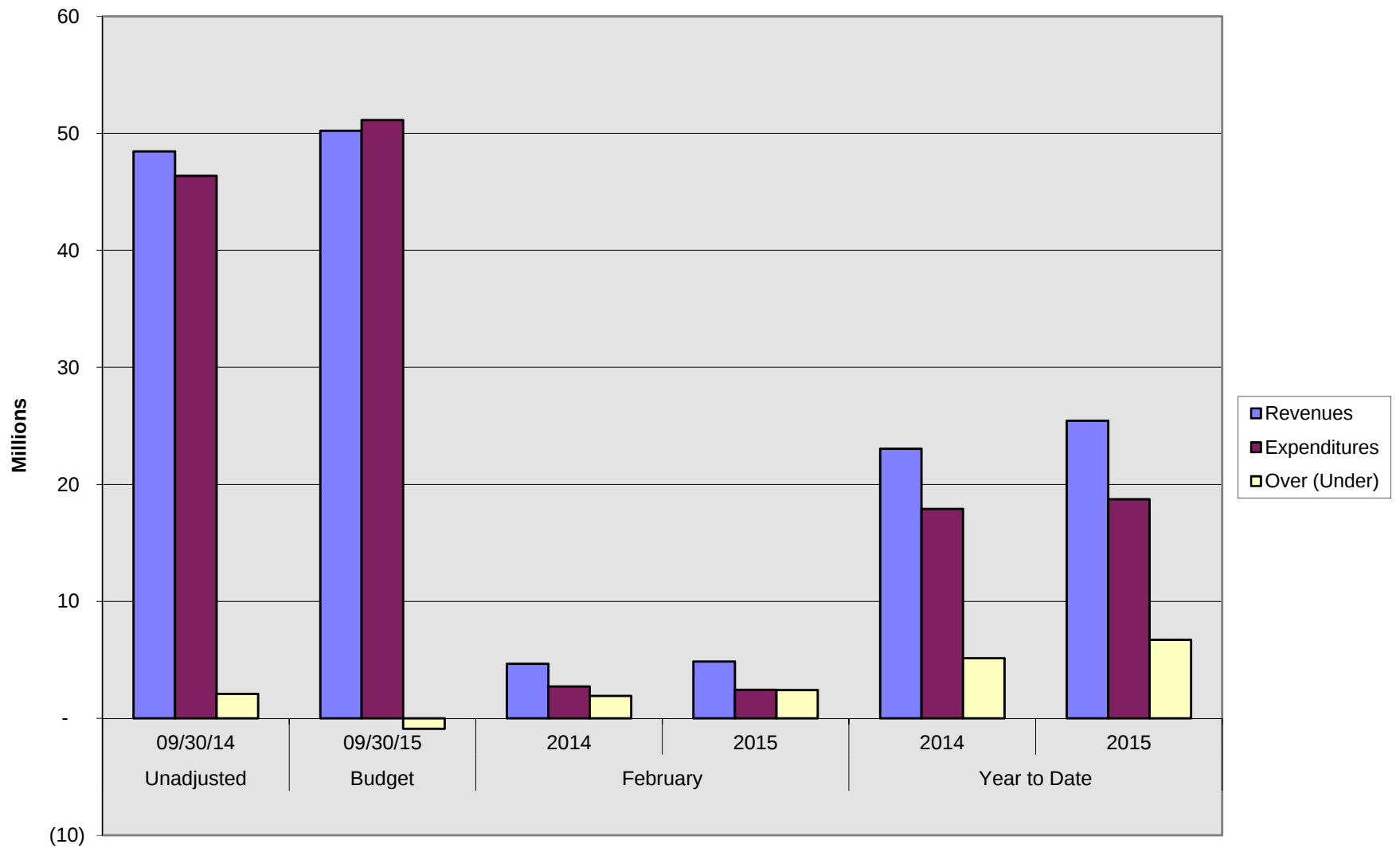
3/18/2015

City of Opelika
 Combined Statement of Revenues, Expenses and Changes in Retained Earnings/
 Fund Balances - All Proprietary Fund Types and Similar Trust Funds
 For Five Months Ending February 28, 2015

	Proprietary Fund Types						Fiduciary Fund Types Non-Expendable Trusts Garden Hills Cemetery	Memo Total
	Enterprise Funds					Internal Service		
	Electric Utility	Telecommunication System	1965 Sewer System	Solid Waste Collection	Workman's Compensation	Health Insurance		
Operating revenues:								
Charges for services	14,638,221.26	1,461,474.33	1,643,121.08	1,067,791.00	221,610.73	891,092.53	-	19,923,310.93
Interest	-	-	-	-	3,010.58	93.68	23,617.19	26,721.45
Total operating revenues	14,638,221.26	1,461,474.33	1,643,121.08	1,067,791.00	224,621.31	891,186.21	23,617.19	19,950,032.38
Operating expenses:								
Purchases	11,041,544.42	896,244.71	-	127,298.24	-	-	-	12,065,087.37
Depreciation	1,161,179.80	455,055.85	427,921.85	73,086.85	-	-	-	2,117,244.35
Personal services	1,262,915.12	210,795.26	1,560.00	496,762.97	-	-	-	1,972,033.35
Other	881,469.15	399,001.14	808,748.16	205,844.01	91,563.42	1,363,320.25	2,399.48	3,752,345.61
Total operating expenses	14,347,108.49	1,961,096.96	1,238,230.01	902,992.07	91,563.42	1,363,320.25	2,399.48	19,906,710.68
Operating income	291,112.77	(499,622.63)	404,891.07	164,798.93	133,057.89	(472,134.04)	21,217.71	43,321.70
Nonoperating revenue (expenses):								
Interest revenue	19,939.78	233.01	1,805.54	615.20	-	-	-	22,593.53
Miscellaneous revenue	605,817.22	19,018.42	572.44	13,555.45	-	-	-	638,963.53
Interest expense and fiscal charges	(599,912.80)	(154,660.14)	(132,075.85)	-	-	-	-	(886,648.79)
Other expenses	-	-	-	-	-	-	-	-
Total nonoperating revenues(expenses)	25,844.20	(135,408.71)	(129,697.87)	14,170.65	-	-	-	(225,091.73)
Income before operating transfers	316,956.97	(635,031.34)	275,193.20	178,969.58	133,057.89	(472,134.04)	21,217.71	(181,770.03)
Operating transfers in/Contributed Capital Developers	120,686.13	-	38,819.45	-	-	-	14,837.50	174,343.08
Operating transfers out	(1,220,216.25)	-	-	-	-	-	(4,500.28)	(1,224,716.53)
Total operating transfers	(1,099,530.12)	-	38,819.45	-	-	-	10,337.22	(1,050,373.45)
Net income (loss)	(782,573.15)	(635,031.34)	314,012.65	178,969.58	133,057.89	(472,134.04)	31,554.93	(1,232,143.48)
Retained earnings, Fund balances, beginning of year	38,950,966.70	(3,462,047.97)	25,833,964.98	830,935.02	2,391,312.71	-	891,908.13	65,437,039.57
Retained earnings, Fund balances, end of year	38,168,393.55	(4,097,079.31)	26,147,977.63	1,009,904.60	2,524,370.60	(472,134.04)	923,463.06	64,204,896.09
Encumbrances	3,496,939.45	(744,996.41)	951,448.28	378,860.21	-	100,905.27	-	4,183,156.80
Retained earnings, Fund balances, less encumbrances	34,671,454.10	(3,352,082.90)	25,196,529.35	631,044.39	2,524,370.60	(573,039.31)	923,463.06	60,021,739.29
Cash Flows:								
Add: Net Income (Loss)	(782,573.15)	(635,031.34)	314,012.65	178,969.58	133,057.89	(472,134.04)	31,554.93	(1,232,143.48)
Add: Depreciation	1,161,179.80	455,055.85	427,921.85	73,086.85	-	-	-	2,117,244.35
Subtract: Capital Outlay	(996,831.65)	(271,396.92)	(17,901.00)	-	-	-	-	(1,286,129.57)
Decrease (Increase) in Receivables	46,139.72	(86,734.31)	931,464.69	(17,644.19)	-	-	-	873,225.91
Decrease (Increase) in Inventory	(197,697.12)	-	-	-	-	-	-	(197,697.12)
Decrease (Increase) in Prepaid	(50,559.96)	(3,314.02)	(3,084.44)	(22,865.37)	-	-	-	(79,823.79)
Decrease (Increase) in Restricted Assets	(594,012.04)	-	68,828.63	-	-	-	-	(525,183.41)
Decrease (Increase) in Deferred charges	3,066.45	-	-	-	-	-	-	3,066.45
Increase (Decrease) in Liabilities	(1,604,313.25)	(117,099.90)	(66,786.09)	(57,149.67)	(23,826.39)	(94,359.43)	(335.84)	(1,963,870.57)
Add: Book Value of Disposed Assets	23,950.00	-	-	-	-	-	-	23,950.00
Change in Cash	(2,991,651.20)	(658,520.64)	1,654,456.29	154,397.20	109,231.50	(566,493.47)	31,219.09	(2,267,361.23)
Cash Balance September 30, 2014	17,075,176.46	816,728.39	2,521,838.54	504,536.50	2,765,774.19	415,364.63	893,254.45	24,992,673.16
Cash Balance February 28, 2015	14,083,525.26	158,207.75	4,176,294.83	658,933.70	2,875,005.69	(151,128.84)	924,473.54	22,725,311.93

Attachment: CM 4-07-15, Financials Summary, February 2015 (1017 : City Financial Report for February 2015)

General Fund Revenue & Expenditure Summary



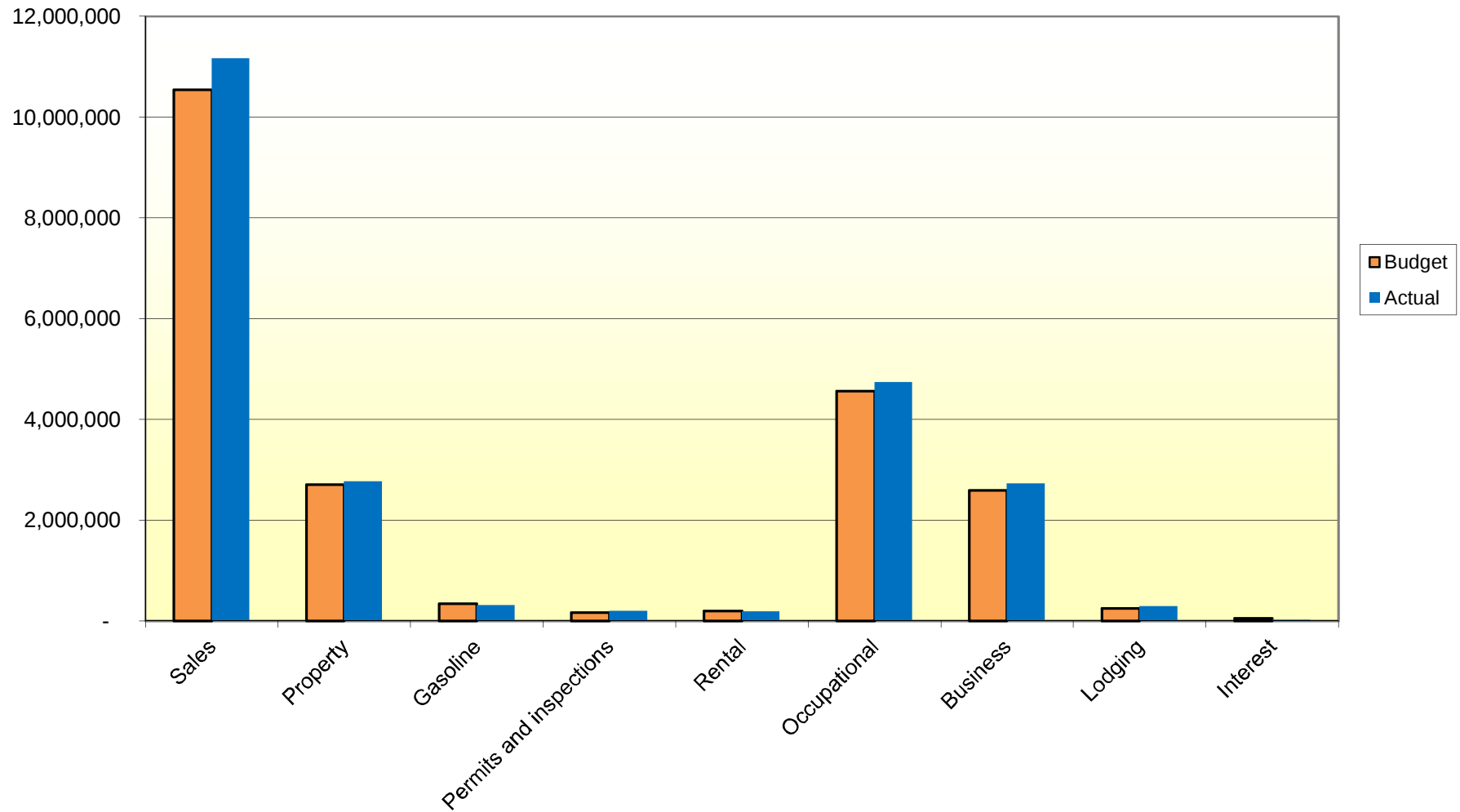
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City of Opelika
General Fund
Revenue and Expenditure Summary

	Unadjusted 09/30/14	Budget 09/30/15	February 2014	February 2015	Year to Date 2014	Year to Date 2015	% Chg
Revenues:							
Taxes	29,957,518	30,161,000	1,949,665	2,157,064	13,668,487	14,478,086	6
Special assessments	8,382	10,000	1,318	1,556.30	2,472	6,480	162
Licenses and permits	13,239,339	13,311,000	2,344,166	2,191,805	7,471,018	7,961,700	7
Intergovernmental revenues	520,395	465,595	14,822	17,375	124,289	148,652	20
Charges for services	1,846,646	1,647,674	149,388	133,778	773,613	698,173	(10)
Fines and forfeits	849,347	775,000	71,470	81,766	296,842	259,319	(13)
Miscellaneous	598,702	321,581	23,886	29,132	236,573	132,989	(44)
Total revenues	47,020,330	46,691,850	4,554,714	4,612,477	22,573,293	23,685,399	5
Expenditures:							
Current:							
General government	4,936,820	5,615,750	310,037	363,467	1,984,493	2,208,712	11
Public safety	13,477,869	14,554,495	1,006,915	995,502	5,529,977	5,750,695	4
Public works	3,729,815	3,884,295	313,645	84,076	1,533,121	1,518,267	(1)
Health, Education and Welfare	3,411,871	3,432,678	275,110	271,299	1,398,937	1,415,634	1
Culture and recreation	5,935,316	6,380,915	440,972	358,290	2,321,446	2,358,492	2
Economic Development	1,641,699	1,610,547	76,078	106,305	568,630	689,637	21
Capital outlay	1,932,105	3,630,763	89,402	(9,356)	394,097	470,454	19
Debt service:							
Principal retirement	1,786,555	561,984	44,217	46,529	219,215	230,682	5
Interest	211,371	183,433	17,902	15,589	91,376	79,908	(13)
Bond issue cost	-	-	-	-	-	-	-
Payment to escrow agent	-	-	-	-	-	-	-
Total expenditures	37,063,421	39,854,860	2,574,278	2,231,701	14,041,292	14,722,481	5
Excess of revenues over(under) expenditures	9,956,909	6,836,990	1,980,436	2,380,776	8,532,001	8,962,918	5
Other financing sources(uses):							
Proceeds form General Long Term Debt	327,939	-	-	(0)	-	45,589	
Sale of fixed assets	80,165	42,153	24,463	(1,087)	56,849	55,825	(2)
Other financing sources	1,035,603	3,492,507	75,830	243,414	416,195	1,647,390	296
Operating transfers out	(9,304,331)	(11,274,437)	(156,863)	(199,180)	(3,865,302)	(4,001,514)	4
Total other financing sources(uses)	(7,860,624)	(7,739,777)	(56,570)	43,147	(3,392,258)	(2,252,710)	(34)
Excess of revenues and other sources over(under) expenditures and other uses	2,096,285	(902,787)	1,923,866	2,423,923	5,139,743	6,710,208	31
Fund balances, beginning	30,144,535	32,240,820	33,360,412	36,527,105	30,144,535	32,240,820	7
Fund balances, ending	32,240,820	31,338,033	35,284,278	38,951,028	35,284,278	38,951,028	10
Less:							
Restricted, Committed, Assigned, nonspendable and encumbered Fund Balance:							
Nonspendable Reserved for inventory	146,057	157,033	152,175	157,033	152,175	157,033	3
Train Restoration	26,315	26,315		26,315		26,315	
Restricted for Law Enforcement	21,600	32,618	13,909	32,618	13,909	32,618	135
Committed for Ward I - Misc Projects	7,278	4,888	3,378	4,888	3,378	4,888	45
Committed for Ward II - Misc Projects	2,144	494	144	494	144	494	243
Committed for Ward III - Misc Projects	1,736	86	236	86	236	86	(64)
Committed for Ward IV - Misc Projects	10,735	7,845	6,335	7,845	6,335	7,845	24
Committed for Ward V - Misc Projects	5,215	2,825	1,315	2,825	1,315	2,825	115
Assigned for 1994 Warrants and Road Imp	2,949,888	3,578,154	2,476,750	3,578,154	2,476,750	3,578,154	44
Assigned for 2011 1% Sales Tax	7,664,672	8,017,626	5,892,679	8,017,626	5,892,679	8,017,626	36
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	-	6,615,950	6,372,498	6,615,950	6,372,498	(4)
	12,176,005	11,935,129	15,270,116	18,307,627	15,270,116	18,307,627	20
Unassigned Fund Balance	20,064,815	19,402,904	20,014,162	20,643,401	20,014,162	20,643,401	3
20% Budgeted Revenues	9,338,370				9,338,370	9,338,370	
Amount remaining	10,726,445				10,675,792	11,305,031	

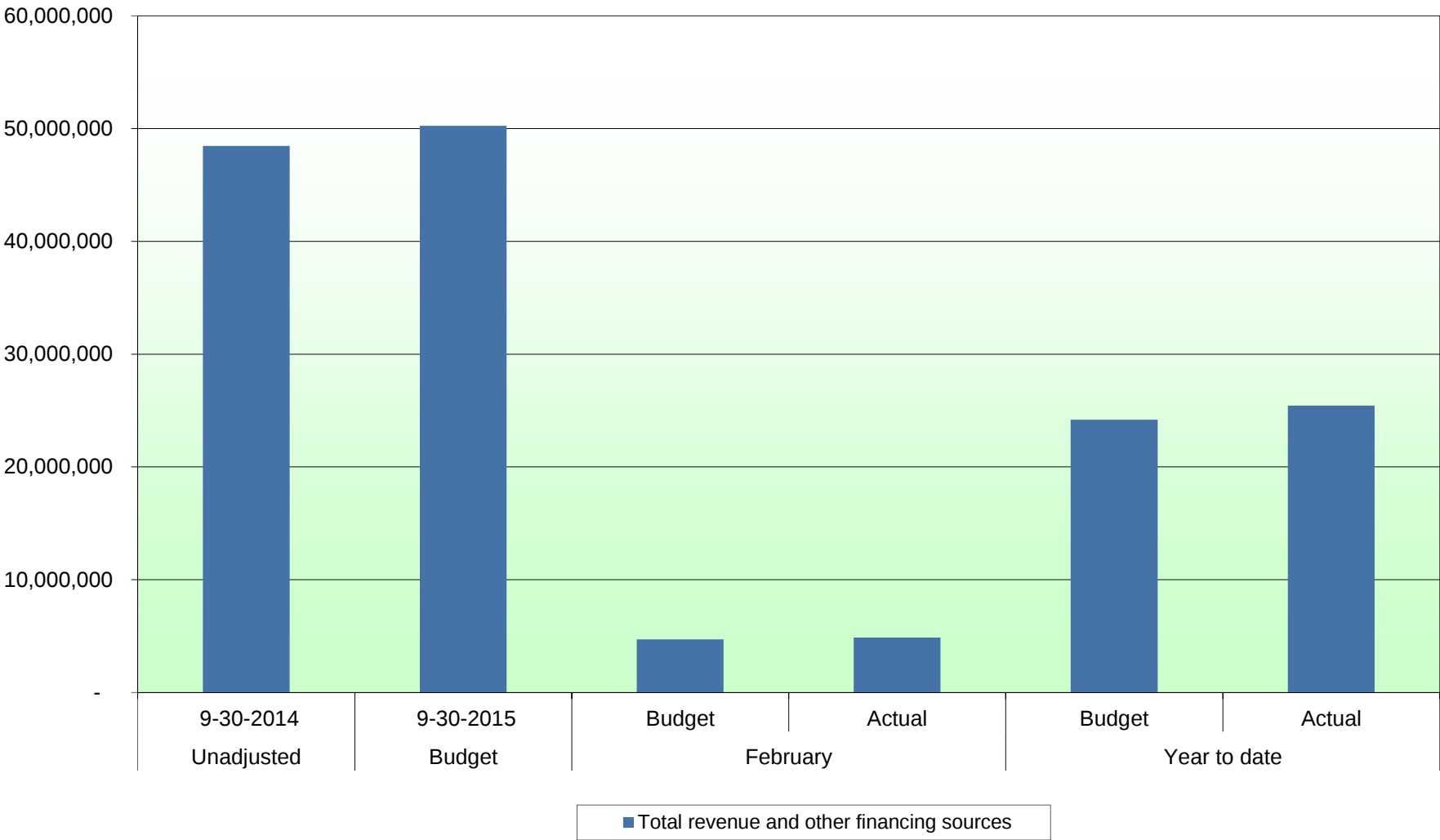
Attachment: CM 4-07-15, Financials Summary, February 2015 (1017 : City Financial Report for February 2015)

Budget vs Actual



February 2015

Total Revenue



City of Opelika
 Combined Balance Sheet - All Funds and Account Groups
 February 28, 2015

	Account Groups									
	Governmental Fund Types				Proprietary Funds		Trust and Agency Funds Total	General Fixed Assets	General Long Term Debt	Memo Total
	General	Special Revenue Funds	Debt Service Funds	*Capital Projects Funds	Internal Service Funds	Enterprise Funds				
Cash	35,826,699.22	4,090,460.40	42,528.41	4,779,938.93	2,723,876.85	19,076,961.54	-	-	-	66,540,465.35
Investments at cost or amortized cost	-	-	-	-	-	-	-	-	-	-
Receivables:							-			
Taxes	7,736,800.02	5,803,220.16	-	-	-	-	-	-	-	13,540,020.18
Accounts and unbilled service	75,838.89	69,044.84	-	1,633,500.00	19,228.72	4,583,762.69	-	-	-	6,381,375.14
Assessments	63,110.31	-	-	-	-	-	-	-	-	63,110.31
Notes	-	-	-	-	-	-	-	-	-	-
Accrued interest	-	-	-	-	-	21,900.63	-	-	-	21,900.63
Due from other funds	621,772.23	2,643.50	-	-	55,283.22	322,235.57	-	-	-	1,001,934.52
Due from other governments	29,337.04	42,607.17	-	-	-	327,545.77	-	-	-	399,489.98
Advances to other governments	-	-	-	-	-	-	-	-	-	-
Inventory of supplies, at cost	157,032.91	-	-	-	-	2,999,771.54	-	-	-	3,156,804.45
Prepaid expenses	-	-	-	-	-	200,279.56	-	-	-	200,279.56
Restricted assets:							-			
Cash	-	-	-	-	-	4,868.12	-	-	-	4,868.12
Investments at cost or amortized cost	-	-	229,312.54	10,792,131.02	-	3,226,971.78	927,170.08	-	-	15,175,585.42
Accrued interest receivable	-	-	-	-	-	-	1,135.23	-	-	1,135.23
Due from other funds	-	-	-	-	-	-	7,125.00	-	-	7,125.00
Unamortized bond and issue costs	-	-	-	-	-	394,426.94	-	-	-	394,426.94
Land	-	-	-	-	-	2,423,070.99	-	9,783,123.79	-	12,206,194.78
Buildings and utility systems	-	-	-	-	-	128,648,769.15	-	42,592,098.50	-	171,240,867.65
Improvements other than buildings and systems	-	-	-	-	-	17,540.00	-	5,244,679.05	-	5,262,219.05
Equipment	-	-	-	-	-	8,710,128.37	-	91,778,537.38	-	100,488,665.75
Construction in progress	-	-	-	-	-	4,299,668.83	-	7,747,881.66	-	12,047,550.49
Accumulated depreciation	-	-	-	-	-	(55,307,494.00)	-	-	-	(55,307,494.00)
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	-	-	-	-	-	-	-	-	99,630,446.75	99,630,446.75
Total assets	44,510,590.62	10,007,976.07	271,840.95	17,205,569.95	2,798,388.79	120,552,838.34	935,430.31	157,146,320.38	99,630,552.07	453,059,507.48

Sportsplex Fund Cash Balance is \$5,607,304.28

City of Opelika
Combined Balance Sheet - All Funds and Account Groups
February 28, 2015

		Governmental Fund Types				Proprietary Funds		Trust and Agency Funds	Account Groups		
		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	
		General	Funds	Funds	Funds	Funds					
Liabilities											
Accounts payable	1,211,124.75	9,651.67	-	-	305,735.75	3,933,994.83	-	-	-	5,460,507.00	
Retainage payable		-	-	-	-	-	-	-	-	-	
Current portion of bonds and notes payable	290,851.96	-	-	-	-	-	-	-	-	290,851.96	
Liability for unpaid claims, current		-	-	-	-	-	-	-	-	-	
Accrued payroll and benefits	541,187.70	1,167.56	-	-	-	308,491.59	-	-	-	850,846.85	
Interest payable		-	-	-	-	-	-	-	-	-	
Payable from restricted assets:	-	-	-	-	-	-	-	-	-	-	
Accounts payable	-	-	-	-	-	-	-	-	-	-	
Current portion of bonds payable	-	-	-	-	-	515,000.00	-	-	-	515,000.00	
Interest payable	-	-	-	-	-	791,859.54	-	-	-	791,859.54	
Due to other funds	267,842.12	2.37	-	-	-	740,204.55	1,010.48	-	-	1,009,059.52	
Due to other governments	613.49	100.00	-	-	-	-	-	-	-	713.49	
Deferred revenue	3,247,942.26	5,711,261.39	-	1,633,500.00	177,112.48	403,105.07	-	-	-	11,172,921.20	
Customer deposits	-	-	-	-	-	2,530,195.00	-	-	-	2,530,195.00	
Accrued employee benefits	-	-	-	-	-	359,661.66	-	-	-	359,661.66	
Matured bonds and interest payable	-	-	-	-	-	-	-	-	-	-	
Deferred compensation benefits payable	-	-	-	-	-	-	-	-	-	-	
Liability for unpaid claims, long term	-	-	-	-	263,304.00	-	-	-	-	263,304.00	
General obligation debt payable	-	-	-	-	-	-	-	-	99,630,552.07	99,630,552.07	
Bonds, warrants and notes payable, net of current portion	-	-	-	-	-	49,741,129.63	-	-	-	49,741,129.63	
Total liabilities	5,559,562.28	5,722,182.99	-	1,633,500.00	746,152.23	59,323,641.87	1,010.48	-	99,630,552.07	172,616,601.92	
Fund Equity											
Contributed capital	-	-	-	-	-	-	-	-	-	-	
Investment in general fixed assets	-	-	-	-	-	-	-	157,146,320.38	-	157,146,320.38	
Retained earnings:											
Reserved for replacement and extension	-	-	-	-	-	-	-	-	-	-	
Reserved for debt service	-	-	-	-	-	-	-	-	-	-	
Unreserved	-	-	-	-	1,951,331.29	57,146,944.94	31,554.93	-	-	59,129,831.16	
Fund balances:											
Nonspendable	157,032.91	69,044.84	-	-	-	-	891,908.13	-	-	1,117,985.88	
Restricted	58,933.56	1,517,257.57	271,840.95	10,440,380.76	-	-	-	-	-	12,288,412.84	
Committed	123,383.37	-	-	-	-	-	-	-	-	123,383.37	
Encumbrances	6,372,498.30	1,203,359.81	-	1,215,864.33	100,905.27	4,082,251.53	-	-	-	12,974,879.24	
Assigned	11,595,779.27	2,175,361.37	-	3,915,824.86	-	-	10,956.77	-	-	17,697,922.27	
Unassigned	20,643,400.93	(679,230.51)	-	-	-	-	-	-	-	19,964,170.42	
Total fund equity	38,951,028.34	4,285,793.08	271,840.95	15,572,069.95	2,052,236.56	61,229,196.47	934,419.83	157,146,320.38	-	280,442,905.56	
Total liabilities and fund equity	44,510,590.62	10,007,976.07	271,840.95	17,205,569.95	2,798,388.79	120,552,838.34	935,430.31	157,146,320.38	99,630,552.07	453,059,507.48	

Sportsplex Fund Cash Balance is \$5,607,304.28

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

	Unadjusted 9-30-2014	Budget 9-30-2015	February Budget	Actual	Year to date Budget	Actual	% Over (Under)
Taxes:							
Sales	25,531,042	25,747,000	1,837,000	1,960,921	10,539,000	11,165,289	6
Property:							
Property	3,024,488	3,034,000	102,000	84,901	2,710,000	2,766,539	2
Payments in lieu of property tax	26,002	9,000	-	-	-	-	-
Total property	3,050,490	3,043,000	102,000	84,901	2,710,000	2,766,539	2
Other:							
Gasoline	769,258	818,000	62,000	60,380	340,000	306,768	(10)
Cigarette	83,243	89,000	6,000	10,184	35,000	37,578	7
Wine and liquor	23,319	25,000	2,000	1,803	11,000	10,858	(1)
Rental	500,166	439,000	31,000	38,875	195,000	191,054	(2)
Total other	1,375,986	1,371,000	101,000	111,243	581,000	546,258	(6)
Total taxes	29,957,518	30,161,000	2,040,000	2,157,064	13,830,000	14,478,086	5
Special assessments	8,382	10,000	-	1,556	2,000	6,480	224
Licenses and permits:							
Occupational license fee	8,917,021	9,029,000	623,000	842,972	4,557,000	4,737,260	4
Business:							
General	3,150,917	3,148,000	1,319,000	1,294,370	2,590,000	2,729,279	5
Lodging	671,296	618,000	30,000	32,051	246,000	287,977	17
Franchise fee	79,861	67,000	66,000	0	66,000	2,737	(96)
Total business	3,902,074	3,833,000	1,415,000	1,326,421	2,902,000	3,019,994	4
Telecommunications permits and fees	11,000	9,000	-	-	1,000	7,000	
Permits and inspections	409,244	440,000	31,000	22,412	166,000	197,446	19
	420,244	449,000	31,000	22,412	167,000	204,446	22
Total licenses and permits	13,239,339	13,311,000	2,069,000	2,191,805	7,626,000	7,961,700	4
Intergovernmental:							
Shared County							
Motor vehicle license	103,277	112,000	5,000	5,460	47,000	45,991	(2)
Shared state:							
Bank excise	144,739	119,000	-	-	-	-	
Business privilege tax	71,801	71,000	34,000	-	34,000	-	
Liquor tax profits	121,362	118,000	10,000	8,263	48,000	51,890	8
State asset forfeiture	15,142	7,479	869	3,653	1,399	15,700	1,022
Total shared state	353,044	315,479	44,869	11,915	83,399	67,590	(19)
Other:							
Shared Federal asset forfeiture	27,363	27,616	2,301	(0)	11,505	13,382	16
State and county grants	36,709	10,500	56	-	10,112	21,690	114
Total other	64,072	38,116	2,357	(0)	21,617	35,072	62
Total intergovernmental	520,393	465,595	52,226	17,375	152,016	148,652	(2)
Charge for service:							
General government:							
Other	13,012	23,000	1,000	1,829	9,000	4,930	(45)
Public safety:							
Towing	2,301	1,019	60	799	163	2,112	
Fire training	-	-	-	-	-	-	
Highway Safety Program	1,444	-	-	-	-	-	
City Schools	12,000	11,000	-	-	-	-	
Housing Authority	35,000	-	-	-	-	-	
E911	102,000	40,000	3,000	-	17,000	-	
Auburn University	64,608	60,155	13	12	34,038	32,550	(4)
Health:							
Graves and monuments	124,275	113,000	10,000	7,100	45,000	61,750	37
Public Works:							
Paving/Plan review fees	67,842	27,000	1,000	3,944	10,000	26,679	167
Culture and recreation:							
Entry fees and concessions	1,424,165	1,372,500	114,550	120,093	569,582	570,153	-
Total charges for service	1,846,647	1,647,674	129,623	133,778	684,783	698,173	2
Fines and forfeits:							
Fines and costs	849,347	775,000	72,000	81,766	298,000	259,319	(13)
Miscellaneous:							
Interest	86,412	92,000	7,000	4,669	54,000	21,478	(60)
Other	512,290	229,581	17,283	24,463	53,606	111,511	108
Total miscellaneous	598,702	321,581	24,283	29,132	107,606	132,989	24
Total revenue	47,020,328	46,691,850	4,387,132	4,612,477	22,700,405	23,685,399	4
Other Financing Sources:							
Proceeds of General Obligation Debt	327,939	-	-	(0)	-	45,589	-
Operating transfers-in:							
Electric fund	922,140	2,924,112	243,763	243,414	1,217,765	1,220,216	-
Sale of Fixed Assets	80,165	42,153	4,446	(1,087)	11,027	55,825	406
Other transfers	113,463	568,395	47,365	-	236,825	427,174	80
Total operating transfers-in	1,115,768	3,534,660	295,574	242,327	1,465,617	1,703,215	16
Total other financing sources	1,443,707	3,534,660	295,574	242,327	1,465,617	1,748,804	19
Total revenue and other financing sources	48,464,035	50,226,510	4,682,706	4,854,804	24,166,022	25,434,203	5

Attachment: CM 4-07-15, Financials Summary, February 2015 (1017 : City Financial Report for February 2015)

City of Opelika
General Fund - Revenues
Comparison to Last Year

	Unadjusted 9-30-2014	Budget 9-30-2015	February 20142015		Year to date 20142015		% Over (Under)
Taxes:							
Sales	25,531,042	25,747,000	1,766,475	1,960,921	10,393,566	11,165,289	7
Property:							
Property	3,024,488	3,034,000	76,235	84,901	2,716,928	2,766,539	2
Payments in lieu of property tax	26,002	9,000	-	-	-	-	-
Total property	3,050,490	3,043,000	76,235	84,901	2,716,928	2,766,539	2
Other:							
Gasoline	769,258	818,000	60,295	60,380	329,308	306,768	(7)
Cigarette	83,243	89,000	10,165	10,184	37,189	37,578	1
Wine and liquor	23,319	25,000	1,855	1,803	10,713	10,858	1
Rental	500,166	439,000	34,640	38,875	180,783	191,054	6
Total other	1,375,986	1,371,000	106,955	111,243	557,993	546,258	(2)
Total taxes	29,957,518	30,161,000	1,949,665	2,157,064	13,668,487	14,478,086	6
Special assessments	8,382	10,000	1,318	1,556	2,472	6,480	162
Licenses and permits:							
Occupational license fee	8,917,021	9,029,000	713,927	842,972	4,438,278	4,737,260	7
Business:							
General	3,150,917	3,148,000	1,498,521	1,294,370	2,526,334	2,729,279	8
Lodging	671,296	618,000	37,568	32,051	248,050	287,977	16
Franchise fee	79,861	67,000	77,201	0	79,861	2,737	(97)
Total business	3,902,074	3,833,000	1,613,290	1,326,421	2,854,245	3,019,994	6
Telecommunications permits and fees	11,000	9,000	-	-	5,000	7,000	40
Permits and inspections	409,244	440,000	16,949	22,412	173,494	197,446	14
	420,244	449,000	16,949	22,412	178,494	204,446	15
Total licenses and permits	13,239,339	13,311,000	2,344,166	2,191,805	7,471,018	7,961,700	7
Intergovernmental:							
Shared County							
Motor vehicle license	103,277	112,000	5,266	5,460	44,006	45,991	5
Shared state:							
Bank excise	144,739	119,000	-	-	-	-	
Business privilege tax	71,801	71,000	-	-	-	-	
Liquor tax profits	121,362	118,000	9,501	8,263	50,101	51,890	4
State asset forfeiture	15,142	7,479	55	3,653	5,886	15,700	167
Total shared state	353,044	315,479	9,556	11,915	55,986	67,590	21
Other:							
Shared Federal asset forfeiture	27,363	27,616	-	(0)	13,397	13,382	-
State and county grants	36,709	10,500	(0)	-	10,900	21,690	99
	64,072	38,116	(0)	(0)	24,296	35,072	44
Total intergovernmental	520,393	465,595	14,822	17,375	124,289	148,652	20
Charge for service:							
General government:							
Other	13,012	23,000	1,604	1,829	6,719	4,930	(27)
Public safety:							
Towing	2,301	1,019	335	799	906	2,112	133
Fire training	-	-	-	-	-	-	
Highway Safety Program	1,444	-	(0)	-	1,444	-	
City Schools	12,000	11,000	-	-	-	-	
Housing Authority	35,000	-	-	-	35,000	-	(100)
E911	102,000	40,000	10,000	-	82,000	-	(100)
Auburn University	64,608	60,155	30	12	36,685	32,550	(11)
Health:							
Graves and monuments	124,275	113,000	10,600	7,100	46,275	61,750	33
Public Works:							
Paving/Plan review fees	67,842	27,000	270	3,944	28,317	26,679	(6)
Culture and recreation:							
Entry fees and concessions	1,424,165	1,372,500	126,549	120,093	536,267	570,153	6
Total charges for service	1,846,647	1,647,674	149,388	133,778	773,613	698,173	(10)
Fines and forfeits:							
Fines and costs	849,347	775,000	71,470	81,766	296,842	259,319	(13)
Miscellaneous:							
Interest	86,412	92,000	5,436	4,669	21,334	21,478	1
Other	512,290	229,581	18,450	24,463	215,239	111,511	(48)
Total miscellaneous	598,702	321,581	23,886	29,132	236,573	132,989	(44)
Total revenue	47,020,328	46,691,850	4,554,714	4,612,477	22,573,293	23,685,399	5
Other Financing Sources:							
Proceeds of General Obligation Debt	327,939	-	-	(0)	-	45,589	-
Operating transfers-in:							
Electric fund	922,140	2,924,112	75,831	243,414	391,327	1,220,216	212
Sale of Fixed Assets	80,165	42,153	24,463	(1,087)	56,849	55,825	(2)
Other transfers	113,463	568,395	(0)	-	24,868	427,174	1,618
Total operating transfers-in	1,115,768	3,534,660	100,293	242,327	473,044	1,703,215	260
Total other financing sources	1,443,707	3,534,660	100,293	242,327	473,044	1,748,804	270
Total revenue and other financing sources	48,464,035	50,226,510	4,655,007	4,854,804	23,046,337	25,434,203	10

City of Opelika
General Fund
Comparison of Budget and Actual

	Unadjusted 9-30-2014	Budget 9-30-2015	February Budget	Actual	Year to date Budget	Actual	% YTD Budget
General Government:							
Legislative	333,084	423,016	32,590	19,189	196,874	144,406	(27)
Executive	210,899	416,889	37,572	16,434	164,186	75,856	(54)
Legal	95,949	140,696	11,715	9,492	58,615	51,205	(13)
Other:							
Administration	577,075	441,285	28,756	39,905	239,900	212,307	(12)
Accounting	332,122	370,246	30,849	28,467	154,245	148,828	(4)
Human Resources	328,028	445,090	36,820	31,287	184,202	159,692	(13)
Information Technology	959,011	1,270,173	105,765	82,377	519,489	680,746	31
Revenue	253,646	241,077	20,054	18,049	100,580	97,316	(3)
Municipal court	646,862	621,003	51,736	49,020	258,740	223,876	(13)
Purchasing	225,343	205,842	17,134	14,079	85,840	82,878	(3)
Community Development	126,582	142,552	11,890	13,393	59,282	50,822	(14)
Planning	316,620	353,024	29,293	24,691	147,905	135,468	(8)
Total other	3,765,289	4,090,292	332,297	301,268	1,750,183	1,791,933	2
Nondepartmental	531,598	544,857	45,341	17,083	226,191	145,311	(36)
Total general government	4,936,819	5,615,750	459,515	363,466	2,396,049	2,208,711	(8)
Public safety:							
Police:							
Total police	7,924,438	9,031,775	752,726	613,989	3,751,579	3,464,061	(8)
Fire:							
Total fire	5,218,955	5,191,244	430,486	381,513	2,177,714	2,203,765	1
Nondepartmental	334,476	331,476	27,622	-	138,110	82,869	(40)
Total public safety	13,477,869	14,554,495	1,210,834	995,502	6,067,403	5,750,695	(5)
Public Works:							
Streets	1,068,506	1,091,646	89,965	450	461,945	434,909	(6)
Engineering	403,517	555,524	46,019	44,713	233,265	194,531	(17)
Other:							
Administration	335,004	342,724	28,519	11,123	143,075	144,106	1
Cemetery	206,968	191,986	15,925	11	80,495	81,413	1
Auto shop	340,480	347,660	28,789	268	146,125	144,263	(1)
Building maintenance	331,330	322,201	26,685	312	135,405	133,373	(2)
Inspection	477,869	488,560	40,554	26,123	204,620	162,484	(21)
Grounds maintenance	566,141	543,994	45,123	1,077	228,125	223,188	(2)
Total other	2,257,792	2,237,125	185,595	38,914	937,845	888,827	(5)
Total public works	3,729,815	3,884,295	321,579	84,077	1,633,055	1,518,267	(7)
Health, Education and Welfare							
Animal control	59,445	63,489	5,258	4,408	26,610	24,180	(9)
Nondepartmental	3,352,427	3,369,189	280,552	266,891	1,402,260	1,391,454	(1)
Total health, education and welfare	3,411,872	3,432,678	285,810	271,299	1,428,870	1,415,634	(1)
Culture and recreation							
Parks and recreation	5,091,594	5,559,338	460,554	303,094	2,334,060	1,999,233	(14)
Library	751,222	721,905	60,007	52,497	301,785	288,684	(4)
Nondepartmental	92,500	99,672	8,696	2,700	38,795	70,575	82
Total culture and recreation	5,935,316	6,380,915	529,257	358,291	2,674,640	2,358,492	(12)
Economic Development							
Economic Development	385,622	546,797	45,558	40,289	227,790	178,340	(22)
Nondepartmental	1,256,076	1,063,750	88,642	66,016	443,210	511,297	15
Total economic development	1,641,698	1,610,547	134,200	106,305	671,000	689,637	3
Capital outlay	1,932,105	3,630,763	306,381	(9,356)	1,485,978	470,454	(68)
Total expenditures	35,065,493	39,109,443	3,247,576	2,169,584	16,356,995	14,411,890	(12)
Transfers - out:							
Transfer to PR/Jail Construction Fund	2,402,131	2,418,375	201,531	180,369	1,007,655	1,066,403	6
Transfers to other funds	84,538	117,652	10,126	4,000	10,126	16,347	61
Debt service	8,815,588	9,483,827	790,317	76,928	3,951,585	3,229,354	(18)
Total transfers - out	11,302,257	12,019,854	1,001,974	261,297	4,969,366	4,312,104	(13)
Total expenditures and transfers - out	46,367,750	51,129,297	4,249,550	2,430,881	21,326,361	18,723,994	(12)

Attachment: CM 4-07-15, Financials Summary, February 2015 (1017 : City Financial Report for February 2015)

City of Opelika
General Fund
Expenditures

	Unadjusted 9-30-2014	Budget 9-30-2015	February 2014	February 2015	Year to date 2014	Year to date 2015	% Last Year
General Government:							
Legislative	333,084	423,016	18,472	19,189	165,557	144,406	(13)
Executive	210,899	416,889	16,754	16,434	63,234	75,856	20
Legal	95,949	140,696	9,552	9,492	20,973	51,205	-
Other:							
Administration	577,075	441,285	19,417	39,905	188,383	212,307	13
Accounting	332,122	370,246	37,871	28,467	160,177	148,828	(7)
Human Resources	328,028	445,090	20,316	31,287	118,334	159,692	35
Information Technology	959,011	1,270,173	44,043	82,377	520,339	680,746	31
Revenue	253,646	241,077	22,237	18,049	107,338	97,316	(9)
Municipal court	646,862	621,003	47,020	49,020	226,759	223,876	(1)
Purchasing	225,343	205,842	16,789	14,079	93,003	82,878	(11)
Community Development	126,582	142,552	8,654	13,393	48,334	50,822	5
Planning	316,620	353,024	24,818	24,691	131,284	135,468	3
Total other	3,765,289	4,090,292	241,165	301,268	1,593,951	1,791,933	12
Nondepartmental	531,598	544,857	24,093	17,083	140,779	145,311	3
Total general government	4,936,819	5,615,750	310,036	363,466	1,984,494	2,208,711	11
Public safety:							
Police:							
Total police	7,924,438	9,031,775	614,412	613,989	3,361,889	3,464,061	3
Fire:							
Total fire	5,218,955	5,191,244	392,504	381,513	2,084,469	2,203,765	6
Nondepartmental	334,476	331,476	-	-	83,619	82,869	(1)
Total public safety	13,477,869	14,554,495	1,006,916	995,502	5,529,977	5,750,695	4
Public Works:							
Streets	1,068,506	1,091,646	86,053	450	450,661	434,909	(3)
Engineering	403,517	555,524	36,919	44,713	158,640	194,531	23
Other:							
Administration	335,004	342,724	32,383	11,123	138,741	144,106	4
Cemetery	206,968	191,986	15,983	11	79,391	81,413	3
Auto shop	340,480	347,660	28,740	268	143,408	144,263	1
Building maintenance	331,330	322,201	26,309	312	131,543	133,373	1
Inspection	477,869	488,560	33,402	26,123	200,032	162,484	(19)
Grounds maintenance	566,141	543,994	53,855	1,077	230,705	223,188	(3)
Total other	2,257,792	2,237,125	190,672	38,914	923,820	888,827	(4)
Total public works	3,729,815	3,884,295	313,644	84,077	1,533,121	1,518,267	(1)
Health, Education and Welfare							
Animal control	59,445	63,489	4,367	4,408	24,343	24,180	(1)
Nondepartmental	3,352,427	3,369,189	270,744	266,891	1,374,595	1,391,454	1
Total health, education and welfare	3,411,872	3,432,678	275,111	271,299	1,398,938	1,415,634	1
Culture and recreation							
Parks and recreation	5,091,594	5,559,338	387,814	303,094	1,932,011	1,999,233	3
Library	751,222	721,905	53,158	52,497	316,310	288,684	(9)
Nondepartmental	92,500	99,672	-	2,700	73,125	70,575	(3)
Total culture and recreation	5,935,316	6,380,915	440,972	358,291	2,321,446	2,358,492	2
Economic Development							
Economic Development	385,622	546,797	32,435	40,289	148,458	178,340	20
Nondepartmental	1,256,076	1,063,750	43,644	66,016	420,173	511,297	22
Total economic development	1,641,698	1,610,547	76,079	106,305	568,631	689,637	21
Capital outlay	1,932,105	3,630,763	89,402	(9,356)	394,097	470,454	19
Total expenditures	35,065,493	39,109,443	2,512,160	2,169,584	13,730,704	14,411,890	5
Transfers - out:							
Transfer to PR/Jail Construction Fund	2,402,131	2,418,375	155,925	180,369	954,407	1,066,403	12
Transfers to other funds	84,538	117,652	937	4,000	7,000	16,347	134
Debt service	8,815,588	9,483,827	62,119	76,928	3,214,486	3,229,354	-
Total transfers - out	11,302,257	12,019,854	218,981	261,297	4,175,893	4,312,104	3
Total expenditures and transfers - out	46,367,750	51,129,297	2,731,141	2,430,881	17,906,597	18,723,994	5

City of Opelika
General Fund
Capital Outlay

	Unadjusted 9-30-2014	Budget 9-30-2015	February		Year to date		% Annual
			2014	2015	2014	2015	Year
General Government:							
Legislative	-	-	-	-	-	-	-
Executive	-	55,000	-	-	-	50,279	-
Legal	-	-	-	-	-	-	-
Other:							
Administration	-	-	-	-	-	-	-
Accounting	-	-	-	-	-	-	-
Human Resources	-	-	-	-	-	-	-
Information Technology	354,163	710,723	10,553	(9,356)	254,834	120,553	17
Revenue	-	-	-	-	-	-	-
Municipal court	-	-	-	-	-	-	-
Purchasing	-	-	-	-	-	-	-
Community Development	-	-	-	-	-	-	-
Planning	-	-	-	-	-	-	-
Total other	354,163	710,723	10,553	(9,356)	254,834	120,553	17
Nondepartmental	-	-	-	-	-	-	-
Total general government	354,163	765,723	10,553	(9,356)	254,834	170,832	22
Public safety:							
Police:							
Total police	605,129	244,411	78,849	-	119,791	90,792	37
Fire:							
Total fire	53,909	764,168	-	-	18,389	142,425	19
Nondepartmental	-	-	-	-	-	-	-
Total public safety	659,038	1,008,579	78,849	-	138,180	233,217	23
Public Works:							
Streets	214,967	24,323	-	-	-	-	-
Engineering	487,630	1,570,429	-	-	(17,820)	-	-
Other:							
Administration	78,541	194,935	-	-	38,693	53,426	27
Cemetery	-	-	-	-	-	-	-
Auto shop	-	-	-	-	-	-	-
Building maintenance	-	-	-	-	-	-	-
Inspection	-	-	-	-	-	-	-
Grounds maintenance	-	-	-	-	-	-	-
Total other	78,541	194,935	-	-	38,693	53,426	27
Total public works	781,138	1,789,687	-	-	20,873	53,426	3
Health, Education and Welfare							
Animal control	-	-	-	-	-	-	-
Nondepartmental	-	-	-	-	-	-	-
Total health, education and welfare	-	-	-	-	-	-	-
Culture and recreation							
Parks and recreation	123,532	52,539	-	-	(19,789)	12,980	25
Library	14,235	14,235	-	-	-	-	-
Nondepartmental	-	-	-	-	-	-	-
Total culture and recreation	137,767	66,774	-	-	(19,789)	12,980	19
Economic Development	-	-	-	-	-	-	-
Conference Center	-	-	-	-	-	-	-
Total expenditures	1,932,106	3,630,763	89,402	(9,356)	394,098	470,455	67
Transfers - out:							
Transfers to other funds							
Debt service							
Total transfers - out	-	-	-	-	-	-	-
Total expenditures and transfers - out	1,932,106	3,630,763	89,402	(9,356)	394,098	470,455	13

Attachment: CM 4-07-15, Financials Summary, February 2015 (1017 : City Financial Report for February 2015)



City Council
200 Main Street
South City, NY 12345

SCHEDULED

GENERAL BUSINESS (ID # 1018)

Meeting: 04/07/15 07:00 PM
Department: City Clerk
Category: Request / Temp Street Closure
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:

DOC ID: 1018 A

Request from Main Street, Outdoor Concert on 4-15-15.



City Council
200 Main Street
South City, NY 12345

SCHEDULED

GENERAL BUSINESS (ID # 1019)

Meeting: 04/07/15 07:00 PM
Department: City Clerk
Category: Public Hearing
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:
DOC ID: 1019

Public Hearing, Amend Zoning Ordinance & Map, VC GC District to C-3, Smallwood Park

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika will hold a Public Hearing on Tuesday, April 7, 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 Ordinance Number 124-91 (entitled “Zoning Ordinance of the City of Opelika”) adopted on September 17, 1991. At said Public Hearing all who desire to be heard shall have the opportunity to speak for or in opposition to the adoption of the following ordinance:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF OPELIKA

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

Section 1. That Ordinance 124-91 entitled “Zoning Ordinance City of Opelika, Alabama”, adopted on September 17, 1991, and the Zoning Map of the City of Opelika provided for and referred to therein, as previously amended and/or modified, be and the same is hereby amended by rezoning or redistricting the parcel of land hereinafter in this section described, so as to change such parcel from one class of district to another class of district as follows, to-wit:

- (a) From a VC, GC District (Village Commercial, Gateway Corridor District), a I-1, GC District (Institutional, Gateway Corridor District) and a VR-1 District (Village Residential District) to a C-3, GC District (General Commercial, Gateway Corridor District), the parcel of land hereinafter described:

Commencing at the Southeast corner of Section 15, Township 19 North, Range 26 East, Lee County, Alabama; thence North 00° 15’ 40” West, a distance of 182.70 feet to a point on the southerly margin of the Westerly Railway of Alabama; thence North 00° 15’ 40” West, a distance of 104.19 feet to a point on the northerly margin of the Westerly Railway of Alabama; thence along said Railway North 00° 16’ 39” West, a distance of 26.00 feet; thence leaving said Railway North 00° 16’ 39” West, a distance

of 500.50 feet to the POINT OF BEGINNING of Parcel 3; from said POINT OF BEGINNING North 39° 31' 49" West, a distance of 1149.30 feet; thence North 02° 52' 33" East, a distance of 484.34 feet to a point on the southerly margin of US Highway No 29; thence along said southerly margin North 76° 35' 52" East, a distance of 238.40 feet; continue North 79° 37' 04" East, a distance of 219.00 feet to a point on the westerly margin of 30th Street ; thence along said westerly margin South 54° 32' 48" East, a distance of 76.40 feet; continue South 50° 40' 45" East, a distance of 91.17 feet; continue South 51° 09' 46" East, a distance of 92.40 feet; continue South 51° 03' 27" East, a distance of 91.91 feet; continue South 50° 41' 01" East, a distance of 50.00 feet; thence leaving said westerly margin South 39° 07' 32" West, a distance of 172.00 feet; thence South 50° 40' 32" East, a distance of 62.32 feet; thence South 00° 17' 44" East, a distance of 860.46 feet; thence South 00° 16' 39" East, a distance of 128.26 feet; thence South 00° 16' 39" East, a distance of 53.79 feet to the POINT OF BEGINNING; said described tract containing 15.858 Acres, more or less.

The above-described parcel is located at the Southwest quadrant of the intersection of Pepperell Parkway (U.S. Highway 29) and 30th Street and was formerly developed and used as Smallwood Park.

Section 2. Any ordinance or part thereof in conflict with provisions of this Ordinance be and the same are hereby repealed.

Section 3. This Ordinance shall be published in a newspaper of general circulation in the City of Opelika, Lee County, Alabama.

WITNESS my hand this the ____ day of March, 2015.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

=====

TO: PUBLISHER

Opelika, Alabama 36801

Please publish the foregoing Notice one (1) time in the March ____, 2015 issue of your paper.

CITY CLERK



City Council
200 Main Street
South City, NY 12345

SCHEDULED

BIDS (ID # 1020)

Meeting: 04/07/15 07:00 PM
Department: City Clerk
Category: Bid
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:
DOC ID: 1020

Maintenance, IBM Hardware & Software - IT

RESOLUTION NO. _____

WHEREAS, the Purchasing Department opened sealed bids for a contract for Maintenance of IBM Hardware and Software for the Information Technology Department; and

WHEREAS, SPS Var, LLC submitted the low bid meeting specifications; and

WHEREAS, this is a budgeted contract in Information Technology's Repairs and Maintenance account

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

1. That the contract be awarded to SPS Var, LLC on their low bid meeting specifications
2. That the Purchasing-Revenue Manager be authorized to issue a purchase order to SPS Var, LLC in the amount of \$20,503.00
3. That the Mayor is hereby authorized to sign all documents pertaining to this contract
4. The Controller is authorized to adjust the budget as necessary for this contract

APPROVED AND ADOPTED this the _____ day of _____ 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 #B15-014 – We are asking the Council to approve a contract for Maintenance of IBM Hardware and Software

FACTS:

- Bid opening date – 3/23/15
- User department – Information Technology
- The bid was mailed to 31 vendors
- 3 bids were received
- SPS Var, LLC submitted the lowest bid meeting specifications
- Budgeted contract in Information Technology's Repairs and Maintenance account
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend contract be awarded to SPS Var, LLC on their low bid meeting specifications in the amount of \$20,503.00**

DESCRIPTION: MAINTENANCE OF IBM HARDWARE AND SOFTWARE

VENDOR NAME	ITEM #1: ONE (1) YEAR MAINTENANCE CONTRACT - HARDWARE		ITEM #2: ONE (1) YEAR MAINTENANCE CONTRACT - SOFTWARE		TOTAL BID	DELIVERY	TERMS
	ITEM #1	ITEM #2	ITEM #1	ITEM #2			
AL CRIMINAL JUSTICE INFO CTR							
ASI COMPUTER TECHNOLOGIES INC							
BECK & ASSOCIATES ALTECH OFFICE SOLUTIONS INC							
BLACKMON AGENCY INC							
CAPITAL REFRIGERATION CO INC							
CDW GOVERNMENT INC							
CISTERA NETWORKS INC							
CPAK TECHNOLOGY SOLUTIONS							
DELL MARKETING L P							
DELTACOM INC							
DIGITEL CORPORATION							
DYNAMIX GROUP INC	\$13,172.72	\$7,828.48			\$21,001.20	5 days	
ELECSYS INTERNATIONAL CORP							
GENERAL DYNAMICS ITRONIX CORP							
GENISYS GROUP INC	\$14,064.00	\$8,718.00			\$22,782.00	3 days	
GIS INFORMATION SYSTEMS INC							
HELP SYSTEMS INC							
HICOMP LLC							
INFORMATION TECHNOLOGY SOL							
K A THRASH							
NAVIGATION ELECTRONICS INC							
OFFICE DEPOT							
PITNEY BOWES INC							
POLARIS LIBRARY SYSTEMS							
RJS SOFTWARE SYSTEMS INC							

Packet Pg. 26

Norrell, Angela

From: Dawe, Stephen N.
Sent: Monday, March 30, 2015 4:14 PM
To: Finley, Lillie
Cc: Norrell, Angela
Subject: RE: Recommendation for IBM maintenance

Lillie

SPS Var was the low bid meeting specifications

Thanks

Stephen Dawe

From: Finley, Lillie
Sent: Monday, March 30, 2015 3:34 PM
To: Dawe, Stephen N.
Cc: Norrell, Angela
Subject: Recommendation

Hi Stephen,

If you would like council approval on the IBM software and hardware maintenance bid on April 7, I need your recommendation by tomorrow.

Thanks,

Lillie

Attachment: CM 4-7-15, Bid, Maintenance IBM hardware & software (1020 : Maintenance, IBM Hardware & Software - IT)

RESOLUTION NO. (ID # 1021)

Tabled, Order Demolition at 1808 2Nd Avenue. Permit Expires 3-24-15

**RESOLUTION ORDERING THE DEMOLITION OF THE
BUILDING LOCATED AT 1808 SECOND AVENUE**

WHEREAS, any incorporated municipality of the State of Alabama may, after notice as provided in Section 11-40-31, demolish buildings and structures, or parts of buildings and structures, party walls, and foundations when found by the governing body of the municipality to be unsafe to the extent of being a public nuisance from any cause; and

WHEREAS, on June 27, 2014, the Building Official of the City of Opelika gave notice to remedy the unsafe or dangerous condition of the building or structure located at 1808 Second Avenue, Opelika, Alabama, to the person or persons, firm, association, or corporation last assessing said property for state taxes, by certified mail, as provided in Section 11-40-31, *Code of Alabama*; and

WHEREAS, Tuesday, October 7, 2014 at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Lee County, Alabama, was fixed as the time and place when and where the City Council will meet to determine whether or not the building located at 1808 Second Avenue is unsafe to the extent that it creates a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, October 7, 2014, at the aforesaid time and place for the purpose of conducting said public hearing; and

WHEREAS, the President of the City Council of the City of Opelika presided over said public hearing and opened the floor for comments from the public and any persons interested in the real property located at 1808 Second Avenue, Opelika, Alabama; and

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

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

1. The City Council finds and declares that the building or structure at 1808 Second Avenue, Opelika, Alabama, is unsafe to the extent that it creates a public nuisance, and it is advisable and in the public interest that said building or structure should be demolished and removed at the owner's expense. The property referred to above is more particularly described as follows:

Lot No. 95 ad the West half of Lot No. 94 of the Five Points Subdivision of the land of J.A. Killgore into city lots, as shown by the survey of said land made August 23, 1946, by William B. Irby, Engineer and Surveyor, recorded in Town Plat Book 3, at Page 67, in the Office of the Judge of Probate of Lee County, Alabama.

Also being further described as Parcel Number 43-09-06-13-2-000-064.000, according to records maintained in the Lee County Revenue Commissioner's Office.

2. The Mayor is hereby authorized and directed to cause said building or structure to be demolished and removed after the expiration of ten (10) days from the date of this resolution. Demolition may be accomplished by the municipality by the use of its own forces, or it may be provided by contract for the demolition. The municipality may sell or otherwise dispose of salvaged materials resulting from the demolition. All employees, contractors and duly authorized agents of the City are authorized to enter upon said property for said purpose.

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

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

5. The City Clerk is hereby directed to mail, by certified mail, a copy of this resolution to the owners and lien holders of the property as the information appears on the records of the office of the Tax Assessor and in the Office of the Judge of Probate of Lee County, Alabama.

ADOPTED AND APPROVED this the ____ day of _____ 2014.

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

ATTEST:

CITY CLERK

Cc: Lunceford, Inc.
3505 Pepperell Parkway
Opelika, AL 36801

Lunceford, Inc.
c/o Michael S. Lunceford
1948 Mall Boulevard
Opelika, AL 36801

RESOLUTION NO. (ID # 1022)

Expense Reports from Various Depts.

2

RESOLUTION NO. _____**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
David Canon	City Council	155.70
Jeff Kappelman	Planning/Inspection	22.00
Steven Neighbors	OPS	97.17
Wesley Ballard	OPS	147.72
Robert Niles	IT	86.75
Zach Voller	OPS	76.53
Heather Middleton-High	H/R	120.98
Lori Anguley	E/D	646.70
Lori Anguley	E/D	5,697.50
Gary Fuller	Mayor's Office	5,707.00
Jody Motley	Mayor's Office	245.79
Brady Pollock	Eng.	405.84

- 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 _____ day of _____, 2015

ATTEST

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

 Robert G. Shuman, CMC
 City Clerk - City Treasurer

Attachment: CM 4-07-15, resolution, expense rpts_1 (1022 : Expense Reports from Various Depts.)

RESOLUTION NO. (ID # 1023)

Designate City Personal Property as Surplus & Authorize Disposal

RESOLUTION NO. _____

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

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

NOW, THEREFORE, BE IT RESOLVED by the City 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.	1	Ea	2007 Dodge Magnum 2D4GV47V17H725382	87002472

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

APPROVED AND ADOPTED this the _____ day of _____, 2015.

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

ATTEST:

Robert G. Shuman
City Clerk - Treasurer

Attachment: CM 4-7-15, resolution, surplus property, (1023 : Designate City Personal Property as Surplus & Authorize Disposal)

RESOLUTION NO. (ID # 1024)

Agreement, Test Development & Administer Exam, Police Lieutenant

WHEREAS, a new promotional procedure was adopted in 1997; and

WHEREAS, the last test for Police Lieutenant was completed in February, 2012; and

WHEREAS, the list of eligible candidates has been exhausted; and

WHEREAS, the validated selection procedure must be re-examined at this time to ensure validity; and

WHEREAS, a proposal has been received by Decisions Inc, which was the sub-contractor that assisted in developing the original procedures; and

WHEREAS, the cost of the proposal is \$15,000.00, plus expenses; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of

Opelika, Alabama, a municipal corporation, as follows:

1. That the Mayor is authorized to enter into an agreement with Decisions, Inc to perform test development and administer the exam as outlined in the proposal letter dated March 18, 2015, attached as Exhibit "A".

APPROVED AND ADOPTED, this _____ day of _____, 2015

C.E. "Eddie" Smith Jr.

President City Council

Opelika, Alabama

ATTEST:

Robert G. Shuman

City Clerk - Treasurer

RESOLUTION NO. (ID # 1025)

Agreement, Extension with AT&T - OPS**RESOLUTION AUTHORIZING AND APPROVING THE EXTENSION OF
MFN AGREEMENT ON A MONTH-TO-MONTH BASIS**

WHEREAS, on October 2, 2012 the City of Opelika, Alabama, d/b/a Opelika Power Services (the “City”), and Bellsouth Telecommunications, LLC, (“AT&T”) entered into a MFN Agreement (the “MFN Agreement”) which expires on May 1, 2015; and

WHEREAS, the MFN Agreement requires AT&T to interconnect its networks with the local phone network owned and operated by the City; and

WHEREAS, the MFN Agreement adopts and incorporates the terms and conditions of the Interconnection Agreement dated March 14, 2012 between AT&T and Harbor Communications, LLC (the “Interconnection Agreement”); and

WHEREAS, Section 8.44 of the Interconnection Agreement provides that if the parties are in negotiations at the expiration date of the MFN Agreement, AT&T shall continue services to the City pursuant to the provisions, terms and conditions set forth in the MFN Agreement; and

WHEREAS, AT&T is willing continue to provide interconnectivity services to the City on a month-to-month basis under the current MFN Agreement until further notice; and

WHEREAS, the City desires to continue to receive interconnectivity services provided by AT&T.

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

1. That the City Council hereby authorizes and approves the extension of the MFN Agreement on a month-to-month basis.
2. That the City Council hereby authorizes the City (OPS) to pay the rates and charges billed to the City by AT&T according to the terms and provisions of the MFN Agreement.
3. That the Controller is hereby authorized and directed to make the necessary budget adjustments and accounting entries to carry into effect the intent of this Resolution.
4. That the Purchasing-Revenue Manager is authorized and directed to issue all necessary and appropriate purchase orders to implement this Resolution.
5. That the officers of the City and any person or persons designated and authorized by any officers of the City to act in the name and on behalf of the City, or any one or more of them, are authorized to do or cause to be done or performed in the name and on behalf of the City such other acts and to execute and deliver or cause to be executed and delivered in the name and on behalf of the City such other notices, certificates, assurances or other instruments or other communications under the seal of the City or otherwise, as they, or any of them deem necessary or advisable or appropriate in order to carry into effect the intent of the provisions of this Resolution.
6. That this Resolution shall take effect upon its passage and adoption by the City Council.

ADOPTED AND APPROVED this the _____ day of _____, 2015.

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

ATTEST:

CITY CLERK

RESOLUTION NO. (ID # 1026)

Agreement, Revised, Road Project with Lee County and Bush Properties

**RESOLUTION APPROVING AND AUTHORIZING A REVISED ROAD
CONSTRUCTION PROJECT AGREEMENT BY AND AMONG THE CITY OF
OPELIKA, ALABAMA, LEE COUNTY, ALABAMA AND BUSH PROPERTIES, INC.**

WHEREAS, pursuant to the authority granted by Resolution No. 059-15 adopted on March 3, 2015, this City Council authorized and approved a Road Construction Project Agreement by and among the City of Opelika, Alabama (hereinafter referred to as the “City”), Lee County, Alabama (hereinafter referred to as “Lee County”), and Bush Properties, Inc.(hereinafter referred to as “Bush Properties”); and

WHEREAS, on March 30, 2015, the Lee County Commission considered a revised Road Construction Project Agreement amending and adding terms and conditions thereto; and

WHEREAS, on March 30, 2015, the Lee County Commission authorized and approved the revised Road Construction Project Agreement which is attached to this Resolution as Exhibit “A”; and

WHEREAS, the revised Road Construction Project Agreement (hereinafter the “Agreement”) has been 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 Agreement.

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

1. That the recitals set forth herein above are incorporated herein by reference as the factual basis for this Resolution.

2. That the revised Road Construction Project Agreement to be entered into by and among the City, Lee County and Bush Properties, a copy of which is attached hereto and marked Exhibit "A", be and the same is hereby approved, authorized, ratified and confirmed in the form substantially submitted to the City Council with such changes thereto (by addition, deletion or substitution) as the Mayor shall approve, which approval shall be conclusively evidenced by the execution and delivery of said Agreement.

3. That the Mayor is hereby authorized to execute and deliver said Agreement on behalf of the City and such other ancillary documents and certificates as may be necessary to carry into effect the purpose and intent of said Agreement and carry out fully the transactions contemplated therein on behalf of the City. The City Clerk is hereby authorized to attest said Agreement and to affix the seal of the City thereto.

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 and the attached Agreement.

5. To the extent of any inconsistency, this Resolution shall supersede the terms, conditions and provisions of Resolution No. 059-15.

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

ADOPTED AND APPROVED this the _____ day of _____, 2015.

PRESIDENT OF THE CITY COUNCIL
OF THE CITY OF OPELIKA

ATTEST:

CITY CLERK

RESOLUTION NO. (ID # 1027)

Agreement, Road Project with ALDOT, Northpark Dr - Golden States**RESOLUTION AUTHORIZING AGREEMENT FOR PRELIMINARY ENGINEERING, RIGHT-OF-WAY ACQUISITION AND CONSTRUCTION BETWEEN THE STATE OF ALABAMA AND THE CITY OF OPELIKA, ALABAMA**

WHEREAS, the State of Alabama, acting by and through the Alabama Department of Transportation (hereinafter referred to as the “State”), and the City of Opelika, Alabama, a municipal corporation (hereinafter referred to as the “City”) desire to cooperate in a preliminary engineering, right-of-way acquisition and construction program for industrial access road improvements on Northpark Drive and traffic signal installation at the intersection of Andrews Road to benefit Project Seal-Golden State Foods in the City of Opelika; and

WHEREAS, the described access road qualifies for funding under the legislation creating the Alabama Industrial Access Road and Bridge Corporation; and

WHEREAS, a proposed Agreement for Preliminary Engineering, Right-of-Way Acquisition and Construction for Project IAR-041-000-016 (the “Agreement”) has been prepared and submitted to the City Council for approval, and the Council has determined that it is now in the best interest of the City and its citizens to approve said Agreement.

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

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

2. That the Mayor is hereby authorized and directed to execute and deliver said Agreement in the name and on behalf of the City and the City Clerk is hereby authorized to attest the same and to affix the seal of the City thereto.

3. That any 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 Agreement.

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

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

ADOPTED AND APPROVED this the _____ day of _____, 2015.

 PRESIDENT OF THE CITY COUNCIL
 OF THE CITY OF OPELIKA

ATTEST:

 CITY CLERK

CERTIFICATE

I, the undersigned qualified and acting Clerk of the City of Opelika, do hereby certify that the above and foregoing is a true and correct copy of a resolution passed and adopted by the City Council of the City of Opelika, Alabama, at a regular meeting of such Council held on the ____ day of _____, 2015, and such resolution is on file in the City Clerk's office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this the ____ day of _____, 2015.

CITY CLERK

RESOLUTION NO. (ID # 1028)

Special Appropriation to KOB, 2015 Garden in the Park

WHEREAS, the Opelika City Council members and Mayor Gary Fuller appreciates and fully supports Keep Opelika Beautiful (KOB) and their various programs; and

WHEREAS, Keep Opelika Beautiful is in need of additional funding to provide their annual 2015 Garden in the Park event; and

WHEREAS, each City Council member would like to participate in a special appropriation from their discretionary reserve fund to sponsor the KOB - Garden in the Park event.

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

1. That the City Council approves a special appropriation from each City Councilman as detailed below to sponsor the 2015 KOB Garden in the Park event:

Patsy Jones	Ward 1	From reserve fund	\$500.00
Larry Gray	Ward 2	From current year acct.	\$500.00
Dozier Smith T	Ward 3	From current year acct.	\$500.00
Eddie Smith	Ward 4	From reserve fund	\$500.00
David Canon	Ward 5	From reserve fund	\$500.00

2. The City Council hereby declares and determines that said appropriation of public funds to be utilized by Keep Opelika Beautiful will serve a public purpose.
3. That the Mayor and the Controller is hereby authorized and directed to transfer \$2,500.00 as detailed in no. 1 above to the appropriate account.
4. That the City Clerk-Treasurer is hereby authorized to prepare and process the

appropriate document(s) so a check for \$2,500.00 payable to Keep Opelika Beautiful and earmarked for their 2015 Garden in the Park event.

ADOPTED and APPROVED this the ____ day of _____, 2015.

C. E. "Eddie" Smith, Jr.

President of the City Council

City of Opelika, Alabama

Attest:

Robert G. Shuman, CMC

RESOLUTION NO. (ID # 1029)

Special Appropriation to Opelika City Schools, HOSA Program

WHEREAS, Mayor Fuller and the Opelika City Council appreciates and fully supports the various activities and programs of the Opelika School System, and

WHEREAS, the Opelika High School HOSA program is in need of additional funding to assist in covering the expenses in attending the national HOSA competition in California, and

WHEREAS, all five Council members have agreed to contribute \$500.00 from their respective discretionary current year account or reserve fund.

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

1. That the City Council approves said request to provide a total of \$2,500.00 to the Opelika School System to assist the Opelika High School HOSA group attend the national competition in California.
2. That City Council members wish to provide \$500.00 each from their discretionary funds as detailed below with said funds to be used as explained in No. 1 above:

Patricia Jones	Ward 1	From reserve fund.	\$500.00
Larry Gray	Ward 2	From current year acct.	\$500.00
Dozier Smith T	Ward 3	From current year acct.	\$500.00
Eddie Smith	Ward 4	From reserve fund.	\$500.00
David Canon	Ward 5	From current year acct.	\$500.00

3. That the City Council hereby declares and determines that the expenditure of these public funds will serve a public purpose for the City of Opelika.
4. The Mayor and the Controller is hereby authorized and directed to make a budget adjustment for \$2,500.00 from the various accounts/funds as detailed in No. 1. above to the appropriate account(s).
5. The City Clerk-Treasurer is hereby authorized and directed to prepare the appropriate documents so that a check for \$2,500.00 can be prepared payable to

Opelika School System and earmarked for the HOSA program.

APPROVED and ADOPTED this the _____ day of _____, 2015.

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

Attest:

Robert G. Shuman, CMC
City Clerk - Treasurer

RESOLUTION NO. (ID # 1030)

Special Appropriation to ACS 2015 Relay for Life

WHEREAS, the entire Opelika City Council fully supports and appreciates the various services and research that is being provided by the American Cancer Society, and

WHEREAS, the local chapter of the American Cancer Society is in need of contributions to assist in funding their annual “Relay for Life” event and continued research to find the cure for cancer, and

WHEREAS, Council President pro-tem Patsy Jones Ward 1, Councilman Larry Gray Ward 2, Councilman Dozier Smith T Ward 3, Council President Eddie Smith Ward 4 and Councilman David Canon Ward 5 wish to provide a special appropriation to assist in supporting the annual “Relay for Life” event provided by the local chapter of the American Cancer Society.

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

1. That each Council member wish to make a special appropriation as detailed below to the local chapter of the American Cancer Society to assist with the cost of their annual “Relay for Life” event and continued research for the cure for cancer:

Patricia Jones	Ward 1	From reserve fund.	\$1,000.00
Larry Gray	Ward 2	From current year acct.	\$1,000.00
Dozier Smith T	Ward 3	From current year acct.	\$1,000.00
Eddie Smith	Ward 4	From reserve fund.	\$1,000.00
David Canon	Ward 5	From current year acct.	\$1,000.00

2. That the Council hereby declares and determines that said expenditures of these public funds will serve a public purpose for the City of Opelika.
3. That the Mayor and the Controller is hereby authorized and directed to move a total of \$5,000.00 from the various accounts/funds as detailed in No. 1 above to the appropriate account(s).
4. The City Clerk-Treasurer is hereby authorized and directed to prepare the appropriate documents so a check for \$5,000.00 can be prepared and delivered to the local chapter of the American Cancer Society.

ADOPTED and APPROVED this the _____ day of _____, 2015.

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

Attest:

Robert G. Shuman, CMC
City Clerk - Treasurer

ORDINANCE NO. (ID # 1031)

Amend City Code, Section 5.7 - 11,12,13 - Cemetery Rates

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

Section 1. That Section 5.7-11 of the Code of Ordinances of the City of Opelika is hereby amended to read as follows:

The following schedule of charges shall apply to all cemetery lots located in Evergreen Cemetery:

Charges for residents of Opelika:

Grave spaces: \$ 750.00 per grave space.

Columbaria spaces: \$ 750.00 per space.

Charges for nonresidents of Opelika:

Grave spaces: \$1,500.00 per grave space.

Columbaria spaces: \$1,500.00 per space.

Grave Opening and closing costs (residents and nonresidents):

Monday through Friday (before 4:00 p.m.)..... \$ 500.00

Monday through Friday (after 4:00 p.m.)..... \$ 575.00

Weekends (before 4:00 p.m.)..... \$ 600.00

Weekends (after 4:00 p.m.)..... \$ 650.00

Holidays (before 4:00 p.m.)..... \$ 750.00

Holidays (after 4:00 p.m.)..... \$ 800.00

Cremains/Columbaria Opening and closing costs (residents and nonresidents):

Monday through Friday (before 4:00 p.m.)..... \$ 225.00

Monday through Friday (after 4:00 p.m.)..... \$ 275.00

Weekends (before 4:00 p.m.).....	\$ 300.00
Weekends (after 4:00 p.m.).....	\$ 375.00
Holidays (before 4:00 p.m.).....	\$ 400.00
Holidays (after 4:00 p.m.).....	\$ 450.00

Section 2. That Section 5.7-12 of the Code of Ordinances of the City of Opelika is hereby amended to read as follows:

The following schedule of charges shall apply to all cemetery lots located in Garden Hills Cemetery:

Charges for residents of Opelika:

Grave spaces:	\$ 750.00 per grave space.
Grave spaces:	\$1,000.00 per grave space in sections 2, 6, 9, 18, 18-A, 19.
Columbaria spaces:	\$ 750.00 per space.

Charges for nonresidents of Opelika:

Grave spaces:	\$1,500.00 per grave space.
Grave spaces:	\$2,000.00 per grave space in sections 2, 6, 9, 18, 18-A, 19.
Columbaria spaces:	\$1,500.00 per space.

Grave Opening and closing costs (residents and nonresidents):

Monday through Friday (before 4:00 p.m.).....	\$ 500.00
Monday through Friday (after 4:00 p.m.).....	\$ 575.00
Weekends (before 4:00 p.m.).....	\$ 600.00
Weekends (after 4:00 p.m.).....	\$ 650.00
Holidays (before 4:00 p.m.).....	\$ 750.00
Holidays (after 4:00 p.m.).....	\$ 800.00

Cremains/Columbaria Opening and closing costs (residents and nonresidents):

Monday through Friday (before 4:00 p.m.).....	\$ 225.00
Monday through Friday (after 4:00 p.m.).....	\$ 275.00
Weekends (before 4:00 p.m.).....	\$ 300.00
Weekends (after 4:00 p.m.).....	\$ 375.00
Holidays (before 4:00 p.m.).....	\$ 400.00
Holidays (after 4:00 p.m.).....	\$ 450.00

Section 3. That Section 5.7-13 of the Code of Ordinances of the City of Opelika is hereby amended to read as follows:

The following schedule of charges shall apply to all cemetery lots located in Rosemere Cemetery:

Charges for residents of Opelika:

No lots available.

Charges for nonresidents of Opelika:

No lots available.

Grave Opening and closing costs (residents and nonresidents):

Monday through Friday (before 4:00 p.m.).....	\$ 500.00
Monday through Friday (after 4:00 p.m.).....	\$ 575.00
Weekends (before 4:00 p.m.).....	\$ 600.00
Weekends (after 4:00 p.m.).....	\$ 650.00
Holidays (before 4:00 p.m.).....	\$ 750.00
Holidays (after 4:00 p.m.).....	\$ 800.00

Section 4. That this ordinance shall become effective upon its adoption and publication as

required by law.

Section 5. That the City Clerk is hereby authorized and directed to publish this ordinance in the Opelika Observer, a newspaper of general circulation in the City of Opelika, Lee County, Alabama.

ADOPTED AND APPROVED this the _____ day of _____ 2015.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR this the _____ day of _____ 2015.

CITY CLERK

ACTION BY MAYOR

APPROVED this the _____ day of _____ 2015.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. (ID # 1032)

Amend Zoning Ordinance, R-2 to R-1A Lake Forest SD - 2Nd Reading

AN ORDINANCE TO AMEND THE ZONING

ORDINANCE AND ZONING MAP OF THE CITY OF OPELIKA

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

Section 1. That Ordinance 124-91 entitled “Zoning Ordinance City of Opelika, Alabama”, adopted on September 17, 1991, and the Zoning Map of the City of Opelika provided for and referred to therein, as previously amended and/or modified, be and the same is hereby amended by rezoning or redistricting the parcels of land hereinafter in this section described, so as to change such parcels from one class of district to another class of district as follows, to-wit:

- (a) From an R-2 District (Low Density Residential District) to a R-1A District (Residential Transition District) the parcels of land hereinafter described:

Lake Forest Subdivision and a portion of Cedar Creek subdivision

Lots 1 through 41, inclusive, as shown on the Lake Forest Estates Subdivision plat as recorded in Plat Book 8 at Page 81 in the Office of the Judge of Probate of Lee County, Alabama. Lots 1 - 41 contain 156 acres more or less.

Lots 14 through 26, inclusive, as shown on the Cedar Creek, Phase 1A Subdivision plat as recorded in plat book 26 at Page 68 in the Office of the Judge of Probate of Lee County, Alabama. Lots 14 to 26 contain 29.4 acres more or less

Lots 1 through 13, inclusive, as shown on the Cedar Creek, Phase 1C Subdivision plat as recorded in Plat Book 27 at Page 103 in the Office of the Judge of Probate of Lee County, Alabama. Lots 1 to 13 contain 19.5 acres more or less

Properties fronting along Sanders Creek Drive, Beverly Dr., Evans Dr., Highpoint Dr., portion of Morris Ave, Oak Bowery Road, and Whittelsey Ct.

Lots 1 through 20, inclusive, and Parcel A (62 acres) as shown on the Sanders Creek, Phase 1 Subdivision plat as recorded in Plat Book 1 at Page 146 in the Office of the Judge of Probate of Lee County, Alabama, less and except the following property of said Parcel A: Point of Beginning being the southeast corner of section 35, then run South 88 degrees 02 minutes 10 seconds for 357.2 feet; then run in a northwesterly direction 332 feet to the south right-of-way margin of Evans Drive; then run in a northeasterly direction along the said south right-of-way margin of Evans Drive for 1,080 feet more or less to a point; then run South 63 degrees 16 minutes 09 seconds for 176.7 feet to a point; then run South 26 degrees 55 minutes 24 seconds for 83.6 feet to a point; then run South 01 degrees 4 1minutes 10 seconds for 556.3 feet to the Point of Beginning. Less and except property containing 5.1 acres more or less

Parcels D as shown on the Whittelsey Acres, 2nd Addition Subdivision plat (sheet 2) as recorded in Plat Book 11 at Pages 7 - 7.5 in the Office of the Judge of Probate of Lee County, Alabama, and include adjacent properties east of said Parcel D to the west right-of-way margin of Oak Bowery Road as shown on said Whittelsey Acres, 2nd Addition Subdivision plat (sheet 2). Parcels D and adjacent properties contains 28 acres more or less

Parcels 6A, 6B, 7A and 8A as shown on the “Wood Subdivision, First Revision” Subdivision plat as recorded in Plat Book 13 at Page 55 in the Office of the Judge of Probate of Lee County, Alabama. Lots contain 4.4 acres more or less

Lots 5B, 5C, 10A, 4A, 3A, 2A, 1A, and 11 as shown on the “Wood Subdivision, 2nd Revision” Subdivision plat as recorded in Plat Book 20 at Page 20 in the Office of the Judge of Probate of Lee County, Alabama. Lots contain 23.7 acres more or less

Lots 1, 2, and 3 as shown on the “Dene Bence” subdivision plat as recorded in Plat Book 20 at Page 52 in the Office of the Judge of Probate of Lee County, Alabama. Lots contain 5.7 acres more or less

Lots 1 through 7, inclusive, as shown on the “Molina Woods” subdivision plat as recorded in Plat Book 8 at Page 194 in the Office of the Judge of Probate of Lee County, Alabama.

Lot 1 and then Lot 5 through 22, inclusive, as shown on the “High Point” Subdivision plat, as recorded in Plat Book 9 at Page 26 in the Office of the Judge of Probate of Lee County, Alabama.

Commence at the southwest corner of Section 36, Township 20 North, Range 26 East, run North 29 degrees 42 minutes East for 1,870.6 feet to a point on the east right-of-way margin of Oak Bowery Road; then run in a northerly direction along the said east margin of Oak Bowery Road 696 feet more or less to a point at the intersection of Oak Bowery Road and Morris Avenue; then run east along the south right-of-way margin of Morris Avenue 1,615 feet more or less to the Point of Beginning of the parcel herein described: then run in a southerly direction 741 feet more or less to a point; then run in a easterly direction 331 feet more or less to a point; then run in a northerly direction 756 feet more or less to a point on the south right-of-way margin of Morris Avenue; then run in a westerly direction along the said south right-of-way margin of Morris Avenue 326 feet more or less to the Point of Beginning. Parcel contains 5.6 acres. Address: 1309 Morris Avenue

Commence at the southwest corner of Section 36, Township 20 North, Range 26 East, run North 29 degrees 42 minutes East for 1,870.6 feet to a point on the east right-of-way margin of Oak Bowery Road; then run in a northerly direction along the said east margin of Oak Bowery Road 696 feet more or less to a point at the intersection of Oak Bowery Road and Morris Avenue; then run east along the south right-of-way margin of Morris Avenue 2,266 feet more or less to the Point of Beginning of the two parcels herein described: then run in a southerly direction 772 feet more or less to a point; then run in a easterly direction 601 feet more or less to a point; then run in a northerly direction 822 feet more or less to a point on the south right-of-way margin of Morris Avenue; then run in a westerly direction along the said south right-of-way margin of Morris Avenue 617 feet more or less to the Point of Beginning. The two parcels contain 11.1 acres. Address: 1301 Morris Avenue and 1303 Morris Avenue

- (b) From an R-4 District (Medium Density Residential District) to a R-2 District (Low Density Residential District) the parcels of land hereinafter described:

Properties in Stonybrook subdivision and Bent Creek subdivision

Lots 1 through 53, inclusive, as shown on the “Stonybrook Subdivision” Subdivision plat as recorded in Plat Book 26 at Page 8 in the Office of the Judge of Probate of Lee County, Alabama.

Lots 1 through 35, inclusive, as shown on the “Bent Creek Subdivision, Deer Run Section, Section 2” Subdivision plat as recorded in Plat Book 15 at Page 154 in the Office of the Judge of Probate of Lee County, Alabama.

Lots 1 through 16, inclusive, as shown on the “Bent Creek Subdivision, Deer Run Section” Subdivision plat as recorded in Plat Book 9 at Page 82 in the Office of the Judge of Probate of Lee County, Alabama.

Commencing at the northeast corner of Section 26, Township 19 North, Range 26 East, run South 3 degrees, 29 minutes East for 2,386 feet more or less to the Point of Beginning of the two parcels herein described: then run in a southerly direction 356 feet more or less to a point; then run in a westerly direction 640 feet more or less to a point on the eastern right-of-way margin of Hamilton Road; then run along said easterly right-of-way margin of Hamilton road in a northerly direction for 339 feet to a point; then run in a easterly direction for 663 feet more or less to the Pont of Beginning. The two lots contain 5.1 acres more or less

Section 2. Any ordinance or part thereof in conflict with provisions of this Ordinance be and the same are hereby repealed.

Section 3. This Ordinance shall be published in a newspaper of general circulation in the City of Opelika, Lee County, Alabama.

ADOPTED AND APPROVED this the ____ day of _____, 2015.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR on this the ____ day of _____, 2015.

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2015.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. (ID # 1033)

Amend City Code of Ordinances, Chapter 26, Encroachment Public ROW - 1St Reading

**AN ORDINANCE REGULATING ENCROACHMENTS IN THE
PUBLIC RIGHTS-OF-WAY, PUBLIC EASEMENTS, PUBLIC
GROUNDS OR LAND DEDICATED TO PUBLIC USE**

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

Section 1. **Amendment.** That Chapter 26 of the *Code of Ordinances* of the City of Opelika, Alabama, is hereby amended by adding an Article to be numbered IX, which said article shall read as follows:

IX. Encroachments.

Sec. 26-275. Definitions.

For the purposes of this Article, the following words and phrases shall have the following meanings:

(a) **“Building Official”** means the chief building inspector of the Building Inspection Division or his or her designee.

(b) **“City”** means the City of Opelika, Alabama.

(c) **“Encroachment”** means any object, fixture or obstruction that intrudes on or invades on, above or under a public right-of-way, a public easement, public grounds or land dedicated to public use, diminishing its length, width, height or depth of area.

(d) **“Property Owner”** or **“Owner”** means a person, persons, corporation, partnership, limited liability company or any other entity holding fee title to real property. If more

than own person or entity owns the subject real property, “Property Owner” or “Owner” refers to each person or entity holding any portion of the fee interest in the property and the property owner’s obligations in this article are joint and several as to each property owner.

(e) **“Right-of-Way”** and **“Public Right-of-Way”** means the surface and space above or below an improved or unimproved public street, road, boulevard, alley, avenue, lane, highway, sidewalk, bicycle lane, public easement, public grounds or land dedicated to public use, including those portions that are unpaved. Without limiting the above, the unpaved shoulder or unpaved median of a public street, road, boulevard, alley, avenue, highway or lane is included as part of the right-of-way as defined herein.

(f) **“Structure”** means anything constructed or erected with a fixed location on or in the ground or attached to something having a fixed location on or in the ground. The word shall include but not be limited to buildings, manufactured homes, walls, fences, billboards, poster panels, swimming pools, posts and poles, including basketball posts.

Sec. 26-276. Encroaching structures-prohibited.

It shall be unlawful for any person to construct, erect, build, own, maintain, use or occupy any house, building, structure or encroachment of any kind located in or on a public right-of-way, public easement, public grounds or land dedicated to the public in the City without first obtaining the consent of the City Council. Past tolerance of an encroachment or failure to enforce the prohibition against encroachment shall not be grounds for continued existence of a nonconforming encroachment.

Sec. 26-277. Exemptions.

The following uses are exempt from the requirements of this article:

(a) Driveways (including paved, masonry, concrete, asphalt, etc.) must meet sight distance requirements of the Public Works Manual and must be constructed in compliance with City requirements for stormwater drainage/piping.

- (b) City owned or City-controlled appurtenances, including but not limited to traffic signal equipment, traffic or roadway signs, and lighting equipment.
- (c) United States mail regular drop-off and collection boxes.
- (d) Appurtenances of a utility company or public entity with an existing franchise or other contract with the City.
- (e) Private mailboxes installed in accordance with applicable design criteria established by the United States Postal Service.
- (f) Fire hydrants or water valves owned or controlled by the Utilities Board of the City pursuant to its franchise from the City.
- (g) Encroachments approved by the City Council.
- (h) Any appurtenance exempt by law from the City's authority.

Sec. 26-278. Notice to owner.

The Building Official, through his agents, shall notify by certified mail, return receipt requested, personal service or by any other method of service available pursuant to Rule 4 of *The Alabama Rules of Civil Procedure*, the owner of the abutting real property of the location and description of the encroachment and the duty to remove said encroachment within ten (10) days from the date of the notice. Notice by certified mail shall be deemed to be received seventy-two (72) hours after it is mailed. The notice shall be sent to the person shown by the records of the County to have been the last person assessed for the payment of ad valorem taxes on the property where the violation is alleged to exist. The Building Official shall also attach a copy of the notice to the encroachment directing the owner of the real property to remove the encroachment within ten (10) days and shall take a photograph of the encroachment with the notice attached. The removal period provided in the copy of the attached notice shall correspond to the ten day removal period stated in the notice delivered through the mail.

If the owner of the real property upon receipt of the removal notice is unable to comply with the order of the Building Official for some reasonable cause, the Building Official may grant an extension of time. However, if the encroachment constitutes an immediate hazard, the Building Official may cause it to be removed immediately.

Sec. 26-279. Removal by Building Official.

If upon the expiration of the time set out in the notice served under the provisions of Section 26-178 the encroachments are not removed, the Building Official shall have them removed. The costs of removal shall be paid by the person committing the violation. The costs of removal shall constitute a lien upon the property. The City shall owe no compensation for the removal of non-conforming encroachments.

Sec. 26-280. Liability.

This article shall not be construed to create or hold the City responsible or liable for any damage to persons or property by reason of any inspection or notification authorized herein or for the failure to inspect or notify nor create any liability upon the City or any official, agent or employee. To the fullest extent allowed by law, the right-of-way user shall be liable to the City for any damage or loss occasioned by any act or omission occurring in connection with his, her or its encroachment and the right-of-way user shall fully indemnify, hold harmless and defend the City, its officers and employees against any and all suits, actions, indigents, losses, costs, demands, claims, expenses (including attorney's fees) damages and liabilities arising from or connected with any such encroachment.

Sec. 26-281. Penalties for violations.

Violations of the provisions of this article or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this article or who fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than thirty (30) days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing contained herein shall prevent the City from taking such other lawful actions as are necessary to prevent or remedy any violation.

Sec. 26-282. Severability.

If any section, clause, sentence or phrase of this article is held to be invalid or unconstitutional by any court of competent jurisdiction, then such holding shall in no way affect the validity of the remaining portion of this article.

Section 2. **Conflict.** All ordinances or parts thereof which are in conflict with the provisions of this Ordinance are hereby repealed in their entirety to the extent of such conflict.

Section 3. **Publication.** The City Clerk of the City of Opelika, Alabama is hereby authorized and directed to cause this Ordinance to be published one (1) time in a newspaper of general circulation published in the City of Opelika, Lee County, Alabama.

ADOPTED AND APPROVED this the ____ day of _____, 2015.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR on this the ____ day of _____, 2015.

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2015.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. (ID # 1034)

Amend Zoning Ordinance,& Map, VC CG District to C-3, Smallwood Park - 1St ReadingAN ORDINANCE TO AMEND THE ZONINGORDINANCE AND ZONING MAP OF THE CITY OF OPELIKA

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

Section 1. That Ordinance 124-91 entitled “Zoning Ordinance City of Opelika, Alabama”, adopted on September 17, 1991, and the Zoning Map of the City of Opelika provided for and referred to therein, as previously amended and/or modified, be and the same is hereby amended by rezoning or redistricting the parcel of land hereinafter in this section described, so as to change such parcel from one class of district to another class of district as follows, to-wit:

- (a) From a VC, GC District (Village Commercial, Gateway Corridor District), a I-1, GC District (Institutional, Gateway Corridor District) and a VR-1 District (Village Residential District) to a C-3, GC District (General Commercial, Gateway Corridor District), the parcel of land hereinafter described:

Commencing at the Southeast corner of Section 15, Township 19 North, Range 26 East, Lee County, Alabama; thence North 00° 15' 40" West, a distance of 182.70 feet to a point on the southerly margin of the Westerly Railway of Alabama; thence North 00° 15' 40" West, a distance of 104.19 feet to a point on the northerly margin of the Westerly Railway of Alabama; thence along said Railway North 00° 16' 39" West, a distance of 26.00 feet; thence leaving said Railway North 00° 16' 39" West, a distance of 500.50 feet to the POINT OF BEGINNING of Parcel 3; from said POINT OF BEGINNING North 39° 31' 49" West, a distance of 1149.30 feet; thence North 02° 52' 33" East, a distance of 484.34 feet to a point on the southerly margin of US Highway No 29; thence along said southerly margin North 76° 35' 52" East, a distance of 238.40 feet; continue North 79° 37' 04" East, a distance of 219.00 feet to a point on the westerly margin of 30th Street ; thence along said westerly margin South 54° 32' 48" East, a distance of 76.40 feet; continue South 50° 40' 45" East, a distance of 91.17 feet; continue South 51° 09' 46" East, a distance of 92.40 feet; continue South 51° 03' 27" East, a distance of 91.91 feet; continue South 50° 41' 01" East, a distance of 50.00 feet; thence leaving said westerly margin South 39° 07' 32" West, a distance of 172.00 feet; thence South 50° 40' 32" East, a distance of 62.32 feet; thence South 00° 17' 44" East, a distance of 860.46 feet; thence South 00° 16'

39" East, a distance of 128.26 feet; thence South 00° 16' 39" East, a distance of 53.79 feet to the POINT OF BEGINNING; said described tract containing 15.858 Acres, more or less.

The above-described parcel is located at the Southwest quadrant of the intersection of Pepperell Parkway (U.S. Highway 29) and 30th Street and was formerly developed and used as Smallwood Park.

Section 2. Any ordinance or part thereof in conflict with provisions of this Ordinance be and the same are hereby repealed.

Section 3. This Ordinance shall be published in a newspaper of general circulation in the City of Opelika, Lee County, Alabama.

ADOPTED AND APPROVED this the ____ day of _____, 2015.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR on this the ____ day of _____, 2015.

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MAYOR

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