



**OPELIKA CITY COUNCIL**  
**“ REGULAR MEETING AGENDA “**

204 South 7th Street

**May 5, 2015**

**TIME: 7:00 PM**

1. CALL TO ORDER
2. ROLL CALL
  1. Patricia Jones, Larry Gray, Dozier Smith T, David Canon, Eddie Smith
3. INVOCATION --- SUNIL MACWAN
4. PLEDGE OF ALLEGIANCE
  1. Adriane King, Abbey Rowe, Danielle Martin, seniors at OHS.
5. READING OF MINUTES
  1. City Council Minutes of 4-21-15
6. UNFINISHED BUSINESS
7. REMARKS BY THE MAYOR
  1. Financial Report - March 2015
  2. Proclamation, recognize May as Mental Health Awareness Month.
  3. Proclamation, recognize Small Business Week
  4. Recognition of the 2015 Duke TIP Scholars.
  5. Recognition of the 2015 AMEA scholarship winners.
8. CITIZEN COMMUNICATIONS - (LIMIT COMMENST TO FIVE MINUTES OR LESS)
9. REPORT OF DISBURSEMENTS
10. COMMITTEE REPORTS
11. GENERAL BUSINESS
  1. Request Street Closure, Juneteenth Celebration on June 20Th.
  2. Request Road Closure / Runway Dr. - Airport Fly in on May 16Th.
  3. Public Hearing for Demolition - 303 Byrd Avenue
  4. Public Hearing for Demolition - 122 & 124 Plum Avenue and 18 & 20 East Street
  5. Public Hearing for Demolition - 410 Raintree Street
  6. Public Hearing for Demolition - 418 Raintree Street
  7. Public Hearing for Demolition - 1701 Old Columbus Road
12. AWARDING OF BIDS
  1. Cloud Based Offsite DR Solution and Hybrid Cloud - IT
13. RESOLUTIONS

1. Expense Reports from Various Departments.
2. Designate City Personal Property Surplus & Authorize Disposal.
3. Resolution for Demolition - 303 Byrd Avenue
4. Resolution for Demolition - 122 & 124 Plum Ave, 18 & 20 Easy St
5. Resolution for Demolition - 410 Raintree Street
6. Resolution for Demolition - 418 Raintree St.
7. Resolution for Demolition - 1701 Old Columbus Road
8. MWPP Annual Reports
9. Resolution Approving License Agreement for Fireworks Exhibition and Display
10. Resolution Approving a Budget Adjustment to Administer Police Lieutenant Examination
11. Resolution Approving Sales Contract with West Fraser, Inc.
12. Resolution Approving Sales Contract with William C. Davis Charitable Remainder Unitrust
13. Resolution to Retain Samford & Denson LLP to Represent the City of Opelika, Alabama in All Appeals Involving the Demolition of Buildings and Structures
14. ORDINANCES
  1. Ordinance to Amend Chapter 16, Add Article IX, Skateboards, Rollerskates and Coasters First Reading
  2. Approval of Annexation Petition and Authorize Attorney to Prepare Annexation Ordinance (First Reading)
  3. Authorizing Conveyance of 0.041 Acres from City of Opelika, Alabama, to William C. Davis Charitable Remainder Unitrust (First R/Suspend Rules) First Reading
15. APPOINTMENTS
  1. Re-appoint Patsy Parker to the Public P&R Board. New term expires 5-04-21.
16. ADJOURN



**City Council**  
200 Main Street  
South City, NY 12345

**SCHEDULED**

**CM MINUTES (ID # 1050)**

Meeting: 05/05/15 07:00 PM  
Department: City Clerk  
Category: CM Minutes  
Prepared By: Robert Shuman  
Initiator: Robert Shuman  
Sponsors:  
DOC ID: 1050

## City Council Minutes of 4-21-15

**CITY OF OPELIKA**  
Minutes of City Council Meeting – April 21, 2015

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

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

**PRESENT AND PRESIDING:** Eddie Smith

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

**MEMBERS ABSENT:** None.

President Smith called on the Reverend Tom Tippet to provide the invocation.

President Smith asked Emily Rajan and Taylor White, seniors at Opelika High School, to come up front to lead the Pledge of Allegiance.

**READING OF MINUTES:**

Mr. Canon made the motion to approve the City Council meeting minutes of April 7, 2015 and was seconded by Mr. Smith T. Designated item no. 1. Said minutes were approved as prepared with the following vote:

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

VOTING NAY: None.

**UNFINISHED BUSINESS –**

**REMARKS BY THE MAYOR –** Gary Fuller

Mayor Fuller called on Joey Motley, City Administrator, to provide the March 2015 Building Inspection report. Designated item no. 2.

Mayor Fuller presented a Proclamation for the 2015 Relay for Life.

Mayor Fuller recognized Dr. Farrell Seymore as the Alabama Secondary Principle of the Year.

Mayor Fuller recognized Sgt. Ben Blackburn as the Police Officer of the Quarter.

Mayor Fuller presented Captain Scott McBurney of the Fire Department with a performance award.

Mayor Fuller recognized Stephanie Durbin with the Fireman of the Year award.

Mayor Fuller presented service pins and recognition to employees from various departments.

**CITIZENS COMMUNICATION –**

Dick Lane and Bo Hill thanked Mayor Fuller and the City Council for their support of the Rally for Marriage that will be held on May 2<sup>nd</sup> at 9:30am in front of the Lee County Courthouse and invited everyone to come.

**REPORT OF DISBURSEMENTS –** none.

**COMMITTEE REPORTS –** none.

**GENERAL BUSINESS –**

Bob Shuman, City Clerk, presented a request from the 280 Big Cat for a beer & wine off premise license. Designated item no. 3. Mr. Smith T made the motion to approve with a seconded provided by Mr. Canon. The following vote was recorded:

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

VOTING NAY: None

Mr. Shuman presented a public hearing for a demolition at 307 South 2<sup>nd</sup> Street. Designated item no. 4. President Smith opened the public hearing asking if there was anyone present that would like to speak for or against said demolition. No one came forward to speak. President Smith closed the public hearing.

**AWARDING OF BIDS –****RESOLUTION NO. 089-15**

Custodial services for the P&R department. Designated item no. 5. Ms. Jones made the motion to approve and was seconded by Mr. Smith T. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

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

VOTING NAY: None

**RESOLUTION NO. 090-15**

Uniform cleaning for the Police department. Designated item no. 6. Mr. Gray made the motion to approve and was seconded by Mr. Canon. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

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

VOTING NAY: None

**RESOLUTION NO. 091-15**

Uniform cleaning for the Fire department. Designated item no. 7. Mr. Smith T made the motion to approve and was seconded by Mr. Canon. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

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

VOTING NAY: None

**RESOLUTIONS – Guy Gunter.****RESOLUTION NO. 092-15**

Expense reports from various departments. Designated item no. 8. Mr. Smith T made the motion to approve and was seconded by Mr. Gray. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

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

VOTING NAY: None

**RESOLUTION NO. 093-15**

A travel advance for an employee in OPS. Designated item no. 9. Mr. Canon made the motion to approve and was seconded by Ms. Jones. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

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

VOTING NAY: None

**RESOLUTION NO. 094-15**

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

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

VOTING NAY: None

**RESOLUTION No. 095-15**

To purchase two (2) Chevy Tahoes for the Fire department. Designated item no. 11. Mr. Canon made a motion to approve and was seconded by Mr. Smith T. After the council had discussed the resolution in full, the question being put as to the passage of said motion and adoption of said resolution, the roll was called with the following results:

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

VOTING NAY: None

**RESOLUTION NO. 096-15**

To authorize a demolition at 307 South 2<sup>nd</sup> Street. Designated item no. 12. Mr. Gray made the motion to approve and was seconded by Ms. Jones. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

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

VOTING NAY: None

**RESOLUTION NO. 097-15**

A grant application for bullet proof vest for OPD. Designated item no. 13. Mr. Canon made the motion to approve and was seconded by Mr. Gray. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

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

**RESOLUTION NO. 098-15**

A grant application to ALDOT for bicycle lanes. Designated item no. 14. Mr. Smith T made the motion to approve and was seconded by Ms. Jones. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

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

**RESOLUTION NO. 099-15**

A special appropriation to Main Street for the 2015 Film Night. Designated item no. 15. Mr. Canon made the motion to approve and was seconded by Mr. Gray. After the council had discussed the resolution in full, the question being put as to the passage of said motion and the adoption of said resolution, the roll was called with the following results:

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

**ORDINANCES –**

The following ordinances were on this agenda for a 2<sup>nd</sup> reading.

**ORDINANE NO. 107-15**

To amend the City Code of Ordinances, Chapter 26, encroachments in the public right of way, public easements, public grounds, etc. Designated item no. 16. Mr. Smith T made the motion to approve this ordinance and was seconded by Mr. Canon. After the council had discussed the ordinance in full, the question being put as to the passage of said motion and the adoption of said ordinance, the roll was called with the following results:

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

**ORDINANCE NO. 108-15**

To amend the zoning ordinance & map, VC, GC district, I-1, GC district and VR-1 district to a C-3 for a parcel known as Smallwood Park. Designated item no. 17. Mr. Canon made the motion to approve this ordinance and was seconded by Mr. Smith T. After the council had discussed the ordinance in full, the question being put as to the passage of said motion and the adoption of said ordinance, the roll was called with the following results:

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

**ORDINANCE NO. 109-15**

To amend the City's Personnel Policies & Procedures Manual. Designated item no. 18. Mr. Smith T made the motion to approve this ordinance and was seconded by Mr. Canon. After the council had discussed the ordinance in full, the question being put as to the passage of said motion and the adoption of said ordinance, the roll was called with the following results:

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

The following Ordinances were presented for a 1<sup>st</sup> reading:

**ORDINANCE NO. 110-15**

To amend the City Code of Ordinances, Chapter 28, Sec. 28-406, deposits – OPS. Designated item no. 19. This ordinance was introduced by Mr. Canon.

Then Mr. Smith T made the motion to suspend the rules and consider this ordinance for approval. Ms. Jones provided a second to said motion. The following vote was recorded:

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

Then Mr. Gray made the motion to approved said ordinance with a second provided by Mr. Canon. After the council had discussed the ordinance in full, the question being put as to the passage of said motion and the adoption of said ordinance, the roll was called with the following results:

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

**APPOINTMENTS –**

- 1. To reappoint Johnny Ivey to the MPO Citizen Advisory Committee. Mr. Gray made the motion to approve and was seconded by Mr. Smith T. The following vote was recorded:

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

**ADJOURN –**

At approximately 7:58 pm since there was no further City business to be considered, Ms. Jones made the motion to adjourn with a second provided by Mr. Gray. The following vote was recorded:

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

These City Council meeting minutes are hereby adopted and approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
President of the City Council  
City of Opelika, Alabama

ATTEST:

\_\_\_\_\_  
R.G. “Bob” Shuman, CMC  
City Clerk – Treasurer



**City Council**  
200 Main Street  
South City, NY 12345

**SCHEDULED**

Meeting: 05/05/15 07:00 PM  
Department: Accounting  
Category: Report  
Prepared By: Mitch Price  
Initiator: Mitch Price  
Sponsors:

**MAYOR'S REMARKS (ID # 1047)**

DOC ID: 1047

## Financial Report - March 2015

City of Opelika  
Combined Balance Sheet - All Funds and Account Groups  
March 31, 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                                                           | 35,556,513.71           | 4,262,168.03          | 42,533.05          | 5,576,734.61            | 2,476,972.23           | 19,433,894.36    | -                            | -                    | -                      | 67,348,815.99   |
| Investments at cost or amortized cost                          | -                       | -                     | -                  | -                       | -                      | -                | -                            | -                    | -                      | -               |
| Receivables:                                                   |                         |                       |                    |                         |                        |                  | -                            |                      |                        |                 |
| Taxes                                                          | 7,736,800.02            | 5,803,220.16          | -                  | -                       | -                      | -                | -                            | -                    | -                      | 13,540,020.18   |
| Accounts and unbilled service                                  | 127,903.22              | 69,044.84             | -                  | 1,633,500.00            | 19,228.72              | 4,326,602.22     | -                            | -                    | -                      | 6,176,279.00    |
| Assessments                                                    | 66,902.21               | -                     | -                  | -                       | -                      | -                | -                            | -                    | -                      | 66,902.21       |
| Notes                                                          | -                       | -                     | -                  | -                       | -                      | -                | -                            | -                    | -                      | -               |
| Accrued interest                                               | 431.18                  | -                     | -                  | -                       | -                      | 23,261.20        | -                            | -                    | -                      | 23,692.38       |
| Due from other funds                                           | 621,772.23              | -                     | -                  | -                       | 55,283.22              | 322,235.57       | -                            | -                    | -                      | 999,291.02      |
| Due from other governments                                     | 21,867.54               | 42,904.44             | -                  | -                       | -                      | 267,657.06       | -                            | -                    | -                      | 332,429.04      |
| Advances to other governments                                  | -                       | -                     | -                  | -                       | -                      | -                | -                            | -                    | -                      | -               |
| Inventory of supplies, at cost                                 | 149,804.83              | -                     | -                  | -                       | -                      | 2,998,649.33     | -                            | -                    | -                      | 3,148,454.16    |
| Prepaid expenses                                               | -                       | -                     | -                  | -                       | -                      | 160,140.82       | -                            | -                    | -                      | 160,140.82      |
| Restricted assets:                                             |                         |                       |                    |                         |                        |                  | -                            |                      |                        |                 |
| Cash                                                           | -                       | -                     | -                  | -                       | -                      | 4,868.12         | -                            | -                    | -                      | 4,868.12        |
| Investments at cost or amortized cost                          | -                       | -                     | 422,547.51         | 10,010,920.74           | -                      | 3,205,449.24     | 929,535.57                   | -                    | -                      | 14,568,453.06   |
| Accrued interest receivable                                    | -                       | -                     | -                  | -                       | -                      | -                | 1,135.23                     | -                    | -                      | 1,135.23        |
| Due from other funds                                           | -                       | -                     | -                  | -                       | -                      | -                | 9,187.50                     | -                    | -                      | 9,187.50        |
| Unamortized bond and issue costs                               | -                       | -                     | -                  | -                       | -                      | 391,573.17       | -                            | -                    | -                      | 391,573.17      |
| Land                                                           | -                       | -                     | -                  | -                       | -                      | 2,423,070.99     | -                            | 9,783,123.79         | -                      | 12,206,194.78   |
| Buildings and utility systems                                  | -                       | -                     | -                  | -                       | -                      | 128,717,568.81   | -                            | 42,592,098.50        | -                      | 171,309,667.31  |
| Improvements other than buildings and systems                  | -                       | -                     | -                  | -                       | -                      | 17,540.00        | -                            | 5,244,679.05         | -                      | 5,262,219.05    |
| Equipment                                                      | -                       | -                     | -                  | -                       | -                      | 8,710,128.37     | -                            | 91,950,426.06        | -                      | 100,660,554.43  |
| Construction in progress                                       | -                       | -                     | -                  | -                       | -                      | 4,323,343.93     | -                            | 7,807,500.30         | -                      | 12,130,844.23   |
| Accumulated depreciation                                       | -                       | -                     | -                  | -                       | -                      | (55,726,990.44)  | -                            | -                    | -                      | (55,726,990.44) |
| 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 | -                       | -                     | -                  | -                       | -                      | -                | -                            | -                    | 99,583,719.19          | 99,583,719.19   |
| Total assets                                                   | 44,281,994.94           | 10,177,337.47         | 465,080.56         | 17,221,155.35           | 2,551,484.17           | 120,201,423.61   | 939,858.30                   | 157,377,827.70       | 99,583,824.51          | 452,799,986.61  |

Sportsplex Fund Cash Balance is \$5,641,734.61

City of Opelika  
Combined Balance Sheet - All Funds and Account Groups  
March 31, 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             | Total              |                        |                        |                |  |
| Liabilities                                               |               |                         |                    |                         |                        |                   |                    |                        |                        |                |  |
| Accounts payable                                          | 1,096,745.27  | 11,973.95               | -                  | -                       | 281,793.26             | 4,123,420.23      | -                  | -                      | -                      | 5,513,932.71   |  |
| Retainage payable                                         | -             | -                       | -                  | -                       | -                      | -                 | -                  | -                      | -                      | -              |  |
| Current portion of bonds and notes payable                | 359,371.75    | -                       | -                  | -                       | -                      | -                 | -                  | -                      | -                      | 359,371.75     |  |
| Liability for unpaid claims, current                      | -             | -                       | -                  | -                       | -                      | -                 | -                  | -                      | -                      | -              |  |
| Accrued payroll and benefits                              | 540,549.80    | 1,167.56                | -                  | -                       | -                      | 308,491.59        | -                  | -                      | -                      | 850,208.95     |  |
| Interest payable                                          | -             | -                       | -                  | -                       | -                      | -                 | -                  | -                      | -                      | -              |  |
| Payable from restricted assets:                           | -             | -                       | -                  | -                       | -                      | -                 | -                  | -                      | -                      | -              |  |
| Accounts payable                                          | -             | -                       | -                  | -                       | -                      | -                 | -                  | -                      | -                      | -              |  |
| Current portion of bonds payable                          | -             | -                       | -                  | -                       | -                      | 515,000.00        | -                  | -                      | -                      | 515,000.00     |  |
| Interest payable                                          | -             | -                       | -                  | -                       | -                      | 223,083.60        | -                  | -                      | -                      | 223,083.60     |  |
| Due to other funds                                        | 269,904.62    | 2.37                    | -                  | -                       | -                      | 737,561.05        | 1,010.48           | -                      | -                      | 1,008,478.52   |  |
| Due to other governments                                  | 613.49        | 100.00                  | -                  | -                       | -                      | -                 | -                  | -                      | -                      | 713.49         |  |
| Deferred revenue                                          | 3,289,062.69  | 5,711,261.39            | -                  | 1,633,500.00            | 177,112.48             | 405,178.41        | -                  | -                      | -                      | 11,216,114.97  |  |
| Customer deposits                                         | -             | -                       | -                  | -                       | -                      | 2,537,185.00      | -                  | -                      | -                      | 2,537,185.00   |  |
| 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                           | -             | -                       | -                  | -                       | -                      | -                 | -                  | -                      | 99,583,824.51          | 99,583,824.51  |  |
| Bonds, warrants and notes payable, net of current portion | -             | -                       | -                  | -                       | -                      | 49,740,190.15     | -                  | -                      | -                      | 49,740,190.15  |  |
| Total liabilities                                         | 5,556,247.62  | 5,724,505.27            | -                  | 1,633,500.00            | 722,209.74             | 58,949,771.69     | 1,010.48           | -                      | 99,583,824.51          | 172,171,069.31 |  |
| Fund Equity                                               |               |                         |                    |                         |                        |                   |                    |                        |                        |                |  |
| Contributed capital                                       | -             | -                       | -                  | -                       | -                      | -                 | -                  | -                      | -                      | -              |  |
| Investment in general fixed assets                        | -             | -                       | -                  | -                       | -                      | -                 | -                  | 157,377,827.70         | -                      | 157,377,827.70 |  |
| Retained earnings:                                        |               |                         |                    |                         |                        |                   |                    |                        |                        |                |  |
| Reserved for replacement and extension                    | -             | -                       | -                  | -                       | -                      | -                 | -                  | -                      | -                      | -              |  |
| Reserved for debt service                                 | -             | -                       | -                  | -                       | -                      | -                 | -                  | -                      | -                      | -              |  |
| Unreserved                                                | -             | -                       | -                  | -                       | 1,805,500.42           | 57,153,583.35     | 35,928.27          | -                      | -                      | 58,995,012.04  |  |
| Fund balances:                                            |               |                         |                    |                         |                        |                   |                    |                        |                        |                |  |
| Nonspendable                                              | 149,804.83    | 69,044.84               | -                  | -                       | -                      | -                 | 891,908.13         | -                      | -                      | 1,110,757.80   |  |
| Restricted                                                | 58,933.83     | 1,746,153.08            | 465,080.56         | 10,421,535.83           | -                      | -                 | -                  | -                      | -                      | 12,691,703.30  |  |
| Committed                                                 | 116,933.37    | -                       | -                  | -                       | -                      | -                 | -                  | -                      | -                      | 116,933.37     |  |
| Encumbrances                                              | 5,181,891.57  | 1,117,876.45            | -                  | 1,215,864.33            | 23,774.01              | 4,098,068.57      | -                  | -                      | -                      | 11,637,474.93  |  |
| Assigned                                                  | 12,693,685.87 | 2,178,955.91            | -                  | 3,950,255.19            | -                      | -                 | 11,011.42          | -                      | -                      | 18,833,908.39  |  |
| Unassigned                                                | 20,524,497.85 | (659,198.08)            | -                  | -                       | -                      | -                 | -                  | -                      | -                      | 19,865,299.77  |  |
| Total fund equity                                         | 38,725,747.32 | 4,452,832.20            | 465,080.56         | 15,587,655.35           | 1,829,274.43           | 61,251,651.92     | 938,847.82         | 157,377,827.70         | -                      | 280,628,917.30 |  |
| Total liabilities and fund equity                         | 44,281,994.94 | 10,177,337.47           | 465,080.56         | 17,221,155.35           | 2,551,484.17           | 120,201,423.61    | 939,858.30         | 157,377,827.70         | 99,583,824.51          | 452,799,986.61 |  |

Sportsplex Fund Cash Balance is \$5,641,734.61

City of Opelika  
 Combined Statement of Revenues, Expenditures and Changes in fund balance  
 All Governmental Fund Types  
 For Six Months Ending March 31, 2015

|                                                                                          | General                | Special<br>Revenue<br>Funds | Debt<br>Service<br>Funds<br>Total | *Capital<br>Projects<br>Funds | Library<br>Trust<br>Fund | Memo<br>Total          |
|------------------------------------------------------------------------------------------|------------------------|-----------------------------|-----------------------------------|-------------------------------|--------------------------|------------------------|
| <b>Revenues:</b>                                                                         |                        |                             |                                   |                               |                          |                        |
| Taxes                                                                                    | 16,799,916.26          | 5,801,321.83                | -                                 | -                             | -                        | 22,601,238.09          |
| Special Assessments                                                                      | 7,321.63               | -                           | -                                 | -                             | -                        | 7,321.63               |
| Licenses and permits                                                                     | 8,261,193.34           | 171,376.66                  | -                                 | -                             | -                        | 8,432,570.00           |
| Intergovernmental revenues                                                               | 168,528.99             | 211,153.12                  | -                                 | -                             | -                        | 379,682.11             |
| Charges for services                                                                     | 840,061.19             | -                           | -                                 | -                             | -                        | 840,061.19             |
| Fines and forfeits                                                                       | 337,220.81             | 69,952.54                   | -                                 | -                             | -                        | 407,173.35             |
| Miscellaneous revenues                                                                   | 195,190.89             | 55,519.48                   | 56.34                             | 77,323.67                     | 54.65                    | 328,145.03             |
| <b>Total revenues</b>                                                                    | <b>26,609,433.11</b>   | <b>6,309,323.63</b>         | <b>56.34</b>                      | <b>77,323.67</b>              | <b>54.65</b>             | <b>32,996,191.40</b>   |
| <b>Expenditures:</b>                                                                     |                        |                             |                                   |                               |                          |                        |
| <b>Current:</b>                                                                          |                        |                             |                                   |                               |                          |                        |
| General Government                                                                       | 2,582,871.10           | 102,986.22                  | -                                 | -                             | -                        | 2,685,857.32           |
| Public safety                                                                            | 6,838,245.53           | 11,709.04                   | -                                 | 69,739.94                     | -                        | 6,919,694.51           |
| Public works                                                                             | 1,874,175.65           | (30,263.80)                 | -                                 | 841,483.79                    | -                        | 2,685,395.64           |
| Health, Education and Welfare                                                            | 1,990,834.84           | 4,928,527.00                | -                                 | -                             | -                        | 6,919,361.84           |
| Culture and Recreation                                                                   | 2,810,969.03           | -                           | -                                 | 58,239.91                     | -                        | 2,869,208.94           |
| Economic development                                                                     | 795,472.29             | 248,879.37                  | -                                 | -                             | -                        | 1,044,351.66           |
| Capital outlay                                                                           | 650,643.73             | 14,810.00                   | -                                 | -                             | -                        | 665,453.73             |
| <b>Debt service:</b>                                                                     |                        |                             |                                   |                               |                          |                        |
| Principal retirement                                                                     | 277,410.05             | -                           | 2,630,000.00                      | -                             | -                        | 2,907,410.05           |
| Interest                                                                                 | 95,298.31              | -                           | 1,848,671.80                      | -                             | -                        | 1,943,970.11           |
| Bond issue cost                                                                          | -                      | -                           | 147,351.70                        | -                             | -                        | 147,351.70             |
| Payment to escrow agent                                                                  | -                      | -                           | 5,395.50                          | -                             | -                        | 5,395.50               |
| <b>Total expenditures</b>                                                                | <b>17,915,920.53</b>   | <b>5,276,647.83</b>         | <b>4,631,419.00</b>               | <b>969,463.64</b>             | <b>-</b>                 | <b>28,793,451.00</b>   |
| <b>Excess of revenues over<br/>(under) expenditures</b>                                  | <b>8,693,512.58</b>    | <b>1,032,675.80</b>         | <b>(4,631,362.66)</b>             | <b>(892,139.97)</b>           | <b>54.65</b>             | <b>4,202,740.40</b>    |
| <b>Other financing sources:</b>                                                          |                        |                             |                                   |                               |                          |                        |
| Proceeds form General Long Term Debt                                                     | 45,588.90              | -                           | 9,944,000.05                      | -                             | -                        | 9,989,588.95           |
| Sale of fixed assets                                                                     | 58,900.20              | -                           | -                                 | -                             | -                        | 58,900.20              |
| Operating transfers in                                                                   | 1,890,803.75           | 50,124.67                   | 4,153,680.04                      | 1,266,705.87                  | -                        | 7,361,314.33           |
| Operating transfers out                                                                  | (4,203,878.52)         | (516,268.19)                | (10,046,956.88)                   | (979,862.96)                  | -                        | (15,746,966.55)        |
| <b>Total other financing sources (uses)</b>                                              | <b>(2,208,585.67)</b>  | <b>(466,143.52)</b>         | <b>4,050,723.21</b>               | <b>286,842.91</b>             | <b>-</b>                 | <b>1,662,836.93</b>    |
| <b>Excess of revenues and other sources<br/>over (under) expenditures and other uses</b> | <b>6,484,926.91</b>    | <b>566,532.28</b>           | <b>(580,639.45)</b>               | <b>(605,297.06)</b>           | <b>54.65</b>             | <b>5,865,577.33</b>    |
| <b>Fund balances, beginning of year</b>                                                  | <b>32,240,820.41</b>   | <b>3,886,299.92</b>         | <b>1,045,720.01</b>               | <b>16,192,952.41</b>          | <b>10,956.77</b>         | <b>53,376,749.52</b>   |
| <b>Fund balances, end of year</b>                                                        | <b>38,725,747.32</b>   | <b>4,452,832.20</b>         | <b>465,080.56</b>                 | <b>15,587,655.35</b>          | <b>11,011.42</b>         | <b>59,242,326.85</b>   |
| <b>Assigned, Committed, Restricted, ect.</b>                                             | <b>(18,201,249.47)</b> | <b>(5,112,030.28)</b>       | <b>(465,080.56)</b>               | <b>(15,587,655.35)</b>        | <b>(11,011.42)</b>       | <b>(39,377,027.08)</b> |
| <b>Fund balances, Unassigned</b>                                                         | <b>20,524,497.85</b>   | <b>(659,198.08)</b>         | <b>-</b>                          | <b>-</b>                      | <b>-</b>                 | <b>19,865,299.77</b>   |

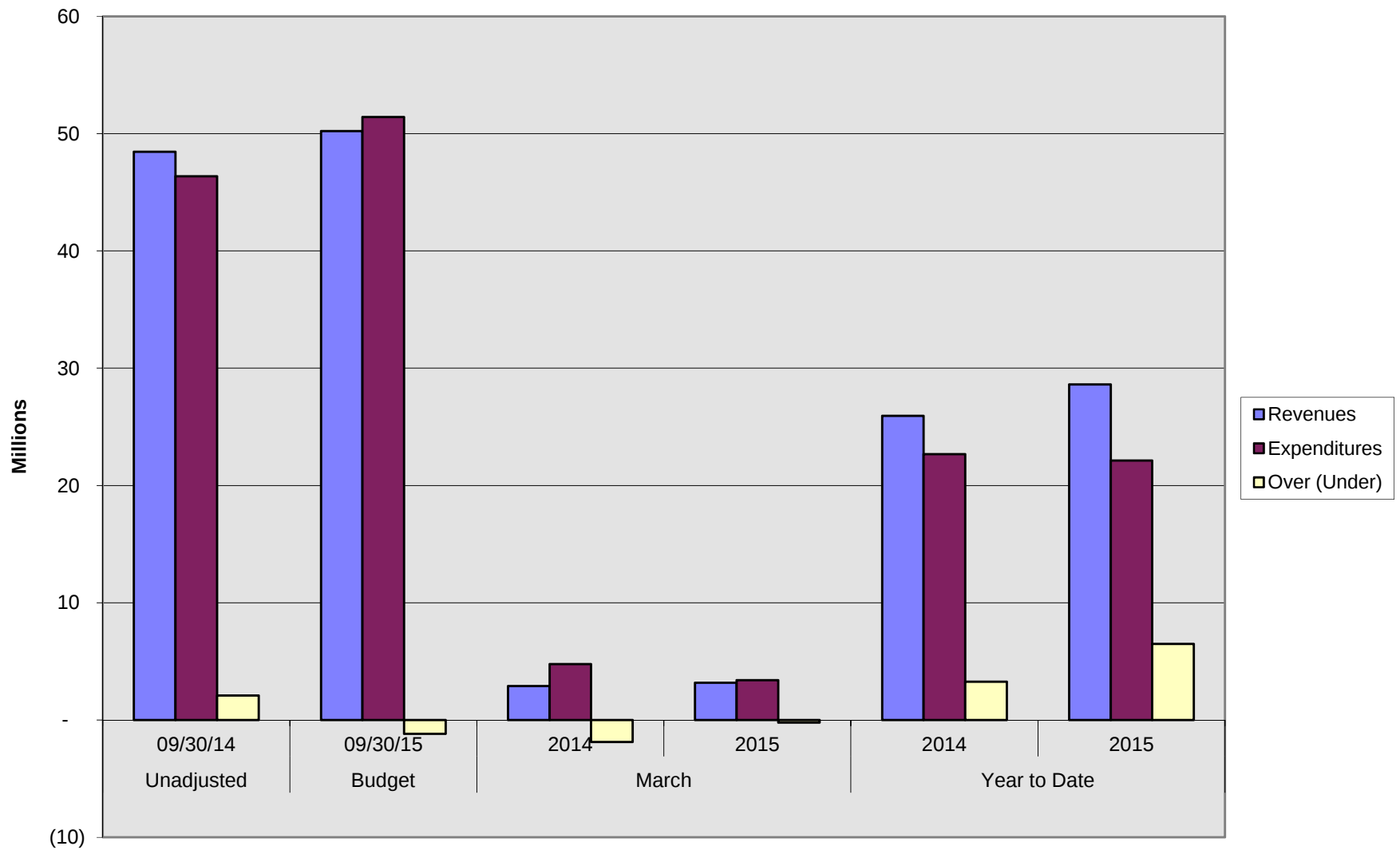
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City of Opelika  
 Combined Statement of Revenues, Expenses and Changes in Retained Earnings/  
 Fund Balances - All Proprietary Fund Types and Similar Trust Funds  
 For Six Months Ending March 31, 2015

|                                                       | Proprietary Fund Types |                             |                      |                           |                           |                     | Fiduciary<br>Fund Types<br>Non-Expendable<br>Trust | Memo<br>Total  |
|-------------------------------------------------------|------------------------|-----------------------------|----------------------|---------------------------|---------------------------|---------------------|----------------------------------------------------|----------------|
|                                                       | Enterprise Funds       |                             |                      |                           |                           | Internal<br>Service |                                                    |                |
|                                                       | Electric<br>Utility    | Telecommunication<br>System | 1965 Sewer<br>System | Solid Waste<br>Collection | Workman's<br>Compensation | Health<br>Insurance |                                                    |                |
| Operating revenues:                                   |                        |                             |                      |                           |                           |                     |                                                    |                |
| Charges for services                                  | 17,836,855.67          | 1,778,596.25                | 2,016,559.19         | 1,282,617.00              | 257,567.89                | 1,071,877.86        | -                                                  | 24,244,073.86  |
| Interest                                              | -                      | -                           | -                    | -                         | 3,381.26                  | 93.68               | 29,218.94                                          | 32,693.88      |
| Total operating revenues                              | 17,836,855.67          | 1,778,596.25                | 2,016,559.19         | 1,282,617.00              | 260,949.15                | 1,071,971.54        | 29,218.94                                          | 24,276,767.74  |
| Operating expenses:                                   |                        |                             |                      |                           |                           |                     |                                                    |                |
| Purchases                                             | 13,253,718.81          | 1,103,557.88                | -                    | 152,701.55                | -                         | -                   | -                                                  | 14,509,978.24  |
| Depreciation                                          | 1,394,336.64           | 546,067.02                  | 513,506.22           | 87,704.22                 | -                         | -                   | -                                                  | 2,541,614.10   |
| Personal services                                     | 1,491,505.13           | 249,527.09                  | 1,872.00             | 586,082.23                | -                         | -                   | -                                                  | 2,328,986.45   |
| Other                                                 | 1,062,736.96           | 479,561.19                  | 1,020,278.65         | 255,338.67                | 118,871.56                | 1,776,087.41        | 2,901.26                                           | 4,715,775.70   |
| Total operating expenses                              | 17,202,297.54          | 2,378,713.18                | 1,535,656.87         | 1,081,826.67              | 118,871.56                | 1,776,087.41        | 2,901.26                                           | 24,096,354.49  |
| Operating income                                      | 634,558.13             | (600,116.93)                | 480,902.32           | 200,790.33                | 142,077.59                | (704,115.87)        | 26,317.68                                          | 180,413.25     |
| Nonoperating revenue (expenses):                      |                        |                             |                      |                           |                           |                     |                                                    |                |
| Interest revenue                                      | 22,803.62              | 325.30                      | 2,292.06             | 722.17                    | -                         | -                   | -                                                  | 26,143.15      |
| Miscellaneous revenue                                 | 685,891.85             | 18,711.20                   | 885.00               | 16,576.35                 | -                         | -                   | -                                                  | 722,064.40     |
| Interest expense and fiscal charges                   | (719,304.11)           | (186,396.39)                | (158,491.02)         | -                         | -                         | -                   | -                                                  | (1,064,191.52) |
| Other expenses                                        | -                      | -                           | -                    | -                         | -                         | -                   | -                                                  | -              |
| Total nonoperating revenues(expenses)                 | (10,608.64)            | (167,359.89)                | (155,313.96)         | 17,298.52                 | -                         | -                   | -                                                  | (315,983.97)   |
| Income before operating transfers                     | 623,949.49             | (767,476.82)                | 325,588.36           | 218,088.85                | 142,077.59                | (704,115.87)        | 26,317.68                                          | (135,570.72)   |
| Operating transfers in/Contributed Capital Developers | 122,493.78             | -                           | 38,819.45            | -                         | -                         | -                   | 16,900.00                                          | 178,213.23     |
| Operating transfers out                               | (1,463,629.92)         | -                           | -                    | -                         | -                         | -                   | (7,289.41)                                         | (1,470,919.33) |
| Total operating transfers                             | (1,341,136.14)         | -                           | 38,819.45            | -                         | -                         | -                   | 9,610.59                                           | (1,292,706.10) |
| Net income (loss)                                     | (717,186.65)           | (767,476.82)                | 364,407.81           | 218,088.85                | 142,077.59                | (704,115.87)        | 35,928.27                                          | (1,428,276.82) |
| 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         | 38,233,780.05          | (4,229,524.79)              | 26,198,372.79        | 1,049,023.87              | 2,533,390.30              | (704,115.87)        | 927,836.40                                         | 64,008,762.75  |
| Encumbrances                                          | 3,534,069.58           | (615,081.46)                | 789,392.66           | 389,687.79                | -                         | 23,774.01           | -                                                  | 4,121,842.58   |
| Retained earnings, Fund balances, less encumbrances   | 34,699,710.47          | (3,614,443.33)              | 25,408,980.13        | 659,336.08                | 2,533,390.30              | (727,889.88)        | 927,836.40                                         | 59,886,920.17  |
| Cash Flows:                                           |                        |                             |                      |                           |                           |                     |                                                    |                |
| Add: Net Income (Loss)                                | (717,186.65)           | (767,476.82)                | 364,407.81           | 218,088.85                | 142,077.59                | (704,115.87)        | 35,928.27                                          | (1,428,276.82) |
| Add: Depreciation                                     | 1,394,336.64           | 546,067.02                  | 513,506.22           | 87,704.22                 | -                         | -                   | -                                                  | 2,541,614.10   |
| Subtract: Capital Outlay                              | (1,073,970.34)         | (291,606.30)                | (17,901.00)          | 0.00                      | -                         | -                   | -                                                  | (1,383,477.64) |
| Decrease (Increase) in Receivables                    | 263,429.42             | (61,884.86)                 | 991,604.13           | (4,234.17)                | -                         | -                   | -                                                  | 1,188,914.52   |
| Decrease (Increase) in Inventory                      | (196,574.91)           | -                           | -                    | -                         | -                         | -                   | -                                                  | (196,574.91)   |
| Decrease (Increase) in Prepaid                        | (14,660.37)            | (2,833.95)                  | (2,637.64)           | (19,553.09)               | -                         | -                   | -                                                  | (39,685.05)    |
| Decrease (Increase) in Restricted Assets              | 136.75                 | -                           | (501,557.14)         | -                         | -                         | -                   | -                                                  | (501,420.39)   |
| Decrease (Increase) in Deferred charges               | 3,679.74               | -                           | -                    | -                         | -                         | -                   | -                                                  | 3,679.74       |
| Increase (Decrease) in Liabilities                    | (2,017,252.78)         | (104,665.16)                | (40,272.03)          | (57,029.12)               | (47,736.42)               | (94,391.89)         | (335.84)                                           | (2,361,683.24) |
| Add: Book Value of Disposed Assets                    | 23,950.00              | -                           | -                    | -                         | -                         | -                   | -                                                  | 23,950.00      |
| Change in Cash                                        | (2,334,112.50)         | (682,400.07)                | 1,307,150.35         | 224,976.69                | 94,341.17                 | (798,507.76)        | 35,592.43                                          | (2,152,959.69) |
| 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 March 31, 2015                           | 14,741,063.96          | 134,328.32                  | 3,828,988.89         | 729,513.19                | 2,860,115.36              | (383,143.13)        | 928,846.88                                         | 22,839,713.47  |

Attachment: March 2015 Reports (1047 : Financial Report - March 2015)

## General Fund Revenue & Expenditure Summary



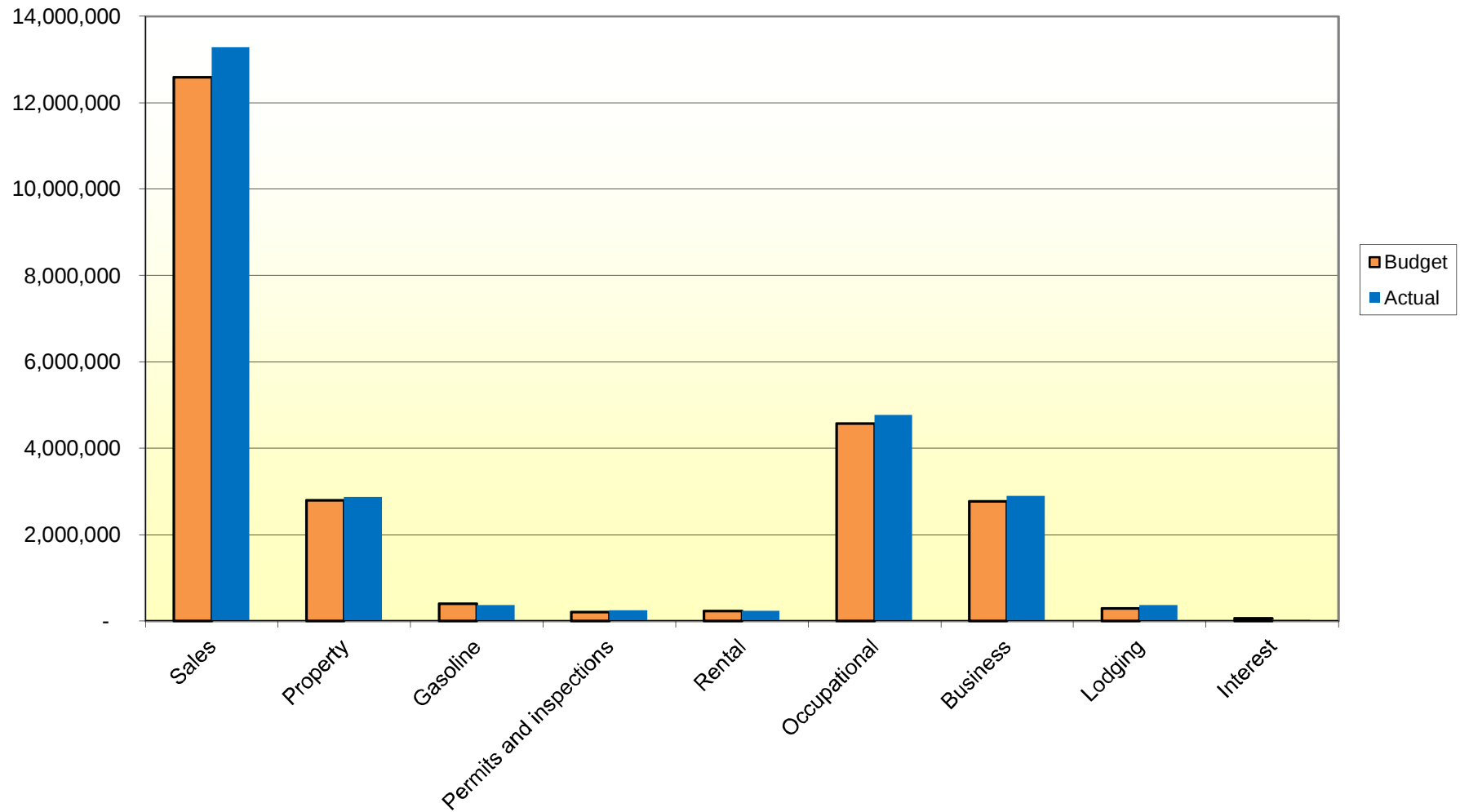
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City of Opelika  
General Fund  
Revenue and Expenditure Summary

|                                                                                     | Unadjusted<br>09/30/14 | Budget<br>09/30/15 | March              |                   | Year to Date       |                    | %<br>Chg    |
|-------------------------------------------------------------------------------------|------------------------|--------------------|--------------------|-------------------|--------------------|--------------------|-------------|
|                                                                                     |                        |                    | 2014               | 2015              | 2014               | 2015               |             |
| <b>Revenues:</b>                                                                    |                        |                    |                    |                   |                    |                    |             |
| Taxes                                                                               | 29,957,518             | 30,161,000         | 2,189,916          | 2,321,830         | 15,858,403         | 16,799,916         | 6           |
| Special assessments                                                                 | 8,382                  | 10,000             | 980                | 842               | 3,453              | 7,322              | 112         |
| Licenses and permits                                                                | 13,239,339             | 13,311,000         | 278,288            | 299,494           | 7,749,306          | 8,261,193          | 7           |
| Intergovernmental revenues                                                          | 520,395                | 465,595            | 15,450             | 19,877            | 139,739            | 168,529            | 21          |
| Charges for services                                                                | 1,846,646              | 1,647,944          | 138,052            | 141,888           | 911,665            | 840,061            | (8)         |
| Fines and forfeits                                                                  | 849,347                | 775,000            | 100,963            | 77,902            | 397,804            | 337,221            | (15)        |
| Miscellaneous                                                                       | 598,702                | 321,581            | 68,306             | 62,202            | 304,879            | 195,191            | (36)        |
| <b>Total revenues</b>                                                               | <b>47,020,330</b>      | <b>46,692,120</b>  | <b>2,791,956</b>   | <b>2,924,034</b>  | <b>25,365,249</b>  | <b>26,609,433</b>  | <b>5</b>    |
| <b>Expenditures:</b>                                                                |                        |                    |                    |                   |                    |                    |             |
| <b>Current:</b>                                                                     |                        |                    |                    |                   |                    |                    |             |
| General government                                                                  | 4,936,820              | 5,599,566          | 365,199            | 374,159           | 2,349,692          | 2,582,871          | 10          |
| Public safety                                                                       | 13,477,869             | 14,563,889         | 1,047,831          | 1,087,551         | 6,577,808          | 6,838,246          | 4           |
| Public works                                                                        | 3,729,815              | 3,919,295          | 308,673            | 355,909           | 1,841,794          | 1,874,176          | 2           |
| Health, Education and Welfare                                                       | 3,411,871              | 3,445,178          | 312,114            | 575,201           | 1,711,051          | 1,990,835          | 16          |
| Culture and recreation                                                              | 5,935,316              | 6,564,327          | 456,661            | 452,477           | 2,778,107          | 2,810,969          | 1           |
| Economic Development                                                                | 1,641,699              | 1,610,547          | 87,909             | 105,835           | 656,539            | 795,472            | 21          |
| Capital outlay                                                                      | 1,932,105              | 3,685,472          | 559,392            | 180,190           | 953,489            | 650,644            | (32)        |
| <b>Debt service:</b>                                                                |                        |                    |                    |                   |                    |                    |             |
| Principal retirement                                                                | 1,786,555              | 561,984            | 44,404             | 46,728            | 263,619            | 277,410            | 5           |
| Interest                                                                            | 211,371                | 183,433            | 17,713             | 15,390            | 109,089            | 95,298             | (13)        |
| Bond issue cost                                                                     | -                      | -                  | -                  | -                 | -                  | -                  | -           |
| Payment to escrow agent                                                             | -                      | -                  | -                  | -                 | -                  | -                  | -           |
| <b>Total expenditures</b>                                                           | <b>37,063,421</b>      | <b>40,133,691</b>  | <b>3,199,896</b>   | <b>3,193,440</b>  | <b>17,241,188</b>  | <b>17,915,921</b>  | <b>4</b>    |
| <b>Excess of revenues over(under) expenditures</b>                                  | <b>9,956,909</b>       | <b>6,558,429</b>   | <b>(407,940)</b>   | <b>(269,406)</b>  | <b>8,124,061</b>   | <b>8,693,512</b>   | <b>7</b>    |
| <b>Other financing sources(uses):</b>                                               |                        |                    |                    |                   |                    |                    |             |
| Proceeds form General Long Term Debt                                                | 327,939                | -                  | -                  | 0                 | -                  | 45,589             |             |
| Sale of fixed assets                                                                | 80,165                 | 42,153             | 711                | 3,075             | 57,561             | 58,900             | 2           |
| Other financing sources                                                             | 1,035,603              | 3,492,507          | 97,137             | 243,414           | 513,331            | 1,890,804          | 268         |
| Operating transfers out                                                             | (9,304,331)            | (11,274,437)       | (1,566,937)        | (202,365)         | (5,432,239)        | (4,203,879)        | (23)        |
| <b>Total other financing sources(uses)</b>                                          | <b>(7,860,624)</b>     | <b>(7,739,777)</b> | <b>(1,469,089)</b> | <b>44,124</b>     | <b>(4,861,347)</b> | <b>(2,208,586)</b> | <b>(55)</b> |
| <b>Excess of revenues and other sources over(under) expenditures and other uses</b> | <b>2,096,285</b>       | <b>(1,181,348)</b> | <b>(1,877,029)</b> | <b>(225,282)</b>  | <b>3,262,714</b>   | <b>6,484,926</b>   | <b>99</b>   |
| <b>Fund balances, beginning</b>                                                     | <b>30,144,535</b>      | <b>32,240,820</b>  | <b>35,284,278</b>  | <b>38,951,028</b> | <b>30,144,535</b>  | <b>32,240,820</b>  | <b>7</b>    |
| <b>Fund balances, ending</b>                                                        | <b>32,240,820</b>      | <b>31,059,472</b>  | <b>33,407,249</b>  | <b>38,725,746</b> | <b>33,407,249</b>  | <b>38,725,746</b>  | <b>16</b>   |
| <b>Less:</b>                                                                        |                        |                    |                    |                   |                    |                    |             |
| <b>Restricted, Committed, Assigned, nonspendable and encumbered Fund Balance:</b>   |                        |                    |                    |                   |                    |                    |             |
| Nonspendable Reserved for inventory                                                 | 146,057                | 149,805            | 141,548            | 149,805           | 141,548            | 149,805            | 6           |
| Train Restoration                                                                   | 26,315                 | 26,315             |                    | 26,315            |                    | 26,315             |             |
| Restricted for Law Enforcement                                                      | 21,600                 | 32,618             | 14,806             | 32,618            | 14,806             | 32,618             | 120         |
| Committed for Ward I - Misc Projects                                                | 7,278                  | 2,738              | 1,878              | 2,738             | 1,878              | 2,738              | 46          |
| 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                 | 5,695              | 5,335              | 5,695             | 5,335              | 5,695              | 7           |
| Committed for Ward V - Misc Projects                                                | 5,215                  | 675                | 815                | 675               | 815                | 675                | (17)        |
| Assigned for 1994 Warrants and Road Imp                                             | 2,949,888              | 3,703,826          | 2,500,824          | 3,703,826         | 2,500,824          | 3,703,826          | 48          |
| Assigned for 2011 1% Sales Tax                                                      | 7,664,672              | 8,989,860          | 6,313,125          | 8,989,860         | 6,313,125          | 8,989,860          | 42          |
| 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              | -                  | 5,585,593          | 5,181,892         | 5,585,593          | 5,181,892          | (7)         |
|                                                                                     | <b>12,176,005</b>      | <b>13,019,357</b>  | <b>14,671,549</b>  | <b>18,201,249</b> | <b>14,671,549</b>  | <b>18,201,249</b>  | <b>24</b>   |
| <b>Unassigned Fund Balance</b>                                                      | <b>20,064,815</b>      | <b>18,040,115</b>  | <b>18,735,700</b>  | <b>20,524,497</b> | <b>18,735,700</b>  | <b>20,524,497</b>  | <b>10</b>   |
| <b>20% Budgeted Revenues</b>                                                        | <b>9,338,424</b>       |                    |                    |                   | <b>9,338,424</b>   | <b>9,338,424</b>   |             |
| <b>Amount remaining</b>                                                             | <b>10,726,391</b>      |                    |                    |                   | <b>9,397,276</b>   | <b>11,186,073</b>  |             |

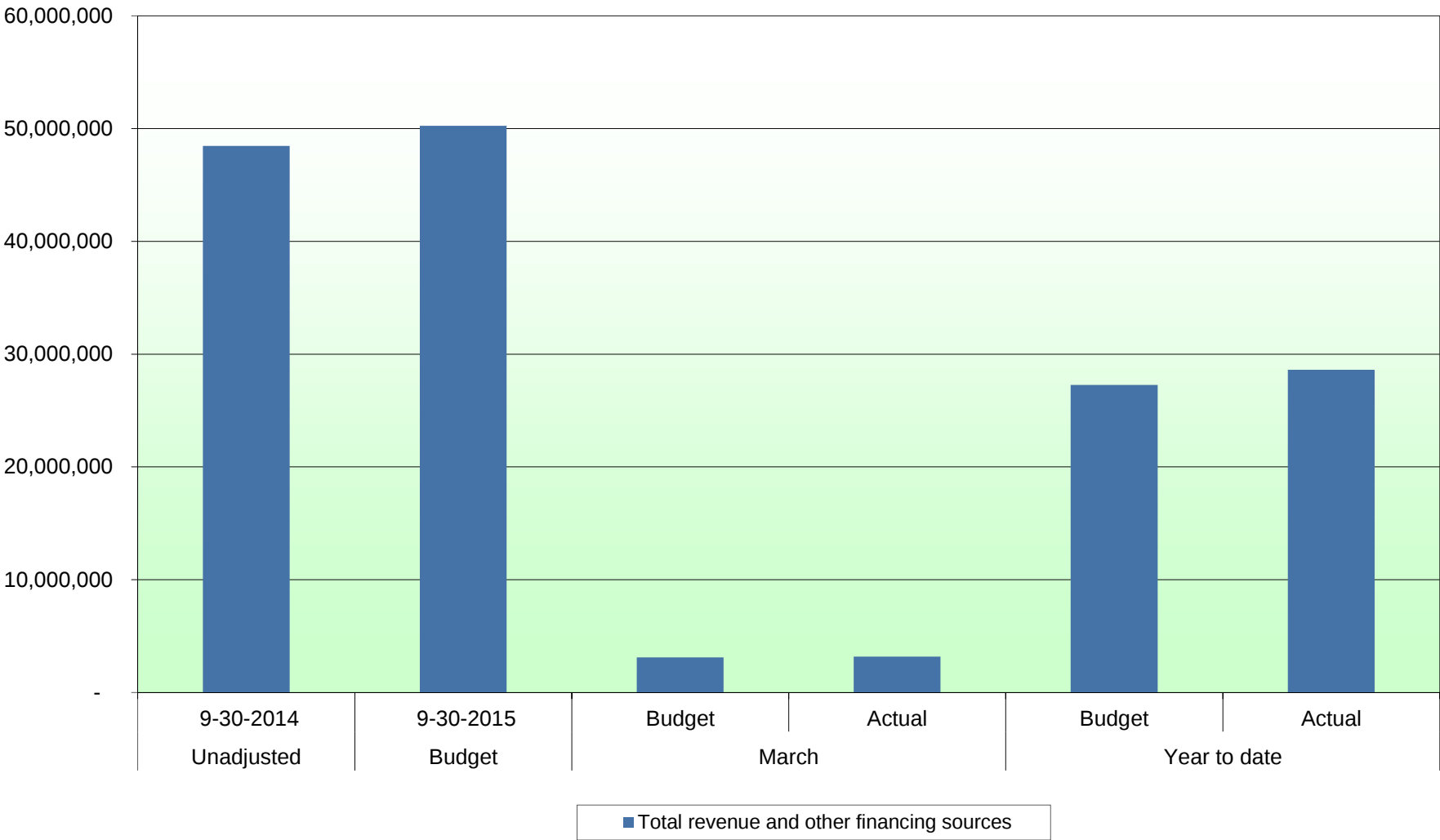
Attachment: March 2015 Reports (1047 : Financial Report - March 2015)

### Budget vs Actual



March 2015

Total Revenue



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

|                                           | Unadjusted<br>9-30-2014 | Budget<br>9-30-2015 | March     |           | Year to date |            | %<br>Over<br>(Under) |
|-------------------------------------------|-------------------------|---------------------|-----------|-----------|--------------|------------|----------------------|
|                                           |                         |                     | Budget    | Actual    | Budget       | Actual     |                      |
| Taxes:                                    |                         |                     |           |           |              |            |                      |
| Sales                                     | 25,531,042              | 25,747,000          | 2,044,000 | 2,115,273 | 12,583,000   | 13,280,562 | 6                    |
| Property:                                 |                         |                     |           |           |              |            |                      |
| Property                                  | 3,024,488               | 3,034,000           | 78,000    | 96,625    | 2,788,000    | 2,863,163  | 3                    |
| Payments in lieu of property tax          | 26,002                  | 9,000               | -         | -         | -            | -          | -                    |
| Total property                            | 3,050,490               | 3,043,000           | 78,000    | 96,625    | 2,788,000    | 2,863,163  | 3                    |
| Other:                                    |                         |                     |           |           |              |            |                      |
| Gasoline                                  | 769,258                 | 818,000             | 62,000    | 61,095    | 402,000      | 367,862    | (8)                  |
| Cigarette                                 | 83,243                  | 89,000              | 10,000    | 3,231     | 45,000       | 40,809     | (9)                  |
| Wine and liquor                           | 23,319                  | 25,000              | 2,000     | 1,982     | 13,000       | 12,840     | (1)                  |
| Rental                                    | 500,166                 | 439,000             | 36,000    | 43,625    | 231,000      | 234,679    | 2                    |
| Total other                               | 1,375,986               | 1,371,000           | 110,000   | 109,932   | 691,000      | 656,191    | (5)                  |
| Total taxes                               | 29,957,518              | 30,161,000          | 2,232,000 | 2,321,830 | 16,062,000   | 16,799,916 | 5                    |
| Special assessments                       | 8,382                   | 10,000              | 1,000     | 842       | 3,000        | 7,322      | 144                  |
| Licenses and permits:                     |                         |                     |           |           |              |            |                      |
| Occupational license fee                  | 8,917,021               | 9,029,000           | 14,000    | 25,523    | 4,571,000    | 4,762,783  | 4                    |
| Business:                                 |                         |                     |           |           |              |            |                      |
| General                                   | 3,150,917               | 3,148,000           | 180,000   | 159,309   | 2,770,000    | 2,888,588  | 4                    |
| Lodging                                   | 671,296                 | 618,000             | 46,000    | 70,627    | 292,000      | 358,605    | 23                   |
| Franchise fee                             | 79,861                  | 67,000              | 1,000     | (0)       | 67,000       | 2,737      | (96)                 |
| Total business                            | 3,902,074               | 3,833,000           | 227,000   | 229,936   | 3,129,000    | 3,249,930  | 4                    |
| Telecommunications permits and fees       | 11,000                  | 9,000               | 2,000     | -         | 3,000        | 7,000      | 133                  |
| Permits and inspections                   | 409,244                 | 440,000             | 35,000    | 44,034    | 201,000      | 241,480    | 20                   |
|                                           | 420,244                 | 449,000             | 37,000    | 44,034    | 204,000      | 248,480    | 22                   |
| Total licenses and permits                | 13,239,339              | 13,311,000          | 278,000   | 299,494   | 7,904,000    | 8,261,193  | 5                    |
| Intergovernmental:                        |                         |                     |           |           |              |            |                      |
| Shared County                             |                         |                     |           |           |              |            |                      |
| Motor vehicle license                     | 103,277                 | 112,000             | 8,000     | 8,031     | 55,000       | 54,021     | (2)                  |
| Shared state:                             |                         |                     |           |           |              |            |                      |
| Bank excise                               | 144,739                 | 119,000             | -         | -         | -            | -          |                      |
| Business privilege tax                    | 71,801                  | 71,000              | 20,000    | -         | 54,000       | -          | (100)                |
| Liquor tax profits                        | 121,362                 | 118,000             | 9,000     | 9,346     | 57,000       | 61,236     | 7                    |
| State asset forfeiture                    | 15,142                  | 7,479               | 869       | (0)       | 2,268        | 15,700     | 592                  |
| Total shared state                        | 353,044                 | 315,479             | 29,869    | 9,346     | 113,268      | 76,936     | (32)                 |
| Other:                                    |                         |                     |           |           |              |            |                      |
| Shared Federal asset forfeiture           | 27,363                  | 27,616              | 2,301     | 0         | 13,806       | 13,382     | (3)                  |
| State and county grants                   | 36,709                  | 10,500              | 56        | 2,500     | 10,168       | 24,190     | 138                  |
| Total other                               | 64,072                  | 38,116              | 2,357     | 2,500     | 23,974       | 37,572     | 57                   |
| Total intergovernmental                   | 520,393                 | 465,595             | 40,226    | 19,877    | 192,242      | 168,529    | (12)                 |
| Charge for service:                       |                         |                     |           |           |              |            |                      |
| General government:                       |                         |                     |           |           |              |            |                      |
| Other                                     | 13,012                  | 23,000              | 2,000     | 441       | 11,000       | 5,371      | (51)                 |
| Public safety:                            |                         |                     |           |           |              |            |                      |
| Towing                                    | 2,301                   | -                   | (23)      | (934)     | 140          | 1,178      |                      |
| Fire training                             | -                       | -                   | -         | -         | -            | -          |                      |
| Highway Safety Program                    | 1,444                   | -                   | -         | -         | -            | -          |                      |
| City Schools                              | 12,000                  | 11,000              | -         | -         | -            | -          |                      |
| Housing Authority                         | 35,000                  | -                   | -         | -         | -            | -          |                      |
| E911                                      | 102,000                 | 40,000              | 4,000     | -         | 21,000       | -          | (100)                |
| Auburn University                         | 64,608                  | 61,444              | 202       | 1,302     | 34,240       | 33,851     | (1)                  |
| Health:                                   |                         |                     |           |           |              |            |                      |
| Graves and monuments                      | 124,275                 | 113,000             | 11,000    | 9,225     | 56,000       | 70,975     | 27                   |
| Public Works:                             |                         |                     |           |           |              |            |                      |
| Paving/Plan review fees                   | 67,842                  | 27,000              | 2,000     | 3,368     | 12,000       | 30,047     | 150                  |
| Culture and recreation:                   |                         |                     |           |           |              |            |                      |
| Entry fees and concessions                | 1,424,165               | 1,372,500           | 114,550   | 128,486   | 684,132      | 698,639    | 2                    |
| Total charges for service                 | 1,846,647               | 1,647,944           | 133,729   | 141,888   | 818,512      | 840,061    | 3                    |
| Fines and forfeits:                       |                         |                     |           |           |              |            |                      |
| Fines and costs                           | 849,347                 | 775,000             | 86,000    | 77,902    | 384,000      | 337,221    | (12)                 |
| Miscellaneous:                            |                         |                     |           |           |              |            |                      |
| Interest                                  | 86,412                  | 92,000              | 6,000     | 3,229     | 60,000       | 24,707     | (59)                 |
| Other                                     | 512,290                 | 229,581             | 24,283    | 58,973    | 77,889       | 170,484    | 119                  |
| Total miscellaneous                       | 598,702                 | 321,581             | 30,283    | 62,202    | 137,889      | 195,191    | 42                   |
| Total revenue                             | 47,020,328              | 46,692,120          | 2,801,238 | 2,924,034 | 25,501,643   | 26,609,433 | 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   | 1,461,528    | 1,463,630  | -                    |
| Sale of Fixed Assets                      | 80,165                  | 42,153              | 4,446     | 3,075     | 15,473       | 58,900     | 281                  |
| Other transfers                           | 113,463                 | 568,395             | 47,365    | -         | 284,190      | 427,174    | 50                   |
| Total operating transfers-in              | 1,115,768               | 3,534,660           | 295,574   | 246,489   | 1,761,191    | 1,949,704  | 11                   |
| Total other financing sources             | 1,443,707               | 3,534,660           | 295,574   | 246,489   | 1,761,191    | 1,995,293  | 13                   |
| Total revenue and other financing sources | 48,464,035              | 50,226,780          | 3,096,812 | 3,170,523 | 27,262,834   | 28,604,726 | 5                    |

|                                                                       |                         |                     |           |           |              |            |                      |
|-----------------------------------------------------------------------|-------------------------|---------------------|-----------|-----------|--------------|------------|----------------------|
| City of Opelika<br>General Fund - Revenues<br>Comparison to Last Year |                         |                     |           |           |              |            |                      |
|                                                                       | Unadjusted<br>9-30-2014 | Budget<br>9-30-2015 | March     |           | Year to date |            | %<br>Over<br>(Under) |
|                                                                       |                         |                     | 2014      | 2015      | 2014         | 2015       |                      |
| Taxes:                                                                |                         |                     |           |           |              |            |                      |
| Sales                                                                 | 25,531,042              | 25,747,000          | 1,996,245 | 2,115,273 | 12,389,811   | 13,280,562 | 7                    |
| Property:                                                             |                         |                     |           |           |              |            |                      |
| Property                                                              | 3,024,488               | 3,034,000           | 79,273    | 96,625    | 2,796,201    | 2,863,163  | 2                    |
| Payments in lieu of property tax                                      | 26,002                  | 9,000               | -         | -         | -            | -          | -                    |
| Total property                                                        | 3,050,490               | 3,043,000           | 79,273    | 96,625    | 2,796,201    | 2,863,163  | 2                    |
| Other:                                                                |                         |                     |           |           |              |            |                      |
| Gasoline                                                              | 769,258                 | 818,000             | 59,423    | 61,095    | 388,731      | 367,862    | (5)                  |
| Cigarette                                                             | 83,243                  | 89,000              | 9,094     | 3,231     | 46,283       | 40,809     | (12)                 |
| Wine and liquor                                                       | 23,319                  | 25,000              | 1,993     | 1,982     | 12,707       | 12,840     | 1                    |
| Rental                                                                | 500,166                 | 439,000             | 43,888    | 43,625    | 224,670      | 234,679    | 4                    |
| Total other                                                           | 1,375,986               | 1,371,000           | 114,398   | 109,932   | 672,391      | 656,191    | (2)                  |
| Total taxes                                                           | 29,957,518              | 30,161,000          | 2,189,916 | 2,321,830 | 15,858,403   | 16,799,916 | 6                    |
| Special assessments                                                   | 8,382                   | 10,000              | 980       | 842       | 3,453        | 7,322      | 112                  |
| Licenses and permits:                                                 |                         |                     |           |           |              |            |                      |
| Occupational license fee                                              | 8,917,021               | 9,029,000           | 15,948    | 25,523    | 4,454,226    | 4,762,783  | 7                    |
| Business:                                                             |                         |                     |           |           |              |            |                      |
| General                                                               | 3,150,917               | 3,148,000           | 173,855   | 159,309   | 2,700,189    | 2,888,588  | 7                    |
| Lodging                                                               | 671,296                 | 618,000             | 50,461    | 70,627    | 298,511      | 358,605    | 20                   |
| Franchise fee                                                         | 79,861                  | 67,000              | -         | (0)       | 79,861       | 2,737      | (97)                 |
| Total business                                                        | 3,902,074               | 3,833,000           | 224,317   | 229,936   | 3,078,562    | 3,249,930  | 6                    |
| Telecommunications permits and fees                                   |                         |                     |           |           |              |            |                      |
| Permits and inspections                                               | 11,000                  | 9,000               | 6,000     | -         | 11,000       | 7,000      | (36)                 |
|                                                                       | 409,244                 | 440,000             | 32,024    | 44,034    | 205,518      | 241,480    | 17                   |
|                                                                       | 420,244                 | 449,000             | 38,024    | 44,034    | 216,518      | 248,480    | 15                   |
| Total licenses and permits                                            | 13,239,339              | 13,311,000          | 278,288   | 299,494   | 7,749,306    | 8,261,193  | 7                    |
| Intergovernmental:                                                    |                         |                     |           |           |              |            |                      |
| Shared County                                                         |                         |                     |           |           |              |            |                      |
| Motor vehicle license                                                 | 103,277                 | 112,000             | 7,246     | 8,031     | 51,252       | 54,021     | 5                    |
| Shared state:                                                         |                         |                     |           |           |              |            |                      |
| Bank excise                                                           | 144,739                 | 119,000             | -         | -         | -            | -          |                      |
| Business privilege tax                                                | 71,801                  | 71,000              | -         | -         | -            | -          |                      |
| Liquor tax profits                                                    | 121,362                 | 118,000             | 7,307     | 9,346     | 57,408       | 61,236     | 7                    |
| State asset forfeiture                                                | 15,142                  | 7,479               | 897       | (0)       | 6,783        | 15,700     | 131                  |
| Total shared state                                                    | 353,044                 | 315,479             | 8,205     | 9,346     | 64,191       | 76,936     | 20                   |
| Other:                                                                |                         |                     |           |           |              |            |                      |
| Shared Federal asset forfeiture                                       | 27,363                  | 27,616              | (0)       | 0         | 13,397       | 13,382     | -                    |
| State and county grants                                               | 36,709                  | 10,500              | 0         | 2,500     | 10,900       | 24,190     | 122                  |
|                                                                       | 64,072                  | 38,116              | -         | 2,500     | 24,296       | 37,572     | 55                   |
| Total intergovernmental                                               | 520,393                 | 465,595             | 15,450    | 19,877    | 139,739      | 168,529    | 21                   |
| Charge for service:                                                   |                         |                     |           |           |              |            |                      |
| General government:                                                   |                         |                     |           |           |              |            |                      |
| Other                                                                 | 13,012                  | 23,000              | 640       | 441       | 7,359        | 5,371      | (27)                 |
| Public safety:                                                        |                         |                     |           |           |              |            |                      |
| Towing                                                                | 2,301                   | -                   | 636       | (934)     | 1,542        | 1,178      | (24)                 |
| 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              | -         | -         | 82,000       | -          | (100)                |
| Auburn University                                                     | 64,608                  | 61,444              | 0         | 1,302     | 36,685       | 33,851     | (8)                  |
| Health:                                                               |                         |                     |           |           |              |            |                      |
| Graves and monuments                                                  | 124,275                 | 113,000             | 7,025     | 9,225     | 53,300       | 70,975     | 33                   |
| Public Works:                                                         |                         |                     |           |           |              |            |                      |
| Paving/Plan review fees                                               | 67,842                  | 27,000              | 9,247     | 3,368     | 37,565       | 30,047     | (20)                 |
| Culture and recreation:                                               |                         |                     |           |           |              |            |                      |
| Entry fees and concessions                                            | 1,424,165               | 1,372,500           | 120,504   | 128,486   | 656,771      | 698,639    | 6                    |
| Total charges for service                                             | 1,846,647               | 1,647,944           | 138,052   | 141,888   | 911,665      | 840,061    | (8)                  |
| Fines and forfeits:                                                   |                         |                     |           |           |              |            |                      |
| Fines and costs                                                       | 849,347                 | 775,000             | 100,963   | 77,902    | 397,804      | 337,221    | (15)                 |
| Miscellaneous:                                                        |                         |                     |           |           |              |            |                      |
| Interest                                                              | 86,412                  | 92,000              | 5,817     | 3,229     | 27,151       | 24,707     | (9)                  |
| Other                                                                 | 512,290                 | 229,581             | 62,489    | 58,973    | 277,728      | 170,484    | (39)                 |
| Total miscellaneous                                                   | 598,702                 | 321,581             | 68,306    | 62,202    | 304,879      | 195,191    | (36)                 |
| Total revenue                                                         | 47,020,328              | 46,692,120          | 2,791,956 | 2,924,034 | 25,365,249   | 26,609,433 | 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   | 467,157      | 1,463,630  | 213                  |
| Sale of Fixed Assets                                                  | 80,165                  | 42,153              | 711       | 3,075     | 57,561       | 58,900     | 2                    |
| Other transfers                                                       | 113,463                 | 568,395             | 21,306    | -         | 46,174       | 427,174    | 825                  |
| Total operating transfers-in                                          | 1,115,768               | 3,534,660           | 97,848    | 246,489   | 570,892      | 1,949,704  | 242                  |
| Total other financing sources                                         | 1,443,707               | 3,534,660           | 97,848    | 246,489   | 570,892      | 1,995,293  | 250                  |
| Total revenue and other financing sources                             | 48,464,035              | 50,226,780          | 2,889,804 | 3,170,523 | 25,936,141   | 28,604,726 | 10                   |

City of Opelika  
General Fund  
Comparison of Budget and Actual

|                                        | Unadjusted<br>9-30-2014 | Budget<br>9-30-2015 | March<br>Budget | Actual    | Year to date<br>Budget | Actual     | %<br>YTD<br>Budget |
|----------------------------------------|-------------------------|---------------------|-----------------|-----------|------------------------|------------|--------------------|
| General Government:                    |                         |                     |                 |           |                        |            |                    |
| Legislative                            | 333,084                 | 414,416             | 31,974          | 22,051    | 228,848                | 166,457    | (27)               |
| Executive                              | 210,899                 | 404,055             | 34,254          | 21,577    | 198,440                | 97,433     | (51)               |
| Legal                                  | 95,949                  | 140,696             | 11,715          | 9,696     | 70,330                 | 60,901     | (13)               |
| Other:                                 |                         |                     |                 |           |                        |            |                    |
| Administration                         | 577,075                 | 441,285             | 28,756          | 23,751    | 268,656                | 236,058    | (12)               |
| Accounting                             | 332,122                 | 370,246             | 30,849          | 35,524    | 185,094                | 184,352    | -                  |
| Human Resources                        | 328,028                 | 448,340             | 37,284          | 25,402    | 221,486                | 185,094    | (16)               |
| Information Technology                 | 959,011                 | 1,270,173           | 107,234         | 56,774    | 626,723                | 737,520    | 18                 |
| Revenue                                | 253,646                 | 241,077             | 20,054          | 18,334    | 120,634                | 115,650    | (4)                |
| Municipal court                        | 646,862                 | 621,003             | 51,736          | 35,798    | 310,476                | 259,674    | (16)               |
| Purchasing                             | 225,343                 | 205,842             | 17,134          | 14,717    | 102,974                | 97,595     | (5)                |
| Community Development                  | 126,582                 | 142,552             | 11,890          | 6,440     | 71,172                 | 57,262     | (20)               |
| Planning                               | 316,620                 | 353,024             | 29,293          | 24,091    | 177,198                | 159,559    | (10)               |
| Total other                            | 3,765,289               | 4,093,542           | 334,230         | 240,831   | 2,084,413              | 2,032,764  | (2)                |
| Nondepartmental                        | 531,598                 | 546,857             | 45,591          | 80,006    | 271,782                | 225,317    | (17)               |
| Total general government               | 4,936,819               | 5,599,566           | 457,764         | 374,161   | 2,853,813              | 2,582,872  | (9)                |
| Public safety:                         |                         |                     |                 |           |                        |            |                    |
| Police:                                |                         |                     |                 |           |                        |            |                    |
| Total police                           | 7,924,438               | 9,041,629           | 755,685         | 640,266   | 4,507,264              | 4,104,327  | (9)                |
| Fire:                                  |                         |                     |                 |           |                        |            |                    |
| Total fire                             | 5,218,955               | 5,190,784           | 430,486         | 364,416   | 2,608,200              | 2,568,181  | (2)                |
| Nondepartmental                        | 334,476                 | 331,476             | 27,622          | 82,869    | 165,732                | 165,738    | -                  |
| Total public safety                    | 13,477,869              | 14,563,889          | 1,213,793       | 1,087,551 | 7,281,196              | 6,838,246  | (6)                |
| Public Works:                          |                         |                     |                 |           |                        |            |                    |
| Streets                                | 1,068,506               | 1,126,646           | 94,955          | 101,193   | 556,900                | 536,102    | (4)                |
| Engineering                            | 403,517                 | 555,524             | 46,019          | 34,127    | 279,284                | 228,658    | (18)               |
| Other:                                 |                         |                     |                 |           |                        |            |                    |
| Administration                         | 335,004                 | 342,724             | 28,519          | 33,048    | 171,594                | 177,154    | 3                  |
| Cemetery                               | 206,968                 | 191,986             | 15,925          | 17,161    | 96,420                 | 98,574     | 2                  |
| Auto shop                              | 340,480                 | 347,660             | 28,789          | 28,552    | 174,914                | 172,815    | (1)                |
| Building maintenance                   | 331,330                 | 322,201             | 26,685          | 26,613    | 162,090                | 159,986    | (1)                |
| Inspection                             | 477,869                 | 488,560             | 40,554          | 70,332    | 245,174                | 232,816    | (5)                |
| Grounds maintenance                    | 566,141                 | 543,994             | 45,123          | 44,884    | 273,248                | 268,072    | (2)                |
| Total other                            | 2,257,792               | 2,237,125           | 185,595         | 220,590   | 1,123,440              | 1,109,417  | (1)                |
| Total public works                     | 3,729,815               | 3,919,295           | 326,569         | 355,910   | 1,959,624              | 1,874,177  | (4)                |
| Health, Education and Welfare          |                         |                     |                 |           |                        |            |                    |
| Animal control                         | 59,445                  | 63,489              | 5,258           | 4,920     | 31,868                 | 29,100     | (9)                |
| Nondepartmental                        | 3,352,427               | 3,381,689           | 281,695         | 570,281   | 1,683,955              | 1,961,735  | 16                 |
| Total health, education and welfare    | 3,411,872               | 3,445,178           | 286,953         | 575,201   | 1,715,823              | 1,990,835  | 16                 |
| Culture and recreation                 |                         |                     |                 |           |                        |            |                    |
| Parks and recreation                   | 5,091,594               | 5,559,338           | 460,696         | 392,224   | 2,794,756              | 2,391,457  | (14)               |
| Library                                | 751,222                 | 902,817             | 62,041          | 54,878    | 363,826                | 343,562    | (6)                |
| Nondepartmental                        | 92,500                  | 102,172             | 8,696           | 5,375     | 47,491                 | 75,950     | 60                 |
| Total culture and recreation           | 5,935,316               | 6,564,327           | 531,433         | 452,477   | 3,206,073              | 2,810,969  | (12)               |
| Economic Development                   |                         |                     |                 |           |                        |            |                    |
| Economic Development                   | 385,622                 | 546,797             | 45,558          | 20,696    | 273,348                | 199,036    | (27)               |
| Nondepartmental                        | 1,256,076               | 1,063,750           | 88,642          | 85,140    | 531,852                | 596,437    | 12                 |
| Total economic development             | 1,641,698               | 1,610,547           | 134,200         | 105,836   | 805,200                | 795,473    | (1)                |
| Capital outlay                         | 1,932,105               | 3,685,472           | 308,350         | 180,190   | 1,794,328              | 650,644    | (64)               |
| Total expenditures                     | 35,065,493              | 39,388,274          | 3,259,062       | 3,131,326 | 19,616,057             | 17,543,216 | (11)               |
| Transfers - out:                       |                         |                     |                 |           |                        |            |                    |
| Transfer to PR/Jail Construction Fund  | 2,402,131               | 2,418,375           | 201,531         | 200,303   | 1,209,186              | 1,266,706  | 5                  |
| Transfers to other funds               | 84,538                  | 117,652             | 10,126          | 2,062     | 10,126                 | 18,409     |                    |
| Debt service                           | 8,815,588               | 9,483,827           | 790,317         | 62,118    | 4,741,902              | 3,291,472  | (31)               |
| Total transfers - out                  | 11,302,257              | 12,019,854          | 1,001,974       | 264,483   | 5,961,214              | 4,576,587  | (23)               |
| Total expenditures and transfers - out | 46,367,750              | 51,408,128          | 4,261,036       | 3,395,809 | 25,577,271             | 22,119,803 | (14)               |

Attachment: March 2015 Reports (1047 : Financial Report - March 2015)

City of Opelika  
General Fund  
Expenditures

|                                        | Unadjusted<br>9-30-2014 | Budget<br>9-30-2015 | March<br>2014 | March<br>2015 | Year to date<br>2014 | Year to date<br>2015 | %<br>Last<br>Year |
|----------------------------------------|-------------------------|---------------------|---------------|---------------|----------------------|----------------------|-------------------|
| General Government:                    |                         |                     |               |               |                      |                      |                   |
| Legislative                            | 333,084                 | 414,416             | 23,980        | 22,051        | 189,537              | 166,457              | (12)              |
| Executive                              | 210,899                 | 404,055             | 12,031        | 21,577        | 75,265               | 97,433               | 29                |
| Legal                                  | 95,949                  | 140,696             | 9,209         | 9,696         | 30,182               | 60,901               | -                 |
| Other:                                 |                         |                     |               |               |                      |                      |                   |
| Administration                         | 577,075                 | 441,285             | 33,235        | 23,751        | 221,618              | 236,058              | 7                 |
| Accounting                             | 332,122                 | 370,246             | 20,504        | 35,524        | 180,681              | 184,352              | 2                 |
| Human Resources                        | 328,028                 | 448,340             | 22,901        | 25,402        | 141,235              | 185,094              | 31                |
| Information Technology                 | 959,011                 | 1,270,173           | 44,994        | 56,774        | 565,333              | 737,520              | 30                |
| Revenue                                | 253,646                 | 241,077             | 36,174        | 18,334        | 143,512              | 115,650              | (19)              |
| Municipal court                        | 646,862                 | 621,003             | 47,674        | 35,798        | 274,433              | 259,674              | (5)               |
| Purchasing                             | 225,343                 | 205,842             | 16,294        | 14,717        | 109,297              | 97,595               | (11)              |
| Community Development                  | 126,582                 | 142,552             | 15,317        | 6,440         | 63,651               | 57,262               | (10)              |
| Planning                               | 316,620                 | 353,024             | 23,467        | 24,091        | 154,751              | 159,559              | 3                 |
| Total other                            | 3,765,289               | 4,093,542           | 260,560       | 240,831       | 1,854,511            | 2,032,764            | 10                |
| Nondepartmental                        | 531,598                 | 546,857             | 59,417        | 80,006        | 200,196              | 225,317              | 13                |
| Total general government               | 4,936,819               | 5,599,566           | 365,197       | 374,161       | 2,349,691            | 2,582,872            | 10                |
| Public safety:                         |                         |                     |               |               |                      |                      |                   |
| Police:                                |                         |                     |               |               |                      |                      |                   |
| Total police                           | 7,924,438               | 9,041,629           | 586,668       | 640,266       | 3,948,557            | 4,104,327            | 4                 |
| Fire:                                  |                         |                     |               |               |                      |                      |                   |
| Total fire                             | 5,218,955               | 5,190,784           | 377,544       | 364,416       | 2,462,013            | 2,568,181            | 4                 |
| Nondepartmental                        | 334,476                 | 331,476             | 83,619        | 82,869        | 167,238              | 165,738              | (1)               |
| Total public safety                    | 13,477,869              | 14,563,889          | 1,047,831     | 1,087,551     | 6,577,808            | 6,838,246            | 4                 |
| Public Works:                          |                         |                     |               |               |                      |                      |                   |
| Streets                                | 1,068,506               | 1,126,646           | 85,915        | 101,193       | 536,576              | 536,102              | -                 |
| Engineering                            | 403,517                 | 555,524             | 35,651        | 34,127        | 194,291              | 228,658              | 18                |
| Other:                                 |                         |                     |               |               |                      |                      |                   |
| Administration                         | 335,004                 | 342,724             | 29,982        | 33,048        | 168,723              | 177,154              | 5                 |
| Cemetery                               | 206,968                 | 191,986             | 23,701        | 17,161        | 103,092              | 98,574               | (4)               |
| Auto shop                              | 340,480                 | 347,660             | 29,110        | 28,552        | 172,518              | 172,815              | -                 |
| Building maintenance                   | 331,330                 | 322,201             | 26,229        | 26,613        | 157,772              | 159,986              | 1                 |
| Inspection                             | 477,869                 | 488,560             | 34,256        | 70,332        | 234,288              | 232,816              | (1)               |
| Grounds maintenance                    | 566,141                 | 543,994             | 43,830        | 44,884        | 274,535              | 268,072              | (2)               |
| Total other                            | 2,257,792               | 2,237,125           | 187,108       | 220,590       | 1,110,928            | 1,109,417            | -                 |
| Total public works                     | 3,729,815               | 3,919,295           | 308,674       | 355,910       | 1,841,795            | 1,874,177            | 2                 |
| Health, Education and Welfare          |                         |                     |               |               |                      |                      |                   |
| Animal control                         | 59,445                  | 63,489              | 4,495         | 4,920         | 28,838               | 29,100               | 1                 |
| Nondepartmental                        | 3,352,427               | 3,381,689           | 307,618       | 570,281       | 1,682,213            | 1,961,735            | 17                |
| Total health, education and welfare    | 3,411,872               | 3,445,178           | 312,113       | 575,201       | 1,711,051            | 1,990,835            | 16                |
| Culture and recreation                 |                         |                     |               |               |                      |                      |                   |
| Parks and recreation                   | 5,091,594               | 5,559,338           | 397,639       | 392,224       | 2,329,650            | 2,391,457            | 3                 |
| Library                                | 751,222                 | 902,817             | 53,396        | 54,878        | 369,706              | 343,562              | (7)               |
| Nondepartmental                        | 92,500                  | 102,172             | 5,625         | 5,375         | 78,750               | 75,950               | (4)               |
| Total culture and recreation           | 5,935,316               | 6,564,327           | 456,660       | 452,477       | 2,778,106            | 2,810,969            | 1                 |
| Economic Development                   |                         |                     |               |               |                      |                      |                   |
| Economic Development                   | 385,622                 | 546,797             | 26,743        | 20,696        | 175,201              | 199,036              | 14                |
| Nondepartmental                        | 1,256,076               | 1,063,750           | 61,165        | 85,140        | 481,338              | 596,437              | 24                |
| Total economic development             | 1,641,698               | 1,610,547           | 87,908        | 105,836       | 656,539              | 795,473              | 21                |
| Capital outlay                         | 1,932,105               | 3,685,472           | 559,392       | 180,189       | 953,489              | 650,643              | (32)              |
| Total expenditures                     | 35,065,493              | 39,388,274          | 3,137,775     | 3,131,325     | 16,868,479           | 17,543,215           | 4                 |
| Transfers - out:                       |                         |                     |               |               |                      |                      |                   |
| Transfer to PR/Jail Construction Fund  | 2,402,131               | 2,418,375           | 186,947       | 200,303       | 1,141,354            | 1,266,706            | 11                |
| Transfers to other funds               | 84,538                  | 117,652             | 1,688         | 2,062         | 8,688                | 18,409               | 112               |
| Debt service                           | 8,815,588               | 9,483,827           | 1,440,419     | 62,118        | 4,654,905            | 3,291,472            | (29)              |
| Total transfers - out                  | 11,302,257              | 12,019,854          | 1,629,054     | 264,483       | 5,804,947            | 4,576,587            | (21)              |
| Total expenditures and transfers - out | 46,367,750              | 51,408,128          | 4,766,829     | 3,395,808     | 22,673,426           | 22,119,802           | (2)               |

Attachment: March 2015 Reports (1047 : Financial Report - March 2015)

City of Opelika  
General Fund  
Capital Outlay

|                                        | Unadjusted<br>9-30-2014 | Budget<br>9-30-2015 | March   |         | Year to date |         | %<br>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             | 19,031  | 19,196  | 273,865      | 139,749 | 20          |
| Revenue                                | -                       | -                   | -       | -       | -            | -       | -           |
| Municipal court                        | -                       | -                   | -       | -       | -            | -       | -           |
| Purchasing                             | -                       | -                   | -       | -       | -            | -       | -           |
| Community Development                  | -                       | -                   | -       | -       | -            | -       | -           |
| Planning                               | -                       | -                   | -       | -       | -            | -       | -           |
| Total other                            | 354,163                 | 710,723             | 19,031  | 19,196  | 273,865      | 139,749 | 20          |
| Nondepartmental                        | -                       | -                   | -       | -       | -            | -       | -           |
| Total general government               | 354,163                 | 765,723             | 19,031  | 19,196  | 273,865      | 190,028 | 25          |
| Public safety:                         |                         |                     |         |         |              |         |             |
| Police:                                |                         |                     |         |         |              |         |             |
| Total police                           | 605,129                 | 244,411             | 153,361 | 117,144 | 273,152      | 207,936 | 85          |
| Fire:                                  |                         |                     |         |         |              |         |             |
| Total fire                             | 53,909                  | 805,160             | -       | -       | 18,389       | 142,425 | 18          |
| Nondepartmental                        | -                       | -                   | -       | -       | -            | -       | -           |
| Total public safety                    | 659,038                 | 1,049,571           | 153,361 | 117,144 | 291,541      | 350,361 | 33          |
| Public Works:                          |                         |                     |         |         |              |         |             |
| Streets                                | 214,967                 | 24,323              | -       | 18,573  | -            | 18,573  | 76          |
| Engineering                            | 487,630                 | 1,570,429           | 387,000 | 25,277  | 369,180      | 25,277  | 2           |
| 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           | 387,000 | 43,850  | 407,873      | 97,276  | 5           |
| Health, Education and Welfare          |                         |                     |         |         |              |         |             |
| Animal control                         | -                       | -                   | -       | -       | -            | -       | -           |
| Nondepartmental                        | -                       | -                   | -       | -       | -            | -       | -           |
| Total health, education and welfare    | -                       | -                   | -       | -       | -            | -       | -           |
| Culture and recreation                 |                         |                     |         |         |              |         |             |
| Parks and recreation                   | 123,532                 | 80,491              | -       | -       | (19,789)     | 12,980  | 16          |
| Library                                | 14,235                  | -                   | -       | -       | -            | -       | -           |
| Nondepartmental                        | -                       | -                   | -       | -       | -            | -       | -           |
| Total culture and recreation           | 137,767                 | 80,491              | -       | -       | (19,789)     | 12,980  | 16          |
| Economic Development                   |                         |                     |         |         |              |         |             |
| Conference Center                      | -                       | -                   | -       | -       | -            | -       | -           |
| Total expenditures                     | 1,932,106               | 3,685,472           | 559,392 | 180,190 | 953,490      | 650,645 | 79          |
| Transfers - out:                       |                         |                     |         |         |              |         |             |
| Transfers to other funds               |                         |                     |         |         |              |         |             |
| Debt service                           |                         |                     |         |         |              |         |             |
| Total transfers - out                  | -                       | -                   | -       | -       | -            | -       | -           |
| Total expenditures and transfers - out | 1,932,106               | 3,685,472           | 559,392 | 180,190 | 953,490      | 650,645 | 18          |

Attachment: March 2015 Reports (1047 : Financial Report - March 2015)



**City Council**  
200 Main Street  
South City, NY 12345

**SCHEDULED**

**GENERAL BUSINESS (ID # 1045)**

Meeting: 05/05/15 07:00 PM  
Department: City Clerk  
Category: Request / Temp Street Closure  
Prepared By: Robert Shuman  
Initiator: Robert Shuman  
Sponsors:

DOC ID: 1045

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## **Request Street Closure, Juneteenth Celebration on June 20Th.**

**Shuman, Robert**

**From:** hsnipesoha@aol.com  
**Sent:** Tuesday, April 28, 2015 6:35 PM  
**To:** Shuman, Robert  
**Cc:** director@opelikamainstreet.org, McEachern, John, jwardgemsinc@gmail.com  
**Subject:** Re: Juneteenth Unity Parade

Bob,  
 Here's the Parade Route: Starting point Bethesda Baptist Church which is located on South Fourth Street between Ave A&B

Proceed from Bethesda to left on Avenue A then proceed to South 9th Street and turn left ending at Avenue B

The Parade time is 10:30 am with lineup at 10:00 am. I would not anticipate it last more than 30 minutes

Sent from AOL Mobile Mail

-----Original Message-----

From: Shuman, Robert <RShuman@opelika-al.gov>  
 To: hsnipesoha <hsnipesoha@aol.com>  
 Cc: director <director@opelikamainstreet.org>; McEachern, John <jmceachern@opelika-al.gov>; jwardgemsinc <jwardgemsinc@gmail.com>  
 Sent: Mon, Apr 27, 2015 03:30 PM  
 Subject: Juneteenth Unity Parade

Henrietta - please send me a new email stating the final route request and the beginning and ending time for the Juneteenth Unity parade. I will then forward your request to Mayor Fuller and his safety staff to make sure they can support said request. When I get their OK, I will schedule your request on a council meeting agenda for city council approval.

Thanks for all you do,

R. G. 'Bob' Shuman, CMC  
 Opelika City Clerk – Treasurer

**From:** [hsnipesoha@aol.com](mailto:hsnipesoha@aol.com) [mailto:[hsnipesoha@aol.com](mailto:hsnipesoha@aol.com)]  
**Sent:** Monday, April 27, 2015 3:22 PM  
**To:** Shuman, Robert  
**Cc:** [director@opelikamainstreet.org](mailto:director@opelikamainstreet.org), McEachern, John; [jwardgemsinc@gmail.com](mailto:jwardgemsinc@gmail.com)  
**Subject:** Juneteenth Unity Parade

Bob,

I have gotten the green light from Pam for the parade and route scheduled for June 20, 2015. Again I apologize for any confusion. No activities will be in Courthouse Square. Thanks for all your tolerance.



**City Council**  
200 Main Street  
South City, NY 12345

**SCHEDULED**

**GENERAL BUSINESS (ID # 1046)**

Meeting: 05/05/15 07:00 PM  
Department: City Clerk  
Category: Request / Temp Street Closure  
Prepared By: Robert Shuman  
Initiator: Robert Shuman  
Sponsors:

DOC ID: 1046

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## **Request Road Closure / Runway Dr. - Airport Fly in on May 16Th.**

**Shuman, Robert**

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**From:** Tommy Carswell <tcarswell@auburnalabama.org>  
**Sent:** Wednesday, April 29, 2015 9:08 AM  
**To:** Shuman, Robert  
**Cc:** McEachern, John  
**Subject:** Road Closure

Mr Shuman, Thank you for the information and the conversation this morning.

On behalf of the Auburn- Opelika Fly-In Committee, I request the approval for the closure of Runway Dr in Opelika on Saturday, May, 16, 2015, from 8:00 am to 5:00 pm. This is a community event and is sponsored by Aviation Education Outreach; their website address is: <http://www.auburnopelikaairshow.com/>.

On-site parking will be limited; therefore, transit buses will be used to transport spectators to and from the event location and off-site parking. The closure of Runway Dr is needed to ensure the safety for an unusual amount of pedestrians entering the area from the Duck Samford – E Glenn/ Airport Rd (Auburn) end of the roadway and to facilitate the safe movement of the transit buses.

I am hopeful to have traffic restored by 4:00 pm or shortly thereafter. We will close the roadway with Auburn Police Division personnel manning barricades. During the times of the road closure, we will ensure that access to local residences and businesses is uninterrupted. Those entering the barricaded area for private business or educational reasons, or to visit a private residence, will be accommodated by barricade personnel.

It is noteworthy to mention that we have worked this event in the same manner in the past. Seemingly, there was no significant problem and safety prevailed. I understand that the Mayor's Safety Committee will see this request and this will serve as notification upon Opelika City Council approval. I will ensure that the Opelika Communications is notified when the roadway is open and normal traffic flow is restored following the event.

Thank you for tending to this request. If there are any concerns or questions, please let me know.

Captain Tommy Carswell, MSCJ MPA  
 Administrative Operations Commander  
 City of Auburn Public Safety – Police Division  
 161 N Ross St, Auburn, Alabama 36830  
 Desk 334 501 3121  
 FIC 176,3071951  
 Fax 334 501 7286

Attachment: CM 5-05-15, road closure, Runway Dr, Fly In airport, 4-29-15 1 (1046 : Request Road Closure / Runway Dr. - Airport Fly in on May



**City Council**  
200 Main Street  
South City, NY 12345

**SCHEDULED**

**GENERAL BUSINESS (ID # 1058)**

Meeting: 05/05/15 07:00 PM

Department: Planning

Category: Public Hearing

Prepared By: Jeff Kappelman

Initiator: Gerald (Jerry) Kelley

Sponsors: Chief Building Inspector Jeff Kappelman

DOC ID: 1058

## Public Hearing for Demolition - 303 Byrd Avenue

### NOTICE OF PUBLIC HEARING

TO: Sirco, Inc.  
206 S. 8<sup>th</sup> Street  
Opelika, AL 36801

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika, Alabama, will hold a public hearing on Tuesday, May 5, 2015, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Lee County, Alabama, to consider the adoption of a resolution ordering the demolition of building or structure located at 303 Byrd Avenue in the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

Commence at the Northeast corner of Section 7, Township 19 North, Range 27 East, in Lee County, Alabama; run thence West for 893.4 feet; run thence South for 1911.2 feet to the Southerly corner of the intersection of Byrd Street and 3<sup>rd</sup> Street; run thence South 48 degrees 31 minutes West for 71.6 feet along the Southeasterly margin of Byrd Street to the point of beginning of the parcel of land to be here described and conveyed; from said point of beginning, run thence South 41 degrees 29 minutes East for 144.5 feet; run thence South 48 degrees 31 minutes West for 66.4 feet; run thence North 41 degrees 29 minutes West 144.5 feet to the Southeasterly margin of Byrd Street; run thence North 48 degrees 31 minutes East for 66.4 feet along the Southeasterly margin of Byrd Street to the said point of beginning; together with all improvements thereon and all appurtenances thereunto belonging.

Being further described as Parcel No. 43-10-03-07-1-001-088.000, according to records maintained in the Lee County Revenue Commissioner's Office.

At said public hearing, the City Council will determine whether the building or structure located at 303 Byrd Avenue is unsafe to the extent it creates a public nuisance which shall be abated by removal or demolition of said building at the owner's expense; and, if so, will order the abatement of said nuisance and the demolition of said building or structure. If abatement and demolition are ordered, the cost of abatement and demolition shall be assessed against the above-described property and shall constitute a lien on the property. The amount of the lien shall be added to the ad valorem tax bill on the property and shall be collected as if it were a tax and remitted to the municipality.

All interested persons are invited to appear before the Council in person or through his or her representative to show cause, if any, why his or her objection to the demolition and/or removal of said building or structure should be sustained. Written objections may also be filed with the City Clerk before the meeting of the Council.

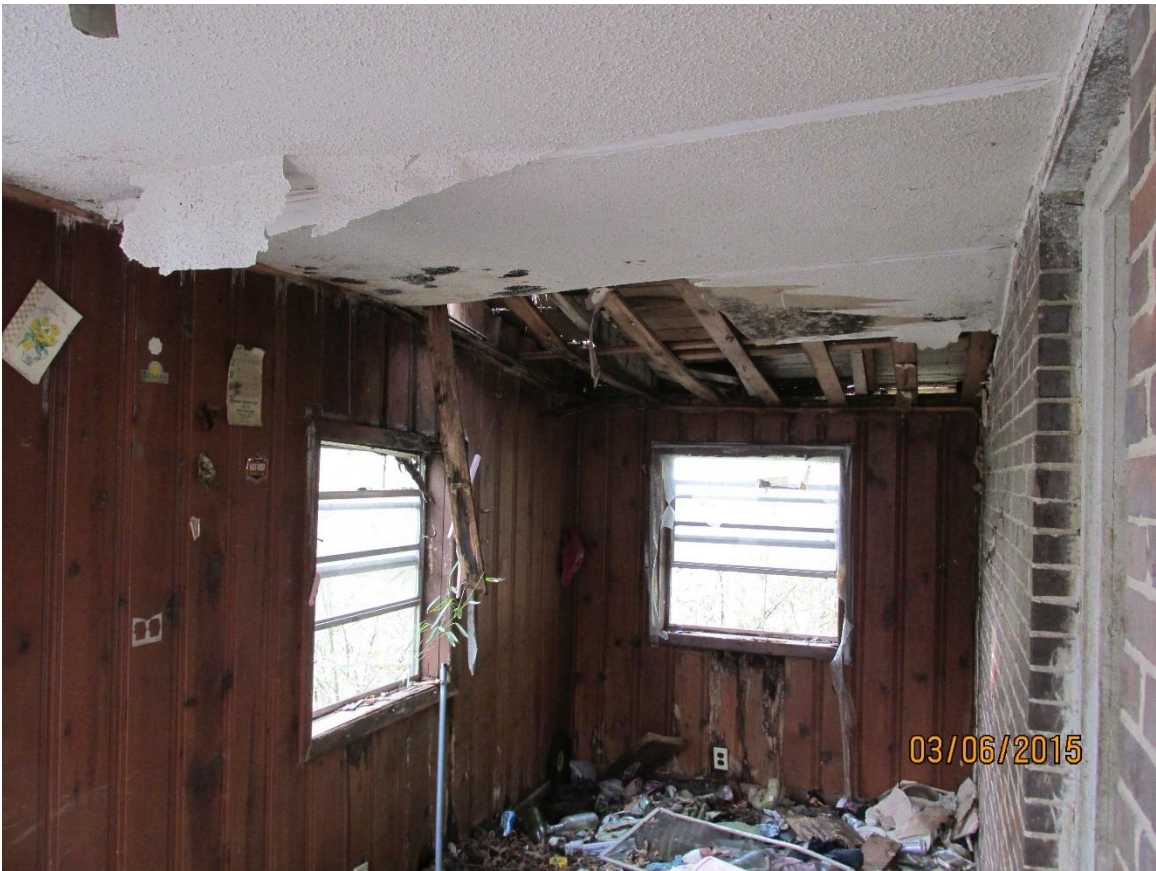
This Notice is given pursuant to the provisions of §11-40-32, *Code of Alabama*. Reference is hereby made to the Resolution on file in the office of the Municipal Clerk for further particulars.

This Notice is given under my hand this the \_\_\_\_\_ day of April, 2015.

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CITY CLERK OF THE CITY OF OPELIKA,  
ALABAMA







**City Council**  
200 Main Street  
South City, NY 12345

**SCHEDULED**

**GENERAL BUSINESS (ID # 1066)**

Meeting: 05/05/15 07:00 PM

Department: Planning

Category: Public Hearing

Prepared By: Jeff Kappelman

Initiator: Gerald (Jerry) Kelley

Sponsors: Chief Building Inspector Jeff Kappelman

DOC ID: 1066

## **Public Hearing for Demolition - 122 & 124 Plum Avenue and 18 & 20 East Street**

### **NOTICE OF PUBLIC HEARING**

TO: Sirco, Inc.  
206 South 8<sup>th</sup> Street  
Opelika, AL 36801

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika, Alabama, will hold a public hearing on Tuesday, May 5, 2015, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Lee County, Alabama, to consider the adoption of a resolution ordering the demolition of buildings or structures located at 122 Plum Avenue, 124 Plum Avenue, 18 Easy Street and 20 Easy Street in the City of Opelika, Alabama.

The properties referred to above are more particularly described as follows:

Certain lots in the City of Opelika, Lee County, Alabama, described as lot numbers Eight (8) and Nine (9) in Block One (1) of the Byrd Lands as shown by "Totten's Official Real Estate Map of Opelika, Alabama, 1930", which is of record in Town Plat Book 2, Page 9 in the Office of the Judge of Probate of Lee County, Alabama, said lots fronting 200 feet along the North margin of Plum Street in the City of Opelika and running back Northerly therefrom at right angles and of uniform width a distance of 185 feet; the house thereon being Numbered 7 Plum Street, and being situated in the City of Opelika, Lee County, Alabama.

Also being further described as Parcel Number 43-10-03-08-2-002-050.000, according to records maintained in the Lee County Revenue Commissioner's Office.

At said public hearing, the City Council will determine whether the buildings or structures located at 122 Plum Avenue, 124 Plum Avenue, 18 Easy Street and 20 Easy Street are unsafe to the extent they create a public nuisance which shall be abated by removal or demolition of said buildings at the owner's expense; and, if so, will order the abatement of said nuisance and the demolition of said buildings or structures. If abatement and demolition are ordered, the cost of abatement and demolition shall be assessed against the above-described properties and shall constitute a lien on the properties. The amount of the lien shall be added to the ad valorem tax bill on the properties and shall be collected as if it were a tax and remitted to the municipality.

All interested persons are invited to appear before the Council in person or through his or her representative to show cause, if any, why his or her objection to the demolition and/or removal of said buildings or structures should be sustained. Written objections may also be filed with the City Clerk before the meeting of the Council.

This Notice is given pursuant to the provisions of §11-40-32, *Code of Alabama*. Reference is hereby made to the Resolution on file in the office of the Municipal Clerk for further particulars.

This Notice is given under my hand this the \_\_\_\_\_ day of April, 2015.

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CITY CLERK OF THE CITY OF OPELIKA,  
ALABAMA





Attachment: 122 Plum Avenue Photos (1066 : Public Hearing for Demolition - 122 & 124 Plum Avenue, 18 & 20 Easy Street)





















**City Council**  
200 Main Street  
South City, NY 12345

**SCHEDULED**

**GENERAL BUSINESS (ID # 1062)**

Meeting: 05/05/15 07:00 PM  
Department: Planning  
Category: Public Hearing  
Prepared By: Jeff Kappelman  
Initiator: Gerald (Jerry) Kelley  
Sponsors: Chief Building Inspector Jeff Kappelman  
DOC ID: 1062

## **Public Hearing for Demolition - 410 Raintree Street**

### **NOTICE OF PUBLIC HEARING**

TO: Sirco, Inc.  
206 S. 8<sup>th</sup> Street  
Opelika, AL 36801

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika, Alabama, will hold a public hearing on Tuesday, May 5, 2015, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Lee County, Alabama, to consider the adoption of a resolution ordering the demolition of building or structure located at 410 Raintree Street in the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

South half of Lot 3, Block 8 of the Palmer Subdivision, as shown by plat of Palmer Property made by T.B. Chambers, Surveyor, said plat being of record at Page 11 of Plat Book 2, in the Office of the Judge of Probate of Lee County, Alabama.

Also being further described as Parcel Number 43-10-03-08-2-001-093.000, according to records maintained in the Lee County Revenue Commissioner's Office.

At said public hearing, the City Council will determine whether the building or structure located at 410 Raintree Street is unsafe to the extent it creates a public nuisance which shall be abated by removal or demolition of said building at the owner's expense; and, if so, will order the abatement of said nuisance and the demolition of said building or structure. If abatement and demolition are ordered, the cost of abatement and demolition shall be assessed against the above-described property and shall constitute a lien on the property. The amount of the lien shall be added to the ad valorem tax bill on the property and shall be collected as if it were a tax and remitted to the municipality.

All interested persons are invited to appear before the Council in person or through his or her representative to show cause, if any, why his or her objection to the demolition and/or removal of said building or structure should be sustained. Written objections may also be filed with the City Clerk before the meeting of the Council.

This Notice is given pursuant to the provisions of §11-40-32, *Code of Alabama*. Reference is hereby made to the Resolution on file in the office of the Municipal Clerk for further particulars.

This Notice is given under my hand this the \_\_\_\_\_ day of April, 2015.

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CITY CLERK OF THE CITY OF OPELIKA,  
ALABAMA







**City Council**  
200 Main Street  
South City, NY 12345

**SCHEDULED**

**GENERAL BUSINESS (ID # 1063)**

Meeting: 05/05/15 07:00 PM  
Department: Planning  
Category: Public Hearing  
Prepared By: Jeff Kappelman  
Initiator: Gerald (Jerry) Kelley  
Sponsors: Chief Building Inspector Jeff Kappelman  
DOC ID: 1063

## **Public Hearing for Demolition - 418 Raintree Street**

### **NOTICE OF PUBLIC HEARING**

TO: Sirco, Inc.  
206 S. 8<sup>th</sup> Street  
Opelika, AL 36801

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika, Alabama, will hold a public hearing on Tuesday, May 5, 2015, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Lee County, Alabama, to consider the adoption of a resolution ordering the demolition of building or structure located at 418 Raintree Street in the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

Lot 5 in Block 8 of the Palmer Subdivision, as shown by map of plat of said Subdivision of record in Town Plat Book 2 at Page 11 in the Office of the Judge of Probate of Lee County, Alabama.

Also being further described as Parcel Number 43-10-03-08-2-001-088.000, according to records maintained in the Lee County Revenue Commissioner's Office.

At said public hearing, the City Council will determine whether the building or structure located at 418 Raintree Street is unsafe to the extent it creates a public nuisance which shall be

abated by removal or demolition of said building at the owner's expense; and, if so, will order the abatement of said nuisance and the demolition of said building or structure. If abatement and demolition are ordered, the cost of abatement and demolition shall be assessed against the above-described property and shall constitute a lien on the property. The amount of the lien shall be added to the ad valorem tax bill on the property and shall be collected as if it were a tax and remitted to the municipality.

All interested persons are invited to appear before the Council in person or through his or her representative to show cause, if any, why his or her objection to the demolition and/or removal of said building or structure should be sustained. Written objections may also be filed with the City Clerk before the meeting of the Council.

This Notice is given pursuant to the provisions of §11-40-32, *Code of Alabama*. Reference is hereby made to the Resolution on file in the office of the Municipal Clerk for further particulars.

This Notice is given under my hand this the \_\_\_\_\_ day of April, 2015.

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CITY CLERK OF THE CITY OF OPELIKA,  
ALABAMA







**City Council**  
200 Main Street  
South City, NY 12345

**SCHEDULED**

**GENERAL BUSINESS (ID # 1060)**

Meeting: 05/05/15 07:00 PM

Department: Planning

Category: Public Hearing

Prepared By: Jeff Kappelman

Initiator: Gerald (Jerry) Kelley

Sponsors: Chief Building Inspector Jeff Kappelman

DOC ID: 1060

## Public Hearing for Demolition - 1701 Old Columbus Road

### NOTICE OF PUBLIC HEARING

TO: Mark A. Bodie  
3780 Lee Road 391 Lot 23  
Opelika, AL 36804

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika, Alabama, will hold a public hearing on Tuesday, May 5, 2015, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Lee County, Alabama, to consider the adoption of a resolution ordering the demolition of building or structure located at 1701 Old Columbus Road in the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of Section 21, Township 19 North, Range 27 East, Lee County, Alabama; run thence East, for a distance of 809.8; run thence North, for a distance of 578.10 feet to an iron pin and the POINT OF BEGINNING of the parcel of land herein described and conveyed; From said point of beginning, run thence North 37°15'39" East, for a distance of 340.20 feet to an iron pin located on the Southwesterly margin of Old Columbus Road; following said road, run thence North 45°45'00" West, for a distance of 141.04 feet to a point, which is the point of a curve being concave Southwesterly with a chord bearing of North 48°38'21" East, a chord of 224.55 feet, and a radius of 2227.59 feet to an iron pin, being the intersection of the Southerly margin of Old Columbus Road and the Easterly margin of a spur track of Norfolk Southern Railway; following the railway, run thence South 02°29'40" East, for a distance of 486.90 feet to an iron pin; thence leaving said railway, run

South 53°43'22" East, for a distance of 52.60 feet to the POINT OF BEGINNING. Said parcel containing 1.669 acres ± and being further described on that certain Boundary Survey for Sizemore prepared on 12/21/07 by Mark S. Hauessler, Ala. Reg. Land Surveyor No. 23002.

Also being further described as Parcel Number 43-10-05-21-0-000-069.000, according to records maintained in the Lee County Revenue Commissioner's Office.

At said public hearing, the City Council will determine whether the building or structure located at 1701 Old Columbus Road is unsafe to the extent it creates a public nuisance which shall be abated by removal or demolition of said building at the owner's expense; and, if so, will order the abatement of said nuisance and the demolition of said building or structure. If abatement and demolition are ordered, the cost of abatement and demolition shall be assessed against the above-described property and shall constitute a lien on the property. The amount of the lien shall be added to the ad valorem tax bill on the property and shall be collected as if it were a tax and remitted to the municipality.

All interested persons are invited to appear before the Council in person or through his or her representative to show cause, if any, why his or her objection to the demolition and/or removal of said building or structure should be sustained. Written objections may also be filed with the City Clerk before the meeting of the Council.

This Notice is given pursuant to the provisions of §11-40-32, *Code of Alabama*. Reference is hereby made to the Resolution on file in the office of the Municipal Clerk for further particulars.

This Notice is given under my hand this the \_\_\_\_\_ day of April, 2015.

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









**City Council**  
200 Main Street  
South City, NY 12345

**SCHEDULED**

**BIDS (ID # 1048)**

Meeting: 05/05/15 07:00 PM  
Department: Purchasing and Revenue  
Category: Bid  
Prepared By: Angela Norrell  
Initiator: Angela Norrell  
Sponsors:  
DOC ID: 1048

## **Cloud Based Offsite DR Solution and Hybrid Cloud - IT**

**WHEREAS**, the Purchasing Department opened sealed bids for a contract to provide Cloud Based Offsite DR Solution and Hybrid Cloud for the Information Technology Department; and

**WHEREAS**, Dell Marketing LP submitted the lowest bid meeting specifications; and

**WHEREAS**, this is a budgeted contract in Capital Outlay;

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

1. That the contract be awarded to Dell Marketing LP on their low bid meeting specifications
2. That the Mayor be authorized to execute all documents pertaining to this contract
3. The Controller is authorized to adjust the budget as necessary for this purchase
4. That the Purchasing-Revenue Manager be authorized to issue a purchase order to Dell Marketing LP in the amount of \$2,171.57 plus a monthly fee of \$3,295.00

**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

Bids (ID # 1048)

Meeting of May 5, 2015

City Clerk - Treasurer

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

**WHEREAS**, the Purchasing Department opened sealed bids for a contract to provide Cloud Based Offsite DR Solution and Hybrid Cloud for the Information Technology Department; and

**WHEREAS**, Dell Marketing LP submitted the lowest bid meeting specifications; and

**WHEREAS**, this is a budgeted contract in Capital Outlay;

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

1. That the contract be awarded to Dell Marketing LP on their low bid meeting specifications
2. That the Mayor be authorized to execute all documents pertaining to this contract
3. The Controller is authorized to adjust the budget as necessary for this purchase
4. That the Purchasing-Revenue Manager be authorized to issue a purchase order to Dell Marketing LP in the amount of \$2,171.57 plus a monthly fee of \$3,295.00

**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 #B15-013 – We are asking the Council to approve a contract for Cloud Based Offsite DR Solution and Hybrid Cloud

### FACTS:

- Bid opening date – 4/6/15
- User department – Information Technology
- The bid was mailed to 35 vendors
- 18 bids were received
- Dell Marketing LP submitted the lowest bid meeting specifications
- Budgeted contract in Capital Outlay
- Bid tabulation sheet attached

### RECOMMENDATION:

- **Recommend contract be awarded to Dell Marketing LP on their low bid meeting specifications**

| Vendor                    | Setup Cost  | Monthly     | 1 Yr Total   | 3yr Total      | Rank | Price Score | Solution Score | References | History | total       |
|---------------------------|-------------|-------------|--------------|----------------|------|-------------|----------------|------------|---------|-------------|
| Dell                      | \$2,171.57  | \$3,295.00  | \$41,711.57  | \$120,791.57   | 2    | 26.66666667 | 42             | 10         | 10      | 88.66666667 |
| PCMG                      | \$99,995.00 | \$0.00      | \$99,995.00  | \$299,985.00   | 10   | 13.33333333 | 50             | 10         | 10      | 83.33333333 |
| Bizon Storage             | \$38,190.00 | \$1,200.00  | \$52,590.00  | \$81,390.00    | 1    | 28.33333333 | 32             | 8          | 7       | 75.33333333 |
| Windstream                | \$1,150.00  | \$4,651.00  | \$56,962.00  | \$168,586.00   | 4    | 23.33333333 | 33             | 9          | 8       | 73.33333333 |
| Akzium Alt                | \$42,500.00 | \$3,107.00  | \$79,784.00  | \$154,352.00   | 3    | 25          | 34             | 7          | 7       | 73          |
| Involta                   | \$4,965.00  | \$7,949.00  | \$100,353.00 | \$291,129.00   | 8    | 16.66666667 | 37             | 7          | 9       | 69.66666667 |
| Akzium                    | \$6,000.00  | \$5,104.00  | \$67,248.00  | \$189,744.00   | 5    | 21.66666667 | 32             | 7          | 7       | 67.66666667 |
| Network for the Future    | \$73,750.00 | \$7,528.74  | \$164,094.88 | \$344,784.64   | 13   | 8.33333333  | 38             | 8          | 9       | 63.33333333 |
| Presidio                  | \$0.00      | \$14,502.18 | \$174,026.16 | \$522,078.48   | 15   | 5           | 40             | 9          | 8       | 62          |
| Ricoh                     | \$29,995.00 | \$17,500.00 | \$239,995.00 | \$659,995.00   | 17   | 1.666666667 | 41             | 10         | 8       | 60.66666667 |
| Fresh Technology          | \$9,500.00  | \$8,050.00  | \$106,100.00 | \$299,300.00   | 9    | 15          | 35             | 5          | 5       | 60          |
| WOW                       | \$300.00    | \$14,937.64 | \$179,551.68 | \$538,055.04   | 16   | 3.33333333  | 36             | 8          | 8       | 55.33333333 |
| VentureNet                | \$5,000.00  | \$9,315.62  | \$116,787.44 | \$340,362.32   | 12   | 10          | 32             | 8          | 5       | 55          |
| AIS Networks              | \$0.00      | \$8,455.00  | \$101,460.00 | \$304,380.00   | 11   | 11.66666667 | 29             | 7          | 5       | 52.66666667 |
| AT&T                      | \$36,905.00 | \$31,455.00 | \$414,365.00 | \$1,332,380.00 | 18   | 0           | 33             | 8          | 10      | 51          |
| National Security & Trust | \$29,700.00 | \$4,620.00  | \$85,140.00  | \$196,020.00   | 6    | 20          | 15             | 7          | 5       | 47          |
| VCloud Technology, Inc    | \$0.00      | \$13,599.26 | \$163,191.12 | \$489,573.36   | 14   | 6.66666667  | 25             | 6          | 6       | 43.66666667 |
| M2 Connections            | \$7,772.50  | \$7,787.50  | \$101,222.50 | \$288,122.50   | 7    | 18.33333333 | 0              | 5          | 2       | 25.33333333 |

**Norrell, Angela**

**To:** Finley, Lillie  
**Subject:** RE: DR Hybrid cloud bid

**From:** Dawe, Stephen N.

**Sent:** Wednesday, April 15, 2015 4:53 PM

**To:** Finley, Lillie

**Subject:** DR Hybrid cloud bid

Lillie

I have finally finished going through the bids.

Here are the vendors ranked in order

| Vendor                    | Setup Cost  | Monthly     | 3yr Total      | Rank | Price Score | Solution Score | References |
|---------------------------|-------------|-------------|----------------|------|-------------|----------------|------------|
| Dell                      | \$2,171.57  | \$3,295.00  | \$120,791.57   | 2    | 26.66666667 | 42             | 10         |
| PCMG                      | \$99,995.00 | \$0.00      | \$299,985.00   | 10   | 13.33333333 | 50             | 10         |
| Bizon Storage             | \$38,190.00 | \$1,200.00  | \$81,390.00    | 1    | 28.33333333 | 32             | 8          |
| Windstream                | \$1,150.00  | \$4,651.00  | \$168,586.00   | 4    | 23.33333333 | 33             | 9          |
| Akzium Alt                | \$42,500.00 | \$3,107.00  | \$154,352.00   | 3    | 25          | 34             | 7          |
| Involta                   | \$4,965.00  | \$7,949.00  | \$291,129.00   | 8    | 16.66666667 | 37             | 7          |
| Akzium                    | \$6,000.00  | \$5,104.00  | \$189,744.00   | 5    | 21.66666667 | 32             | 7          |
| Network for the Future    | \$73,750.00 | \$7,528.74  | \$344,784.64   | 13   | 8.333333333 | 38             | 8          |
| Presidio                  | \$0.00      | \$14,502.18 | \$522,078.48   | 15   | 5           | 40             | 9          |
| Ricoh                     | \$29,995.00 | \$17,500.00 | \$659,995.00   | 17   | 1.666666667 | 41             | 10         |
| Fresh Technology          | \$9,500.00  | \$8,050.00  | \$299,300.00   | 9    | 15          | 35             | 9          |
| WOW                       | \$300.00    | \$14,937.64 | \$538,055.04   | 16   | 3.333333333 | 36             | 8          |
| VentureNet                | \$5,000.00  | \$9,315.62  | \$340,362.32   | 12   | 10          | 32             | 8          |
| AIS Networks              | \$0.00      | \$8,455.00  | \$304,380.00   | 11   | 11.66666667 | 29             | 7          |
| AT&T                      | \$36,905.00 | \$31,455.00 | \$1,332,380.00 | 18   | 0           | 33             | 8          |
| National Security & Trust | \$29,700.00 | \$4,620.00  | \$196,020.00   | 6    | 20          | 15             | 7          |
| VCloud Technology, Inc    | \$0.00      | \$13,599.26 | \$489,573.36   | 14   | 6.666666667 | 25             | 6          |
| M2 Connections            | \$7,772.50  | \$7,787.50  | \$288,122.50   | 7    | 18.33333333 | 0              | 9          |

The winner is Dell. They have the best solution although they have the second lowest price.

And since you have an advanced degree I ran some states on the evaluation (See below)

I need to look at how I evaluate bids because at

30% Price

50% Solution

10% References

10% Experience and History

Below is the ANOVA from the regression model.

Both references and Experience show up as not statistically significant at  $\alpha = .05$  and  $\alpha = 0.1$ . So even though they each represent 10% of the final score, even at the 10% probability level they cannot change the final outcome individually.

You may not believe this but this data is normally distributed although there is correlation between Solution score and references and company history, although this is to be expected.

## Regression Analysis: Final Rank versus Price Score, Solution Score, References, History

### Analysis of Variance

| Source         | DF | Adj SS  | Adj MS  | F-Value | P-Value |
|----------------|----|---------|---------|---------|---------|
| Regression     | 4  | 457.855 | 114.464 | 55.85   | 0.000   |
| Price Score    | 1  | 210.480 | 210.480 | 102.69  | 0.000   |
| Solution Score | 1  | 50.374  | 50.374  | 24.58   | 0.000   |
| References     | 1  | 4.001   | 4.001   | 1.95    | 0.186   |
| History        | 1  | 3.603   | 3.603   | 1.76    | 0.208   |
| Error          | 13 | 26.645  | 2.050   |         |         |
| Total          | 17 | 484.500 |         |         |         |

### Model Summary

| S       | R-sq   | R-sq(adj) | R-sq(pred) |
|---------|--------|-----------|------------|
| 1.43164 | 94.50% | 92.81%    | 84.22%     |

### Coefficients

| Term           | Coef    | SE Coef | T-Value | P-Value | VIF  |
|----------------|---------|---------|---------|---------|------|
| Constant       | 31.09   | 1.95    | 15.94   | 0.000   |      |
| Price Score    | -0.4021 | 0.0397  | -10.13  | 0.000   | 1.03 |
| Solution Score | -0.2845 | 0.0574  | -4.96   | 0.000   | 3.26 |
| References     | -0.489  | 0.350   | -1.40   | 0.186   | 2.37 |
| History        | -0.403  | 0.304   | -1.33   | 0.208   | 3.62 |

### Regression Equation

Final Rank = 31.09 - 0.4021 Price Score - 0.2845 Solution Score - 0.489 References  
- 0.403 History

### Fits and Diagnostics for Unusual Observations

| Obs | Final Rank | Fit    | Resid  | Std Resid |   |
|-----|------------|--------|--------|-----------|---|
| 11  | 18.000     | 20.466 | -2.466 | -2.68     | R |
| 12  | 16.000     | 13.343 | 2.657  | 2.16      | R |

R Large residual

### Durbin-Watson Statistic

Durbin-Watson Statistic = 2.94737

## Correlation: Price Score, Solution Score, References, History

|                | Price Score     | Solution Score | References     |
|----------------|-----------------|----------------|----------------|
| Solution Score | -0.179<br>0.478 |                |                |
| References     | -0.112<br>0.658 | 0.703<br>0.001 |                |
| History        | -0.154<br>0.541 | 0.818<br>0.000 | 0.741<br>0.000 |

Cell Contents: Pearson correlation  
P-Value

## RESOLUTION NO. (ID # 1068)

Expense Reports from Various Departments.

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

- ) 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 |
|---------------|---------------|-----------|
| -----         | -----         | -----     |
| -             |               |           |
| Marty Ogren   | Planning      | 25.00     |
| Terry White   | Solid Waste   | 117.30    |
| Rachel Dennis | Planning      | 131.10    |
| Guy Gunter    | City Attorney | 632.24    |
| _____         | _____         | _____     |
| _____         | _____         | _____     |
| _____         | _____         | _____     |
| _____         | _____         | _____     |
| _____         | _____         | _____     |
| _____         | _____         | _____     |
| _____         | _____         | _____     |
| _____         | _____         | _____     |
| _____         | _____         | _____     |

- ) 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.

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

President City Council

City of Opelika, Alabama

ATTEST:

\_\_\_\_\_  
Robert G. Shuman, CMC

City Clerk - City Treasurer

## EXPENSE REPORT

PERIOD ENDING

4/29/2015

DEPARTMENT

Planning

NAME

Marty Ogren

| DAY                       | CITY AND STATE | LODGING | AIR<br>FARE | TRANSPORTATION                            |                         |                                    |           | BUSINESS MEALS<br>(Items Below) |        |  | ENTERTAINMENT<br>(Reimburse Below) | MISC.<br>EXPENSES<br>(Reimburse Below) | DAILY TOTAL |      |      |       |       |
|---------------------------|----------------|---------|-------------|-------------------------------------------|-------------------------|------------------------------------|-----------|---------------------------------|--------|--|------------------------------------|----------------------------------------|-------------|------|------|-------|-------|
|                           |                |         |             | LOCAL TAXI<br>TOLLS & PUBLIC<br>TRANSPORT | RENTAL CAR<br>LIMO ETC. | AUTO EXPENSES<br>(Reimburse Below) | BREAKFAST | LUNCH                           | DINNER |  |                                    |                                        |             |      |      |       |       |
| SUN                       |                |         |             |                                           |                         |                                    |           |                                 |        |  |                                    |                                        | 0.00        |      |      |       |       |
| MON                       |                |         |             |                                           |                         |                                    |           |                                 |        |  |                                    |                                        | 0.00        |      |      |       |       |
| TUE                       |                |         |             |                                           |                         |                                    |           |                                 |        |  |                                    |                                        | 0.00        |      |      |       |       |
| WED                       | Birmingham, AL |         |             |                                           |                         |                                    |           |                                 |        |  |                                    | 25.00                                  | 25.00       |      |      |       |       |
| THU                       |                |         |             |                                           |                         |                                    |           |                                 |        |  |                                    |                                        | 0.00        |      |      |       |       |
| FRI                       |                |         |             |                                           |                         |                                    |           |                                 |        |  |                                    |                                        | 0.00        |      |      |       |       |
| SAT                       |                |         |             |                                           |                         |                                    |           |                                 |        |  |                                    |                                        | 0.00        |      |      |       |       |
| WEEKLY CATEGORY TOTALS \$ |                |         |             |                                           |                         |                                    |           |                                 |        |  |                                    | 0.00                                   | 0.00        | 0.00 | 0.00 | 25.00 | 25.00 |

WEEKLY TOTAL EXPENSES

NUMBER OF DAYS AWAY FROM HOME

NUMBER OF DAYS AWAY ON PERSONAL MATTERS

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

NATURE OR PURPOSE OF TRAVEL

Attended 'Strong Towns' Workshop in Birmingham  
(Charles Marohn, PE, AICP). One day workshop  
Price included lunch and materials

METHOD OF REIMBURSEMENT

DEDUCT FROM

BY ADVANCE

## ITEMIZED MISCELLANEOUS EXPENSES

| DATE | ITEMS                                            | AMOUNT |
|------|--------------------------------------------------|--------|
| 4/15 | Registration fee for one day                     | 25.00  |
|      | Workshop (Paid by personal check - see attached) |        |
|      |                                                  |        |
|      |                                                  |        |

## ITEMIZED AUTOMOBILE EXPENSES

| DATE | MILEAGE, GAS, PARKING, REPAIRS, ETC. | AMOUNT |
|------|--------------------------------------|--------|
|      |                                      |        |
|      |                                      |        |
|      |                                      |        |
|      |                                      |        |

4/30/2015

DEPARTMENT

Solid Waste

NAME \_\_\_\_\_

Terry White

|                           | DAY | CITY AND STATE | LODGING | TRANSPORTATION  |                        |                                          |           |       |        | AUTO EXPENSES<br>Itemize Below | BUSINESS MEALS<br>Itemize Below |      |      | ENTERTAIN-<br>MENT<br>Itemize Below | MISC.<br>EXPENSES<br>Itemize Below | DAILY TOTAL |
|---------------------------|-----|----------------|---------|-----------------|------------------------|------------------------------------------|-----------|-------|--------|--------------------------------|---------------------------------|------|------|-------------------------------------|------------------------------------|-------------|
|                           |     |                |         | AIR<br>RAIL ETC | RENTAL CAR<br>LIMO ETC | LOCAL TAXI<br>TOLLS & PUB<br>LIC TRANSIT | BREAKFAST | LUNCH | DINNER |                                |                                 |      |      |                                     |                                    |             |
| SUN                       |     |                |         |                 |                        |                                          |           |       |        |                                |                                 |      |      |                                     | 0.00                               |             |
| MON                       |     |                |         |                 |                        |                                          |           |       |        |                                |                                 |      |      |                                     | 0.00                               |             |
| TUE                       |     |                |         |                 |                        |                                          |           |       |        |                                |                                 |      |      |                                     | 0.00                               |             |
| WED-<br>1/5/15            |     | Orange Beach # |         |                 |                        |                                          |           |       | 58.65  |                                |                                 |      |      |                                     | 0.00                               |             |
| THU                       |     |                |         |                 |                        |                                          |           |       |        |                                |                                 |      |      |                                     | 0.00                               |             |
| FRI<br>4/17/15            |     | Return         |         |                 |                        |                                          |           |       | 58.65  |                                |                                 |      |      |                                     | 0.00                               |             |
| SAT                       |     |                |         |                 |                        |                                          |           |       |        |                                |                                 |      |      |                                     | 0.00                               |             |
| WEEKLY CATEGORY TOTALS \$ |     |                |         |                 |                        |                                          |           |       | 0.00   | 0.00                           | 0.00                            | 0.00 | 0.00 | 0.00                                | 0.00                               |             |
|                           |     |                |         |                 |                        |                                          |           |       |        |                                |                                 |      |      |                                     | WEEKLY TOTAL EXPENSES              |             |

| NUMBER OF DAYS AWAY FROM HOME | WEEKLY TOTAL EXPENSES |
|-------------------------------|-----------------------|
| 117.30                        |                       |

3  
NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

| 0 | % OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS |
|---|-------------------------------------------|
| 0 |                                           |

0%  
NATURE OR PURPOSE OF TRAVEL  
Alabama SWANA Annual Conference

☐ METHOD OF REIMBURSEMENT DEDUCT FROM MY ADVANCE ☒ MAIL TO

**Mileage to Alabama SWANA Conference in  
Orange Beach**

SIGNATURE \_\_\_\_\_  
APPROVED BY \_\_\_\_\_

### 13.1.a

[illegible]

| ITEMIZED AUTOMOBILE EXPENSES |                                     |        | ITEMIZED MISCELLANEOUS EXPENSES |       |        |
|------------------------------|-------------------------------------|--------|---------------------------------|-------|--------|
| DATE                         | MILEAGE, GAS, PARKING REPAIRS, ETC. | AMOUNT | DATE                            | ITEMS | AMOUNT |
| 4/15                         | 102 miles @ \$0.575                 | 58.65  |                                 |       |        |
| 4/17                         | 102 miles @ \$0.575                 | 58.65  |                                 |       |        |
|                              |                                     |        |                                 |       |        |
|                              |                                     |        |                                 |       |        |
| Total                        |                                     | 117.30 |                                 |       |        |

# EXPENSE REPORT

PERIOD ENDING

4/15/15

DEPARTMENT

Department Planning 5102

NAME

Name Rachel Dennis

| DAY                       | CITY AND STATE | TRANSPORTATION | TRANSPORTATION |                               | MISCELLANEOUS EXPENSES | TOTAL EXPENSES | PERIOD ENDING | TOTAL EXPENSES |
|---------------------------|----------------|----------------|----------------|-------------------------------|------------------------|----------------|---------------|----------------|
|                           |                |                | RENTAL CAR     | LOCAL (TAXI, BUS, RAIL, ETC.) |                        |                |               |                |
| SUN                       |                |                |                |                               |                        |                |               |                |
| MON                       |                |                |                |                               |                        |                |               |                |
| TUE                       |                |                |                |                               |                        |                |               |                |
| WED                       | Birmingham, AL |                |                |                               | 443.48<br>131.10       |                |               | 131.10         |
| THU                       |                |                |                |                               |                        |                |               |                |
| FRI                       |                |                |                |                               |                        |                |               |                |
| SAT                       |                |                |                |                               |                        |                |               |                |
| WEEKLY CATEGORY TOTALS \$ |                |                |                |                               |                        | 131.10         |               | 131.10         |

WEEKLY TOTAL EXPENSES

NUMBER OF DAYS AWAY FROM HOME

NUMBER OF DAYS AWAY ON PERSONAL MATTERS

% OF TOTAL DAYS AWAY FOR PERSONAL MATTERS

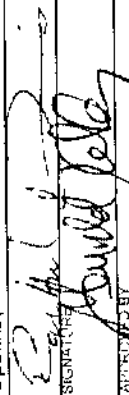
NATURE OF PURPOSE OF TRAVEL  
Strong Towns Workshop

METHOD OF REIMBURSEMENT  
☐ DEBIT FROM  
☐ BY ADVANCE  
☒ MAIL TO

Rachel Dennis

700 Fox Trail

Opelika, AL 36801

SIGNATURE  


APPROVED BY

| DATE | NAME OF PERSON ENTERTAINED<br>COMPANY TITLE | TIME & PLACE | NATURE & PURPOSE OF ENTERTAINMENT | AMOUNT | ALLOTTED TO BUSINESS |
|------|---------------------------------------------|--------------|-----------------------------------|--------|----------------------|
|      |                                             |              |                                   |        |                      |
|      |                                             |              |                                   |        |                      |
|      |                                             |              |                                   |        |                      |
|      |                                             |              |                                   |        |                      |
|      |                                             |              |                                   |        |                      |
|      |                                             |              |                                   |        |                      |

| MILEAGE AUTOMOBILE EXPENSES       |        | MISCELLANEOUS EXPENSES |        |
|-----------------------------------|--------|------------------------|--------|
| DATE                              | AMOUNT | DATE                   | AMOUNT |
| 4/15                              | 143.48 |                        |        |
| MILEAGE 249.53 x \$0.575 = 143.48 |        |                        |        |
| (228 x .575 = 131.10)             |        |                        |        |
|                                   |        |                        |        |
|                                   |        |                        |        |

# EXPENSE REPORT

PERIOD ENDING

4/19/2015

DEPARTMENT

Department Legal

NAME

Name Guy F. Gunter, III

| DATE                      | CITY AND STATE | LODGING | TRANSPORTATION   |                        |                                            |                                | BUSINESS MEALS |       | ENTERTAINMENT<br>Itemize Below | MISC<br>EXPENSES<br>Itemize Below | DAILY TOTAL |
|---------------------------|----------------|---------|------------------|------------------------|--------------------------------------------|--------------------------------|----------------|-------|--------------------------------|-----------------------------------|-------------|
|                           |                |         | AIR<br>RAIL, ETC | RENTAL CAR<br>LIMO ETC | LOCAL TAXI,<br>TOLLS & PUB-<br>LIC TRANSIT | AUTO EXPENSES<br>Itemize Below | BREAKFAST      | LUNCH |                                |                                   |             |
| SUN<br>4/19               | Florence, AL   |         |                  |                        |                                            | 133.40                         | 16.12          |       |                                |                                   | 149.52      |
| MON                       |                |         |                  |                        |                                            |                                |                |       |                                |                                   | 0.00        |
| TUE                       |                |         |                  |                        |                                            |                                |                |       |                                |                                   | 0.00        |
| WED                       |                |         |                  |                        |                                            |                                |                |       |                                |                                   | 0.00        |
| THU                       |                |         |                  |                        |                                            |                                |                |       |                                |                                   | 0.00        |
| FRI<br>4/17               | Florence, AL   | 157.62  |                  |                        |                                            | 133.40                         |                | 17.18 |                                |                                   | 308.20      |
| SAT<br>4/18               | Florence, AL   | 157.62  |                  |                        |                                            |                                |                | 16.90 |                                |                                   | 174.52      |
| WEEKLY CATEGORY TOTALS \$ |                | 315.24  | 0.00             | 0.00                   | 0.00                                       | 266.80                         | 16.12          | 34.08 | 0.00                           | 0.00                              | 632.24      |

WEEKLY TOTAL EXPENSES

NUMBER OF DAYS AWAY FROM HOME

2

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

0%

NATURE OR PURPOSE OF TRAVEL

Attend 2015 Spring Municipal Law Conference in Florence, Alabama, sponsored by the Alabama League of Municipalities

METHOD OF REIMBURSEMENT

☐ DEDUCT FROM MY ADVANCE

☒ MAIL TO

Guy F. Gunter, III

City Attorney

Opelika, AL 36801

SIGNATURE

*Guy F. Gunter, III*

APPROVED BY

*Guy F. Gunter, III*

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

| ITEMIZED AUTOMOBILE EXPENSES |                                   |        | ITEMIZED MISCELLANEOUS EXPENSES |       |        |
|------------------------------|-----------------------------------|--------|---------------------------------|-------|--------|
| DATE                         | MILEAGE GAS, PARKING REPAIRS, ETC | AMOUNT | DATE                            | ITEMS | AMOUNT |
| 4/17                         | 232 mi x 0.575                    | 133.40 |                                 |       |        |
| 4/19                         | 232 mi x 0.575                    | 133.40 |                                 |       |        |
|                              |                                   |        |                                 |       |        |
|                              |                                   |        |                                 |       |        |

## RESOLUTION NO. (ID # 1049)

Designate City Personal Property Surplus & Authroize Disposal.

**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   | 2001 Chevrolet 3500 Rescue Truck 1GBJC34U82E104756 | 87002208      |
| 2.  | 1    | Ea   | 2001 Ford Crown Victoria 2FAFP71W31X137332         | 87002130      |
| 3.  | 1    | Ea   | 1999 Ford Crown Victoria 2FAFP71W7XX197901         | 87001960      |
| 4.  | 1    | Ea   | 1970 Peter Pirsch 85' Ladder Truck                 | 002179        |
| 5.  | 1    | Ea   | 1979 Peter Pirsch Pumper                           | 002180        |
| 6.  | 1    | Ea   | 1981 Peter Pirsch Pumper                           | 000274        |
| 7.  | 1    | Ea   | 1974 Peter Pirsch Pumper                           | 002182        |
| 8.  | 1    | Ea   | 1984 Peter Pirsch Pumper                           | 010046        |
| 9.  | 1    | Ea   | 1996 Ford F-150 2FTEF15N2TCA50295                  | 87001184      |

**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

**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   | 2001 Chevrolet 3500 Rescue Truck 1GBJC34U82E104756 | 87002208      |
| 2.  | 1    | Ea   | 2001 Ford Crown Victoria 2FAFP71W31X137332         | 87002130      |
| 3.  | 1    | Ea   | 1999 Ford Crown Victoria 2FAFP71W7XX197901         | 87001960      |
| 4.  | 1    | Ea   | 1970 Peter Pirsch 85' Ladder Truck                 | 002179        |
| 5.  | 1    | Ea   | 1979 Peter Pirsch Pumper                           | 002180        |
| 6.  | 1    | Ea   | 1981 Peter Pirsch Pumper                           | 000274        |
| 7.  | 1    | Ea   | 1974 Peter Pirsch Pumper                           | 002182        |
| 8.  | 1    | Ea   | 1984 Peter Pirsch Pumper                           | 010046        |
| 9.  | 1    | Ea   | 1996 Ford F-150 2FTEF15N2TCA50295                  | 87001184      |

**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: 5-5-15 - SURPLUS (1049 : Surplus City Personal Property)

## RESOLUTION NO. (ID # 1052)

Resolution for Demolition - 303 Byrd Avenue**RESOLUTION ORDERING THE DEMOLITION OF THE  
BUILDINGS LOCATED AT 303 BYRD AVENUE**

WHEREAS, any incorporated municipality of the State of Alabama may, after notice as provided in Section 11-40-31, demolish building and structure, 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 March 10, 2015, the Building Official of the City of Opelika gave notice to remedy the unsafe or dangerous condition of the building or structure located at 303 Byrd 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, on April 8, 2015, the owner of the building filed a written request for a hearing before the governing body of the municipality; and

WHEREAS, Tuesday, May 5, 2015 at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7<sup>th</sup> 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 303 Byrd 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, May 5, 2015, 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 303 Byrd 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 303 Byrd 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:

Commence at the Northeast corner of Section 7, Township 19 North, Range 27 East, in Lee County, Alabama; run thence West for 893.4 feet; run thence South for 1911.2 feet to the Southerly corner of the intersection of Byrd Street and 3<sup>rd</sup> Street; run thence South 48 degrees 31 minutes West for 71.6 feet along the Southeasterly margin of Byrd Street to the point of beginning of the parcel of land to be here described and conveyed; from said point of beginning, run thence South 41 degrees 29 minutes East for 144.5 feet; run thence South 48 degrees 31 minutes West for 66.4 feet; run thence North 41 degrees 29 minutes West 144.5 feet to the Southeasterly margin of Byrd Street; run thence North 48 degrees 31 minutes East for 66.4 feet along the Southeasterly margin of Byrd Street to the said point of beginning; together with all improvements thereon and all appurtenances thereunto belonging.

Being further described as Parcel No. 43-10-03-07-1-001-088.000, 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 \_\_\_\_\_ 2015.

---

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

ATTEST:

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CITY CLERK

Cc: Sirco, Inc.  
206 South 8<sup>th</sup> Street  
Opelika, AL 36801

## RESOLUTION NO. (ID # 1056)

Resolution for Demolition - 122 & 124 Plum Ave, 18 & 20 Easy St**RESOLUTION ORDERING THE DEMOLITION OF THE  
BUILDINGS LOCATED AT 122 PLUM AVENUE, 124 PLUM  
AVENUE, 18 EASY STREET AND 20 EASY STREET**

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 March 10, 2015, the Building Official of the City of Opelika gave notice to remedy the unsafe or dangerous condition of the buildings or structures located at 122 Plum Avenue, 124 Plum Avenue, 18 Easy Street and 20 Easy Street 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, on April 8, 2015, the owner of the buildings filed a written request for a hearing before the governing body of the municipality; and

WHEREAS, Tuesday, May 5, 2015 at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7<sup>th</sup> 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 buildings located at 122 Plum Avenue, 124 Plum Avenue, 18 Easy Street and 20 Easy Street are unsafe to the extent that they create a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, March 4, 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 properties located at 122 Plum Avenue, 124 Plum Avenue, 18 Easy Street and 20 Easy Street, 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 buildings or structures at 122 Plum Avenue, 124 Plum Avenue, 18 Easy Street and 20 Easy Street, Opelika, Alabama, are unsafe to the extent that they create a public nuisance, and it is advisable and in the public interest that said buildings or structures should be demolished and removed at the owner's expense. The properties referred to above are more particularly described as follows:

Certain lots in the City of Opelika, Lee County, Alabama, described as lot numbers Eight (8) and Nine (9) in Block One (1) of the Byrd Lands as shown by "Totten's Official Real Estate Map of Opelika, Alabama, 1930", which is of record in Town Plat Book 2, Page 9 in the Office of the Judge of Probate of Lee County, Alabama, said lots fronting 200 feet along the North margin of Plum Street in the City of Opelika and running back Northerly therefrom at right angles and of uniform width a distance of 185 feet; the house thereon being Numbered 7 Plum Street, and being situated in the City of Opelika, Lee County, Alabama.

Also being further described as Parcel Number 43-10-03-08-2-002-050.000, according to records maintained in the Lee County Revenue Commissioner's Office.

2. The Mayor is hereby authorized and directed to cause said buildings or structures 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 properties 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 buildings or structures, 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 buildings or structures and assess the costs against said properties. The proceeds of any monies received from the sale of salvaged materials from the buildings or structures 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 buildings or structures were located and shall constitute a lien on the properties 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 \_\_\_\_\_ 2015.

---

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

ATTEST:

---

CITY CLERK

Cc: Sirco, Inc.  
206 South 8<sup>th</sup> Street  
Opelika, AL 36801

## RESOLUTION NO. (ID # 1054)

Resolution for Demolition - 410 Raintree Street**RESOLUTION ORDERING THE DEMOLITION OF THE  
BUILDINGS LOCATED AT 410 RAINTREE STREET**

WHEREAS, any incorporated municipality of the State of Alabama may, after notice as provided in Section 11-40-31, demolish building and structure, 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 March 10, 2015, the Building Official of the City of Opelika gave notice to remedy the unsafe or dangerous condition of the building or structure located at 410 Raintree Street, 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, on April 8, 2015, the owner of the building filed a written request for a hearing before the governing body of the municipality; and

WHEREAS, Tuesday, May 5, 2015 at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7<sup>th</sup> 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 410 Raintree Street is unsafe to the extent that it creates a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, May 5, 2015, 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 410 Raintree Street, 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 410 Raintree Street, 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:

South half of Lot 3, Block 8 of the Palmer Subdivision, as shown by plat of Palmer Property made by T.B. Chambers, Surveyor, said plat being of record at Page 11 of Plat Book 2, in the Office of the Judge of Probate of Lee County, Alabama.

Also being further described as Parcel Number 43-10-03-08-2-001-093.000, 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 \_\_\_\_\_ 2015.

---

PRESIDENT OF THE CITY COUNCIL OF THE

## CITY OF OPELIKA, ALABAMA

ATTEST:

---

  
CITY CLERK

Cc: Sirco, Inc.  
206 South 8<sup>th</sup> Street  
Opelika, AL 36801

## RESOLUTION NO. (ID # 1055)

Resolution for Demolition - 418 Raintree St.**RESOLUTION ORDERING THE DEMOLITION OF THE  
BUILDINGS LOCATED AT 418 RAINTREE STREET**

WHEREAS, any incorporated municipality of the State of Alabama may, after notice as provided in Section 11-40-31, demolish building and structure, 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 March 10, 2015, the Building Official of the City of Opelika gave notice to remedy the unsafe or dangerous condition of the building or structure located at 418 Raintree Street, 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, on April 8, 2015, the owner of the building filed a written request for a hearing before the governing body of the municipality; and

WHEREAS, Tuesday, May 5, 2015 at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7<sup>th</sup> 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 418 Raintree Street is unsafe to the extent that it creates a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, May 5, 2015, 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 418 Raintree Street, 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 418 Raintree Street, 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 5 in Block 8 of the Palmer Subdivision, as shown by map of plat of said Subdivision of record in Town Plat Book 2 at Page 11 in the Office of the Judge of Probate of Lee County, Alabama.

Also being further described as Parcel Number 43-10-03-08-2-001-088.000, 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 \_\_\_\_\_ 2015.

---

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

ATTEST:

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CITY CLERK

Cc: Sirco, Inc.  
206 South 8<sup>th</sup> Street  
Opelika, AL 36801

## RESOLUTION NO. (ID # 1053)

Resolution for Demolition - 1701 Old Columbus Road**RESOLUTION ORDERING THE DEMOLITION OF THE  
BUILDINGS LOCATED AT 1701 OLD COLUMBUS ROAD**

WHEREAS, any incorporated municipality of the State of Alabama may, after notice as provided in Section 11-40-31, demolish building and structure, 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 March 10, 2015, the Building Official of the City of Opelika gave notice to remedy the unsafe or dangerous condition of the building or structure located at 1701 Old Columbus Road, 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, May 5, 2015 at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7<sup>th</sup> 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 buildings located at 1701 Old Columbus Road is unsafe to the extent that it creates a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, May 5, 2015, 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 1701 Old Columbus Road, 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 1701 Old Columbus Road, 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:

Commencing at the Southwest Corner of the Southeast Quarter of Section 21, Township 19 North, Range 27 East, Lee County, Alabama; run thence East, for a distance of 809.8; run thence North, for a distance of 578.10 feet to an iron pin and the POINT OF BEGINNING of the parcel of land herein described and conveyed; From said point of beginning, run thence North 37°15'39" East, for a distance of 340.20 feet to an iron pin located on the Southwesterly margin of Old Columbus Road; following said road, run thence North 45°45'00" West, for a distance of 141.04 feet to a point, which is the point of a curve being concave Southwesterly with a chord bearing of North 48°38'21" East, a chord of 224.55 feet, and a radius of 2227.59 feet to an iron pin, being the intersection of the Southerly margin of Old Columbus Road and the Easterly margin of a spur track of Norfolk Southern Railway; following the railway, run thence South 02°29'40" East, for a distance of 486.90 feet to an iron pin; thence leaving said railway, run South 53°43'22" East, for a distance of 52.60 feet to the POINT OF BEGINNING. Said parcel containing 1.669 acres ± and being further described on that certain Boundary Survey for Sizemore prepared on 12/21/07 by Mark S. Hauessler, Ala. Reg. Land Surveyor No. 23002.

Also being further described as Parcel Number 43-10-05-21-0-000-069.000, 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 \_\_\_\_\_ 2015.

---

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

ATTEST:

---

CITY CLERK

Cc: Mark A. Boddie  
3780 Lee Road 391 Lot 23  
Opelika, AL 36804  
CITY OF OPELIKA, ALABAMA

## RESOLUTION NO. (ID # 1037)

MWPP Annual Reports

WHEREAS, the MWPP Annual Reports for the Eastside Wastewater Treatment Plant and the Westside Wastewater Treatment Plant have been reviewed and updated.

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

The City of Opelika shall inform the Department of Environmental Management that the following actions were taken:

1. Reviewed the MWPP Annual Reports for the Eastside and Westside Wastewater Treatment Plants; a copy of said reports is available in the City Clerk's office.

2. Set forth the following actions and schedule necessary to maintain effluent requirements contained in the NPDES Permit, and to prevent the bypass and overflow of raw sewage within the collection system or at the treatment plant:

- a) The city will currently be reviewing an expansion of the Westside Facility.
- b) The city is currently designing upgrades to several lift stations.
- c) The city will be installing selected transmission lines.

APPROVED and ADOPTED this the \_\_\_\_ day of \_\_\_\_\_, 2015.

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

President, City Council  
City of Opelika, Alabama

Attest:

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Robert G. Shuman  
City Clerk - Treasurer

# MUNICIPAL WATER POLLUTION PREVENTION (MWPP) ANNUAL REPORT

SUBMITTED BY:

TREATMENT FACILITY: Eastside WWTP NPDES #: AL0059218

MUNICIPALITY: Opelika COUNTY: Lee

CONTACT PERSON: Michael J. Hilyer  
Municipal Official

Public Works Director  
Title

Telephone #: (334)705-5413 Fax #: (334)705-5452

Email Address: mhilyer@ci.opelika.al.us

CHIEF OPERATOR: Derrick Askew  
Name

Telephone #: (334)705-5470 Fax #: (334)705-5452

Date: 4/15/2015

Email Address: daskew@ci.opelika.al.us

REVIEWED BY: \_\_\_\_\_  
Consulting Engineer

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: MWPP Annual Form for Eastside 2014-2015 (1037 : Mwpp Annual Reports)

## MWPP Annual Report

### Information Source List

You will need the following information to complete your compliance maintenance report that covers the calendar year of **2014** (due **May 31, 2015** ).

Part 1 A. The average plant influent flow for each month (million gallons per day) during the year.

B. The average plant influent BOD (CBOD) for each month (mg/l and lb/day) in the year.

C. Your plant's average design flow (MGD) and design BOD loading (lbs/day).

Part 2 A. The monthly average permit and DMR effluent concentration for BOD (CBOD), TSS, NH<sub>3</sub>-N and/or TKN in mg/l for the year

B. Your monthly average effluent limits and DMR loading for BOD, TSS, NH<sub>3</sub>-N and/or TKN in lbs/day for the year

Part 3 The age of your treatment plant defined as the number of years since the last major reconstruction to increase the organic or hydraulic capacity of the plant. The last calendar year minus the year the new construction was brought on-line.

Part 4 Bypass and overflow information. This is the number of days in the year when there was a bypass or overflow of untreated wastewater due to heavy rain or due to equipment failure whether intentional or inadvertent from all collection systems tributary to this treatment facility.

Part 5 A. Describe characteristics and quantity of sludge generated.

B. If you landspread sludge, how many months of sludge storage does your plant have? This should include on-site and off-site storage from the treatment plant. The digester capacity may be used in the calculation.

Part 6 A. List method you dispose of your sludge.

B. How many approved land disposal sites for sludge do you have? How many months or years will these be available for use?

Part 7 The number of sewer extensions which were installed in your community last year. You need to get the design population, design flow and design BOD for each sewer extension from your engineer.

Part 8 Operator Certification

Part 9 Financial Status

Attachment: MWPP Annual Form for Eastside 2014-2015 (1037 : Mwpp Annual Reports)

State of Alabama  
MWPP Annual Report  
Department of Environmental Management

***Instructions to the Operator-in-Charge***

1. Complete all sections of the MWPP Report, to the best of your ability.
2. Parts 1 through 8 contain questions for which points will be generated. These points are intended to communicate to the Department and the governing body or owner what actions will be necessary to prevent effluent violations. Place the point totals from parts 1 through 8 on Page 18, the Point Calculation page.
3. Add up the point totals on page 18.
4. Submit the MWPP Report to the governing body and the consulting engineer and owner for their review and approval.
5. The governing body should pass a resolution (see Attachment 1) which contains the following points:
  - a. The resolution or letter should acknowledge the governing body or owner has reviewed the MWPP Report.
  - b. The resolution or letter should indicate what actions would be taken to prevent effluent violations. Proposed actions should address where maximum or close to maximum points were generated in the MWPP report.
  - c. The resolution or letter should provide any other information the governing body or owner deems appropriate.
6. **The MWPP Report and the resolution or letter must be submitted or mailed in by May 31<sup>st</sup> to Municipal Section, Water Division, ADEM, P.O. Box 301463, Montgomery, AL 36130-1463 listed on the letter which is attached to this report.**

Facility Name: Eastside WWTP

Part 1: Influent Loading/Flows:

- A. List the average monthly volumetric flows and BOD<sub>5</sub> (CBOD<sub>5</sub>) loadings received at your facility during the last calendar year.

|                    | Col. 1              | Col. 2                                | Col. 3                                   |
|--------------------|---------------------|---------------------------------------|------------------------------------------|
|                    | Average             | Average Monthly                       | Average Loading                          |
|                    | Monthly Flowrate    | BOD <sub>5</sub> (CBOD <sub>5</sub> ) | BOD <sub>5</sub> or (CBOD <sub>5</sub> ) |
|                    |                     | Concentration                         |                                          |
| <u>Month</u>       | <u>(MGD)</u>        | <u>(mg/l)</u>                         | <u>(lbs/day**)</u>                       |
| January            | <u>0.996</u>        | <u>104</u>                            | <u>892</u>                               |
| February           | <u>1.168</u>        | <u>113</u>                            | <u>1081</u>                              |
| March              | <u>1.183</u>        | <u>109</u>                            | <u>1082</u>                              |
| April              | <u>1.270</u>        | <u>98</u>                             | <u>1011</u>                              |
| May                | <u>0.999</u>        | <u>106</u>                            | <u>836</u>                               |
| June               | <u>1.088</u>        | <u>129</u>                            | <u>1121</u>                              |
| July               | <u>1.208</u>        | <u>118</u>                            | <u>1147</u>                              |
| August             | <u>1.263</u>        | <u>136</u>                            | <u>1370</u>                              |
| September          | <u>1.245</u>        | <u>144</u>                            | <u>1478</u>                              |
| October            | <u>1.142</u>        | <u>158</u>                            | <u>1450</u>                              |
| November           | <u>1.112</u>        | <u>142</u>                            | <u>1235</u>                              |
| December           | <u>1.154</u>        | <u>140</u>                            | <u>1349</u>                              |
| <b>Annual Avg.</b> | <b><u>1.152</u></b> | <b><u>125</u></b>                     | <b><u>1171</u></b>                       |

\*\*As reported on NPDES Discharge Monitoring Reports (DMR'S) and as required by EPA's NPDES Self-Monitoring System, User Guide, March 1985.

- B. List the average design flow and average design BOD<sub>5</sub> loading for your facility in the blanks below. If you are not aware of these design quantities, contact your consulting engineer or the Alabama Department of Environmental Management.

|                             | <u>Avg. Design Flow</u> | <u>Avg. Design BOD<sub>5</sub> Loading</u> |
|-----------------------------|-------------------------|--------------------------------------------|
|                             |                         | <u>(lbs/day)</u>                           |
| Design Criteria:            | <u>5.0</u>              | <u>10,425</u>                              |
| 90% of the Design Criteria: | <u>4.5</u>              | <u>9,383</u>                               |

- C. How many times did the monthly flow (Col. 1) to the WWTP exceed 90% of design flow?  
0 (Circle the appropriate number)

0-4 = 0 points; 5 or more = 5 points

- D. How many times did the monthly flow (Col. 1) to the WWTP exceed the design flow? 0  
 (Circle the appropriate number)

0 = 0 points; 1-2 = 5 points; 3-4 = 10 points; 5 or more = 15 points

- E. How many times did the monthly BOD<sub>5</sub> (or CBOD<sub>5</sub>)\* loading (lbs/day) (Col. 3) to the WWTP exceed 90% of the design loading? 0 (Circle the appropriate number)

0-1 = 0 points; 2-4 = 5 points; 5 or more = 10 points

- F. How many times did the monthly BOD<sub>5</sub> (or CBOD<sub>5</sub>)\* loading (lbs/day) (Col. 3) to the WWTP exceed the design loading? 0 (Circle the appropriate number)

0 = 0 points; 1 = 10 points; 2 = 20 points; 3 = 30 points; 4 = 40 points; 5 or more = 50 points

- G. Add together each point value you circled for C through F and place this sum in the blank below.

C points = 0

D points = 0

E points = 0

F points = 0

TOTAL POINTS VALUE OR PART 1 0

Enter this value on the calculation page at the back of the MWPP, page 18.

\*To obtain equivalent BOD<sub>5</sub> loading for comparison with design loading for those permittees using influent CBOD<sub>5</sub>, divide annual average CBOD<sub>5</sub>, loading in lbs/day from Part 1, A by 0.7.

Facility Name: Eastside WWTPPart 2: Effluent Quality/Plant Performance

- A. List the monthly average permit limits for the facility in the blanks below and the average monthly effluent DMR BOD<sub>5</sub>, (CBOD<sub>5</sub>) TSS, NH<sub>3</sub>-N and/or TKN concentration produced by your facility during the last calendar year.

## (1.) NPDES Permit Concentration

|              | <u>Months</u> | <u>BOD<sub>5</sub> (or CBOD<sub>5</sub>) (mg/l)</u> | <u>TSS(mg/l)</u> | <u>NH<sub>3</sub>-N (mg/l)</u> | <u>TKN (mg/l)</u> |
|--------------|---------------|-----------------------------------------------------|------------------|--------------------------------|-------------------|
| Permit Limit | <u>5-11</u>   | <u>9</u>                                            | <u>30</u>        | <u>2.0</u>                     | <u>Report</u>     |
|              | <u>12-4</u>   | <u>15</u>                                           | <u>30</u>        | <u>4.0</u>                     | <u>Report</u>     |

## (2.) DMR Concentration

| <u>Quarter</u>         | <u>Month</u> | <u>BOD<sub>5</sub>(or CBOD<sub>5</sub>)(mg/l)</u> | <u>TSS (mg/l)</u> | <u>NH<sub>3</sub>-N (mg/l)</u> | <u>TKN (mg/l)</u> |
|------------------------|--------------|---------------------------------------------------|-------------------|--------------------------------|-------------------|
| 1                      | January      | <u>1.4</u>                                        | <u>8.1</u>        | <u>0.10</u>                    | <u>1.51</u>       |
|                        | February     | <u>1.4</u>                                        | <u>6.3</u>        | <u>0.0</u>                     | <u>2.34</u>       |
|                        | March        | <u>2.7</u>                                        | <u>3.5</u>        | <u>0.02</u>                    | <u>0.0</u>        |
| 2                      | April        | <u>2.2</u>                                        | <u>3.9</u>        | <u>0.10</u>                    | <u>0.0</u>        |
|                        | May          | <u>1.9</u>                                        | <u>6.1</u>        | <u>0.10</u>                    | <u>0.0</u>        |
|                        | June         | <u>2.0</u>                                        | <u>6.6</u>        | <u>0.30</u>                    | <u>1.44</u>       |
| 3                      | July         | <u>2.1</u>                                        | <u>4.4</u>        | <u>0.10</u>                    | <u>0.50</u>       |
|                        | August       | <u>1.7</u>                                        | <u>6.0</u>        | <u>0.10</u>                    | <u>0.86</u>       |
|                        | September    | <u>2.3</u>                                        | <u>5.9</u>        | <u>0.10</u>                    | <u>0.96</u>       |
| 4                      | October      | <u>2.9</u>                                        | <u>10.2</u>       | <u>0.10</u>                    | <u>1.92</u>       |
|                        | November     | <u>2.1</u>                                        | <u>4.2</u>        | <u>0.10</u>                    | <u>1.45</u>       |
|                        | December     | <u>2.5</u>                                        | <u>7.5</u>        | <u>0.10</u>                    | <u>1.41</u>       |
| <b>Annual Average:</b> |              | <u>2</u>                                          | <u>6</u>          | <u>0.204</u>                   | <u>1.03</u>       |

Attachment: MWPP Annual Form for Eastside 2014-2015 (1037 : Mwpp Annual Reports)

B. List the monthly average permit limit and DMR loadings below:

(1.) NPDES Permit Loading

| <u>Months</u>             | <u>BOD<sub>5</sub> (or CBOD<sub>5</sub>)<br/>(lbs/day)</u> | <u>TSS (lbs/day)</u> | <u>NH<sub>3</sub>-N (lbs/day)</u> | <u>TKN(lbs/day)</u> |
|---------------------------|------------------------------------------------------------|----------------------|-----------------------------------|---------------------|
| Permit Limit: <u>5-11</u> | <u>375</u>                                                 | <u>1251</u>          | <u>83.4</u>                       | <u>Report</u>       |
| <u>12-4</u>               | <u>625</u>                                                 | <u>1251</u>          | <u>166</u>                        | <u>Report</u>       |

(2) DMR Loading

| <u>Quarter</u>         | <u>Month</u> | <u>BOD<sub>5</sub>(or CBOD<sub>5</sub>)(lbs/day)</u> | <u>TSS (lbs/day)</u> | <u>NH<sub>3</sub>-N (lbs/day)</u> | <u>TKN (lbs/day)</u> |
|------------------------|--------------|------------------------------------------------------|----------------------|-----------------------------------|----------------------|
| 1                      | January      | <u>12</u>                                            | <u>70</u>            | <u>1</u>                          | <u>14</u>            |
|                        | February     | <u>13</u>                                            | <u>60</u>            | <u>0</u>                          | <u>20</u>            |
|                        | March        | <u>26</u>                                            | <u>35</u>            | <u>2</u>                          | <u>0</u>             |
| 2                      | April        | <u>22</u>                                            | <u>40</u>            | <u>1</u>                          | <u>0</u>             |
|                        | May          | <u>15</u>                                            | <u>48</u>            | <u>1</u>                          | <u>0</u>             |
|                        | June         | <u>18</u>                                            | <u>54</u>            | <u>2</u>                          | <u>12</u>            |
| 3                      | July         | <u>20</u>                                            | <u>44</u>            | <u>1</u>                          | <u>4</u>             |
|                        | August       | <u>17</u>                                            | <u>60</u>            | <u>1</u>                          | <u>8</u>             |
|                        | September    | <u>23</u>                                            | <u>60</u>            | <u>1</u>                          | <u>9</u>             |
| 4                      | October      | <u>26</u>                                            | <u>93</u>            | <u>1</u>                          | <u>18</u>            |
|                        | November     | <u>18</u>                                            | <u>37</u>            | <u>1</u>                          | <u>26</u>            |
|                        | December     | <u>24</u>                                            | <u>72</u>            | <u>1</u>                          | <u>13</u>            |
| <b>Annual Average:</b> |              | <b><u>19.5</u></b>                                   | <b><u>56</u></b>     | <b><u>1.08</u></b>                | <b><u>10.3</u></b>   |

\*\*See Page 4 for explanation

Attachment: MWPP Annual Form for Eastside 2014-2015 (1037 : Mwpp Annual Reports)

- C. During the past year did either the BOD<sub>5</sub> concentration (mg/l) and/or loading (lbs/day), exceed the product of 1.4 times the monthly average permit limit during two months of any consecutive quarters. (Circle the appropriate response.)

No = 0 points; yes = 121 points

- D. During the past year did either the BOD<sub>5</sub> concentration (mg/l) and/or loading (lbs/day), exceed the monthly average permit limit during four months of any two consecutive quarters. (Circle the appropriate response.)

No = 0 points; yes = 121 points

- E. During the past year did the effluent TSS concentration (mg/l) or loading (lbs/day), exceed the product of 1.4 times the monthly average permit limit during two months of any two consecutive quarters. (Circle the appropriate response.)

No = 0 points; yes = 121 points

- F. During the past year did either the TSS concentration (mg/l) and/or loading (lbs/day), exceed the monthly average permit limit during four months of any two consecutive quarters. (Circle the appropriate response.)

No = 0 points; yes = 121 points

- G. During the past year did either the NH<sub>3</sub>-N or TKN concentration (mg/l) and/or loading (lbs/day), exceed the product of 1.4 times the monthly average permit limit during two months of any two consecutive quarters. (Circle the appropriate response.)

No = 0 points; yes = 121 points

- H. During the past year did either the NH<sub>3</sub>-N or TKN concentration (mg/l) and/or loading (lbs/day), exceed the monthly average permit limit during four months of any two consecutive quarters. (Circle the appropriate response.)

No = 0 points; yes = 121 points

- I. Place each point value circled for C through H in the blank below:

C Points = 0

D Points = 0

E Points = 0

F Points = 0

G Points = 0

H Points = 0

HIGHEST INDIVIDUAL POINT VALUE FOR PART 2 (C-H) 0 (HIGHEST POINT = 121)

Enter this value on the calculation page at the back of the MWPP, page 18.

Facility Name: Eastside WWTF

Part 3: Age of the Wastewater Treatment Facilities

- A. What year was the wastewater treatment plant constructed or last reconstructed? 2006

Subtract the above answer from the report year to determine age:

$$\text{Age} = (\text{Last Calendar year}) - (\text{Answer to A.})$$

$$\text{Age } \underline{9} = ( \underline{2015} ) - ( \underline{2006} )$$

Enter Age in Part C., below.

- B. Check the type of treatment facility that is employed:

|                                         | Factor |
|-----------------------------------------|--------|
| <u>  X  </u> Mechanical Treatment Plant | 2.0    |
| <u>      </u> Aerated Lagoon            | 1.5    |
| <u>      </u> Stabilization Pond        | 1.0    |
| <u>      </u> Other (Specify            | 1.0    |

- C. Multiply the factor listed next to the type of the facility your community employees by the age of your facility to determine the total point above value for Part 3:

$$\begin{array}{l} \text{TOTAL POINT} = \underline{2.0} \times \underline{9} = \underline{18} \text{ points} \\ \text{VALUE FOR} \quad \quad \quad (\text{factor}) \quad \quad (\text{Age}) \\ \text{PART \#3} \end{array}$$

If the point total exceeds 40 points, enter only 40 for the Part 3 total on page 18. Otherwise, enter the above value on the calculation page at the back of the MWPP Report, page 18.

Facility Name: Eastside WWTP

Part 4: Bypassing and Overflows

- A. How many bypass or overflow events of untreated wastewater occurred in the last year at the WWTF due to heavy rain? 0
- B. How many bypass or overflow events of untreated wastewater occurred in the last year prior to the headworks of the WWTF due to heavy rain? 0
- C. How many of the bypass or overflow events listed in Parts A and B above have been corrected such that future bypass or overflow events at the same location due to heavy rain are not anticipated? 0
- D. Add together Part A and Part B and subtract Part C from that total.  
 $A + B - C =$  0 (Circle one)

0 = 0 points; 1 = 5 points; 2 = 10 points; 3 = 15 points; 4 = 20 points; 5 = 25 points; 6 = 30 points; 7 = 35 points; 8 = 40 points; 9 = 45 points; 10 = 50 points; 11 or more = 100 points.

- E. How many bypass or overflow events of untreated wastewater occurred in the last year at the WWTF due to equipment failure (Note: This includes clogged/broken lines or manholes)?  
0
- F. How many bypass or overflow events of untreated wastewater occurred in the last year due to equipment failure prior to the headworks of the WWTF. (Note: This includes clogged/broken lines or manholes)? 0
- G. How many of the bypass or overflow events listed in Parts E and F above have been corrected such that future bypass or overflow events at the same location due to the same equipment failure are not anticipated? 0
- H. Add together Part E and Part F and subtract Part G from that total.  
 $E + F - G =$  0
- I. Add together each point value circled in D and H and place in the blank below:

TOTAL POINT VALUE FOR PART 4 0

Enter this value on the calculation page at the back of the MWPP, page 18.

**Note all bypass or overflow events that have occurred in the last year (for any reason) must be individually reported on the form provided (See Attachment 2) and submitted with this MWPP report.**

Facility Name: Eastside WWTP

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Part 5: Sludge Quantity and Storage

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- A. Please provide the information concerning your sludge quantity, characteristics and storage practices based on available data as requested on Attachment 3.
- B. How many months of sludge storage capacity does your wastewater/treatment facility have available, either on-site or off-site? (i.e., How many months can your facility operate without land spreading or disposing of sludge?)

12+ (Circle the appropriate point total.)

|                                                           |                   |
|-----------------------------------------------------------|-------------------|
| Greater than or equal to 4 months                         | = <u>0 points</u> |
| Less than 4 months, but greater than or equal to 3 months | = 10 points       |
| Less than 3 months, but greater than or equal to 2 months | = 20 points       |
| Less than 2 months, but greater than or equal to 1 month  | = 30 points       |
| Less than one month                                       | = 50 points       |

TOTAL POINT VALUE FOR PART 5 0

Enter this value on calculation page at the back of the MWPP Report, page 18.

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Part 6: Sludge Disposal Practices and Sites

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- A. Please provide the sludge disposal practices and site information based on available data as requested on Attachment 3.
- B. Does your facility have access to (and approval for) sufficient land disposal sites to provide proper land disposal for (Circle the appropriate point total.)

|                    |                     |
|--------------------|---------------------|
| 3 or more years    | = <u>0 points</u> ; |
| 24-35 months       | = 20 points;        |
| 12-23 months       | = 20 points;        |
| 6-12 months        | = 30 points;        |
| Less than 6 months | = 50 points         |

TOTAL POINT VALUE FOR PART 6 0

Enter this value on the calculation page at the back of the MWPP Report, page 18.

Facility Name: Eastside WWTP

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**Part 7: New Development**

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Are there any major new developments (industrial, commercial, or residential) in the last calendar year or anticipated in the next 2-3 years, such that either flow or BOD<sub>5</sub> loadings to the sewerage system could significantly increase? Estimate additional loading below: NONE

|                                                |                          |                                           |
|------------------------------------------------|--------------------------|-------------------------------------------|
| Design<br>Population: _____<br>Equivalent (PE) | Design<br>Flow: _____MGD | Design<br>BOD <sub>5</sub> : _____lbs/day |
|------------------------------------------------|--------------------------|-------------------------------------------|

List Industry and/or residential Developments:

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Will the additional loading overload the plant? (Circle One)

No = 0 points; Yes = 121 points

Place the point number in the blank below.

TOTAL POINT VALUE FOR PART 7 0 (highest point total = 121)  
Enter this value on the calculation page at the back of the MWPP Report, page 18.

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**Part 8: Operator Certification**

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Complete the WWTF and Collection System Personnel inventory on Attachment 4.

Do both the plant operator and collection system staffing comply with ADEM Administrative Code; Division 10, Operator Certification Program?

Yes = 0 points  
No = 121 points

TOTAL POINT VALUE FOR PART 8 0 (highest point total = 121)

Enter this value on the calculation page at the back of the MWPP Report, page 18.

Facility Name: Eastside WWTP

### Part 9: Financial Status

- A. Are User-Charge Revenues sufficient to cover operation and maintenance expenses? If no, how are O&M costs being financed? **Include user charge rates.**

Yes, Fee's associated with connection to collection system: Fee's are charged for size of tap and length. Ranges from 4" at \$1,160 for tap and \$10.00/linear foot to 6" tap at \$1,200 and \$12.00/linear foot. Infrastructure impact fees are assessed based on building designs and type of building.

Residential Minimum \$15.25 (3/4") Plus rate 1.76 /1,000 gal.

Industrial Minimum \$156.11 (2") Plus rate 1.76 /1,000 gal.

Monthly residential rate based on 6,000 gallons usage \$ \$25.81

**\*Please complete the above information based on your user charge rates for the report year. You may attach a sample water and sewer bill for clarity.**

- B. What financial resources do you have available to pay for your wastewater Improvements/reconstruction/needs?

Capital Budget of City.

### Part 10: Subjective Evaluation

- A. Describe briefly the physical and structural conditions of the wastewater treatment facility:

Corrosion of some equipment is a problem in areas of the infrastructure; the grounds are in neat condition and physical condition is good.

- B. Describe the general condition of the sewer system: (sewer lines, manholes, lift stations)

Moderate Inflow/Infiltration during heavy rainfall events. All lift stations operating as designed.

C. What sewerage system improvements does the community have planned for construction in the next 5 years?

A regional station that will serve both Westside & Eastside facilities.

D. What was the theoretical design life of the plant and what do you believe is the remaining useful life of the wastewater treatment facilities?

15 – 20 years.

E. What problems, if any, have been experienced over the last year that have threatened treatment or conveyance within the system?

F. Is your community presently involved in formal planning for treatment facility upgrading?

No

G. How many days in the last year were there residential backups at any point in the collection system for any reason, except clogging of the lateral connection? 0

H. Does your plant have a written plan for preventative maintenance on major equipment items? If yes, describe.

We have a preventive maintenance program employed at the facility using a card system to identify all equipment at the facility. Information includes type of equipment, inventory of parts on hand, vendors associated with the equipment.

I. Does this preventive maintenance program depict frequency of intervals, types of lubrication and other preventative maintenance tasks necessary for each piece of equipment? (Circle One) Yes No

- J. Are these preventative maintenance tasks, as well as equipment problems, being recorded and filed so future maintenance problems can be assessed properly? (Circle One) Yes No
- K. Describe any major repairs or mechanical equipment replacement that you made in the last year and include the approximate cost for those repairs. Do not include major treatment plant construction or upgrading programs.

UV bulbs - \$4000.00; Influent pump motor (2) - \$5300.00

Flow meter - \$3800.00; Rebuilt rotating assembly - \$1500.00

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- L. Any additional comments? (Attach additional sheets if necessary.)

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Facility Name: Eastside WWTP

Part 11: Summary Sheet

1. Fill in the values from parts 1 through 8 in the columns below. Add the numbers in the left column to determine the MWPP Report point total that the wastewater system has generated for the previous calendar year.

| <u>Actual Values</u>       | <u>Maximum Possible</u> |
|----------------------------|-------------------------|
| Part 1 <u>  0  </u> points | 80 points               |
| Part 2 <u>  0  </u> points | 121 points              |
| Part 3 <u> 18 </u> points  | 40 points               |
| Part 4 <u>  0  </u> points | 200 points              |
| Part 5 <u>  0  </u> points | 50 points               |
| Part 6 <u>  0  </u> points | 50 points               |
| Part 7 <u>  0  </u> points | 121 points              |
| Part 8 <u>  0  </u> points | 121 points              |
| Total <u>  0  </u> points  | 783 points              |

2. Circle the facility type that best describes your plant's treatment and disposal of the wastewater:

Mechanical plant with surface water discharge

Aerated Lagoon or stabilization pond with surface water discharge

Mechanical plant using land disposal of liquid wastes

Aerated Lagoon or stabilization pond using land disposal of Liquid wastes

3. Circle the range that describes what action is needed to address any problems identified in the report and have resolution completed on page 20.

0 – 70 pts. - Actions as Appropriate\*

71 - 120 pts. - Departmental Recommendation Range\*

121 - 783 - Municipality Action Range\*

**\*Other actions may be required by NPDES outside the scope of this report.**

4. In questions #1, do any of the point values in the left column equal the maximum (right column) that could be generated for that particular question? (Circle One) Yes No
5. If the answer to question 4 is yes, provide a written explanation for this situation in the space below.

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# MUNICIPAL WATER POLLUTION PREVENTION (MWPP)

## ANNUAL REPORT

SUBMITTED BY:

**TREATMENT FACILITY:** Westside WWTP NPDES #: AL0050130

**MUNICIPALITY:** Opelika **COUNTY:** Lee

**CONTACT PERSON:** Michael J. Hilyer  
Municipal Official

Public Works Director  
Title

Telephone # (334)705-5413 Fax # (334)705-5452

Email Address: mhilyer@ci.opelika.al.us

**CHIEF OPERATOR:** Derrick Askew  
Name

Telephone # : (334)705-5470 Fax # (334)705-5452

Date: 4/15/15

Email Address: daskew@ci.opelika.al.us

**REVIEWED BY:** \_\_\_\_\_  
Consulting Engineer

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: MWPP Annual Form for Westside 2014-2015 (1037 : Mwpp Annual Reports)

## MWPP Annual Report

### Information Source List

You will need the following information to complete your compliance maintenance report that covers the calendar year of **2014** (due **May 31, 2015** ).

Part 1 A. The average plant influent flow for each month (million gallons per day) during the year.

B. The average plant influent BOD (CBOD) for each month (mg/l and lb/day) in the year.

C. Your plant's average design flow (MGD) and design BOD loading (lbs/day).

Part 2 A. The monthly average permit and DMR effluent concentration for BOD (CBOD), TSS, NH<sub>3</sub>-N and/or TKN in mg/l for the year

B. Your monthly average effluent limits and DMR loading for BOD, TSS, NH<sub>3</sub>-N and/or TKN in lbs/day for the year

Part 3 The age of your treatment plant defined as the number of years since the last major reconstruction to increase the organic or hydraulic capacity of the plant. The last calendar year minus the year the new construction was brought on-line.

Part 4 Bypass and overflow information. This is the number of days in the year when there was a bypass or overflow of untreated wastewater due to heavy rain or due to equipment failure whether intentional or inadvertent from all collection systems tributary to this treatment facility.

Part 5 A. Describe characteristics and quantity of sludge generated.

B. If you landspread sludge, how many months of sludge storage does your plant have? This should include on-site and off-site storage from the treatment plant. The digester capacity may be used in the calculation.

Part 6 A. List method you dispose of your sludge.

B. How many approved land disposal sites for sludge do you have? How many months or years will these be available for use?

Part 7 The number of sewer extensions which were installed in your community last year. You need to get the design population, design flow and design BOD for each sewer extension from your engineer.

Part 8 Operator Certification

Part 9 Financial Status

Attachment: MWPP Annual Form for Westside 2014-2015 (1037 : Mwpp Annual Reports)

State of Alabama  
MWPP Annual Report  
Department of Environmental Management

***Instructions to the Operator-in-Charge***

1. Complete all sections of the MWPP Report, to the best of your ability.
2. Parts 1 through 8 contain questions for which points will be generated. These points are intended to communicate to the Department and the governing body or owner what actions will be necessary to prevent effluent violations. Place the point totals from parts 1 through 8 on Page 18, the Point Calculation page.
3. Add up the point totals on page 18.
4. Submit the MWPP Report to the governing body and the consulting engineer and owner for their review and approval.
5. The governing body should pass a resolution (see Attachment 1) which contains the following points:
  - a. The resolution or letter should acknowledge the governing body or owner has reviewed the MWPP Report.
  - b. The resolution or letter should indicate what actions would be taken to prevent effluent violations. Proposed actions should address where maximum or close to maximum points were generated in the MWPP report.
  - c. The resolution or letter should provide any other information the governing body or owner deems appropriate.
6. **The MWPP Report and the resolution or letter must be submitted or mailed in by May 31<sup>st</sup> to Municipal Section, Water Division, ADEM, P.O. Box 301463, Montgomery, AL 36130-1463 listed on the letter which is attached to this report.**

Facility Name: Westside WWTP

Part 1: Influent Loading/Flows:

- A. List the average monthly volumetric flows and BOD<sub>5</sub> (CBOD<sub>5</sub>) loadings received at your facility during the last calendar year.

|                    | Col. 1            | Col. 2                                | Col. 3                                   |
|--------------------|-------------------|---------------------------------------|------------------------------------------|
|                    | Average           | Average Monthly                       | Average Loading                          |
|                    | Monthly Flowrate  | BOD <sub>5</sub> (CBOD <sub>5</sub> ) | BOD <sub>5</sub> or (CBOD <sub>5</sub> ) |
|                    |                   | Concentration                         |                                          |
| <u>Month</u>       | <u>(MGD)</u>      | <u>(mg/l)</u>                         | <u>(lbs/day**)</u>                       |
| January            | <u>2.4</u>        | <u>114</u>                            | <u>2272</u>                              |
| February           | <u>2.4</u>        | <u>125</u>                            | <u>2618</u>                              |
| March              | <u>2.6</u>        | <u>121</u>                            | <u>2683</u>                              |
| April              | <u>3.7</u>        | <u>103</u>                            | <u>3088</u>                              |
| May                | <u>2.7</u>        | <u>102</u>                            | <u>2219</u>                              |
| June               | <u>2.3</u>        | <u>110</u>                            | <u>2064</u>                              |
| July               | <u>2.2</u>        | <u>106</u>                            | <u>1900</u>                              |
| August             | <u>2.3</u>        | <u>122</u>                            | <u>2295</u>                              |
| September          | <u>1.9</u>        | <u>128</u>                            | <u>2047</u>                              |
| October            | <u>1.7</u>        | <u>147</u>                            | <u>2039</u>                              |
| November           | <u>1.4</u>        | <u>150</u>                            | <u>1789</u>                              |
| December           | <u>1.7</u>        | <u>128</u>                            | <u>1840</u>                              |
| <b>Annual Avg.</b> | <b><u>2.3</u></b> | <b><u>121.3</u></b>                   | <b><u>2238</u></b>                       |

\*\*As reported on NPDES Discharge Monitoring Reports (DMR'S) and as required by EPA's NPDES Self-Monitoring System, User Guide, March 1985.

- B. List the average design flow and average design BOD<sub>5</sub> loading for your facility in the blanks below. If you are not aware of these design quantities, contact your consulting engineer or the Alabama Department of Environmental Management.

|                             | <u>Avg. Design Flow</u> | <u>Avg. Design BOD<sub>5</sub> Loading</u> |
|-----------------------------|-------------------------|--------------------------------------------|
|                             |                         | <u>(lbs/day)</u>                           |
| Design Criteria:            | <u>4.0</u>              | <u>6672</u>                                |
| 90% of the Design Criteria: | <u>3.6</u>              | <u>6005</u>                                |

- C. How many times did the monthly flow (Col. 1) to the WWTP exceed 90% of design flow?  
1 (Circle the appropriate number)

0-4 = 0 points; 5 or more = 5 points

- D. How many times did the monthly flow (Col. 1) to the WWTP exceed the design flow? 0  
 (Circle the appropriate number)

0 = 0 points; 1-2 = 5 points; 3-4 = 10 points; 5 or more = 15 points

- E. How many times did the monthly BOD<sub>5</sub> (or CBOD<sub>5</sub>)\* loading (lbs/day) (Col. 3) to the WWTP exceed 90% of the design loading? 0 (Circle the appropriate number)

0-1 = 0 points; 2-4 = 5 points; 5 or more = 10 points

- F. How many times did the monthly BOD<sub>5</sub> (or CBOD<sub>5</sub>)\* loading (lbs/day) (Col. 3) to the WWTP exceed the design loading? 0 (Circle the appropriate number)

0 = 0 points; 1 = 10 points; 2 = 20 points; 3 = 30 points; 4 = 40 points; 5 or more = 50 points

- G. Add together each point value you circled for C through F and place this sum in the blank below.

C points = 0

D points = 0

E points = 0

F points = 0

TOTAL POINTS VALUE OR PART 1 0

Enter this value on the calculation page at the back of the MWPP, page 18.

\*To obtain equivalent BOD<sub>5</sub> loading for comparison with design loading for those permittees using influent CBOD<sub>5</sub>, divide annual average CBOD<sub>5</sub>, loading in lbs/day from Part 1, A by 0.7.

Facility Name: Westside WWTPPart 2: Effluent Quality/Plant Performance

- A. List the monthly average permit limits for the facility in the blanks below and the average monthly effluent DMR BOD<sub>5</sub>, (CBOD<sub>5</sub>) TSS, NH<sub>3</sub>-N and/or TKN concentration produced by your facility during the last calendar year.

## (1.) NPDES Permit Concentration

|              | <u>Months</u> | <u>BOD<sub>5</sub> (or CBOD<sub>5</sub>) (mg/l)</u> | <u>TSS(mg/l)</u> | <u>NH<sub>3</sub>-N (mg/l)</u> | <u>TKN (mg/l)</u> |
|--------------|---------------|-----------------------------------------------------|------------------|--------------------------------|-------------------|
| Permit Limit | <u>5-11</u>   | <u>10</u>                                           | <u>30</u>        | <u>1.1</u>                     | <u>Report</u>     |
|              | <u>12-4</u>   | <u>15</u>                                           | <u>30</u>        | <u>1.1</u>                     | <u>Report</u>     |

## (2.) DMR Concentration

| <u>Quarter</u>         | <u>Month</u> | <u>BOD<sub>5</sub>(or CBOD<sub>5</sub>)(mg/l)</u> | <u>TSS (mg/l)</u> | <u>NH<sub>3</sub>-N (mg/l)</u> | <u>TKN (mg/l)</u> |
|------------------------|--------------|---------------------------------------------------|-------------------|--------------------------------|-------------------|
| 1                      | January      | <u>1.3</u>                                        | <u>2.8</u>        | <u>0.2</u>                     | <u>1.12</u>       |
|                        | February     | <u>1.5</u>                                        | <u>4.1</u>        | <u>0.5</u>                     | <u>1.53</u>       |
|                        | March        | <u>2.3</u>                                        | <u>4.0</u>        | <u>0.4</u>                     | <u>1.58</u>       |
| 2                      | April        | <u>2.0</u>                                        | <u>4.9</u>        | <u>0.2</u>                     | <u>0.54</u>       |
|                        | May          | <u>3.4</u>                                        | <u>4.3</u>        | <u>0.1</u>                     | <u>0.00</u>       |
|                        | June         | <u>2.3</u>                                        | <u>4.2</u>        | <u>0.1</u>                     | <u>0.77</u>       |
| 3                      | July         | <u>1.9</u>                                        | <u>4.0</u>        | <u>0.1</u>                     | <u>0.66</u>       |
|                        | August       | <u>1.9</u>                                        | <u>3.6</u>        | <u>0.2</u>                     | <u>0.82</u>       |
|                        | September    | <u>2.8</u>                                        | <u>3.9</u>        | <u>0.4</u>                     | <u>1.17</u>       |
| 4                      | October      | <u>2.9</u>                                        | <u>4.9</u>        | <u>0.3</u>                     | <u>1.88</u>       |
|                        | November     | <u>2.8</u>                                        | <u>6.7</u>        | <u>0.5</u>                     | <u>2.10</u>       |
|                        | December     | <u>2.3</u>                                        | <u>4.2</u>        | <u>0.3</u>                     | <u>2.60</u>       |
| <b>Annual Average:</b> |              | <u>2.3</u>                                        | <u>4.3</u>        | <u>0.3</u>                     | <u>1.2</u>        |

Attachment: MWPPP Annual Form for Westside 2014-2015 (1037 : Mwpp Annual Reports)

B. List the monthly average permit limit and DMR loadings below:

(1.) NPDES Permit Loading

| <u>Months</u>             | <u>BOD<sub>5</sub> (or CBOD<sub>5</sub>)<br/>(lbs/day)</u> | <u>TSS (lbs/day)</u> | <u>NH<sub>3</sub>-N (lbs/day)</u> | <u>TKN(lbs/day)</u> |
|---------------------------|------------------------------------------------------------|----------------------|-----------------------------------|---------------------|
| Permit Limit: <u>5-11</u> | <u>333</u>                                                 | <u>1000</u>          | <u>36.6</u>                       | <u>Report</u>       |
| <u>12-4</u>               | <u>500</u>                                                 | <u>1000</u>          | <u>36.6</u>                       | <u>Report</u>       |

(2) DMR Loading

| <u>Quarter</u>         | <u>Month</u> | <u>BOD<sub>5</sub>(or CBOD<sub>5</sub>)(lbs/day)</u> | <u>TSS (lbs/day)</u> | <u>NH<sub>3</sub>-N (lbs/day)</u> | <u>TKN (lbs/day)</u> |
|------------------------|--------------|------------------------------------------------------|----------------------|-----------------------------------|----------------------|
| 1                      | January      | <u>26</u>                                            | <u>56</u>            | <u>4</u>                          | <u>27</u>            |
|                        | February     | <u>31</u>                                            | <u>90</u>            | <u>10</u>                         | <u>27</u>            |
|                        | March        | <u>48</u>                                            | <u>30</u>            | <u>8</u>                          | <u>22</u>            |
| 2                      | April        | <u>59</u>                                            | <u>155</u>           | <u>7</u>                          | <u>13</u>            |
|                        | May          | <u>75</u>                                            | <u>94</u>            | <u>2</u>                          | <u>0</u>             |
|                        | June         | <u>44</u>                                            | <u>79</u>            | <u>1</u>                          | <u>15</u>            |
| 3                      | July         | <u>35</u>                                            | <u>73</u>            | <u>2</u>                          | <u>12</u>            |
|                        | August       | <u>35</u>                                            | <u>66</u>            | <u>4</u>                          | <u>14</u>            |
|                        | September    | <u>44</u>                                            | <u>61</u>            | <u>7</u>                          | <u>20</u>            |
| 4                      | October      | <u>41</u>                                            | <u>70</u>            | <u>5</u>                          | <u>27</u>            |
|                        | November     | <u>33</u>                                            | <u>81</u>            | <u>6</u>                          | <u>26</u>            |
|                        | December     | <u>35</u>                                            | <u>58</u>            | <u>4</u>                          | <u>35</u>            |
| <b>Annual Average:</b> |              | <b><u>42.2</u></b>                                   | <b><u>76.1</u></b>   | <b><u>5.0</u></b>                 | <b><u>19.8</u></b>   |

\*\*See Page 4 for explanation

Attachment: MWPPP Annual Form for Westside 2014-2015 (1037 : Mwpp Annual Reports)

- C. During the past year did either the BOD<sub>5</sub> concentration (mg/l) and/or loading (lbs/day), exceed the product of 1.4 times the monthly average permit limit during two months of any consecutive quarters. (Circle the appropriate response.)

No = 0 points; yes = 121 points

- D. During the past year did either the BOD<sub>5</sub> concentration (mg/l) and/or loading (lbs/day), exceed the monthly average permit limit during four months of any two consecutive quarters. (Circle the appropriate response.)

No = 0 points; yes = 121 points

- E. During the past year did the effluent TSS concentration (mg/l) or loading (lbs/day), exceed the product of 1.4 times the monthly average permit limit during two months of any two consecutive quarters. (Circle the appropriate response.)

No = 0 points; yes = 121 points

- F. During the past year did either the TSS concentration (mg/l) and/or loading (lbs/day), exceed the monthly average permit limit during four months of any two consecutive quarters. (Circle the appropriate response.)

No = 0 points; yes = 121 points

- G. During the past year did either the NH<sub>3</sub>-N or TKN concentration (mg/l) and/or loading (lbs/day), exceed the product of 1.4 times the monthly average permit limit during two months of any two consecutive quarters. (Circle the appropriate response.)

No = 0 points; yes = 121 points

- H. During the past year did either the NH<sub>3</sub>-N or TKN concentration (mg/l) and/or loading (lbs/day), exceed the monthly average permit limit during four months of any two consecutive quarters. (Circle the appropriate response.)

No = 0 points; yes = 121 points

- I. Place each point value circled for C through H in the blank below:

C Points = 0

D Points = 0

E Points = 0

F Points = 0

G Points = 0

H Points = 0

HIGHEST INDIVIDUAL POINT VALUE FOR PART 2 (C-H) 0 (HIGHEST POINT = 121)

Enter this value on the calculation page at the back of the MWPP, page 18.

Facility Name: Westside WWTF

Part 3: Age of the Wastewater Treatment Facilities

- A. What year was the wastewater treatment plant constructed or last reconstructed? 1986

Subtract the above answer from the report year to determine age:

$$\text{Age} = (\text{Last Calendar year}) - (\text{Answer to A.})$$

$$\text{Age } 28 = ( 2014 ) - ( 1986 )$$

Enter Age in Part C., below.

- B. Check the type of treatment facility that is employed:

|                                         | Factor |
|-----------------------------------------|--------|
| <u>  X  </u> Mechanical Treatment Plant | 2.0    |
| <u>      </u> Aerated Lagoon            | 1.5    |
| <u>      </u> Stabilization Pond        | 1.0    |
| <u>      </u> Other (Specify            | 1.0    |

- C. Multiply the factor listed next to the type of the facility your community employees by the age of your facility to determine the total point above value for Part 3:

$$\begin{array}{l} \text{TOTAL POINT} = \underline{2.0} \times \underline{28} = \underline{56} \text{ points} \\ \text{VALUE FOR} \quad \quad \quad (\text{factor}) \quad \quad (\text{Age}) \\ \text{PART \#3} \end{array}$$

If the point total exceeds 40 points, enter only 40 for the Part 3 total on page 18. Otherwise, enter the above value on the calculation page at the back of the MWPP Report, page 18.

Facility Name: Westside WWTP

Part 4: Bypassing and Overflows

- A. How many bypass or overflow events of untreated wastewater occurred in the last year at the WWTF due to heavy rain? 0
- B. How many bypass or overflow events of untreated wastewater occurred in the last year prior to the headworks of the WWTF due to heavy rain? 1
- C. How many of the bypass or overflow events listed in Parts A and B above have been corrected such that future bypass or overflow events at the same location due to heavy rain are not anticipated? 1
- D. Add together Part A and Part B and subtract Part C from that total.  
 $A + B - C =$  0 (Circle one)

0 = 0 points; 1 = 5 points; 2 = 10 points; 3 = 15 points; 4 = 20 points; 5 = 25 points; 6 = 30 points; 7 = 35 points; 8 = 40 points; 9 = 45 points; 10 = 50 points; 11 or more = 100 points.

- E. How many bypass or overflow events of untreated wastewater occurred in the last year at the WWTF due to equipment failure (Note: This includes clogged/broken lines or manholes)?  
0
- F. How many bypass or overflow events of untreated wastewater occurred in the last year due to equipment failure prior to the headworks of the WWTF. (Note: This includes clogged/broken lines or manholes)? 2
- G. How many of the bypass or overflow events listed in Parts E and F above have been corrected such that future bypass or overflow events at the same location due to the same equipment failure are not anticipated? 2
- H. Add together Part E and Part F and subtract Part G from that total.  
 $E + F - G =$  0

0 = 0 points; 1 = 5 points; 2 = 10 points; 3 = 15 points; 4 = 20 points; 5 = 25 points; 6 = 30 points; 7 = 35 points; 8 = 40 points; 9 = 45 points; 10 = 50 points; 11 or more = 100 points.

- I. Add together each point value circled in D and H and place in the blank below:

TOTAL POINT VALUE FOR PART 4 0

Enter this value on the calculation page at the back of the MWPP, page 18.

**Note all bypass or overflow events that have occurred in the last year (for any reason) must be individually reported on the form provided (See Attachment 2) and submitted with this MWPP report.**

Facility Name: Westside WWTP

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**Part 5: Sludge Quantity and Storage**

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- A. Please provide the information concerning your sludge quantity, characteristics and storage practices based on available data as requested on Attachment 3.
- B. How many months of sludge storage capacity does your wastewater/treatment facility have available, either on-site or off-site? (i.e., How many months can your facility operate without land spreading or disposing of sludge?)

12+ (Circle the appropriate point total.)

|                                                           |                   |
|-----------------------------------------------------------|-------------------|
| Greater than or equal to 4 months                         | = <u>0 points</u> |
| Less than 4 months, but greater than or equal to 3 months | = 10 points       |
| Less than 3 months, but greater than or equal to 2 months | = 20 points       |
| Less than 2 months, but greater than or equal to 1 month  | = 30 points       |
| Less than one month                                       | = 50 points       |

TOTAL POINT VALUE FOR PART 5 0

Enter this value on calculation page at the back of the MWPP Report, page 18.

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**Part 6: Sludge Disposal Practices and Sites**

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- A. Please provide the sludge disposal practices and site information based on available data as requested on Attachment 3.
- B. Does your facility have access to (and approval for) sufficient land disposal sites to provide proper land disposal for (Circle the appropriate point total.)

|                    |                     |
|--------------------|---------------------|
| 3 or more years    | = <u>0 points</u> ; |
| 24-35 months       | = 20 points;        |
| 12-23 months       | = 20 points;        |
| 6-12 months        | = 30 points;        |
| Less than 6 months | = 50 points         |

TOTAL POINT VALUE FOR PART 6 0

Enter this value on the calculation page at the back of the MWPP Report, page 18.

Facility Name: Westside WWTP

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**Part 7: New Development**

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Are there any major new developments (industrial, commercial, or residential) in the last calendar year or anticipated in the next 2-3 years, such that either flow or BOD<sub>5</sub> loadings to the sewerage system could significantly increase? Estimate additional loading below: NONE

|                                                |                          |                                           |
|------------------------------------------------|--------------------------|-------------------------------------------|
| Design<br>Population: _____<br>Equivalent (PE) | Design<br>Flow: _____MGD | Design<br>BOD <sub>5</sub> : _____lbs/day |
|------------------------------------------------|--------------------------|-------------------------------------------|

List Industry and/or residential Developments:

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Will the additional loading overload the plant? (Circle One)

No = 0 points; Yes = 121 points

Place the point number in the blank below.

TOTAL POINT VALUE FOR PART 7 0 (highest point total = 121)  
Enter this value on the calculation page at the back of the MWPP Report, page 18.

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**Part 8: Operator Certification**

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Complete the WWTF and Collection System Personnel inventory on Attachment 4.

Do both the plant operator and collection system staffing comply with ADEM Administrative Code; Division 10, Operator Certification Program?

Yes = 0 points  
No = 121 points

TOTAL POINT VALUE FOR PART 8 0 (highest point total = 121)

Enter this value on the calculation page at the back of the MWPP Report, page 18.

Facility Name: Westside WWTP

### Part 9: Financial Status

- A. Are User-Charge Revenues sufficient to cover operation and maintenance expenses? If no, how are O&M costs being financed? **Include user charge rates.**

Yes, Fee's associated with connection to collection system: Fee's are charged for size of tap and length. Ranges from 4" at \$1,160 for tap and \$10.00/linear foot to 6" tap at \$1,200 and \$12.00/linear foot. Infrastructure impact fees are assessed based on building designs and type of building.

Residential Minimum \$15.25 (3/4") Plus rate 1.76 /1,000 gal.

Industrial Minimum \$156.11 (2") Plus rate 1.76 /1,000 gal.

Monthly residential rate based on 6,000 gallons usage \$ \$25.81

**\*Please complete the above information based on your user charge rates for the report year. You may attach a sample water and sewer bill for clarity.**

- B. What financial resources do you have available to pay for your wastewater Improvements/reconstruction/needs?

Capital Budget of City.

### Part 10: Subjective Evaluation

- A. Describe briefly the physical and structural conditions of the wastewater treatment facility:

Corrosion of some equipment is a problem in areas of the infrastructure; the grounds are in neat condition and physical condition is good. New pumps and equipment being installed.

- B. Describe the general condition of the sewer system: (sewer lines, manholes, lift stations)

Moderate Inflow/Infiltration during heavy rainfall events.

C. What sewerage system improvements does the community have planned for construction in the next 5 years?

A Regional lift station that will serve both Westside and Eastside facilities.

D. What was the theoretical design life of the plant and what do you believe is the remaining useful life of the wastewater treatment facilities?

Up to 10 plus years with design changes being revised.

E. What problems, if any, have been experienced over the last year that have threatened treatment or conveyance within the system?

The facility operates at a normal flow between 70 – 80%.

F. Is your community presently involved in formal planning for treatment facility upgrading?

Yes

G. How many days in the last year were there residential backups at any point in the collection system for any reason, except clogging of the lateral connection? 0

H. Does your plant have a written plan for preventative maintenance on major equipment items? If yes, describe.

We have a preventive maintenance program employed at the facility using a card system to identify all equipment at the facility. Information includes type of equipment, inventory of parts on hand, vendors associated with the equipment.

I. Does this preventive maintenance program depict frequency of intervals, types of lubrication and other preventative maintenance tasks necessary for each piece of equipment? (Circle One) Yes No

- J. Are these preventative maintenance tasks, as well as equipment problems, being recorded and filed so future maintenance problems can be assessed properly? (Circle One) Yes No
- K. Describe any major repairs or mechanical equipment replacement that you made in the last year and include the approximate cost for those repairs. Do not include major treatment plant construction or upgrading programs.

2 rebuilt Influent pumps - \$26,000; Rebuilt Mixer - \$ 34,700

New flow meter (2) - \$3800.00; Rebuilt blower motor \$2,700

Rebuilt Grit pump - \$3,700;

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- L. Any additional comments? (Attach additional sheets if necessary.)

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Facility Name: Westside WWTP

Part 11: Summary Sheet

1. Fill in the values from parts 1 through 8 in the columns below. Add the numbers in the left column to determine the MWPP Report point total that the wastewater system has generated for the previous calendar year.

| <u>Actual Values</u>       | <u>Maximum Possible</u> |
|----------------------------|-------------------------|
| Part 1 <u>  0  </u> points | 80 points               |
| Part 2 <u>  0  </u> points | 121 points              |
| Part 3 <u> 40 </u> points  | 40 points               |
| Part 4 <u>  0  </u> points | 200 points              |
| Part 5 <u>  0  </u> points | 50 points               |
| Part 6 <u>  0  </u> points | 50 points               |
| Part 7 <u>  0  </u> points | 121 points              |
| Part 8 <u>  0  </u> points | 121 points              |
| Total <u>  0  </u> points  | 783 points              |

2. Circle the facility type that best describes your plant's treatment and disposal of the wastewater:

Mechanical plant with surface water discharge

Aerated Lagoon or stabilization pond with surface water discharge

Mechanical plant using land disposal of liquid wastes

Aerated Lagoon or stabilization pond using land disposal of Liquid wastes

3. Circle the range that describes what action is needed to address any problems identified in the report and have resolution completed on page 20.

0 – 70 pts. - Actions as Appropriate\*

71 - 120 pts. - Departmental Recommendation Range\*

121 - 783 - Municipality Action Range\*

**\*Other actions may be required by NPDES outside the scope of this report.**

4. In questions #1, do any of the point values in the left column equal the maximum (right column) that could be generated for that particular question? (Circle One) Yes No
5. If the answer to question 4 is yes, provide a written explanation for this situation in the space below.

Plant is 28 years old.

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## RESOLUTION NO. (ID # 1039)

Resolution Approving License Agreement for Fireworks Exhibition and Display

**WHEREAS**, the City desires to use a portion of the Opelika High School campus for the 2015 Freedom Celebration Fireworks Exhibition and Display; and

**WHEREAS**, the Opelika City Board of Education is willing to grant the City a license to use certain areas of the campus under certain terms and conditions; and

**WHEREAS**, a proposed License Agreement was prepared and submitted to the City Council for approval and the City Council has determined that it is now in the best interest of the City and its citizens to approve said Agreement.

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

1. That the attached License Agreement to be entered into between the City and Opelika City of Board of Education is hereby approved, authorized, ratified and confirmed.
2. That the Mayor is hereby authorized to execute and deliver said License Agreement in the name and on behalf of the City.
3. That the officers of the City and any 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, other instruments or 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 provisions of this Resolution and the

attached License Agreement.

4. 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

## **LICENSE AGREEMENT FOR FIREWORKS EXHIBITION AND DISPLAY**

THIS LICENSE AGREEMENT is entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between OPELIKA CITY BOARD OF EDUCATION, sometimes referred to hereinafter as the “Board”, and the CITY OF OPELIKA, ALABAMA, a municipal corporation, sometimes referred to hereinafter as the “City”.

### **RECITALS**

WHEREAS, the City desires to use a portion of the Opelika High School Campus for the 2015 Freedom Celebration fireworks exhibition and display (the “events”); and

WHEREAS, the Board is willing to grant the City a license to use certain areas of the campus in accordance with the terms and conditions set forth herein.

### **AGREEMENT**

NOW THEREFORE, for and in consideration of the mutual covenants and agreements herein contained, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Grant of License. The Board hereby grants the City, upon the terms and conditions hereinafter expressed, a license to use those areas of the campus described in Exhibit “A” hereto, (the “Authorized Areas”) including rights of ingress and egress for the City’s Independence Day exhibition and display to be held on July 3, 2015. The City and its contractor may begin setup July 3, 2015. The City shall employ a licensed pyrotechnic operator to supervise, manage and direct the discharge of outdoor display fireworks.

2. Covenants of the City. The City hereby covenants with the Board:

- a. To obtain all necessary permits and licenses, pay all charges and fees, and give all notices necessary and incidental in connection with the event.

- b. To review the display site conditions in advance of the event and correct any deficiencies.
- c. To police, monitor and appropriately control the behavior of spectators attending the event.
- d. To provide adequate police protection, roping, fencing and/or other fire control measures.
- e. To clean up all debris in Authorized Areas after the conclusion of the event.
- f. To take all reasonable precautions to protect against bodily injury or property damages that may occur in connection with the event.

3. Indemnification. The City hereby agrees to indemnify and save the Board harmless from and against all claims, costs, liabilities, damages, and expenses, (including, but not limited to, reasonable attorney's fees) arising directly out of or in connection with

- a. Any negligence, omission, fault, strict liability or product liability in connection with the event;
- b. Any failure of the City or its contractor to comply with any applicable law, ordinance, rule, regulation, order, license, permit, and other requirement now or hereinafter in effect, of any governmental authority; or
- c. Any breach of or default under this Agreement by the City.

4. Governing Law. This Agreement shall be interpreted, construed and enforced in all respects in accordance with the laws of the State of Alabama.

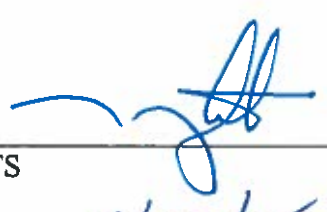
5. Entire Agreement. This Agreement contains the entire Agreement of the parties and all representations, agreements and statements made previously by any party to the other, except as set forth herein, are null and void.

6. Successors and Assigns. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

7. Amendments. This Agreement constitutes the full and complete agreement between the parties hereto. It may, however, be amended in writing by mutual agreement of the parties hereto.

IN WITNESS WHEREOF, the undersigned authorized officials of the parties have hereunto set their hands on the day and year first above written.

OPELIKA CITY BOARD OF EDUCATION

BY: 

ITS

DATE: 4/22/15

CITY OF OPELIKA, ALABAMA

BY: \_\_\_\_\_

ITS MAYOR

DATE: \_\_\_\_\_

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

RESOLUTION APPROVING LICENSE AGREEMENT FOR  
FIREWORKS EXHIBITION AND DISPLAY

WHEREAS, the City desires to use a portion of the Opelika High School campus for the 2015 Freedom Celebration Fireworks Exhibition and Display; and

WHEREAS, the Opelika City Board of Education is willing to grant the City a license to use certain areas of the campus under certain terms and conditions; and

WHEREAS, a proposed License Agreement was prepared and submitted to the City Council for approval and the City Council has determined that it is now in the best interest of the City and its citizens to approve said Agreement.

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

1. That the attached License Agreement to be entered into between the City and Opelika City of Board of Education is hereby approved, authorized, ratified and confirmed.
2. That the Mayor is hereby authorized to execute and deliver said License Agreement in the name and on behalf of the City.
3. That the officers of the City and any 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, other instruments or 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 provisions of this Resolution and the attached License Agreement.
4. 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

Attachment: Fireworks Resolution approving License Agr bet City and Opelika BOE 061714 (1039 : License Agreement for Fireworks)

## RESOLUTION NO. (ID # 1036)

Resolution Approving a Budget Adjustment to Administer Police Lieutenant Examination

**WHEREAS**, pursuant to Resolution No. 081-15, adopted on April 7, 2015, the City Council authorized the Mayor to enter into an agreement with Decisions, Inc., to develop and administer the examination for promotion to the position of police lieutenant; and

**WHEREAS**, said agreement provides that the City will pay to Decisions, Inc., the sum of \$15,000 as compensation for its services plus all out-of-pocket expenses; and

**WHEREAS**, there are insufficient funds in the current budget to cover said compensation and expenses.

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

1. That the compensation and expenses due to Decisions, Inc., for the development and administration of the police lieutenant's examination shall be paid from the Unassigned Fund Balance and the Mayor and the Controller are hereby authorized and directed to transfer the sum of \$20,000.00 from the Unassigned Fund Balance to the appropriate account.
2. That the Mayor and the Controller are hereby authorized and directed to make the necessary accounting and budgetary entries to carry into effect the intent of this Resolution.
3. That the Purchasing-Revenue Manager is hereby authorized and directed to issue all necessary and appropriate purchase orders up to the sum of \$20,000.00 to implement Resolution No. 081-15.
4. That the officers of the City and any person or persons designated and authorized by any officers of the City to act in the name and on behalf of the City, or any one or more of

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

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

**ADOPTED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

ATTEST:

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

## RESOLUTION NO. (ID # 1044)

Resolution Approving Sales Contract with West Fraser, Inc.

Resolution Approving Sales Contract with West Fraser, Inc.

**RESOLUTION APPROVING SALES CONTRACT WITH WEST FRASER, INC.**

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

**Section 1.** It is hereby established and declared that the following described real property located in Opelika, Lee County, Alabama, is needed by the City for the construction, maintenance and repair of an electrical substation, to wit:

**PARCEL A**

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a ½-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 87°45'14" West for a distance of 431.25 feet set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 47°55'54" West for a distance of 110.03 feet to a computed point and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue North 47°55'54" West for a distance of 59.48 feet to a capped 5/8-inch rebar (McCrory, RLS #12493) set on the southeasterly margin of the right of way of Industrial Boulevard; thence run North 42°42'04" East along said margin of Industrial Boulevard for a distance of 60.42 feet to a 7/8-inch solid steel rod; thence run South 02°16'16" East, 80.22 feet to the point of beginning; containing 0.041 acres, more or less.

This property is further described as Parcel “A” according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit “A” attached hereto and incorporated herein and made a part hereof.

**PARCEL C**

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20

North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a ½-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 87°45'14" West for a distance of 431.25 feet set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 47°55'54" West for a distance of 110.03 feet to a computed point and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue North 47°55'54" West for a distance of 59.48 feet to a capped 5/8-inch rebar (McCrory, RLS #12493) set on the southeasterly margin of the right of way of Industrial Boulevard; thence run North 42°42'04" East along said margin of Industrial Boulevard for a distance of 60.42 feet to a 7/8-inch solid steel rod; thence run South 02°16'16" East, 80.22 feet to the point of beginning; containing 0.041 acres, more or less.

This property is further described as Parcel "C" according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

#### PARCEL D

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a ½-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence continue S 01°19'13" E a distance of 80.00 feet to a 5/8-inch rebar found at the point of beginning of the parcel to be described herein. From said point of beginning, thence run South 01°34'09" East a distance of 159.89 feet to a found ¾-inch crimped-top pipe; thence run South 89°08'58" West a distance of 559.45 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 00°51'02" West a distance of 102.38 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 42°30'20" West a distance of 76.87 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run N 89°09'05" E a distance of 608.53 feet to the point of beginning; containing 2.084 acres, more or less.

This property is further described as Parcel "D" according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

**Section 2.** The Mayor is hereby authorized and directed to purchase the premises described in Section 1 above from West Fraser, Inc., Seller, for and in consideration of the sum of \$30,000.00. The purchase price shall be paid from Capital Outlay Land from the Electric Department Fund and shall be payable by the City to the Seller as follows:

- (a) \$10,000.00 payable at the time of closing.
- (b) \$20,000.00 as a credit toward future construction charges billable by the City to the Seller.

**Section 3.** The proposed CONTRACT OF SALE to be entered into between West Fraser, Inc., as Seller, and the City, as Purchaser, exhibited in its complete and final form on this date to the City Council and being attached hereto and being incorporated by reference as Exhibit “A”, be and the same is hereby approved, authorized, ratified and confirmed. The Mayor is hereby authorized and directed to execute said contract for and in the name of the City.

**Section 4.** The Mayor and the City Clerk are hereby authorized and directed on behalf of the City to execute, deliver and accept all documents and instruments necessary to consummate this transaction.

**Section 5.** The City does hereby accept the dedication of the real estate described in Section 1 above for public and municipal purposes.

**ADOPTED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

---

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

ATTEST:

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CITY CLERK

**RESOLUTION NO. \_\_\_\_\_****RESOLUTION APPROVING SALES CONTRACT WITH WEST FRASER, INC.**

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

**Section 1.** It is hereby established and declared that the following described real property located in Opelika, Lee County, Alabama, is needed by the City for the construction, maintenance and repair of an electrical substation, to wit:

**PARCEL A**

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a ½-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 87°45'14" West for a distance of 431.25 feet set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 47°55'54" West for a distance of 110.03 feet to a computed point and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue North 47°55'54" West for a distance of 59.48 feet to a capped 5/8-inch rebar (McCrory, RLS #12493) set on the southeasterly margin of the right of way of Industrial Boulevard; thence run North 42°42'04" East along said margin of Industrial Boulevard for a distance of 60.42 feet to a 7/8-inch solid steel rod; thence run South 02°16'16" East, 80.22 feet to the point of beginning; containing 0.041 acres, more or less.

This property is further described as Parcel “A” according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit “A” attached hereto and incorporated herein and made a part hereof.

**PARCEL C**

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a ½-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence

run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 87°45'14" West for a distance of 431.25 feet set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 47°55'54" West for a distance of 110.03 feet to a computed point and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue North 47°55'54" West for a distance of 59.48 feet to a capped 5/8-inch rebar (McCrory, RLS #12493) set on the southeasterly margin of the right of way of Industrial Boulevard; thence run North 42°42'04" East along said margin of Industrial Boulevard for a distance of 60.42 feet to a 7/8-inch solid steel rod; thence run South 02°16'16" East, 80.22 feet to the point of beginning; containing 0.041 acres, more or less.

This property is further described as Parcel "C" according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

#### PARCEL D

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a 1/2-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence continue S 01°19'13" E a distance of 80.00 feet to a 5/8-inch rebar found at the point of beginning of the parcel to be described herein. From said point of beginning, thence run South 01°34'09" East a distance of 159.89 feet to a found 3/4-inch crimped-top pipe; thence run South 89°08'58" West a distance of 559.45 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 00°51'02" West a distance of 102.38 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 42°30'20" West a distance of 76.87 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run N 89°09'05" E a distance of 608.53 feet to the point of beginning; containing 2.084 acres, more or less.

This property is further described as Parcel "D" according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

**Section 2.** The Mayor is hereby authorized and directed to purchase the premises described in Section 1 above from West Fraser, Inc., Seller, for and in consideration of the sum

of \$30,000.00. The purchase price shall be paid from Capital Outlay Land from the Electric Department Fund and shall be payable by the City to the Seller as follows:

- (a) \$10,000.00 payable at the time of closing.
- (b) \$20,000.00 as a credit toward future construction charges billable by the City to the Seller.

**Section 3.** The proposed CONTRACT OF SALE to be entered into between West Fraser, Inc., as Seller, and the City, as Purchaser, exhibited in its complete and final form on this date to the City Council and being attached hereto and being incorporated by reference as Exhibit "A", be and the same is hereby approved, authorized, ratified and confirmed. The Mayor is hereby authorized and directed to execute said contract for and in the name of the City.

**Section 4.** The Mayor and the City Clerk are hereby authorized and directed on behalf of the City to execute, deliver and accept all documents and instruments necessary to consummate this transaction.

**Section 5.** The City does hereby accept the dedication of the real estate described in Section 1 above for public and municipal purposes.

**ADOPTED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

ATTEST:

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

STATE OF ALABAMA     )  
                                       :  
 COUNTY OF LEE         )

## CONTRACT OF SALE

**THIS CONTRACT** made and entered into this the \_\_\_\_ day of \_\_\_\_\_, 2015, by and between West Fraser, Inc., a Delaware Corporation, whose address is 2100 Industrial Boulevard, Opelika, Alabama, hereinafter referred to as OWNER, and the City of Opelika, Alabama, a municipal corporation, whose address is 204 South 7<sup>th</sup> Street, Opelika, Alabama, hereinafter referred to as the “CITY”.

### WITNESSETH:

**WHEREAS**, the CITY requires the hereinafter described real property for the construction, maintenance and repair of an electrical substation; and

**WHEREAS**, the OWNER has agreed to sell and convey and the CITY has agreed to purchase and take title to said real property.

**NOW, THEREFORE**, for and in consideration of the mutual covenants and conditions herein contained, the parties agree as follows:

1. The OWNER agrees to sell and convey and the CITY agrees to purchase and take title to the following described real property (hereinafter referred to as the “Property”), situated in Opelika, Lee County, Alabama, to-wit:

### PARCEL A

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16’04” West for a distance of 2,642.33 feet to a computed point; thence run South 01°19’13” East for a distance of 465.85 feet to a ½-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19’13” East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 87°45’14” West for a distance of 431.25 feet set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 47°55’54”

West for a distance of 110.03 feet to a computed point and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue North 47°55'54" West for a distance of 59.48 feet to a capped 5/8-inch rebar (McCrary, RLS #12493) set on the southeasterly margin of the right of way of Industrial Boulevard; thence run North 42°42'04" East along said margin of Industrial Boulevard for a distance of 60.42 feet to a 7/8-inch solid steel rod; thence run South 02°16'16" East, 80.22 feet to the point of beginning; containing 0.041 acres, more or less.

This property is further described as Parcel "A" according to a survey prepared by James L. McCrary, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

#### PARCEL C

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a 1/2-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrary, RLS #12493); thence run North 87°45'14" West for a distance of 431.25 feet set capped 5/8-inch rebar (McCrary, RLS #12493); thence run North 47°55'54" West for a distance of 110.03 feet to a computed point and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue North 47°55'54" West for a distance of 59.48 feet to a capped 5/8-inch rebar (McCrary, RLS #12493) set on the southeasterly margin of the right of way of Industrial Boulevard; thence run North 42°42'04" East along said margin of Industrial Boulevard for a distance of 60.42 feet to a 7/8-inch solid steel rod; thence run South 02°16'16" East, 80.22 feet to the point of beginning; containing 0.041 acres, more or less.

This property is further described as Parcel "C" according to a survey prepared by James L. McCrary, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

#### PARCEL D

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a 1/2-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch

rebar (McCrory, RLS #12493); thence continue S 01°19'13" E a distance of 80.00 feet to a 5/8-inch rebar found at the point of beginning of the parcel to be described herein. From said point of beginning, thence run South 01°34'09" East a distance of 159.89 feet to a found ¾-inch crimped-top pipe; thence run South 89°08'58" West a distance of 559.45 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 00°51'02" West a distance of 102.38 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 42°30'20" West a distance of 76.87 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run N 89°09'05" E a distance of 608.53 feet to the point of beginning; containing 2.084 acres, more or less.

This property is further described as Parcel "D" according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

2. The purchase price for said property shall be \$30,000.00 payable by CITY to OWNER as follows:
  - (a) \$10,000.00 payable at the time of closing.
  - (b) \$20,000.00 as a credit toward future construction charges billable by the City to the Seller.
3. The date of closing shall be at the earliest possible date; however, in no event shall the date of closing be scheduled later than May 30, 2015. Unless otherwise agreed, the sales transaction shall be closed at the office of the City Attorney, 205 South 6<sup>th</sup> Street, Opelika, Alabama.
4. At closing, said property shall be conveyed to the CITY by general warranty deed, free and clear from all liens and encumbrances whatsoever, except the following permitted exceptions:
  - (a) Lien for ad valorem taxes not yet due and payable.
  - (b) All utilities physically in existence across or over said property.
  - (c) All ordinances, or governmental regulations (including subdivision, building and zoning laws) relating to the possession or use of said property.

In the event title of said property is found to be defective and not good and merchantable, then upon notification thereof by CITY to OWNER, OWNER shall have a reasonable time to correct any defects; but if such defects are not corrected within a reasonable period of time, then all rights and obligations arising hereunder shall terminate.

5. On closing, OWNER shall deliver possession of the above-described property to the CITY, free and clear of all uses, occupancies and tenancies.

6. In order to induce the CITY to enter into this agreement, OWNER makes the following representations, warranties and covenants, each of which is material and is relied on by OWNER:

(a) OWNER is not a party to any litigation affecting said property or OWNER's right to sell said property or any interest therein and OWNER knows of no litigation or threatened litigation affecting said property.

(b) To the best of the knowledge of OWNER, said property does not contain: (i) any underground storage tanks; or (ii) any chemical, material or substance the exposure to which is prohibited, limited or regulated by any federal, state, county, regional or local authority, or which, even if not so regulated, may pose a hazard to the health and safety to the occupant of said property.

(c) To the best of the knowledge of OWNER, said property complies in all respects with applicable environmental laws, regulations and court or administrative orders.

(d) There are no pending claims or threats of claims by private parties or governmental or administrative authorities relating to environmental impairment or regulatory requirements.

(e) There are no areas on said property where hazardous substances have been

disposed of, released or found.

7. OWNER shall be responsible for his/her own attorney's fees, all costs to prepare and all expenses to record instruments necessary to provide merchantable title unto the CITY free and clear of all liens and encumbrances. The OWNER covenants that there are no real estate commissions due to any licensed real estate broker and further agrees to defend against and pay any valid claims made in regard to this purchase relating to the covenants made herein by the OWNER.

8. The CITY shall only be responsible for recording fees and for the preparation of the Warranty Deed.

9. Should either party default on the full and timely performance of any of the obligations under the terms of this Contract, the non-defaulting party may:

- (a) Force specific performance of this Contract; or
- (b) Terminate the Contract and bring suit for damages against the defaulting party.

10. This Contract shall be binding upon the successors and assigns of the parties hereto.

11. OWNER's covenants, warranties and representations shall survive the closing and shall not be merged in the deed delivered by the OWNER.

12. Each party agrees to pay its own legal fees for closing this transaction.

13. This Contract embodies the entire agreement between the parties hereto, and there are no oral or parole agreements existing between the OWNER and the CITY relating to the subject property which are not expressly set forth herein and covered hereby.

14. Time is of the essence for performance of the OWNER's and the CITY's obligations hereunder.

15. Words of any gender used herein shall be construed to include any other gender, and words in the singular shall include plural and visa versa unless the context otherwise requires.

16. This Contract is entered into in Lee County, State of Alabama, and the laws of the State of Alabama shall apply.

**IN WITNESS WHEREOF**, the parties hereto intending to be legally bound, have set their hands and seals on the day and date first above written.

WEST FRASER, INC.,  
a Delaware Corporation,

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

OWNER

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

CITY OF OPELIKA, ALABAMA

By: \_\_\_\_\_

ITS MAYOR

## RESOLUTION NO. (ID # 1043)

Resolution Approving Sales Contract with William C. Davis Charitable Remainder Unitrust

Resolution Approving Sales Contract with William C. Davis Charitable Remainder Unitrust

**RESOLUTION APPROVING SALES CONTRACT WITH  
WILLIAM C. DAVIS CHARITABLE REMAINDER UNITRUST**

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

**Section 1.** It is hereby established and declared that the following described real property located in Opelika, Lee County, Alabama, is needed by the City for the construction, maintenance and repair of an electrical substation, to wit:

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a ½-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493) and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue South 01°19'16" East, 80.00 feet to a found 5/8-inch rebar; thence run South 89°09'05" West, 507.77 feet to a computed point; thence run North 02°09'39" West, 178.25 feet to a computed point; thence run South 47°55'54" East, 169.51 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run South 87°45'14" East, 431.25 feet to the point of beginning; containing 1.158 acres, more or less.

This property is further described as Parcel “B” according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit “A” attached hereto and incorporated herein and made a part hereof.

**Section 2.** The Mayor is hereby authorized and directed to purchase the premises described in Section 1 above from William C. Davis, as Trustee of the William C. Davis Charitable Remainder Unitrust dated June 30, 1999, Seller, for and in consideration of the sum of

\$14,000.00. The purchase price shall be paid from Capital Outlay Land from the Electric Department Fund and shall be payable by the City to the Owner at closing.

**Section 3.** As additional consideration and in exchange for the conveyance of the property described in Section 1, the City shall convey unto Seller the following described real property located in Opelika, Lee County, Alabama, to-wit:

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a ½-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 87°45'14" West for a distance of 431.25 feet set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 47°55'54" West for a distance of 110.03 feet to a computed point and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue North 47°55'54" West for a distance of 59.48 feet to a capped 5/8-inch rebar (McCrory, RLS #12493) set on the southeasterly margin of the right of way of Industrial Boulevard; thence run North 42°42'04" East along said margin of Industrial Boulevard for a distance of 60.42 feet to a 7/8-inch solid steel rod; thence run South 02°16'16" East, 80.22 feet to the point of beginning; containing 0.041 acres, more or less.

This property is further described as Parcel "A" according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

**Section 4.** The proposed CONTRACT OF SALE to be entered into between William C. Davis Charitable Remainder Unitrust, as Seller, and the City, as Purchaser, exhibited in its complete and final form on this date to the City Council and being attached hereto and being incorporated by reference as Exhibit "A", be and the same is hereby approved, authorized, ratified and confirmed. The Mayor is hereby authorized and directed to execute said contract for and in the name of the City.

**Section 5.** The Mayor and the City Clerk are hereby authorized and directed on behalf of

the City to execute, deliver and accept all documents and instruments necessary to consummate this transaction.

**Section 5.** The City does hereby accept the dedication of the real estate described in Section 1 above for public and municipal purposes.

**ADOPTED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

ATTEST:

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

**RESOLUTION NO. \_\_\_\_\_****RESOLUTION APPROVING SALES CONTRACT WITH  
WILLIAM C. DAVIS CHARITABLE REMAINDER UNITRUST**

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

**Section 1.** It is hereby established and declared that the following described real property located in Opelika, Lee County, Alabama, is needed by the City for the construction, maintenance and repair of an electrical substation, to wit:

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a ½-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493) and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue South 01°19'16" East, 80.00 feet to a found 5/8-inch rebar; thence run South 89°09'05" West, 507.77 feet to a computed point; thence run North 02°09'39" West, 178.25 feet to a computed point; thence run South 47°55'54" East, 169.51 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run South 87°45'14" East, 431.25 feet to the point of beginning; containing 1.158 acres, more or less.

This property is further described as Parcel “B” according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit “A” attached hereto and incorporated herein and made a part hereof.

**Section 2.** The Mayor is hereby authorized and directed to purchase the premises described in Section 1 above from William C. Davis, as Trustee of the William C. Davis Charitable Remainder Unitrust dated June 30, 1999, Seller, for and in consideration of the sum of \$14,000.00. The purchase price shall be paid from Capital Outlay Land from the Electric Department Fund and shall be payable by the City to the Owner at closing.

**Section 3.** As additional consideration and in exchange for the conveyance of the

property described in Section 1, the City shall convey unto Seller the following described real property located in Opelika, Lee County, Alabama, to-wit:

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a ½-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 87°45'14" West for a distance of 431.25 feet set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 47°55'54" West for a distance of 110.03 feet to a computed point and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue North 47°55'54" West for a distance of 59.48 feet to a capped 5/8-inch rebar (McCrory, RLS #12493) set on the southeasterly margin of the right of way of Industrial Boulevard; thence run North 42°42'04" East along said margin of Industrial Boulevard for a distance of 60.42 feet to a 7/8-inch solid steel rod; thence run South 02°16'16" East, 80.22 feet to the point of beginning; containing 0.041 acres, more or less.

This property is further described as Parcel "A" according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

**Section 4.** The proposed CONTRACT OF SALE to be entered into between William C. Davis Charitable Remainder Unitrust, as Seller, and the City, as Purchaser, exhibited in its complete and final form on this date to the City Council and being attached hereto and being incorporated by reference as Exhibit "A", be and the same is hereby approved, authorized, ratified and confirmed. The Mayor is hereby authorized and directed to execute said contract for and in the name of the City.

**Section 5.** The Mayor and the City Clerk are hereby authorized and directed on behalf of the City to execute, deliver and accept all documents and instruments necessary to consummate this transaction.

**Section 5.** The City does hereby accept the dedication of the real estate described in

Section 1 above for public and municipal purposes.

**ADOPTED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

ATTEST:

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

Attachment: Resolution approving sales contract W C Davis 032515 (1043 : Resolution Approving Sales Contract / WC Davis)

STATE OF ALABAMA     )  
                                       :  
 COUNTY OF LEE         )

## CONTRACT OF SALE

**THIS CONTRACT** made and entered into this the \_\_\_\_ day of \_\_\_\_\_, 2015, by and between William C. Davis, as Trustee of the William C. Davis Charitable Remainder Unitrust, dated June 30, 1999., whose address is 3501 Castlegate Wynd, Lexington, Kentucky 40502, hereinafter referred to as OWNER, and the City of Opelika, Alabama, a municipal corporation, whose address is 204 South 7<sup>th</sup> Street, Opelika, Alabama, hereinafter referred to as the "CITY".

### WITNESSETH:

**WHEREAS**, the CITY requires the hereinafter described real property for the construction, maintenance and repair of an electrical substation; and

**WHEREAS**, the OWNER has agreed to sell and convey and the CITY has agreed to purchase and take title to said real property.

**NOW, THEREFORE**, for and in consideration of the mutual covenants and conditions herein contained, the parties agree as follows:

1. The OWNER agrees to sell and convey and the CITY agrees to purchase and take title to the following described real property (hereinafter referred to as the "Property"), situated in Opelika, Lee County, Alabama, to-wit:

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a ½-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493) and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue South 01°19'16" East, 80.00 feet

to a found 5/8-inch rebar; thence run South 89°09'05" West, 507.77 feet to a computed point; thence run North 02°09'39" West, 178.25 feet to a computed point; thence run South 47°55'54" East, 169.51 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run South 87°45'14" East, 431.25 feet to the point of beginning; containing 1.158 acres, more or less.

This property is further described as Parcel "B" according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

2. The purchase price for said property shall be \$14,000.00 payable by CITY to OWNER at closing on delivery of the deed as hereinafter provided.

3. As additional consideration and in exchange for the conveyance of the property described in Section 1 above, the CITY agrees to convey unto OWNER the following described real property located in Opelika, Lee County, Alabama, to-wit:

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a 1/2-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 87°45'14" West for a distance of 431.25 feet set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 47°55'54" West for a distance of 110.03 feet to a computed point and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue North 47°55'54" West for a distance of 59.48 feet to a capped 5/8-inch rebar (McCrory, RLS #12493) set on the southeasterly margin of the right of way of Industrial Boulevard; thence run North 42°42'04" East along said margin of Industrial Boulevard for a distance of 60.42 feet to a 7/8-inch solid steel rod; thence run South 02°16'16" East, 80.22 feet to the point of beginning; containing 0.041 acres, more or less.

This property is further described as Parcel "A" according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

4. The date of closing shall be at the earliest possible date; however, in no event shall the date of closing be scheduled later than May 30, 2015. Unless otherwise agreed, the

sales transaction shall be closed at the office of the City Attorney, 205 South 6<sup>th</sup> Street, Opelika, Alabama.

5. At closing, said property shall be conveyed to the CITY by general warranty deed, free and clear from all liens and encumbrances whatsoever, except the following permitted exceptions:

- (a) Lien for ad valorem taxes not yet due and payable.
- (b) All utilities physically in existence across or over said property.
- (c) All ordinances, or governmental regulations (including subdivision, building and zoning laws) relating to the possession or use of said property.

In the event title of said property is found to be defective and not good and merchantable, then upon notification thereof by CITY to OWNER, OWNER shall have a reasonable time to correct any defects; but if such defects are not corrected within a reasonable period of time, then all rights and obligations arising hereunder shall terminate.

6. On closing, OWNER shall deliver possession of the above-described property to the CITY, free and clear of all uses, occupancies and tenancies.

7. In order to induce the CITY to enter into this agreement, OWNER makes the following representations, warranties and covenants, each of which is material and is relied on by OWNER:

(a) OWNER is not a party to any litigation affecting said property or OWNER's right to sell said property or any interest therein and OWNER knows of no litigation or threatened litigation affecting said property.

(b) To the best of the knowledge of OWNER, said property does not contain: (i) any underground storage tanks; or (ii) any chemical, material or substance the exposure to which is

prohibited, limited or regulated by any federal, state, county, regional or local authority, or which, even if not so regulated, may pose a hazard to the health and safety to the occupant of said property.

(c) To the best of the knowledge of OWNER, said property complies in all respects with applicable environmental laws, regulations and court or administrative orders.

(d) There are no pending claims or threats of claims by private parties or governmental or administrative authorities relating to environmental impairment or regulatory requirements.

(e) There are no areas on said property where hazardous substances have been disposed of, released or found.

8. OWNER shall be responsible for his/her own attorney's fees, all costs to prepare and all expenses to record instruments necessary to provide merchantable title unto the CITY free and clear of all liens and encumbrances. The OWNER covenants that there are no real estate commissions due to any licensed real estate broker and further agrees to defend against and pay any valid claims made in regard to this purchase relating to the covenants made herein by the OWNER.

9. The CITY shall only be responsible for recording fees and for the preparation of the Warranty Deed.

10. Should either party default on the full and timely performance of any of the obligations under the terms of this Contract, the non-defaulting party may:

- (a) Force specific performance of this Contract; or
- (b) Terminate the Contract and bring suit for damages against the defaulting party.

11. This Contract shall be binding upon the successors and assigns of the parties

hereto.

12. OWNER's covenants, warranties and representations shall survive the closing and shall not be merged in the deed delivered by the OWNER.

13. Each party agrees to pay its own legal fees for closing this transaction.

14. This Contract embodies the entire agreement between the parties hereto, and there are no oral or parole agreements existing between the OWNER and the CITY relating to the subject property which are not expressly set forth herein and covered hereby.

15. Time is of the essence for performance of the OWNER's and the CITY's obligations hereunder.

16. Words of any gender used herein shall be construed to include any other gender, and words in the singular shall include plural and visa versa unless the context otherwise requires.

17. This Contract is entered into in Lee County, State of Alabama, and the laws of the State of Alabama shall apply.

**IN WITNESS WHEREOF**, the parties hereto intending to be legally bound, have set their hands and seals on the day and date first above written.

\_\_\_\_\_  
WILLIAM C. DAVIS, AS TRUSTEE OF  
THE WILLIAM C. DAVIS CHARITABLE  
REMAINDER UNITRUST,  
DATED JUNE 30, 1999,  
OWNER

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

CITY OF OPELIKA, ALABAMA

By: \_\_\_\_\_  
ITS MAYOR

Attachment: Contract of Sale WC Davis (1043 : Resolution Approving Sales Contact / WC Davis)

## RESOLUTION NO. (ID # 1074)

Resolution to Retain Samford & Denson LLP to Represent the City of Opelika, Alabama in All Appeals Involving the Demolition of Buildings and Structures

**WHEREAS**, there exists or may exist in the future buildings and structures within the City of Opelika, Alabama (the “City”) that due to poor design, obsolescence or neglect have become unsafe to the extent of becoming public nuisances; and

**WHEREAS**, any incorporated municipality of the State of Alabama may, after notice, move, repair or demolish buildings and structures when found by the governing body of the municipality (the “City Council”) to be unsafe to the extent of being a public nuisance; and

**WHEREAS**, any person aggrieved by the decision of the City Council to repair, move or demolish an unsafe building or structure may, within ten (10) days thereafter, appeal to the Circuit Court of Lee County, Alabama, upon filing with the Clerk of the Circuit Clerk notice of the appeal and bond for security of costs in the form and amount to be approved by the Circuit Clerk; and

**WHEREAS**, one property owner has appealed the decision of the City Council to the Circuit Clerk and other owners or interested parties may, in the future, file appeals to the Circuit Court; and

**WHEREAS**, the City requires the services of an attorney for the purpose of representing the City in all appeals to the Circuit Court involving the repair, move or demolition of buildings or structures.

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

1. That the City hereby retains the firm of Samford & Denson, LLP to represent the

City in all appeals to the Circuit Court of Lee County, Alabama involving the demolition of unsafe buildings and structures.

2. That as compensation for its services, the City shall pay to Samford & Denson the rate of \$175.00 per hour for legal services plus out-of-pocket expenses.

3. That the Mayor is hereby 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 agreements, notices, or other instruments or communications under the seal of the City or otherwise as he deems necessary or appropriate to carry into effect the intent of this Resolution.

4. 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

## ORDINANCE NO. (ID # 1051)

Ordinance to Amend Chapter 16, Add Article IX, Skateboards, Rollerskates and Coasters

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

Section 1. **Amendment.** That Chapter 16 of the *Code of Ordinances* of the City of Opelika, Alabama, is hereby amended to add a new Article IX entitled “Skateboards, Rollerskates and Coasters” to read as follows:

**ARTICLE IX****SKATEBOARDS, ROLLERSKATES AND COASTERS****SEC. 16-325. DEFINITIONS**

The following words and phrases when used in this article, have the meanings respectively ascribed to them in this section:

(a) **“Business”** means any sole proprietorship, partnership, joint venture, corporation or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other legal entities where legal, medical, dental, engineering, architectural or other professional services are delivered.

(b) **“Coasters”** means a footboard mounted upon two or more wheels and controlled by an upright steering handle. This device is propelled by the user and usually in an upright position.

(c) **“Nonprofit establishment”** means any corporation, unincorporated association or other entity created for charitable, religious, philanthropic, educational, character-building, political, social or other similar purposes, the net proceeds from the operations of which are committed to the promotion of the objects or purposes of the organization and not for private financial gain. A public agency is not a nonprofit establishment within the meaning of this Section.

(d) **“Public Property”** means any property owned, operated or leased by a federal, state or local public entity, including the City of Opelika, Alabama.

(e) **“Rollerskates”** means a pair of shoes, mounted upon two or more wheels and is most often propelled by the user in an upright, standing position or kneeling.

(f) **“Skateboard”** means a footboard mounted upon two or more wheels and is usually propelled by the user who sometimes stands, sits, kneels, or lays upon the device while it is in motion.

## **SEC. 16-326. PROHIBITED AREAS**

It is unlawful for any person to operate or ride upon any skateboard, rollerskates or coaster upon the following prohibited areas:

(a) Any street, alley, sidewalk or publicly owned parking lot in the downtown business district of the City. For purposes of this article, the downtown business district is the area bounded by the following streets: 2<sup>nd</sup> Avenue, 10<sup>th</sup> Street, 6<sup>th</sup> Street and Avenue C.

(b) Any street, alley, sidewalk or publicly or privately owned parking lot in the Tiger Town business district. For purposes of this article, the Tiger Town business district is the area bounded by the following streets: Frederick Road, Gateway Drive, Interstate Drive and Corporate Drive.

(c) Tennis courts on public property.

(d) Any portion of construction projects, whether or not completed, located on public or private property.

(e) Walls, steps, driveways or parking lots on public property, provided that the area is clearly and conspicuously posted by signs stating that “skating and skateboarding prohibited”.

(f) Any private property opened to the public which is specifically hereinafter listed, provided that the area is clearly and conspicuously posted by signs stating that “skating and skateboarding prohibited”.

(1) Parking lots of a shopping center, business or nonprofit establishment.

(2) Driveways of a shopping center, business or nonprofit establishment.

(3) On walls, steps or railings of a shopping center, business or nonprofit establishment.

(4) Sidewalks and pedestrian ways within a shopping center.

#### **SEC. 16-327. GUIDELINES FOR SIGNS**

The following guidelines are provided for any signs required by this Article:

(a) Size. The size of the sign(s) should be no greater than one foot by one foot.

(b) Language. The wording on the sign(s) shall be as follows: “Skating and Skateboarding Prohibited”. The first two words should ordinarily be considerably larger than the remaining part of the message.

(c) Location. The sign(s) should appear at all entrances and around the periphery of the area of prohibition. The spacing of signs should be frequent enough to alert prospective violators but

not so many as to constitute an eyesore. Usually signs should be at least once every sixty feet, but not more often than every thirty feet.

#### **SEC. 16-328. REGULATIONS FOR ROADWAYS.**

It is unlawful for any person to ride in or on a skateboard, rollerskates, rollerblades, coaster or similar device, on or across any road, street or highway in such a manner as to interfere with the movement of vehicles thereon, or in such a way as to create an unreasonable risk of harm to vehicular or pedestrian traffic. The following rules and regulations shall apply to riding or propelling of skateboards or other listed devices on roadways. Skateboards and other listed devices must

- (A) Stop at all stop signs and red signals;
- (B) Yield to all vehicles at yield signs;
- (C) Yield to all pedestrians at marked and unmarked crosswalks;
- (D) Not impede traffic or interfere with the flow of vehicular traffic;
- (E) Yield to approaching vehicles when entering any roadway;
- (F) Not be towed by a motor vehicle at any speed or a bicycle at an unsafe speed;
- (G) Yield bicycle lanes to bicycles and not use bicycle lanes in any manner contrary to the free and open use of those lanes by bicycles;
- (H) Not suddenly leave a curb or other place of safety and travel into the path of a vehicle which is so close as to constitute an immediate hazard;
- (I) Operate the skateboard or other listed device in such a way that endangers or is likely to endanger themselves or others.

#### **SEC. 16-329. REGULATIONS FOR SIDEWALKS.**

When riding a skateboard, rollerskates, rollerblades, coaster or similar device on sidewalks or other areas that are not prohibited, those person(s) riding or propelling such devices shall

- (A) Yield to all other pedestrians;
- (B) Proceed with due care and at a safe speed when in the presence of pedestrians or on any sidewalk where there is the possibility of a pedestrian suddenly emerging onto the sidewalk from a business or residence.

#### **SEC. 16-330. SEIZURE AND FORFEITURE.**

Whenever a law enforcement officer has probable cause to believe that a skateboard, rollerskates, coaster or similar device was used or intended to be used in violation of this article, such skateboard or similar device is subject to seizure and forfeiture. In the event of seizure pursuant to this article, forfeiture shall be deemed complete unless the owner requests a hearing before a municipal judge. At such hearing, the forfeiture shall be ordered upon the City's showing of probable cause as provided herein.

#### **SEC. 16-331. PENALTY FOR VIOLATION AND ENFORCEMENT**

(A) Any person violating any provision of this article shall be guilty of a misdemeanor and shall be punished as follows:

- (1) First offense, fine of \$50.00 and impoundment of device for 10 days
- (2) Second offense, fine of \$100.00 and impoundment of device for 30 days
- (3) Third or subsequent offenses, fine of \$200.00 and impoundment of device for 60 days.

(B) Court magistrates are authorized to accept such fines and adjudicate all offenses in cases where the party receiving a citation wishes to pay a fine without

a court appearance.

(C) Property owners are responsible for posting the signs required by this article, for being willing to sign citations and for assisting with prosecution with citation.

Section 2. **REPEAL OF CONFLICTING PROVISIONS.** All other ordinances or parts thereof which are in conflict with this ordinance and the article hereby adopted are hereby repealed.

Section 3. **SEVERABILITY.** The provisions of this article are severable. If any section, clause, sentence or phrase of this article is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. **CONSTRUCTION.** If any section, paragraph or sentence or word of this Ordinance or the article hereby adopted be declared for any reason to be invalid, it is the intent of the City Council that it would have passed all other portions of this Ordinance and the article hereby adopted independent of the elimination therefrom of such portion that may be declared invalid.

Section 5. **EFFECTIVE DATE.** This Ordinance and the article hereby adopted shall take effect and be enforced immediately upon its adoption, approval and publication as required by law.

Section 6. **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.

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

ATTEST:

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CITY CLERK

TRANSMITTED TO MAYOR on this the \_\_\_\_ day of \_\_\_\_\_, 2015.

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CITY CLERK

ACTION BY MAYOR

APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2015.

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MAYOR

ATTEST:

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CITY CLERK



**City Council**  
200 Main Street  
South City, NY 12345

**SCHEDULED**

**GENERAL BUSINESS (ID # 1038)**

Meeting: 05/05/15 07:00 PM  
Department: Planning  
Category: Annexations  
Prepared By: Marty Ogren  
Initiator: Gerald (Jerry) Kelley  
Sponsors:

DOC ID: 1038

## **Approval of Annexation Petition and Authorize Attorney to Prepare Annexation Ordinance (First Reading)**

Planning has an annexation petition from Carla Gallahan, property owner, to review with CC at the May 5<sup>th</sup> WS. The address of the annexation property is 1070 Lee Road 389 (Cusseta Road). The property is one acre with one single family home. A map and report are attached.

There was no opposition to the annexation request at the April 28<sup>th</sup> Planning Commission meeting. Planning is requesting permission from City Council to send information to the City attorney to prepare an ordinance for annexation. See Planning Commission report and map attached.

## City of Opelika

### Planning Commission Report

**Action Requested:** Annexation

**Property Owner(s):** Carla A. Gallahan

**Location of Property:** 1070 Lee Road 389 (Cusseta Road)

**Current Zoning:** PJ (Planning Jurisdiction)

**Zoning Request:** R-1(Rural District)

**Existing Land Use:** Single Family Residence

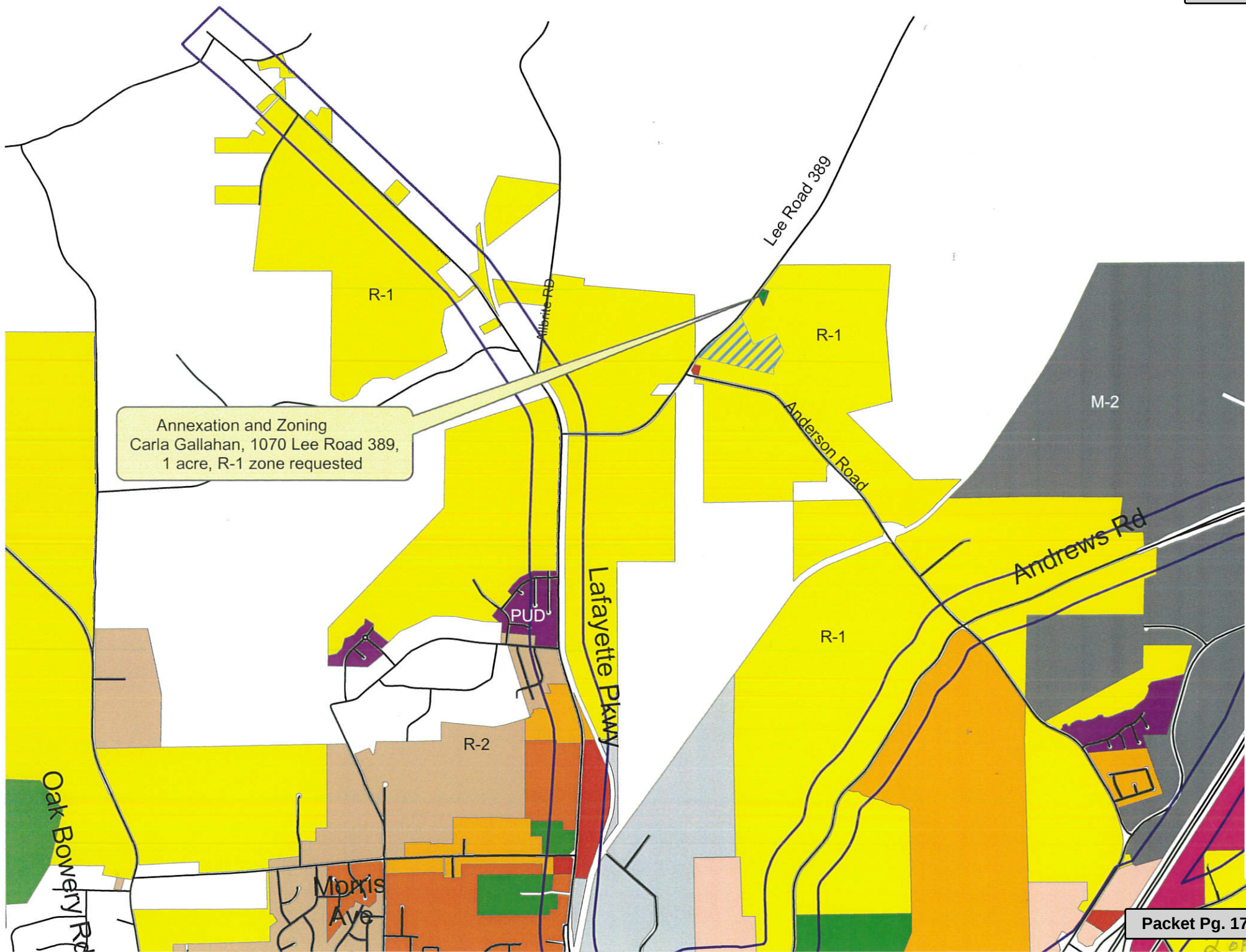
**Adjacent Zoning/Land Use:** N: PJ/Single Family Residence  
S: R-1/Single Family Residence  
E: R-1/Single Family Residence  
W: R-1/Single Family Residence

**Proposal:** The petition speaks for itself; as the applicant, Carla Gallahan, desires to live in Opelika. (Opelika Power Service serves the property.

**Recommendation:** Approve the petition to annex with a R-1 zoning classification and send to City Council.

*At the April 28<sup>th</sup> meeting, the Planning Commission voted to recommend annexation of the property and to zone the property R-1.*

*This is a request to forward information to the City Attorney to prepare an ordinance to annex the 1 acre property and zone the property R-1.*



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

ORDINANCE ASSENTING TO ANNEXATION

WHEREAS, Carla A. Gallahan (hereinafter referred to as the “Petitioner”), heretofore filed with the Clerk of the City of Opelika, Alabama, a municipal corporation, a petition for the annexation into the corporate limits of the property described below; and

WHEREAS, the Petitioner is the owner of all the land described in her petition; and

WHEREAS, the territory to be annexed is contiguous to the existing corporate limits of the City of Opelika and does not embrace any territory within the corporate limits of another municipality, and when annexed into the City of Opelika will form a homogenous part of the City; and

WHEREAS, the City Council of the City of Opelika hereby finds and determines that the public good requires that it would be to the best interest of the City of Opelika that the hereinafter described territory be brought within the city limits of the City of Opelika; and

WHEREAS, the City Council of the City of Opelika herewith adopts this ordinance assenting to the annexation of the territory described below pursuant to the provisions of Section 11-42-20, et seq. of the *Code of Alabama* (1975).

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

Section 1. That the following described territory be annexed into the corporate limits of the City of Opelika, Alabama and the boundary lines and the corporate limits of the City of Opelika shall be extended, altered, and rearranged to include within the corporate limits of the City of Opelika, in addition to the territory now included therein, all the following territory, to-wit:

Commencing at the Northeast corner of Section 20, Township 20 North, Range 27 East, in Lee County, Alabama; thence South 87°30’00” West, 326.30 feet to the Southeasterly R/W line of Lee County road No. 67 (Cusseta Road); thence South 35°10’00” West, along said R/W line, 695.37 feet to the true point of beginning of the parcel of land herein described; thence, leaving said R/W line, South 78°59’38” East, 147.18 feet; thence South 20°15’20” West, 322.24 feet; thence North 24°54’10” West, 250.63 feet to the Southeasterly R/W line of said Lee County Road No. 67; thence North 35°10’00” East, along said R/W line, 126.10 feet to the true point of beginning.

Section 2. That a map or plat of a survey describing the territory annexed and showing its relation to the corporate limits of the City of Opelika shall be attached to this ordinance, marked Exhibit “A” and made a part hereof.

Section 3. That the Clerk of the City of Opelika is hereby authorized and directed to file with the Judge of Probate of Lee County, Alabama, a copy of this ordinance, together with a copy of the petition for annexation and the Clerk is further directed to take all necessary and proper steps to perfect the annexation of this territory herein described.

Section 4. That the annexation of the above-described property is subject to the following conditions:

- (a) In the event a fire tax is being charged against the above-described territory under Section 8, Act No. 89-390, the owners of the property shall pay all such costs.
- (b) The annexed territory shall be subject to all zoning ordinances, subdivision regulations, building codes and other land use laws and regulations of the City of Opelika.

Section 5. That this ordinance shall be published in a newspaper of general circulation in the City of Opelika, Alabama.

Section 6. That this ordinance shall become effective upon adoption and publication as required by law.

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 # 1042)

Authorizing Conveyance of 0.041 Acres from City of Opelika, Alabama, to William C. Davis Charitable Remainder Unitrust (First R/Suspend Rules)

Ordinance Authorizing Conveyance of 0.041 Acres from City of Opelika, Alabama, to William C. Davis Charitable Remainder Unitrust

ORDINANCE AUTHORIZING CONVEYANCE OF 0.041 ACRES FROM CITY OF OPELIKA, ALABAMA, TO WILLIAM C. DAVIS CHARITABLE REMAINDER UNITRUST

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

Section 1. It is hereby established and declared that the following described real property of the City of Opelika, Alabama, is no longer needed for public or municipal purposes, to-wit:

PARCEL A

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a 1/2-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 87°45'14" West for a distance of 431.25 feet set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 47°55'54" West for a distance of 110.03 feet to a computed point and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue North 47°55'54" West for a distance of 59.48 feet to a capped 5/8-inch rebar (McCrory, RLS #12493) set on the southeasterly margin of the right of way of Industrial Boulevard; thence run North 42°42'04" East along said margin of Industrial Boulevard for a distance of 60.42 feet to a 7/8-inch solid steel rod; thence run South 02°16'16" East, 80.22 feet to the point of beginning; containing 0.041 acres, more or less.

This property is further described as Parcel "A" according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

Section 2. That the Mayor and the City Clerk be, and they are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City of Opelika, Alabama, a Warranty Deed, a copy of which is on file in the Office of the City Clerk, whereby the City of Opelika, Alabama, does convey the premises described in Section 1 hereof to William C. Davis, his successors and assigns, as Trustee of the William C. Davis Charitable Remainder Unitrust, dated June 30, 1999, for and in exchange of the conveyance of certain real property by the GRANTEE to the City of Opelika, Alabama.

Section 3. That this ordinance shall become effective immediately upon its adoption and publication as required by law.

Section 4. The City Clerk of the City of Opelika is hereby authorized and directed to cause this ordinance to be published one (1) time in a newspaper published in and of general circulation in the City of Opelika, Alabama.

ADOPTED AND APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2015.

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

ATTEST:

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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. \_\_\_\_\_

ORDINANCE AUTHORIZING CONVEYANCE OF 0.041 ACRES FROM CITY OF OPELIKA, ALABAMA, TO WILLIAM C. DAVIS CHARITABLE REMAINDER UNITRUST

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

Section 1. It is hereby established and declared that the following described real property of the City of Opelika, Alabama, is no longer needed for public or municipal purposes, to-wit:

PARCEL A

Commence at a 2-1/2-inch pipe found at the northeast corner of Section 32, Township 20 North, Range 27 East, in Opelika, Lee County, Alabama; thence run South 89°16'04" West for a distance of 2,642.33 feet to a computed point; thence run South 01°19'13" East for a distance of 465.85 feet to a ½-inch capped rebar (CA0062) found on the southeasterly margin of the right of way of CSX Railway, said point being 75.0 feet southeasterly of at right angles to the centerline of the main track of said railroad; thence run South 01°19'13" East along the easterly line of property of William C. Davis Charitable Remainder Unitrust for a distance of 4,102.41 feet to a set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 87°45'14" West for a distance of 431.25 feet set capped 5/8-inch rebar (McCrory, RLS #12493); thence run North 47°55'54" West for a distance of 110.03 feet to a computed point and the point of beginning of the parcel to be described herein. From said point of beginning, thence continue North 47°55'54" West for a distance of 59.48 feet to a capped 5/8-inch rebar (McCrory, RLS #12493) set on the southeasterly margin of the right of way of Industrial Boulevard; thence run North 42°42'04" East along said margin of Industrial Boulevard for a distance of 60.42 feet to a 7/8-inch solid steel rod; thence run South 02°16'16" East, 80.22 feet to the point of beginning; containing 0.041 acres, more or less.

This property is further described as Parcel "A" according to a survey prepared by James L. McCrory, PLS, a copy of which is marked Exhibit "A" attached hereto and incorporated herein and made a part hereof.

Section 2. That the Mayor and the City Clerk be, and they are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City of Opelika, Alabama, a Warranty Deed, a copy of which is on file in the Office of the City Clerk, whereby the City of Opelika, Alabama, does convey the premises described in Section 1 hereof to William C. Davis, his successors and assigns, as Trustee of the William C. Davis Charitable Remainder Unitrust, dated June 30, 1999, for and in exchange of the conveyance of certain real property by the GRANTEE to the City of Opelika, Alabama.

Section 3. That this ordinance shall become effective immediately upon its adoption and publication as required by law.

Section 4. The City Clerk of the City of Opelika is hereby authorized and directed to cause this ordinance to be published one (1) time in a newspaper published in and of general circulation in the City of Opelika, Alabama.

ADOPTED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

Attachment: ORDINANCE to convey property 042015 (1042 : Authorizing Conveyance of 0.41 Acres from City (First R/Susp Rules))

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

Attachment: ORDINANCE to convey property 042015 (1042 : Authorizing Conveyance of 0.41 Acres from City (First R/Susp Rules))