



OPELIKA CITY COUNCIL
“ REGULAR MEETING MINUTES “
204 South 7th Street
September 4, 2018
TIME: 7:00 PM

1. Call to Order

President Smith call the council meeting to order at 7:00 pm and asked Mr. Shuman to call the role.

2. Roll Call

All city council members were present.

1. Patricia Jones, Tiffany Gibson-Pitts, Dozier Smith T, David Canon, Eddie Smith

3. Invocation

Mr. Bill White gave the invocation.

1. Mr. Bill White from First Presbyterian Church.

4. Pledge of Allegiance

Hollins and Grant lead the Pledge of Allegiance.

1. Hollins Speakman and Grant Speigner from Southview Primary.

5. Reading of Minutes

1. Minutes for the 8-21-18 City Council Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patricia Jones, President Pro-Tem
SECONDER:	Tiffany Gibson-Pitts, Council Member
AYES:	Jones, Gibson-Pitts, Smith T, Canon, Smith

6. Unfinished Business

7. Remarks By the Mayor

Mayor Fuller handed out to the council members a report from Lillie Finley detailing the activity of the City's Code Enforcement division year to date.

1. Recognize the Swim Team for wining the Alabama State Chapionship.
Mayor Fuller recognized the Swim Team coaches and team members for winning the Alabama State Championship.
2. Recognize the Dixie Boys baseball team for winning the Alabama State Championship.
Mayor Fuller recognized the Dixie Boys baseball coaches and team members for winning the Alabama State Championship.

8. Citizen Communications

(Limit comments to five minutes or less)

Maurice Ward thanked the Mayor and City Council for giving him more time to renovate his house.

9. Report of Disbursements

10. Committee Reports

11. General Business
1. Request from Main Street, on the Tracks & Christmas in a RR Town.
RESULT: APPROVED [UNANIMOUS]
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
 2. El Rodeo Mexican Restaurant Request a Restaurant Retail Liquor and On-Premise Beer License.
RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
 3. Public Hearing-Weed Abatement Assessment, Parcel# 017.000 Williamson Ave
President Smith opened the public hearing asking if there was anyone present that would like to speak for or against the weed abatement assessment at Parcel no. 017 Williams Avenue. No one came forward to speak. President Smith closed the public hearing.
 4. Public Hearing - Weed Abatement Assessment, Parcel# 034.000 Orr Ave
President Smith opened the public hearing asking if there was anyone present that would like to speak for or against the weed abatement assessment at Parcel no. 034 Orr Avenue. No one came forward to speak. President Smith closed the public hearing.
12. Awarding of Bids
13. Resolutions
1. Resolution 196-18 Expense Report.
RESULT: APPROVED [UNANIMOUS]
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
 2. Resolution 197-18 Designate City Personal Property Surplus and Authorize Disposal
RESULT: APPROVED [UNANIMOUS]
MOVER: Dozier Smith T, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
 3. Resolution 198-18 Weed Abatement Assessment - Parcel# 017.000 Williamson Ave
RESULT: APPROVED [UNANIMOUS]
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
 4. Resolution 199-18 Weed Abatement Assessment - Parcel# 034.000 Orr Ave
RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
 5. Resolution 200-18 Set Date for Public Hearing to Fix Assessment of Demolition - 207 Raintree Street.

- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Dozier Smith T, Council Member |
| | SECONDER: | Tiffany Gibson-Pitts, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
6. Resolution 201-18 Set Date for Public Hearing to Fix Assessment of Demolition - 1106 Magnolia St.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Patricia Jones, President Pro-Tem |
| | SECONDER: | David Canon, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
7. Resolution 202-18 Contract with AU for Game Day Services - OPD.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Tiffany Gibson-Pitts, Council Member |
| | SECONDER: | Patricia Jones, President Pro-Tem |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
8. Resolution 203-18 Annual Renewal of the Excess Loss Insurance Contract - H/R.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Dozier Smith T, Council Member |
| | SECONDER: | David Canon, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
9. Resolution 204-18 Approval of the FY2019 City Budget.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Tiffany Gibson-Pitts, Council Member |
| | SECONDER: | David Canon, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
10. Resolution 205-18 Head Swim Coach Job Classification
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Dozier Smith T, Council Member |
| | SECONDER: | Patricia Jones, President Pro-Tem |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
11. Resolution 206-18 Head Swim Coach Employment Contract
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Patricia Jones, President Pro-Tem |
| | SECONDER: | Dozier Smith T, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
12. Resolution 207-18 Amend Organizational Chart of P&R - Building Service Worker.
- | | | |
|--|------------------|--|
| | RESULT: | APPROVED [UNANIMOUS] |
| | MOVER: | Tiffany Gibson-Pitts, Council Member |
| | SECONDER: | David Canon, Council Member |
| | AYES: | Jones, Gibson-Pitts, Smith T, Canon, Smith |
13. Resolution 208-18 Add Fitness Trainer Job Classification

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Dozier Smith T, Council Member
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

14. Resolution 209-18 Add ADA Compliance Officer Job Classification

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

15. Resolution 210-18 Add New Assistant Police Chief Job Classification

RESULT: **APPROVED [UNANIMOUS]**
MOVER: David Canon, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

14. Ordinances

1. Ordinance 016-18-ORD East Central Alabama Highway Safety Office Lease - 2Nd Reading.

RESULT: **SECOND READING AND APPROVED [UNANIMOUS]**
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

2. Ordinance Annexation of Property at 465 Lee Road 174 - 2Nd Reading.
This ordinance was introduced by Mr. Canon.

RESULT: **FIRST READING INTRODUCED**

15. Appointments

16. Adjourn

The City Council meeting minutes of September 4, 2018 are hereby adopted and approved this the 18th day of September , 2018.

/s/ Eddie Smith

President of City Council

City of Opelika, Alabama

ATTEST:

/s/ R. G. Shuman

R. G. "Bob" Shuman, CMC

City Clerk - Treasurer

1. Motion to adjourn
The council meeting ended at 7:35 pm.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith



City Council
204 South 7Th Street
Opelika, AL

ADOPTED

CM MINUTES (ID # 3006)

Meeting: 09/04/18 07:00 PM
Department: City Clerk
Category: CM Minutes
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:

DOC ID: 3006

Minutes for the 8-21-18 City Council Meeting.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith



OPELIKA CITY COUNCIL

“ REGULAR MEETING MINUTES “

204 South 7th Street

August 21, 2018

TIME: 7:00 PM

1. Call to Order

President Smith called the council meeting to order at 7:00 pm and asked Mr. Shuman to call the roll.

2. Roll Call

All council members were present.

1. Patricia Jones, Tiffany Gibson-Pitts, Dozier Smith T, David Canon, Eddie Smith

3. Invocation

Ms. Clark gave the invocation.

1. Mattie Clark will provide the invocation.

4. Pledge of Allegiance

Dylan and Atticus lead the Pledge of Allegiance.

1. Dylan McKenzie from Pack 858 and Atticus O'Banner from Troop 858.

5. Reading of Minutes

1. Minutes from the 8-07-18 city council meeting.

RESULT: APPROVED [UNANIMOUS]

MOVER: Patricia Jones, President Pro-Tem

SECONDER: Dozier Smith T, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

6. Unfinished Business

7. Remarks By the Mayor

Mayor Fuller recognized Leigh Krehling for the great job she did in leading another successful United Way campaign for the City and raising over \$32,000, a new record.

1. City Financial Statements - July 2018.

Mayor Fuller passed out copies of the City's financial statements for July 2018 to each council member for their review and/or questions.

2. July 2018 Monthly Building Reports

Mayor Fuller called on Joey Motley, City Administrator, to provide a summary of the City's July 2018 Building permit report.

3. Donation of property for "The Henry and Roslyn Stern Community Park".

Mayor Fuller recognized Ginger and Jay Stern for their very generous donation of land for a new City park to be named in honor of Henry and Roslyn Stern.

4. Donation by the OHA to the Opelika Mobile Wellness Clinic.

Mayor Fuller recognized the Opelika Housing Authority board members and the Executive Director for their donation of \$60,000 towards the renovation of a bus that will become the Mobile Wellness Clinic.

5. Police Officer of the Quarter - Sgt. Craig Vickers.

Mayor Fuller and Chief John McEachern recognized Sgt. Vickers for being selected the Police Officer of the Quarter.

6. Introduce the 2018-2019 class of 20 Under 40.

Mayor Fuller and Pam Powers Smith, Chamber President, recognized each member of the 2018-19 class of 20 Under 40.

8. Citizen Communications

(Limit comments to five minutes or less)

William Leonard said he lives on Morris Avenue and there are logging truck and noisy truck break problems that should be stopped. We want the police to issue tickets. We do not want large commercial trucks on Morris Avenue, Oakbowery and Veterans Parkway. Thanks for your assistance.

Joseph Smith said he chose to retire in Opelika because it is friendly loving community with good people. I am retired military and have lived all over the world and seen the hate and evil that exist. I am concerned about the large commercial trucks on Morris Avenue. Let's keep Opelika the wonderful City that it is. Thank you.

9. Report of Disbursements

10. Committee Reports

11. General Business

1. Public Hearing - Weed Abatement Assessment - Parcel # 072 Bay Ct.

President Smith opened the public hearing and asked if there was anyone present that would like to speak for or against said weed assessment. No one came forward to speak. President Smith closed the public hearing.

2. Public Hearing - Weed Abatement Assessment - 205 Vero Ct.

President Smith opened the public hearing and asked if there was anyone present that would like to speak for or against said weed assessment. No one came forward to speak. President Smith closed the public hearing.

3. Public Hearing - Weed Abatement Assessment - 810 Williamson Ave

President Smith opened the public hearing and asked if there was anyone present that would like to speak for or against said weed assessment. No one came forward to speak. President Smith closed the public hearing.

4. Public Hearing - Weed Abatement Assessment - 814 Donald Ave

President Smith opened the public hearing and asked if there was anyone present that would like to speak for or against said weed assessment. No one came forward to speak. President Smith closed the public hearing.

12. Awarding of Bids

13. Resolutions

1. Resolution 184-18 Designate City Personal Property Surplus and Authorize Disposal

RESULT: APPROVED [UNANIMOUS]

MOVER: Tiffany Gibson-Pitts, Council Member

SECONDER: David Canon, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

2. Resolution 185-18 Purchase - Street Lights with Cameras - IT

- RESULT:** APPROVED [UNANIMOUS]
MOVER: Dozier Smith T, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
3. Resolution 186-18 Weed Abatement Assessment - Parcel# .072 Bay Ct.
RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
4. Resolution 187-18 Weed Abatement Assessment - 205 Vero Ct.
RESULT: APPROVED [UNANIMOUS]
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
5. Resolution 188-18 Weed Abatement Assessment - 810 Williamson Ave
RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
6. Resolution 189-18 Weed Abatement Assessment - 814 Donald Ave
RESULT: APPROVED [UNANIMOUS]
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
7. Resolution 190-18 Service Agreement for Grant Writer
RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
8. Resolution 191-18 Lease Agreement with Heritage Baptist Church
RESULT: APPROVED [UNANIMOUS]
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
9. Resolution 192-18 Conveyance of Property to the City for a new Park.
 Ms. Pitts said she loved her art teacher Roslyn Stern and thanked Jay and Ginger Stern for their donation of property for a new city park.
 President Smith, on behalf of the City Council, thanked Jay and Ginger for their generous donation to the City.
RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
10. Resolution 193-18 Agreement with Constantine Engineering, PW

RESULT: APPROVED [UNANIMOUS]
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

11. Resolution 194-18 Change Order, CAM Builders, LLC, Fire Station

RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

12. Resolution 195-18 Amendment with IcoTech Extended Warranty (OPS)

RESULT: APPROVED [UNANIMOUS]
MOVER: Dozier Smith T, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

14. Ordinances

1. Ordinance 013-18-ORD Amend City Code, Chapter 10 Subsection 10-57 (G), lawn care services - 2ND Reading

RESULT: SECOND READING AND APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

2. Ordinance 014-18-ORD Amend City Code, Chapter 14, Door to Door Solicitation - 2ND Reading.

RESULT: SECOND READING AND APPROVED [UNANIMOUS]
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

3. Ordinance 015-18-ORD Adjust compensation of Mayor & City Council. Effective November 2, 2020 - 2ND Reading.

RESULT: SECOND READING AND APPROVED [UNANIMOUS]
MOVER: Dozier Smith T, Council Member
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

4. Ordinance East Central Alabama Highway Safety Office Lease - 1St Reading.
 Ms. Jones introduced this ordinance.

RESULT: FIRST READING INTRODUCED

15. Appointments

16. Adjourn

The City Council meeting minutes of August 21, 2018 are hereby adopted and approved this the ____ day of _____, 2018.

/s/

 President of City Council
 City of Opelika, Alabama

ATTEST:

/s/

R. G. "Bob" Shuman, CMC

City Clerk - Treasurer

1. Motion to adjourn.

The council meeting ended at 7:54 pm.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Patricia Jones, President Pro-Tem

SECONDER: Dozier Smith T, Council Member

AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith



City Council
204 South 7Th Street
Opelika, AL

ADOPTED

Meeting: 09/04/18 07:00 PM
Department: City Clerk
Category: Request / Temp Street Closure
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:

GENERAL BUSINESS (ID # 3012)

DOC ID: 3012

Request from Main Street, on the Tracks & Christmas in a RR Town.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tiffany Gibson-Pitts, Council Member
SECONDER:	Dozier Smith T, Council Member
AYES:	Jones, Gibson-Pitts, Smith T, Canon, Smith



Rec
8/28/19

TO: Opelika City Council
FROM: Opelika Main Street, Dana Gafford
RE: Street Closure Request

Please find below requests for events in the downtown area for the second half of 2018.

Thank you for your co-operation in handling these simultaneously

On The Tracks - This event is Friday, October 19, 2018 - 6-11p. The request is to block South Railroad Avenue between 8th Street and 9th Street. 8th Street between South Railroad and Avenue A and 9th Street between S. Railroad and Avenue A. We will begin blocking off and clearing cars from these areas starting around 4:30. They will remain blocked until 9 PM. This is our semi-annual wine trail event. We will have ticket booths and food vendors set up in these areas.

Christmas In A Railroad Town: This event is Friday, December 7, 2018 - 6-9p. The request is to block South Railroad Avenue between 9th Street and 7th Street. This area will need to be closed from 2:00 PM to 9:00 PM. We would also like to request closure of 8th Street from Railroad Avenue to Avenue A. This area will need to be closed from 5:00 PM until 9:00 PM. This is our annual Christmas event. We will have a train, bands, children's activities and vendors in the closed areas.

Thank you for your consideration

Dana Gafford



City Council
204 South 7Th Street
Opelika, AL

ADOPTED

Meeting: 09/04/18 07:00 PM
Department: Purchasing and Revenue
Category: Business & Alcohol License
Prepared By: Martha Wright

Initiator: Lillie Finley
Sponsors:

GENERAL BUSINESS (ID # 3010)

DOC ID: 3010

El Rodeo Mexican Restaurant Request a Restaurant Retail Liquor and On-Premise Beer License.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Canon, Council Member
SECONDER:	Dozier Smith T, Council Member
AYES:	Jones, Gibson-Pitts, Smith T, Canon, Smith

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 2994)**

Meeting: 09/04/18 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: Jerry Bush

Initiator: Lillie Finley

Sponsors:

DOC ID: 2994

Public Hearing-Weed Abatement Assessment, Parcel# 017.000 Williamson Ave

COMMENTS - Current Meeting:

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against the weed abatement assessment at Parcel no. 017 Williams Avenue. No one came forward to speak. President Smith closed the public hearing.

To: Tree Designation LLC
 226 Ashton Ln
 Auburn AL. 36830

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 Williamson Avenue, Parcel 10-04-19-1-000-017.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at Williamson Avenue, Parcel No. 017.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$123.06.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama, on the 4th day of September, 2018.

You are further notified that the cost of abating such nuisance, if confirmed by the City Council, shall constitute a weed lien on said property and shall be turned over to the Revenue Commissioner of Lee County, Alabama to add the amount of such weed lien to the next regular bill of taxes levied against said property.

Dated this the 24th day of August, 2018.

 Jerry Bush
 Code Compliance Officer

Cc: Joey Motley – City Administrator
 Lillie Finley – Purchasing-Revenue Manager
 Guy. F. Gunter, III – City Attorney

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 2996)**

Meeting: 09/04/18 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: Jerry Bush

Initiator: Lillie Finley

Sponsors:

DOC ID: 2996

Public Hearing - Weed Abatement Assessment, Parcel# 034.000 Orr Ave

COMMENTS - Current Meeting:

President Smith opened the public hearing asking if there was anyone present that would like to speak for or against the weed abatement assessment at Parcel no. 034 Orr Avenue. No one came forward to speak. President Smith closed the public hearing.

WEED ABATEMENT INVOICE**Date: 08/24/2018****To: Tree Designation LLC
226 Ashton Ln
Auburn, Al. 36830****Property Address:
Orr Avenue
Opelika Al. 36801
Parcel # 10-04-19-1-000-034.000**

On July 27, 2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement:	<u>127.50</u>
Certified mail:	<u>6.67</u>
Misc.	<u> </u>
Total	<u>134.17</u>

Attachment: WEED INVOICE Orr Ave (2996 : Public Hearing - Weed Abatement Assessment, Parcel# 034.000 Orr Ave)

To: Tree Designation LLC
 226 Ashton Ln
 Auburn Al. 36830

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 Orr Avenue Parcel 10-04-19-1-000-034.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at Orr Avenue, Parcel No. 034.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$134.17.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama, on the 4th day of September, 2018.

You are further notified that the cost of abating such nuisance, if confirmed by the City Council, shall constitute a weed lien on said property and shall be turned over to the Revenue Commissioner of Lee County, Alabama to add the amount of such weed lien to the next regular bill of taxes levied against said property.

Dated this the 24th day of August, 2018.

 Jerry Bush
 Code Compliance Officer

Cc: Joey Motley – City Administrator
 Lillie Finley – Purchasing-Revenue Manager
 Guy. F. Gunter, III – City Attorney

Attachment: Weeds, NPH-Resolution, Orr Ave (2996 : Public Hearing - Weed Abatement Assessment, Parcel# 034.000 Orr Ave)

RESOLUTION NO. 196-18

Expense Report.**RESOLUTION NO. _____**

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

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

Employee	Department	\$ Amount
-----	-----	-----
Leigh Krehling	Community Relations	534.71

-) 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.
- 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(s) can be prepared covering the attached expense report(s).
- 5) That the City Treasurer is authorized to sign said check(s) so it can be delivered to the appropriate City employee or official.

ADOPTED and APPROVED this the ____ day of _____, 2018.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - City Treasurer

NAME

Name Leigh Krehling

DEPARTMENT

Department Community Relations - 1160

EXPENSE REPORT
PERIOD ENDING 13.1.a

DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS			ENTERTAINMENT Itemize Below	MISC. EXPENSES Itemize Below	DAILY TOTAL
			AIR RAIL, ETC	RENTAL CAR LIMO ETC.	LOGAL TAX, TOLLS & PUB- LIC TRANSIT	AUTO EXPENSES Itemize Below	BREAKFAST	LUNCH	DINNER			
SUN						11.99						11.
MON						8.18					2.50	10.
TUE							9.00					9.
WED	from sheraton sand key hotel to OPD					255.61						255.
THU												0.
FRI												0.
SAT	from OPD to sheraton sand key hotel					247.43						247.
WEEKLY CATEGORY TOTALS \$		0.00	0.00	0.00	0.00	523.21	9.00	0.00	0.00	0.00	2.50	534.

WEEKLY TOTAL EXPENSES

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

NUMBER OF DAYS AWAY FROM HOME

5 (August 25-29)

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

NATURE OR PURPOSE OF TRAVEL

National Information Officers Association - PIO
training

METHOD OF REIMBURSEMENT

DEDUCT FROM
MY ADVANCE

MAIL: TO

ITEMIZED AUTOMOBILE EXPENSES		
DATE	MILEAGE, GAS, PARKING REPAIRS, ETC.	AMOUNT
8/25/18	to clearwater - 454 miles	247.43
8/26/18	to dinner and back - 22 miles	11.99
8/27/18	to dinner and back - 15 miles	8.18
8/29/18	to breakfast and back - 15 miles	8.18
8/29/18g	to OPD - 454 miles	247.43

ITEMIZED MISCELLANEOUS EXPENSES		
DATE	ITEMS	AMOUNT
8/27/18	parking	2.50

Agree To P.O.

Extra Verified

Footing Verified

Inv. Price Eto Price

Ok To Pay

A/C # Verified

Leigh Krehling

Community Relations

SIGNATURE

APPROVED BY

RESOLUTION NO. 197-18

Designate City Personal Property Surplus and Authorize Disposal**RESOLUTION NO. _____**

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

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

NOW, THEREFORE, BE IT RESOLVED by the City 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	Lot	Getac Vehicle Docks	N/A
2.	1	Ea.	Ricoh Plotter	87002767

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 _____, 2018.

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

ATTEST:

Robert G. Shuman
City Clerk - Treasurer

RESOLUTION NO. 198-18

Weed Abatement Assessment - Parcel# 017.000 Williamson Ave

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
Williamson Avenue, Parcel No. 017.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at Williamson Avenue, parcel no. 017.000 has been removed as provided for and required by law: and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at Williamson Avenue, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 4th day of September, 2018 at 7:00 p.m. in the City Council Chambers in the

Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City

Council to hear and determine any objections or defenses which may be raised by any of the property

owners liable to be assessed for the work of abating said weed nuisance; and

WHEREAS, a copy of the itemized statement of expenses, together with the notice of the time when said statement shall be submitted to the City Council for confirmation, was sent to the property owner by certified mail at least five (5) days in advance of the time fixed by the City Council to consider the assessment of the cost against the property; and

WHEREAS, the Council met at the designated time and place for the purpose of receiving and

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

WHEREAS, the President of the City Council presided over said public hearing and opened the

floor for comments from the public and any persons interested in said assessment or the amount thereof;

and

WHEREAS, the City Council has considered all evidence and other matters in relation to the

proposed assessment and the members of the Council are of the opinion that the amount to be assessed

against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

follows:

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$123.06 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: Williamson Avenue, Parcel no. 017.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-04-19-1-000-017.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner

shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

This Resolution and the weed lien assessed herein are adopted pursuant to Act No. 2012-366 of the 2012 Regular Session of the Legislature of Alabama and Article III of Chapter 18 of the Code of Ordinances of the City of Opelika, Alabama.

ADOPTED AND APPROVED this the 4th day of September, 2018.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE**Date: 08/24/2018****To: Tree Designation LLC
226 Ashton Ln
Auburn AL. 36830****Property Address:
Williamson Avenue
Opelika AL. 36801****Parcel # 10-04-19-1-000-017.000**

On July 27, 2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement: 116.39

Certified mail: 6.67

Misc.

Total 123.06

Attachment: WEED INVOICE Williamson Ave (198-18 : Weed Abatement Assessment - Parcel# 017.000 Williamson Ave)

RESOLUTION NO. 199-18

Weed Abatement Assessment - Parcel# 034.000 Orr Ave

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
Orr Avenue, Parcel No. 034.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at Orr Avenue, parcel no. 034.000 has been removed as provided for and required by law: and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at Orr Avenue, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 4th day of September, 2018 at 7:00 p.m. in the City Council Chambers in the Municipal Building of Opelika, Alabama was the date, time and place heretofore established by the City Council to hear and determine any objections or defenses which may be raised by any of the property owners liable to be assessed for the work of abating said weed nuisance; and

WHEREAS, a copy of the itemized statement of expenses, together with the notice of the time when said statement shall be submitted to the City Council for confirmation, was sent to the property owner by certified mail at least five (5) days in advance of the time fixed by the City Council to consider the assessment of the cost against the property; and

WHEREAS, the Council met at the designated time and place for the purpose of

receiving and

considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

WHEREAS, the President of the City Council presided over said public hearing and opened the

floor for comments from the public and any persons interested in said assessment or the amount thereof;

and

WHEREAS, the City Council has considered all evidence and other matters in relation to the

proposed assessment and the members of the Council are of the opinion that the amount to be assessed

against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

follows:

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$134.17 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: Orr Avenue, Parcel no. 034.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-04-19-1-000-034.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the property and

shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

This Resolution and the weed lien assessed herein are adopted pursuant to Act No. 2012-366 of the 2012 Regular Session of the Legislature of Alabama and Article III of Chapter 18 of the Code of Ordinances of the City of Opelika, Alabama.

ADOPTED AND APPROVED this the 4th day of September, 2018.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 08/24/2018

To: Tree Designation LLC
226 Ashton Ln
Auburn, Al. 36830

Property Address:
Orr Avenue
Opelika Al. 36801
Parcel # 10-04-19-1-000-034.000

On July 27, 2018 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

The following is a list of charges that City of Opelika incurred for the abatement:

Cost of Abatement: 127.50

Certified mail: 6.67

Misc. _____

Total	<u>134.17</u>
-------	---------------

Attachment: WEED INVOICE Orr Ave (199-18 : Weed Abatement Assessment - Parcel# 034,000 Orr Ave)

RESOLUTION NO. 200-18

Set Date for Public Hearing to Fix Assessment of Demolition - 207 Raintree Street.

RESOLUTION NO. _____

WHEREAS, it has been made known to the City Council of the City of Opelika, Alabama, that the building or structure located at 207 Raintree Street, Opelika, Alabama, has been demolished and removed as provided for by Resolution No. 076-18 and that the Building Official has submitted to the City Council a report showing the costs reasonably incurred in the demolition and removal of such building or structure.

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

1. The City Council of the City of Opelika, Alabama, shall meet in the Council Chambers of the Municipal Building of the City of Opelika at 7:00 p.m. on the 2nd day of October, 2018, to hear and determine any objections or defenses that might be filed to the fixing of costs and the assessment of said costs against the property.

2. That the City Clerk be and he is hereby authorized and directed to give notice of the aforesaid meeting as provided and required by law.

ADOPTED AND APPROVED this the _____ day of _____ 2018.

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

ATTEST:

CITY CLERK

Cost Assessment Worksheet

Address	Costs
<u>207 Raintree Street</u>	
Title Search	\$69.00
Lis Pendens	\$14.00
Release of Lis Pendens	\$8.00
Certified Letters	\$6.70
Certified Letters/Bob Shuman	\$13.40
Demolition Cost	\$6,275.00
Total	\$6,386.10

NOTICE OF HEARING TO FIX THE AMOUNT OF ASSESSMENT
FOR THE REMOVAL OF THE BUILDING LOCATED AT
207 RAINTREE STREET

Jeffery Layne Preston
1201 Auburn Street
Opelika, AL 36801

NOTICE is hereby given that the building or structure located at 207 Raintree Street, Opelika, Alabama has been demolished and removed as authorized and provided for by Resolution No. 076-18. The property upon which said building or structure was located is more particularly described as follows:

Lot Number Two (2) in Block Four (4), according to and as shown on the plat of the subdivision of the Palmer Property, which plat is of record in Town Plat Book 2 at Page 11 in the Office of the Judge of Probate of Lee County, Alabama; together with any and all improvements thereon and all appurtenances thereunto appertaining.

Also being further described as Parcel Number 43-10-03-08-2-001-121.000, according to records maintained in the Lee County Revenue Commissioner's Office.

NOTICE is also given that the Building Official has caused to be prepared and submitted to the City Council a report showing all costs incurred in the demolition and removal of said building or structure. Said report has been delivered to the City Clerk of the City of Opelika and is now open for inspection in the Office of the City Clerk of the City of Opelika in the Municipal Building of the City of Opelika, Alabama.

NOTICE is also given that the City Council of the City of Opelika will meet on Tuesday, October 2, 2018, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama to hear and determine any objections or defenses that might be filed to the fixing of costs by the City Council which it finds were reasonably incurred in the

demolition and removal of said building or structure. The amount of said costs, as determined by the City Council, shall constitute a special assessment against the land upon which the building or structure was located, and shall constitute a lien on said property for the amount of the assessment. The lien shall be superior to all other liens on the property except prior recorded mortgages and other prior recorded security interests and liens for taxes and shall continue in force until paid.

This Notice is given under my hand on this the ____ day of _____, 2018.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

RESOLUTION NO. 201-18

Set Date for Public Hearing to Fix Assessment of Demolition - 1106 Magnolia St.

RESOLUTION NO. _____

WHEREAS, it has been made known to the City Council of the City of Opelika, Alabama, that the building or structure located at 1106 Magnolia Street, Opelika, Alabama, has been demolished and removed as provided for by Resolution No. 026-18 and that the Building Official has submitted to the City Council a report showing the costs reasonably incurred in the demolition and removal of such building or structure.

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

1. The City Council of the City of Opelika, Alabama, shall meet in the Council Chambers of the Municipal Building of the City of Opelika at 7:00 p.m. on the 2nd day of October, 2018, to hear and determine any objections or defenses that might be filed to the fixing of costs and the assessment of said costs against the property.

2. That the City Clerk be and he is hereby authorized and directed to give notice of the aforesaid meeting as provided and required by law.

ADOPTED AND APPROVED this the _____ day of _____ 2018.

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

ATTEST:

CITY CLERK

Cost Assessment Worksheet

Address	Costs
<u>1106 Magnolia Street</u>	
Title Search	\$68.00
Lis Pendens	\$14.00
Release of Lis Pendens	\$8.00
Certified Letters	\$6.70
Certified Letters/Bob Shuman	\$13.40
Demolition Cost	\$6,425.00
Total	\$6,535.10

NOTICE OF HEARING TO FIX THE AMOUNT OF ASSESSMENT
FOR THE REMOVAL OF THE BUILDING LOCATED AT
1106 MAGNOLIA STREET

Jeffery Layne Preston
1201 Auburn Street
Opelika, AL 36801

NOTICE is hereby given that the building or structure located at 1106 Magnolia Street, Opelika, Alabama has been demolished and removed as authorized and provided for by Resolution No. 026-18. The property upon which said building or structure was located is more particularly described as follows:

Commencing at the intersection of the Southeasterly margin of Lake Street, with the Southwesterly margin of Magnolia Street in the City of Opelika, Alabama, and run thence South 32 degrees 12 minutes East, along the Southwesterly margin of Magnolia Street, 146 feet to the point of beginning of the lot here to be described and conveyed; from said point of beginning, continue South 32 degrees 12 minutes East, along the Southwesterly margin of Magnolia Street, 65 feet to the North edge of a culvert; run thence South 3 degrees 59 minutes West, along the West bank of a stream, 60 feet; run thence North 72 degrees 58 minutes West, 63 feet to a fence; run thence North 14 degrees 26 minutes East, along said fence, 110 feet to the point of beginning; together with all improvements thereon.

Also being further described as Parcel Number 43-10-04-18-2-001-038.001, according to records maintained in the Lee County Revenue Commissioner's Office.

NOTICE is also given that the Building Official has caused to be prepared and submitted to the City Council a report showing all costs incurred in the demolition and removal of said building or structure. Said report has been delivered to the City Clerk of the City of Opelika and is now open for inspection in the Office of the City Clerk of the City of Opelika in the Municipal Building of the City of Opelika, Alabama.

NOTICE is also given that the City Council of the City of Opelika will meet on Tuesday, October 2, 2018, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Alabama to hear and determine any objections or defenses that might be filed to the fixing of costs by the City Council which it finds were reasonably incurred in the demolition and removal of said building or structure. The amount of said costs, as determined by the City Council, shall constitute a special assessment against the land upon which the building or structure was located, and shall constitute a lien on said property for the amount of the assessment. The lien shall be superior to all other liens on the property except prior recorded mortgages and other prior recorded security interests and liens for taxes and shall continue in force until paid.

This Notice is given under my hand on this the ____ day of _____, 2018.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

RESOLUTION NO. 202-18

Contract with AU for Game Day Servcies - OPD.**RESOLUTION NO. _____**

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

- 1) That historically the Opelika Police department provides officers to Auburn University and the City of Auburn to work special events on campus.
- 2) That the attached PROFESSIONAL SERVICES CONTRACT to be entered into between the City of Auburn/Auburn University and the City of Opelika is hereby approved, authorized, ratified and confirmed.
- 3) That the Mayor is hereby authorized and directed to execute and deliver said contract for and in the name of the City of Opelika.

APPROVED and ADDOPTED this the _____ day of _____, 2018.

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

ATTEST:

R. G. 'Bob' Shuman, CMC
City Clerk-Treasurer

**Auburn Game Day Law Enforcement Corporation
Professional Services Contract**

This Professional Services Contract (the "Agreement") made and entered into on this the 27th day of August, 2018, by and between The Auburn Game Day Law Enforcement Corporation, an Alabama corporation (the "Company"), the City of Auburn, Alabama, a municipal corporation (the "City") and City of Opelika/Opelika Police Department (Assisting Agency).

The parties hereby state and agree as follows:

1. The City has entered into a Professional Services Contract with Auburn University (the "University") whereby the City agrees to provide Law Enforcement Officers; Fire; Communications and Judicial personnel with the City as well as assisting agencies to provide security and traffic direction for University athletic and other special events.
2. The City and the Company have entered into a Professional Services Contract whereby the Company agrees to assist the City in providing personnel from assisting agencies.
4. The Assisting Agency, acting in support of the City's Public Safety Department/Police Division, shall provide support services to include, but not limited to crowd control, traffic direction, and security at Auburn University campus locations during major sporting events and/or special events.
5. The Assisting Agency shall render the above services under the direction and supervision of the City of Auburn Police Chief or his/her designee.
6. The Assisting Agency shall provide the above services during the time period from August 1, 2018 to July 31, 2019.
7. The Assisting Agency will be compensated by the City on behalf of the Company for the above services at the following rates: Assignment: Stadium - \$35.00; Traffic - \$35.00; Supervisor - \$38.00.
8. The Assisting Agency will receive compensation for services provided within ten working days of the receipt of an approved invoice.
9. The Assisting Agency **will not** be compensated for travel expenses.
10. The Company shall secure and provide to Assisting Agency's employees Workers Compensation Insurance.
11. The Assisting Agency agrees to comply with all applicable Federal and State laws and regulations in the performance of this Contract. Assisting Agency represents that it is an Equal Opportunity Employer and does not discriminate on the grounds of disability, age, race, color, religion, sex, national origin, veteran status, genetic information or any other classification protected by Federal and/or Alabama state constitutional and/or statutory law.

RESOLUTION NO. 203-18

Annual Renewal of the Excess Loss Insurance Contract - H/R.

RESOLUTION NO. _____

ANNUAL EXCESS LOSS INSURANCE CONTRACT
WITH LLOYDS INSURANCE COMPANY

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

1. That the Mayor is hereby authorized and directed to contract with Lloyds Insurance Company to procure Excess Loss insurance coverage as detailed in Attachment "A".
2. That monthly Excess Loss insurance premiums are to be paid to Cobbs Allen & Hall, Inc., the City's insurance Broker. The premiums paid to A Cobbs Allen & Hall, Inc., will also include a monthly commission fee of \$2,500.00.
3. That the Mayor and other appropriate officers of the City of Opelika are hereby authorized and directed to execute and deliver in name and on behalf of the City of Opelika such agreements, instruments and certificates as shall be required for the procurement of said policy and coverage.
4. That the Mayor and the City Treasurer are hereby authorized and directed to pay from budgeted funds for all premiums for said insurance and coverage.
5. That the Controller is authorized to adjust the 2018-19 Budget as necessary for the insurance contract approved by this resolution.

APPROVED AND ADOPTED this the _____ day of September 2018.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer

ATTACHMENT "A"

Excess Loss Insurance Coverage

Lloyd's Self-Insured Medical Stop Loss Insurance

DATE: 17-Aug-18

PROPOSED INSURED: **City of Opelika**

PERIOD: 12 months at: 1st October 2018

CARRIER: Certain Underwriter's at Lloyd's
per Binding Authority Number F33098918

A+ STRONG Standard and Poor's
A (EXCELLENT) AM Best's

Third Party Administrator: BCBS Alabama
PPO Network BCBS

Single Employees: 228
Family Employees: 126
Total Employees: 354

SPECIFIC COVERAGE:

Specific terms assume Medical & Rx are included.

	<u>Option 1</u>	<u>Option 2</u>
Contract Basis:	24/12	24/12
Specific Deductible:	\$125,000	\$150,000
Minimum Aggregating Specific Corridor:	\$0	\$0
Annual Maximum Specific Limit:	UNLIMITED	UNLIMITED
Single Employee Premium Rate:	\$34.71	\$28.25
Family Employee Premium Rate:	\$85.76	\$70.70
Composite Employee Premium Rate:	\$52.88	\$43.36
Annual Specific Premium:	\$224,636	\$184,190

QUOTE CONDITIONS:

1. Subject to signed application and disclosure prior to binding
2. Quote is based on plan benefits contained in the request for proposal. No changes to plan benefits or PPO network unless agreed by Lloyd's.
3. No claims will be payable without a current signed plan document.
4. Premiums include Alabama Surplus Lines Tax at 6.00%
5. The premium may include administrative fees charged by UTIC Insurance Company for services provided.
6. If enrollment fluctuates by more than 30% up or down during the plan year then Underwriter's retain the right to re-underwrite the terms.
7. [REDACTED] is included at a \$350,000 specific deductible.
8. Subject to above the terms are firm until 7th September 2018 after which updated claims information is required.

Further information on Lloyd's is available at www.lloyds.com

It is your duty to disclose all material facts to underwriters/reinsurers prior to inception of the policy, and to keep them advised of any such facts or changes to such facts throughout the currency of the policy, and upon renewal of the policy. All material information concerning the risk including any loss or claim statistics should be accurate and kept up to date at all times. A material fact is a fact which may influence an underwriter's judgment in their assessment of a risk. If you are in any doubt as to whether a fact is material, we recommend that it be disclosed. Failure to disclose material facts may entitle underwriters to void the policy from inception.

RESOLUTION NO. 204-18

Approval of the FY2019 City Budget.

8/21/2018 2:46 PM

City of Opelika
Annual Budget
Fiscal year ending September 30, 2019

RESOLUTION NO. _____-2018

ADOPTION OF ANNUAL BUDGET FOR FY 2018-2019

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

- (1) That, for the purpose of financing the conduct of affairs of the City of Opelika, Alabama, during the fiscal year beginning October 1, 2018, and ending September 30, 2019, inclusive, the Budget of the City's expenses for such period be and the same is hereby approved and adopted as the official Annual budget of the City of Opelika, Alabama:
- (2) That the amounts in the following report are appropriated to such uses, and authority is hereby granted to the Mayor to approve the expenditure of the amounts shown, for the purposes indicated.
- (3) That the City Treasurer is authorized to make the appropriate disbursements upon receipt of approval from the Mayor.
- (4) That the Mayor is hereby authorized to make adjustments to budgeted expense amounts between accounts within the various departments as necessitated by changing requirements and compliance with Generally Accepted Accounting Principles.
- (5) The City budgets a fixed amount for merit salary increases. After performance reviews are completed in November, the salary budgets in each department are reviewed for accuracy. Adjustments to the budget must be approved by the Mayor provided the adjustment shall not increase total budgeted salary increases.
- (6) That the Mayor is hereby authorized to increase budgeted expenditures for Parks and Recreation special programs, fire training, money or receipts from sale of property condemned from Court proceedings, profit oriented activities, and donations, up to an amount equal to the additional revenue created by the program, activity, condemnation or donation.
- (7) That the Mayor is hereby authorized to increase budgeted expenditures of the 2018-2019 Budget by the amount necessary to honor the contracts in progress at September 30, 2018.
- (8) That the Mayor is hereby authorized to increase appropriated amounts from unassigned fund balance of the various funds by the amount of any unbudgeted payment, contract or bid for which the Council of the City of Opelika, Alabama, by resolution, ordinance or notation in the minutes of the Council meetings has indicated approval.

8/21/2018 2:46 PM

City of Opelika
Annual Budget
Fiscal year ending September 30, 2019

- (9) That the Mayor is hereby authorized to transfer to the sick and vacation pay accounts of the various departments the amounts due to retiring employees, from the Mayor's sick pay account, up to the amount budgeted in the Mayor's sick pay account.
- (10) That the Mayor is hereby authorized to reclassify for proper recording, control, management and financial reporting items designated in the budget as fixed assets, if subsequent to the adoption of this budget it is determined that such items do not meet the financial reporting requirements for classification as a fixed asset. Provided this adjustment shall not increase total budgeted expenditures.
- (11) That the Mayor is hereby authorized to adjust the budget as necessary to transfer to or from the City's Capital Outlay accounts in amounts of less than \$15,000. Provided such adjustment shall not increase total budgeted expenditures.
- (12) That the Mayor is hereby authorized to adjust the budget as necessary for cost variances up to an amount equal to ten percent of a budgeted fixed asset (Capital Outlay) item's cost, but not more than \$15,000 for any budgeted fixed asset (Capital Outlay). Provided this adjustment shall not increase total budgeted expenditures.
- (13) That the Mayor is hereby authorized to transfer to education and seminar accounts of the various departments the amounts spent for the employee educational assistance program, from the Mayor's Education Assistance account, up to the amount budgeted in the Mayor's Education Assistance account.
- (14) That the Mayor is hereby authorized to transfer to the salary accounts of the various departments the amounts determined appropriate by the Mayor for an Employee Awards Program, from the Mayor's Employee Awards account, up to \$10,000.
- (15) That the Mayor is hereby authorized to reclassify for proper recording, control, management and financial reporting and adjust the budget for items on the City Administrator's Capital Outlay list from Administration Capital Equipment to the appropriate account to meet the financial reporting requirements for classification as a fixed asset. Provided this adjustment shall not increase total budgeted capital expenditures. (see attachment A)

Attachment: CM 9-04-18, City Budget FY2019 resolution (204-18 : Approval of the FY2019 City Budget.)

8/21/2018 2:46 PM

City of Opelika

Annual Budget

Fiscal year ending September 30, 2019

(16) The City Council established in the 2015 Budget a line of credit and finds and determines that it is necessary and in the public interest that OPS Telecom Fund renew the line of credit in the maximum sum of thirteen million, two hundred thousand dollars (\$13,200,000). Accordingly, OPS Telecom Fund is hereby authorized to borrow from OPS Electric Fund a sum not to exceed the sum of \$13,200,000 and to bear interest at the rate equal to the LIBOR (London Interbank Offer Rate) One Year rate an additional four basis points, as determined on October 1 of each year. Interest shall be accrued and paid on a quarterly basis and continuing until maturity on September 30, 2038 or when the amount is repaid in full. The Mayor and the Director of Opelika Power Services, jointly and severally, are authorized and directed to request advances under the line of credit and make payments thereon at such times and in such amounts that they consider necessary or desirable. The Director of Opelika Power Services is authorized to execute and deliver such notes, drafts, acceptances, agreements, and other instruments deemed necessary or required to carry out the authority contained herein. The Mayor, Treasurer, and Controller are hereby authorized to transfer such funds and to make such accounting entries as shall be necessary to carry out the transactions approved herein.

Adopted and Approved this the _____ day of _____, 2018.

ATTEST:

R. G. Shuman
City Clerk - Treasurer

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

Attachments:

A - Capital Outlay Expenditures for 2019

Capital Requests FY 2019

Dept	No.	Description	Total	Dept Total
Admin		City Hall Renovations	1,000,000	
Admin		Sidewalks ADA Compliance	1,000,000	2,000,000
Engineer	1	Ford Explorer	27,000	
Engineer		Resurfacing	1,500,000	1,527,000
Fire	1	Training & Storage Facility	100,000	
Fire	1	Rescue Vehicle	255,000	355,000
INFO TECH	1	Website and Mobile Upgrades	15,000	
INFO TECH	1	Energov update	10,000	
INFO TECH	1	Fuel master upgrades	10,000	
INFO TECH	1	Cisco Network upgrade	275,000	
INFO TECH		Cameras for Covington	40,000	
INFO TECH	1	OPD, new building	200,000	
INFO TECH	1	e-signatures	25,000	
INFO TECH	1	van	25,000	600,000
P&R	1	Ford Explorer	27,000	
P&R	2	Treadmills	12,000	
P&R	1	Recumbent Bike	6,000	
P&R	1	Tumbling Equipment used	11,000	
P&R	1	Restrooms at Shady Park	25,000	
P&R	1	Fence @ Ray Ward	16,000	
P&R	1	Playground equipment @ Ray Ward Park	20,000	
P&R	1	Picnic Shelter @ Ray Ward Park	26,000	
P&R	1	New Software for Sportsplex	30,000	
P&R	1	Tumbling Equipment	5,000	178,000
Planning	1	Planning Chambers	30,000	30,000
Police	1	Policy Manual Software	18,966	
Police	1	Crash Data Recovery Kit	18,560	
Police	5	Tahoes	320,000	
Police	3	Tahoes	120,000	477,526
PW SW	1	Van (dogcatcher)	55,000	
PW AUTO	1	Upgrade Fuel System	145,000	
PW CEMETERY	1	Crew Cab Dump Truck 450 Series	50,000	
PW GROUNDS	1	Nissan Frontier	25,000	
PW GROUNDS	2	Batwing Mowers	33,000	
PW PARK MAINT	1	61" Mower	7,600	
PW PARK MAINT	1	Utility Vehicle	7,500	
PW SIGN SHOP	1	Ford F550 Aerial Bucket Truck	95,000	
PW SIGN SHOP	1	Smartgrid Camera Systems	74,000	
PW SIGN SHOP	1	Cabinet Upgrades	82,000	574,100
Revenue	1	Nissan Frontier	27,000	27,000
Inspection	2	Nissan Frontier	54,000	54,000
Total			5,822,626	5,822,626

RESOLUTION NO. 205-18

Head Swim Coach Job Classification

RESOLUTION NO. _____

**RESOLUTION APPROVING AND AUTHORIZING NEW JOB CLASSIFICATION
AND JOB DESCRIPTION FOR HEAD SWIMMING COACH**

WHEREAS, the Mayor has submitted his recommendation to the City Council to approve and authorize the new job classification and job description of Head Swimming Coach, a copy of which job description is attached hereto and incorporated herein by reference.

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

1. That the new job classification and job description of Head Swimming Coach is hereby approved and authorized by the City Council.
2. That the position of Head Swimming Coach shall be classified as a contractual service position in accordance with the provisions of Section 3.5 of the Personnel Policies and Procedures Manual and shall be filled by the Mayor pursuant to a written contract signed by the employee and the Mayor and approved by the City Council. The position is exempt from the Fair Labor Standards Act requirements for overtime compensation. The salary to be paid to the employee and the benefits the employee shall be entitled to shall be specified in the Employment Contract.
3. That the position of Head Swimming Coach shall be exempted from the posting and application procedures and the procedures for promotion set out in Section 4 of the Personnel Policies and Procedures Manual.

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

ADOPTED AND APPROVED this the _____ day of _____, 2018.

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

ATTEST:

CITY CLERK

**CITY OF OPELIKA
POSITION DESCRIPTION**

TITLE: PARKS AND RECREATION HEAD SWIMMING COACH

GENERAL DESCRIPTION

The essential function of the position within the organization is to provide training direction, encouragement, motivation, and nutritional advice to prepare athletes for matches, competitive events, or tours. Instruct individuals or groups in swim rules, match strategies, and performance principles, such as specific ways of moving the body, hands, or feet, to achieve desired results. Evaluate athletes' skills and review performance records to determine their fitness and potential in a particular area of swimming. The position works independently, reporting major activities through periodic meetings with the City Administrator and / or other administrative staff.

PRIMARY DUTIES: *This list represents the essential tasks performed by this position. Employees may be assigned additional duties by management as required.*

Provide training direction, encouragement, motivation, and nutritional advice to prepare athletes for matches, competitive events, or tours.

Plan, organize, and conduct practice sessions.

Explain and enforce safety rules and regulations.

Plan and direct physical conditioning programs that will enable athletes to achieve maximum performance.

Instruct individuals or groups in swim rules, match strategies, and performance principles, such as specific ways of moving the body, hands, or feet, to achieve desired results.

Evaluate athletes' skills and review performance records to determine their fitness and potential in a particular area of swimming.

Teach instructional courses and advise athletes.

Monitor athletes' use of equipment to ensure safe and proper use.

Adjust coaching techniques, based on the strengths and weaknesses of athletes.

Keep abreast of changing rules, techniques, technologies, and philosophies relevant to their sport.

Develop and arrange competition schedules and programs.

Analyze the strengths and weaknesses of opposing teams to develop match strategies.

Contact the parents of athletes to provide information and answer questions.

Coordinate travel arrangements and travel with team to away competitions.

Explain and demonstrate the use of sports and training equipment.

Performs clerical tasks such as data entry, preparing routine reports, maintaining records and files, telephoning, faxing, or photocopying.

P & R Head Swimming Coach

Other duties and responsibilities as assigned by the City Administrator

Work Activities: Performing General Physical Activities; Coaching and Developing Others; Training and Teaching Others; Making Decisions and Solving Problems; Identifying Objects, Actions, and Events; Establishing and Maintaining Interpersonal Relationships; Thinking Creatively; Performing for or Working Directly with the Public; Coordinating the Work and Activities of Others; Resolving Conflicts and Negotiating with Others.

Detailed Work Activities: Coach others. Coordinate athletic or sporting events or activities. Coordinate logistics for competitions or events. Evaluate skills of athletes. Maintain inventories of materials, equipment, or products. Maintain knowledge of laws or regulations. Maintain records, documents, or other files. Manage operations of artistic or entertainment departments or organizations. Negotiate for services. Promote products, activities, or organizations. Provide educational information to the public. Select materials. Select staff, team members, or team athletes. Train others on performance techniques.

DATA RESPONSIBILITY: *Data refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.*

Collects, classifies, and formats data or information.

PEOPLE RESPONSIBILITY: *People refers to individuals who have contact with or are influenced by the position.*

Supervises or directs others by determining or interpreting work procedures, assigning specific duties, maintaining harmonious relations, and promoting efficiency.

INVOLVEMENT WITH THINGS: *Things refers to inanimate objects such as substances, materials, machines, tools, equipment, work aids, or products. A thing is tangible and has shape, form, and other physical characteristics.*

Handles or uses machines, tools, equipment or work aids involving moderate latitude for judgment regarding attainment of a standard or in selecting appropriate items such as aquatics equipment or standard office equipment such as computers, laminators, or copiers.

ASSETS RESPONSIBILITY: *Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.*

Requires some responsibility for achieving minor economies and/or preventing minor losses through the handling of or accounting for materials, supplies, or small amounts of money.

MATHEMATICAL REQUIREMENTS: *Mathematics deals with quantities, magnitudes, and forms and their relationships and attributes by the use of numbers and symbols.*

Uses addition, subtraction, multiplication, and division; may compute ratios, rates, and percents.

COMMUNICATIONS REQUIREMENTS: *Communications involves the ability to read, write, and speak.*

Reads professional publications; composes reports; speaks formally to groups outside the organization.

COMPLEXITY OF WORK: *Complexity of work addresses the analysis, initiative, ingenuity, creativity, and concentration required by the position and the presence of any unusual pressures.*

P & R Head Swimming Coach

Performs supervisory work involving policy and guidelines, solving both people and work related problems; requires continuous, close attention for accurate results and frequent exposure to unusual pressure.

JUDGMENT REQUIREMENTS: *Judgement requirements refers to the frequency and complexity of judgments and decisions given the stability of the work environment, the nature and type of guidance, and the breadth of impact of the judgments and decisions.*

Requires decision-making as a significant part of the job, affecting a large segment of the organization and the general public; works in a dynamic environment with responsibility for developing policies and practices.

IMPACT OF ERRORS: *Impact of decisions refers to consequences such as damage to property, loss of data or property, exposure of the organization to legal liability, or injury or death for individuals.*

Makes decisions with minor impact - affects only those in immediate work area.

EDUCATION REQUIREMENTS: *Education requirements refers to job specific training and education required for entry into the position.*

Possess a BS degree in Recreation Administration or a related field as determined by the hiring authority.

SKILLS AND ABILITIES:

Basic Skills: Talking to others to convey information effectively.

Monitoring/Assessing performance of yourself, other individuals, or organizations to make improvements or take corrective action. Selecting and using training/instructional methods and procedures appropriate for the situation when learning or teaching new things. Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times. Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.

Social Skills: Teaching others how to do something. Adjusting actions in relation to others' actions. Being aware of others' reactions and understanding why they react as they do. Persuading others to change their minds or behavior. Bringing others together and trying to reconcile differences.

Complex Problem-Solving Skills: Identifying complex problems and reviewing related information to develop and evaluate options and implement solutions.

Technical Skills: Analyzing needs and product requirements to create a design. Conducting tests and inspections of products, services, or processes to evaluate quality or performance. Determining the kind of tools and equipment needed to do a job. Watching gauges, dials, or other indicators to make sure a machine is working properly. Controlling operations of equipment or systems.

System Skills: Considering the relative costs and benefits of potential actions to choose the most appropriate one. Identifying measures or indicators of system performance and the actions needed to improve or correct performance, relative to the goals of the system. Determining how a system should work and how changes in conditions, operations, and the environment will affect outcomes.

Resource Management Skills: Motivating, developing, and directing people as they work, identifying the best people for the job. Managing one's own time and the time of others. Obtaining and seeing to the appropriate use of equipment, facilities, and materials needed to do certain work. Determining how money will be spent to get the work done, and accounting for these expenditures.

P & R Head Swimming Coach

Desktop/Laptop Computer Skills: **Databases** - Using a computer application to manage large amounts of information, including creating and editing simple databases, inputting data, retrieving specific records, and creating reports to communicate the information. **Graphics** - Working with pictures in graphics programs or other applications, including creating simple graphics, manipulating the appearance, and inserting graphics into other programs. **Internet** - Using a computer application to create, manipulate, edit, and show virtual slide presentations. **Navigation** - Using scroll bars, a mouse, and dialog boxes to work within the computer's operating system. Being able to access and switch between applications and files of interest. **Presentations** - Navigating the Internet to find information, including the ability to open and configure standard browsers; use searches, hypertext references, and transfer protocols; and send and retrieve electronic mail (e-mail). **Spreadsheets** - Using a computer application to enter, manipulate, and format text and numerical data; insert, delete, and manipulate cells, rows, and columns; and create and save worksheets, charts, and graphs. **Word Processing** - Using a computer application to type text, insert pictures, format, edit, print, save, and retrieve word processing documents.

LICENSES, CERTIFICATIONS, AND REGISTRATIONS REQUIRED: *Licenses, certifications, and registrations refers to professional, state, or federal licenses, certifications, or registrations required to enter the position.*

Must obtain and maintain State of Alabama Driver's License. Must be a registered USA Swimming coach, which requires current cardiopulmonary resuscitation (CPR), First Aid and Safety Training for Swim Coaches certifications. Must be a member in good standing with USA Swimming and current on all background checks and certifications. Must be able to obtain ASCA Level 4 within one year of employment. ASCA Level 5 is preferred. Current knowledge of basic United States Swimming (USS), Federated International Swimming Association (FINA), National College Athletic Association (NCAA) and High School rules. Any equivalent combination of education, experience and training which provides the required knowledge, abilities and skills may be considered as approved by the hiring authority.

EXPERIENCE REQUIREMENTS: *Experience refers to the amount of work experience that is required for entry into the position that would result in reasonable expectation that the person can perform the tasks required by the position.*

Requires five years of related experience. A combination of education and aquatics experience can substitute for the five years of related experience as determined by the hiring authority. Must possess through knowledge of water chemistry, filtration, chlorination and other related swimming pool systems. Certification in swimming pool operation is desirable.

PHYSICAL DEMANDS: *Physical demands refers to the requirements for physical exertion and coordination of limb and body movement.*

Requires light work involving standing or walking some of the time, exerting up to 20 pounds of force on a regular basis, and moderate dexterity in operating recreational or office equipment. Must be able to demonstrate and / or instruct the proper strokes required to teach swimming skills and / or competitive swimming.

Willing to work non-standard hours and overtime time as required. Willing to travel to attend workshops , aquatics related seminars as well as competitive swimming sites.

SAFETY OF OTHERS: *Safety of others refers to the responsibility for the safety of others, either inherent in the job or to assure the safety of the general public.*

Requires considerable responsibility for safety and health of others and/or for enforcement of the standards of public safety in an aquatics setting.

P & R Head Swimming Coach

UNAVOIDABLE HAZARDS: *Unavoidable hazards refers to unusual conditions in the work environment that may cause illness or injury.*

The position is exposed to extreme heat and/or cold, wet/humid conditions, bright and/or dim light, dust or pollen, intense noise levels, disease, and traffic.

SENSORY (ADA) REQUIREMENTS: *Sensory requirements refers to hearing, sight, touch, taste, and smell necessary to perform the tasks required by the position efficiently.*

The position requires normal visual acuity and field of vision, hearing, speaking, color perception, sense of smell, and texture perception.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

The City of Opelika is an Equal Opportunity Employer. ADA requires the City to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.

RESOLUTION NO. 206-18

Head Swim Coach Employment Contract

RESOLUTION NO. _____

**RESOLUTION APPROVING EMPLOYMENT CONTRACT
WITH TYLER T. MCGILL**

WHEREAS, the City of Opelika, Alabama, (the “City”) requires the services of a Head Swimming Coach; and

WHEREAS, Tyler T. McGill has the necessary education, experience, skills and expertise to serve as Head Swimming Coach; and

WHEREAS, the City Council of the City of Opelika desires to employ Tyler T. McGill to serve as Head Swimming Coach; and

WHEREAS, the City Council has been furnished an Employment Contract between the City and Tyler T. McGill, and the City Council has determined that the terms of said Contract are acceptable to the City.

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

1. That the Employment Contract (the “Contract”) to be entered into between the City and Tyler T. McGill, a copy of which is attached hereto and marked as Exhibit “A”, be and the same is hereby approved, authorized, ratified and confirmed in the form substantially submitted to the City Council with such changes thereto (by addition, deletion or substitution), as

the Mayor shall approve, which approval shall be conclusively evidenced by the execution and delivery of said Contract.

2. That the Mayor is hereby authorized and directed to execute and deliver said Contract in the name of and on behalf of the City of Opelika and the City Clerk is hereby authorized and directed to attest the same.

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

ADOPTED AND APPROVED this the _____ day of _____, 2018.

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

ATTEST:

CITY CLERK

STATE OF ALABAMA)
 :
 COUNTY OF LEE)

EMPLOYMENT CONTRACT

THIS AGREEMENT made and entered into this the ____ day of September, 2018, by and between the **CITY OF OPELIKA, ALABAMA**, a municipal corporation (hereinafter called the “Employer”), as party of the first part, and **TYLER T. MCGILL** (hereinafter called “Employee”), as party of the second part.

RECITALS

WHEREAS, Employer desires to employ the services of Tyler T. McGill as Head Swimming Coach of the City of Opelika; and

WHEREAS, it is the desire of the City Council of the City of Opelika (hereinafter called “Council”), to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee; and

WHEREAS, it is the desire of the Council to (1) secure and retain the services of Employee and to provide inducement for him to remain in such employment, (2) make possible full work productivity by assuring Employee’s morale and peace of mind with respect to future security, (3) act as a deterrent against misconduct or dishonesty on the part of Employee, and (4) provide a just means for terminating Employee’s services at such time as he may be unable to fully discharge his duties due to disability or when Employer may otherwise desire to terminate his employment.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

SECTION I. DUTIES AND WORKING HOURS.

Employer hereby employs Employee as Head Swimming Coach, and Employee hereby accepts such employment, subject to the terms and conditions set forth herein. As Head Swimming Coach, Employee shall perform such duties and assume such responsibilities as set forth in the job description incorporated herein and attached hereto as Exhibit "A", and any other job responsibilities and duties as may be assigned by the City Administrator. Employee hereby accepts and agrees to such employment, subject to the general supervision and pursuant to the orders, advice and direction of the City Administrator. Employee agrees to adhere to all of the policies, procedures, rules and regulations promulgated by the Employer. These policies, procedures, rules and regulations include, but are not limited to those set forth in the Personnel Policies and Procedures Manual, departmental rules, department operating procedures and executive orders. To the extent that the Employer's policies, procedures, rules and regulations conflict with the terms of this Agreement, the specific terms of this Agreement will control.

Employee shall devote his full energies, interests, abilities and productive time to the performance of this Agreement and utilize his best efforts to promote Employer's interest. Employee's duties may involve expenditures of time in excess of the regularly established work day or in excess of forty (40) hour work week and may also include time outside of normal office hours. Employee's base salary includes compensation for all hours worked and Employee shall be classified as an exempt employee for purposes of overtime and wage and hour laws. Except as provided herein, Employee shall not engage in any activity, consulting service or enterprise for compensation or otherwise which is actually or potentially in conflict with or inimical to, or which materially interferes with his duties to Employer.

SECTION II. TERM.

Unless sooner terminated in accordance with the provisions of Section III and IV hereof, this Agreement shall remain in full force and effect for a term of three (3) years beginning September 5, 2018 to and including September 4, 2021.

SECTION III. TERMINATION BY EMPLOYER

- (A) DEATH OF EMPLOYEE. If Employee dies before his employment is otherwise terminated, this Contract shall terminate on the date of the Employee's death and all payments of compensation to which the Employee would have been entitled shall cease as of the date of the Employee's death.
- (B) ILLNESS OR INCAPACITY. If the Employee is prevented from performing his duties due to illness or incapacity for an aggregate of sixty (60) days in any one year during the term of this Contract, the Employer is hereby given the option to terminate this Contract. Such option shall be exercised by the Employer giving written notice to the Employee of the Employer's intention to terminate said Contract. On the giving of such notice, this Contract shall terminate 30 days after the date of said notice of termination. Upon the effective date of termination, neither party shall have any further obligation to the other. Notwithstanding the provisions of this paragraph, the Employee shall be afforded the same rights and privileges, as any other employee of the City to participate in any group disability insurance policy or other disability plan of the City which may be now in effect or may be hereinafter adopted.
- (C) MISCONDUCT. This Contract may, at the option of Employer, be terminated immediately by Employer upon the occurrence of any of the following acts:

- (1) The Employee being indicted or convicted for any misdemeanor involving moral turpitude, or a felony.
- (2) The Employee conducting himself in a fraudulent or dishonest manner with respect to his duties of employment if, in the opinion of the City Administrator that such conduct discredits Employer or is detrimental to the reputation and standing of Employer. Such option shall be exercised by the Employer giving written notice to Employee of the Employer's intent to terminate and the grounds for such termination.
- (3) Employee having been disciplined by the Employer repeatedly and/or having serious unacceptable conduct in accordance with the provisions of Section 8 of the Personnel Policies and Procedures Manual of the City of Opelika. Employee shall comply with all policies and procedures of Employer which shall, from time to time, be reasonably promulgated.

SECTION IV. TERMINATION BY EMPLOYEE

Employee may voluntarily resign his position with Employer before the expiration of the term of his employment, by giving sixty (60) days advance notice of his intent to terminate. Upon termination by voluntary resignation, neither party shall have any further obligation to the other beyond the effective date of termination.

SECTION V. SALARY REIMBURSEMENTS AND EMPLOYER COST

(a) Base Salary. The Employer shall pay the Employee, as compensation for his services, an annual base salary of \$40,000.00 payable in installments at the same time as classified employees of the City are paid. All compensation paid to Employee by Employer shall be subject to customary withholding and employment taxes as required by law. Beginning fiscal

year 2019-2020, the Employee shall be eligible for merit increases on an annual basis from 1% to 10% per year based on his job performance. All merit increases shall be awarded at the discretion of the Mayor and will become effective on or about the anniversary date of his contract.

(b) Commissions. In addition to the base salary noted above, the Employee shall receive the following additional compensation:

- (i) Thirty percent (30%) of all fees, dues, and income received from the City's Learn to Swim Program;
- (ii) Seventy-five percent (75%) of all fees, dues and income received from private competitive swim lessons;
- (iii) Thirty (30%) of all fees, dues and income received from team and lesson programs.

(c) Moving Expenses. Employee agrees to move into the corporate limits of the City of Opelika. The Employer agrees to reimburse or pay on behalf of Employee an amount not to exceed \$5,000 for personal moving and relocation expenses incurred for relocation. In accordance with IRS guidelines, receipts must be submitted within sixty (60) days of completion of the move to be considered qualified, non-taxable moving expenses.

(d) Travel Expenses. Employer shall reimburse Employee for all reasonable expenses incurred in travel for Employer, including attending education and personal development courses upon presentation of appropriate expense reports.

SECTION VI. EMPLOYEE BENEFITS

During each twelve (12) month period of the term of this Agreement, Employee shall be entitled to ten (10) paid days of vacation. Except for vacation leave, this Agreement shall not be

in lieu of all employee benefits to which Employee may be entitled as an employee of the City relating to holidays, sick leave, retirement, insurance, medical and life, or other plans which may now be in effect or which may hereafter be adopted. Employee shall have the same rights and privileges to participate in such plans and benefits as any other employee during his period of employment. The Employer's rights with respect to such benefits shall be subject to (i) the provisions of the relevant contracts, policies or plans providing such benefits, and (ii) the right of the Employer to amend, modify, or terminate any of such benefits if that occurs with respect to all classes of employees covered by a given benefit.

SECTION VII. WORKING FACILITIES.

The Employee shall have a private office, administrative assistance and other facilities, equipment, and services that are suitable to his position and appropriate for the performance of his duties including, but not limited to, a cell phone and computer.

SECTION VIII. EXTENT OF SERVICES.

The Employee agrees that he will at all times faithfully, industriously and to the best of his ability, experience, and talents, perform all of the duties that may be required of and from his pursuant to the express and implicit terms of this Agreement and shall assume and perform all additional responsibilities and duties related to his job description that the City Administrator from time to time may assign him. With approval of the City Administrator, the Employee shall be permitted to enroll in professional development courses to enhance the performance of his job during normal business hours.

SECTION IX. COACHING CLINICS AND PERSONAL DEVELOPMENT COURSES.

Employee shall be permitted to conduct approximately five (5) out-of-town swimming skill clinics for not more than ten (10) working days per calendar year. The Employer or his host

shall pay all travel expenses incurred to conduct said clinics. The Employee may retain all fees, commissions and income received from the hosts and attendees of said out-of-town clinics. His base salary shall not be reduced while attending said clinics.

The Employer agrees to budget for and to pay travel and other expenses of Employee to attend approximately two (2) education conferences and/or professional development courses each year as approved by the City Administrator.

SECTION X. ALLOCATION OF FEES, DUES AND INCOME.

The Employer and Employee agree to the allocation of all swimming fees, dues and income as follows:

- (a) Concerning Parks and Recreation team and lesson programs:
 - (i) Seventy percent (70%) to Parks and Recreation Department, and
 - (ii) Thirty percent (30%) to Employee.
- (b) Concerning Parks and Recreation Department Learn-to-Swim Program:
 - (i) Thirty-five percent (35%) to Opelika USA Club (“USA”);
 - (ii) Thirty-five percent (35%) to Parks and Recreation Department; and
 - (iii) Thirty percent (30%) to Employee.
- (c) Concerning private competitive swim lessons:
 - (i) Twenty-five percent (25%) to USA, and
 - (ii) Seventy-five percent (75%) to Employee.

Employer shall provide all accounting and administrative services for said swim programs.

SECTION XI. ANNUAL EVALUATION.

Annually, the City Administrator, in consultation with the Employee, shall define such goals and performance objectives as he determines necessary for the proper operation of the Parks and Recreation Department. The City Administrator shall identify obtainable goals within the time limitations as specified in the annual operating and capital budgets and appropriations provided. Moreover, the City Administrator shall review and evaluate the performance of the Employee at least once annually. Said evaluation and review shall be in accordance with the established rules and regulations of the Personnel Policies and Procedures Manual. Further, the City Administrator shall provide the Employee with an adequate opportunity for the Employee to discuss his evaluation with the City Administrator.

SECTION XII. RESIDENCY.

As a condition of employment, Employee must be a resident of Opelika. The Employee shall have a reasonable period to sell his residence outside the City and move into the City.

SECTION XIII. OTHER TERMS AND CONDITIONS OF EMPLOYMENT.

The City Administrator, in consultation with Employee, shall fix any other terms and conditions of employment as he may determine from time to time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with the provisions of this Agreement, the Employee's job description or any other law.

SECTION XIV. NO REDUCTION OF BENEFITS.

The Employer shall not at any time during the term of this Agreement reduce the salary, compensation, or other financial benefits of Employee, except to the degree as such a reduction across-the-board for all employees of the Employer. Notwithstanding anything to the contrary the Employee's rights with respect to compensation and benefits shall be subject to the

provisions of Sections V and VI herein, and his rights to salary compensation and other financial benefits may be terminated in accordance with said provisions of this Agreement.

SECTION XV. SEVERABILITY.

If any term, covenant, or condition of this Agreement or the application thereof to any person or circumstance shall be held invalid or unenforceable, the remainder of this Agreement and all other terms shall be valid and enforceable to the fullest extent permitted by law.

SECTION XVI. NO ASSIGNMENT.

No assignment of this Agreement or the rights and obligations hereunder shall be valid without the specific written consent of both parties hereto.

SECTION XVII. GOVERNING LAW.

This Agreement has been executed and delivered in, and shall be interpreted, construed and enforced pursuant to and in accordance with the laws of the State of Alabama.

SECTION XVIII. GENDER AND NUMBER.

Whenever the context is hereof required, the gender of all words shall include the masculine, feminine and neuter, and the number of all words shall include singular and plural.

SECTION XIX. AMENDMENTS AND CONTRACT EXECUTION

This Agreement and amendments thereto shall be in writing and executed in multiple copies. Each multiple copy shall be deemed an original, but all multiple copies together shall constitute one and the same instrument.

SECTION XX. NOTICES.

Any notice, demand, or communication required, permitted, or desired to be given hereunder shall be deemed effectively given when personally delivered or mailed by prepaid, certified mail, return receipt requested, addressed as follows:

Employee: Tyler T. McGill

Employer: City of Opelika
P.O. Box 390
Opelika, AL 36803-0390
ATTN: Mayor

SECTION XXI. WAIVER OF BREACH.

The waiver of either party of a breach or violation of any provision of this Contract shall not operate as, or be construed to be, a waiver of any subsequent breach of the same or other provision hereof.

SECTION XXII. TIME OF ESSENCE.

Time shall be of the essence with respect to this Contract.

SECTION XXIII. ENTIRE CONTRACT.

This Contract (including attachments) supersedes all previous contracts and constitutes the entire Contract between the parties hereto.

SECTION XXIV. HEADINGS.

Headings in this Contract are for convenience only and shall not be used to interpret or construe its provisions.

SECTION XXV. NEGOTIATION OF COMPENSATION.

Based on the growth and needs of the swimming program, the Employer and Employee agree for the term hereof on or before each anniversary date to negotiate diligently and in good faith the salary and compensation of the Employee as set forth in Section V. The obligation to negotiate in good faith requires the respective parties to communicate with each other with respect to the issue of compensation, including meetings, telephone conversations and correspondence. The parties understand that a final accord may not be reached, in which case

the salary and compensation levels in Section V, as adjusted for merit increases, shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Opelika has caused this Contract to be signed and executed in its behalf by its Mayor, and duly attested by its City Clerk, and the Employee has signed and executed this Contract the day and year first above written.

THE CITY OF OPELIKA, ALABAMA

By: _____
GARY FULLER, ITS MAYOR

ATTEST:

ROBERT G. SHUMAN, CITY CLERK

TYLER T. MCGILL

STATE OF ALABAMA
COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that GARY FULLER and ROBERT G. SHUMAN, whose names as Mayor and City Clerk, respectively, of the City of Opelika, Alabama, a municipal corporation, are signed to the foregoing instrument who are known to me, acknowledged before me on this day, that, being informed of the contents of said instrument they, in their capacity as Mayor and City Clerk for the City of Opelika, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office this the _____ day of _____, 2018.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

Attachment: Employment Contract Tyler McGill 082318 (003) (206-18 : Head Swim Coach Employment Contract)

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority, a Notary Public in and for said county and state, hereby certify that TYLER T. MCGILL, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of said conveyance, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office this the _____ day of _____, 2018.

NOTARY PUBLIC
MY COMMISSION EXPIRES:_____

Attachment: Employment Contract Tyler McGill 082318 (003) (206-18 : Head Swim Coach Employment Contract)

**CITY OF OPELIKA
POSITION DESCRIPTION**

TITLE: PARKS AND RECREATION HEAD SWIMMING COACH

GENERAL DESCRIPTION

The essential function of the position within the organization is to provide training direction, encouragement, motivation, and nutritional advice to prepare athletes for matches, competitive events, or tours. Instruct individuals or groups in swim rules, match strategies, and performance principles, such as specific ways of moving the body, hands, or feet, to achieve desired results. Evaluate athletes' skills and review performance records to determine their fitness and potential in a particular area of swimming. The position works independently, reporting major activities through periodic meetings with the City Administrator and / or other administrative staff.

PRIMARY DUTIES: *This list represents the essential tasks performed by this position. Employees may be assigned additional duties by management as required.*

Provide training direction, encouragement, motivation, and nutritional advice to prepare athletes for matches, competitive events, or tours.

Plan, organize, and conduct practice sessions.

Explain and enforce safety rules and regulations.

Plan and direct physical conditioning programs that will enable athletes to achieve maximum performance.

Instruct individuals or groups in swim rules, match strategies, and performance principles, such as specific ways of moving the body, hands, or feet, to achieve desired results.

Evaluate athletes' skills and review performance records to determine their fitness and potential in a particular area of swimming.

Teach instructional courses and advise athletes.

Monitor athletes' use of equipment to ensure safe and proper use.

Adjust coaching techniques, based on the strengths and weaknesses of athletes.

Keep abreast of changing rules, techniques, technologies, and philosophies relevant to their sport.

Develop and arrange competition schedules and programs.

Analyze the strengths and weaknesses of opposing teams to develop match strategies.

Contact the parents of athletes to provide information and answer questions.

Coordinate travel arrangements and travel with team to away competitions.

Explain and demonstrate the use of sports and training equipment.

Performs clerical tasks such as data entry, preparing routine reports, maintaining records and files, telephoning, faxing, or photocopying.

P & R Head Swimming Coach

Other duties and responsibilities as assigned by the City Administrator

Work Activities: Performing General Physical Activities; Coaching and Developing Others; Training and Teaching Others; Making Decisions and Solving Problems; Identifying Objects, Actions, and Events; Establishing and Maintaining Interpersonal Relationships; Thinking Creatively; Performing for or Working Directly with the Public; Coordinating the Work and Activities of Others; Resolving Conflicts and Negotiating with Others.

Detailed Work Activities: Coach others. Coordinate athletic or sporting events or activities. Coordinate logistics for competitions or events. Evaluate skills of athletes. Maintain inventories of materials, equipment, or products. Maintain knowledge of laws or regulations. Maintain records, documents, or other files. Manage operations of artistic or entertainment departments or organizations. Negotiate for services. Promote products, activities, or organizations. Provide educational information to the public. Select materials. Select staff, team members, or team athletes. Train others on performance techniques.

DATA RESPONSIBILITY: *Data refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.*

Collects, classifies, and formats data or information.

PEOPLE RESPONSIBILITY: *People refers to individuals who have contact with or are influenced by the position.*

Supervises or directs others by determining or interpreting work procedures, assigning specific duties, maintaining harmonious relations, and promoting efficiency.

INVOLVEMENT WITH THINGS: *Things refers to inanimate objects such as substances, materials, machines, tools, equipment, work aids, or products. A thing is tangible and has shape, form, and other physical characteristics.*

Handles or uses machines, tools, equipment or work aids involving moderate latitude for judgment regarding attainment of a standard or in selecting appropriate items such as aquatics equipment or standard office equipment such as computers, laminators, or copiers.

ASSETS RESPONSIBILITY: *Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.*

Requires some responsibility for achieving minor economies and/or preventing minor losses through the handling of or accounting for materials, supplies, or small amounts of money.

MATHEMATICAL REQUIREMENTS: *Mathematics deals with quantities, magnitudes, and forms and their relationships and attributes by the use of numbers and symbols.*

Uses addition, subtraction, multiplication, and division; may compute ratios, rates, and percents.

COMMUNICATIONS REQUIREMENTS: *Communications involves the ability to read, write, and speak.*

Reads professional publications; composes reports; speaks formally to groups outside the organization.

COMPLEXITY OF WORK: *Complexity of work addresses the analysis, initiative, ingenuity, creativity, and concentration required by the position and the presence of any unusual pressures.*

P & R Head Swimming Coach

Performs supervisory work involving policy and guidelines, solving both people and work related problems; requires continuous, close attention for accurate results and frequent exposure to unusual pressure.

JUDGMENT REQUIREMENTS: *Judgement requirements refers to the frequency and complexity of judgments and decisions given the stability of the work environment, the nature and type of guidance, and the breadth of impact of the judgments and decisions.*

Requires decision-making as a significant part of the job, affecting a large segment of the organization and the general public; works in a dynamic environment with responsibility for developing policies and practices.

IMPACT OF ERRORS: *Impact of decisions refers to consequences such as damage to property, loss of data or property, exposure of the organization to legal liability, or injury or death for individuals.*

Makes decisions with minor impact - affects only those in immediate work area.

EDUCATION REQUIREMENTS: *Education requirements refers to job specific training and education required for entry into the position.*

Possess a BS degree in Recreation Administration or a related field as determined by the hiring authority.

SKILLS AND ABILITIES:

Basic Skills: Talking to others to convey information effectively.

Monitoring/Assessing performance of yourself, other individuals, or organizations to make improvements or take corrective action. Selecting and using training/instructional methods and procedures appropriate for the situation when learning or teaching new things. Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times. Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.

Social Skills: Teaching others how to do something. Adjusting actions in relation to others' actions. Being aware of others' reactions and understanding why they react as they do. Persuading others to change their minds or behavior. Bringing others together and trying to reconcile differences.

Complex Problem-Solving Skills: Identifying complex problems and reviewing related information to develop and evaluate options and implement solutions.

Technical Skills: Analyzing needs and product requirements to create a design. Conducting tests and inspections of products, services, or processes to evaluate quality or performance. Determining the kind of tools and equipment needed to do a job. Watching gauges, dials, or other indicators to make sure a machine is working properly. Controlling operations of equipment or systems.

System Skills: Considering the relative costs and benefits of potential actions to choose the most appropriate one. Identifying measures or indicators of system performance and the actions needed to improve or correct performance, relative to the goals of the system. Determining how a system should work and how changes in conditions, operations, and the environment will affect outcomes.

Resource Management Skills: Motivating, developing, and directing people as they work, identifying the best people for the job. Managing one's own time and the time of others. Obtaining and seeing to the appropriate use of equipment, facilities, and materials needed to do certain work. Determining how money will be spent to get the work done, and accounting for these expenditures.

P & R Head Swimming Coach

Desktop/Laptop Computer Skills: **Databases** - Using a computer application to manage large amounts of information, including creating and editing simple databases, inputting data, retrieving specific records, and creating reports to communicate the information. **Graphics** - Working with pictures in graphics programs or other applications, including creating simple graphics, manipulating the appearance, and inserting graphics into other programs. **Internet** - Using a computer application to create, manipulate, edit, and show virtual slide presentations. **Navigation** - Using scroll bars, a mouse, and dialog boxes to work within the computer's operating system. Being able to access and switch between applications and files of interest. **Presentations** - Navigating the Internet to find information, including the ability to open and configure standard browsers; use searches, hypertext references, and transfer protocols; and send and retrieve electronic mail (e-mail). **Spreadsheets** - Using a computer application to enter, manipulate, and format text and numerical data; insert, delete, and manipulate cells, rows, and columns; and create and save worksheets, charts, and graphs. **Word Processing** - Using a computer application to type text, insert pictures, format, edit, print, save, and retrieve word processing documents.

LICENSES, CERTIFICATIONS, AND REGISTRATIONS REQUIRED: *Licenses, certifications, and registrations refers to professional, state, or federal licenses, certifications, or registrations required to enter the position.*

Must obtain and maintain State of Alabama Driver's License. Must be a registered USA Swimming coach, which requires current cardiopulmonary resuscitation (CPR), First Aid and Safety Training for Swim Coaches certifications. Must be a member in good standing with USA Swimming and current on all background checks and certifications. Must be able to obtain ASCA Level 4 within one year of employment. ASCA Level 5 is preferred. Current knowledge of basic United States Swimming (USS), Federated International Swimming Association (FINA), National College Athletic Association (NCAA) and High School rules. Any equivalent combination of education, experience and training which provides the required knowledge, abilities and skills may be considered as approved by the hiring authority.

EXPERIENCE REQUIREMENTS: *Experience refers to the amount of work experience that is required for entry into the position that would result in reasonable expectation that the person can perform the tasks required by the position.*

Requires five years of related experience. A combination of education and aquatics experience can substitute for the five years of related experience as determined by the hiring authority. Must possess through knowledge of water chemistry, filtration, chlorination and other related swimming pool systems. Certification in swimming pool operation is desirable.

PHYSICAL DEMANDS: *Physical demands refers to the requirements for physical exertion and coordination of limb and body movement.*

Requires light work involving standing or walking some of the time, exerting up to 20 pounds of force on a regular basis, and moderate dexterity in operating recreational or office equipment. Must be able to demonstrate and / or instruct the proper strokes required to teach swimming skills and / or competitive swimming.

Willing to work non-standard hours and overtime time as required. Willing to travel to attend workshops , aquatics related seminars as well as competitive swimming sites.

SAFETY OF OTHERS: *Safety of others refers to the responsibility for the safety of others, either inherent in the job or to assure the safety of the general public.*

Requires considerable responsibility for safety and health of others and/or for enforcement of the standards of public safety in an aquatics setting.

P & R Head Swimming Coach

UNAVOIDABLE HAZARDS: *Unavoidable hazards refers to unusual conditions in the work environment that may cause illness or injury.*

The position is exposed to extreme heat and/or cold, wet/humid conditions, bright and/or dim light, dust or pollen, intense noise levels, disease, and traffic.

SENSORY (ADA) REQUIREMENTS: *Sensory requirements refers to hearing, sight, touch, taste, and smell necessary to perform the tasks required by the position efficiently.*

The position requires normal visual acuity and field of vision, hearing, speaking, color perception, sense of smell, and texture perception.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

The City of Opelika is an Equal Opportunity Employer. ADA requires the City to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.

RESOLUTION NO. 207-18

Amend Organizational Chart of P&R - Building Service Worker.

RESOLUTION NO. _____

RESOLUTION AMENDING THE ORGANIZATIONAL CHART OF THE PARKS AND RECREATION DEPARTMENT OF THE CITY OF OPELIKA, ALABAMA

WHEREAS, the Mayor has submitted his recommendation to the City Council to modify the organizational chart of the Parks and Recreation Department of the City of Opelika; and

WHEREAS, the City Council hereby finds and determines that said plan of reorganization is in the best interest of the Parks and Recreation Department.

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

1. That the number of authorized positions in the existing job classification of Building Service Worker at pay grade 7 is hereby increased from two to four.
2. That the Director of the Parks and Recreation Department and Controller are hereby authorized and directed to modify the organizational chart of the Parks and Recreation Department to implement the changes in personnel as contemplated by this Resolution.
3. That the Controller is authorized to make the appropriate budget adjustments to implement this Resolution. Any deficiency in the Salaries and Wages Account of the Parks and Recreation Department resulting from the reorganization approved herein shall be paid from the Unassigned Fund Balance Account.
4. That this Resolution shall take effect upon its passage and adoption by the City

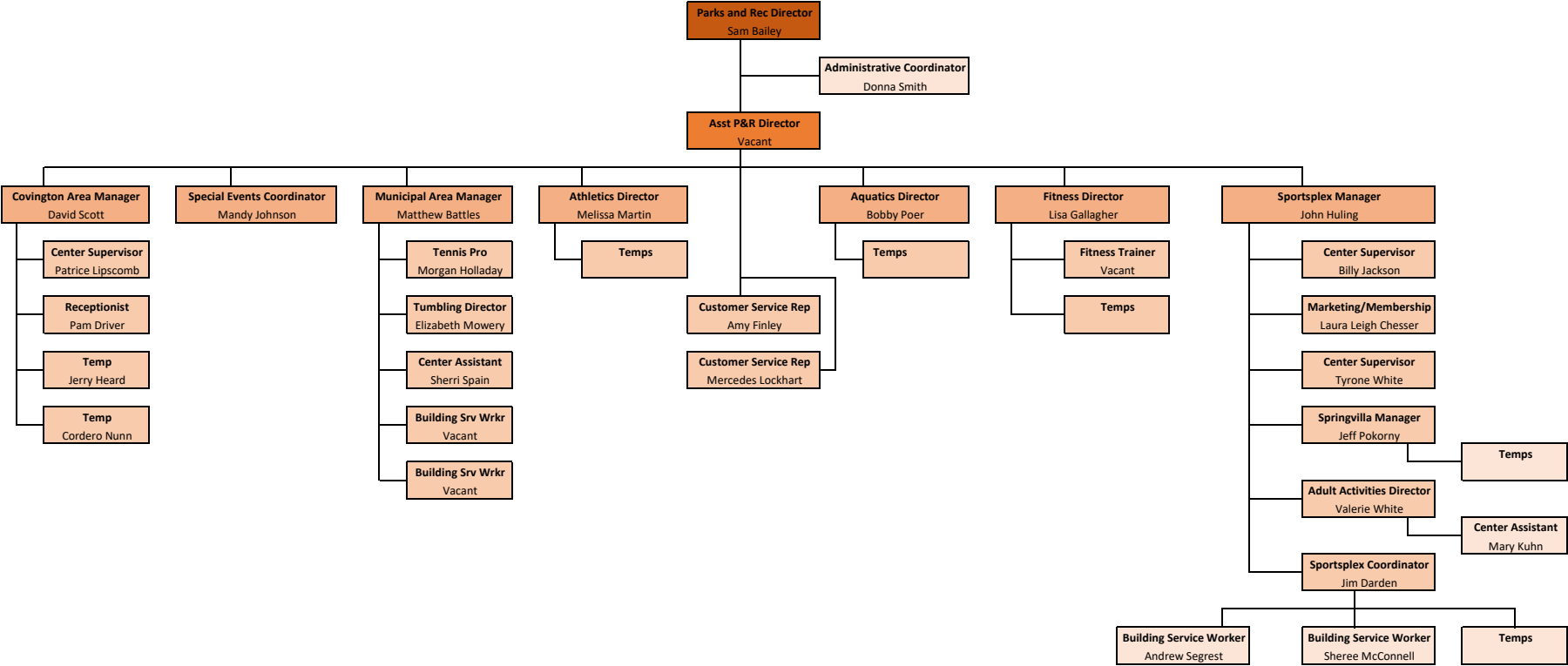
Council.

ADOPTED AND APPROVED this the _____ day of _____, 2018.

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

ATTEST:

CITY CLERK



**CITY OF OPELIKA
POSITION DESCRIPTION**

**TITLE: P & R RECREATION BUILDING SERVICE
WORKER**

GENERAL DESCRIPTION

The essential function of the position within the organization is to perform general cleaning and maintenance tasks of public buildings, grounds, and facilities. The position is responsible for maintaining the cleanliness of the assigned area and performing light maintenance tasks such as changing light bulbs, setting up meeting rooms, or gathering recycling materials. The position works under general supervision of the Center Director and according to some procedures; decides how and when to complete tasks.

PRIMARY DUTIES: *This list represents the essential tasks performed by this position. Employees may be assigned additional duties by management as required.*

Performs cleaning of inside of buildings, including tasks such as sweeping, mopping, waxing, buffing, drying and polishing floors; washing walls, windows and woodwork; dusting and polishing furniture and equipment; cleaning and sanitizing restrooms and replenishing supplies; or vacuuming and shampooing carpets.

Collects and disposes of trash/garbage, replacing liners in receptacles as needed; gathers recycling materials and delivers to designated area.

Picks up trash and debris on grounds; sweeps/blows walkways, steps and entrance landings; assists with park maintenance as required.

Moves furniture as directed; sets up meeting/community rooms and breaks down tables and chairs at conclusion of activities/events.

Performs minor maintenance tasks such as changing light bulbs or assisting with small equipment repair.

Assists with special functions such as answering telephones or hauling equipment to work sites as directed by supervisor.

Assists other departmental staff on special projects as directed.

Performs weekend and holiday duty as assigned.

Other duties and responsibilities as assigned by the Center Director and / or supervisory staff.

DATA RESPONSIBILITY: *Data refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.*

Copies, transcribes, enters, or posts data or information.

PEOPLE RESPONSIBILITY: *People refers to individuals who have contact with or are influenced by the position.*

Attends to the needs or requests of people and exchanges information with them.

INVOLVEMENT WITH THINGS: *Things refers to inanimate objects such as substances, materials, machines, tools, equipment, work aids, or products. A thing is tangible and has shape, form, and other physical characteristics.*

Handles or uses machines, tools, equipment or work aids involving little or no latitude for judgment regarding attainment of a standard or in selecting appropriate items, such as blowers, brooms, strippers, or vacuum cleaners.

ASSETS RESPONSIBILITY: *Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.*

Requires minimum responsibility for only small quantities of low cost items or supplies where opportunities for achieving economies or preventing loss are negligible.

MATHEMATICAL REQUIREMENTS: *Mathematics deals with quantities, magnitudes, and forms and their relationships and attributes by the use of numbers and symbols.*

Uses addition and subtraction such as making change.

COMMUNICATIONS REQUIREMENTS: *Communications involves the ability to read, write, and speak.*

Reads routine sentences or instructions; writes routine sentences and completes routine work forms; speaks routine sentences using standard grammar.

COMPLEXITY OF WORK: *Complexity of work addresses the analysis, initiative, ingenuity, creativity, and concentration required by the position and the presence of any unusual pressures.*

Performs semi-routine work following procedures, with occasional problems; requires normal attention for accurate results.

JUDGMENT REQUIREMENTS: *Judgement requirements refers to the frequency and complexity of judgments and decisions given the stability of the work environment, the nature and type of guidance, and the breadth of impact of the judgments and decisions.*

Guides others, requiring a few decisions, affecting the individual and a few co-workers; works in a stable environment with clear and uncomplicated written/oral instructions but with some variations from the routine.

IMPACT OF ERRORS: *Impact of decisions refers to consequences such as damage to property, loss of data or property, exposure of the organization to legal liability, or injury or death for individuals.*

Makes decisions with very minor impact - affects only the individual.

EDUCATION REQUIREMENTS: *Education requirements refers to job specific training and education required for entry into the position.*

Requires high school diploma, GED, or specialized vocational training.

LICENSES, CERTIFICATIONS, AND REGISTRATIONS REQUIRED: *Licenses, certifications, and registrations refers to professional, state, or federal licenses, certifications, or registrations required to enter the position.*

Must maintain a valid Alabama Driver's License

EXPERIENCE REQUIREMENTS: *Experience refers to the amount of work experience that is required for entry into the position that would result in reasonable expectation that the person can perform the tasks required by the position.*

Requires one year of related experience. Education and other work experience may substitute as determined by the hiring authority.

PHYSICAL DEMANDS: *Physical demands refers to the requirements for physical exertion and coordination of limb and body movement.*

Requires heavy work involving exerting 50 to 100 pounds of force on a regular basis, and moderate dexterity and skill in operating cleaning machinery.

Willing to work non-standard hours and overtime time as required. Willing to travel to attend related workshops.

SAFETY OF OTHERS: *Safety of others refers to the responsibility for the safety of others, either inherent in the job or to assure the safety of the general public.*

Requires no responsibility for the safety and health of others.

UNAVOIDABLE HAZARDS: *Unavoidable hazards refers to unusual conditions in the work environment that may cause illness or injury.*

The position is exposed to extreme heat and/or cold, wet/humid conditions, bright and/or dim light, dust or pollen, intense noise levels, fumes or noxious odors, and toxic or caustic chemicals.

SENSORY (ADA) REQUIREMENTS: *Sensory requirements refers to hearing, sight, touch, taste, and smell necessary to perform the tasks required by the position efficiently.*

The position requires normal visual acuity and field of vision, sense of smell, and texture perception.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

The City of Opelika is an Equal Opportunity Employer. ADA requires the City to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.

RESOLUTION NO. 208-18

Add Fitness Trainer Job Classification

RESOLUTION NO. _____

**RESOLUTION ADDING THE JOB CLASSIFICATION OF
PARKS AND RECREATION FITNESS TRAINER**

WHEREAS, the Mayor has submitted his recommendation to the City Council to authorize the new job classification of Parks and Recreation Fitness Trainer in the Parks and Recreation Department.

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

1. That the new classified position of Parks and Recreation Fitness Trainer at pay grade 13 is hereby approved and authorized by the City Council.
2. That the job description of Parks and Recreation Fitness Trainer, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference, is hereby approved by the City Council.
3. That the Director of Parks and Recreation Department is hereby authorized and directed to modify the organizational chart of the Parks and Recreation Department to implement the changes in personnel as contemplated by this Resolution.
4. That the Controller is authorized to make the appropriate budget adjustments to implement this Resolution. Any deficiency in the Salaries and Wages Account of the Parks and Recreation Department resulting from the reorganization approved herein shall be paid from the

Unassigned Fund Balance Account.

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

ADOPTED AND APPROVED this the _____ day of _____, 2018.

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

ATTEST:

CITY CLERK

**CITY OF OPELIKA
POSITION DESCRIPTION**

TITLE: P & R Fitness Trainer

GENERAL DESCRIPTION

The essential function of the position within the organization is to help develop programs that recruit new members and retain current members for the organization. To supervise and train fitness employees to represent the organization to the best interest of the department. To assist members in planning routines, developing different movements for each set of muscles, depending on participants' capabilities and limitations. Evaluate individuals' abilities, needs, and physical conditions, and develop suitable training programs to meet any special requirements. Administer emergency first aid, wrap injuries, treat minor chronic disabilities.

PRIMARY DUTIES: *This list represents the essential tasks performed by this position. Employees may be assigned additional duties by management as required.*

Offer alternatives during classes to accommodate different levels of fitness.

Plan routines, choose appropriate music, and choose different movements for each set of muscles, depending on participants' capabilities and limitations.

Evaluate individuals' abilities, needs, and physical conditions, and develop suitable training programs to meet any special requirements.

Observe participants and inform them of corrective measures necessary for skill improvement.

Teach proper breathing techniques used during physical exertion.

Monitor participants' progress and adapt programs as needed.

Instruct participants in maintaining exertion levels to maximize benefits from exercise routines.

Teach and demonstrate use of exercise equipment and proper weight lifting techniques.

Explain and enforce safety rules and regulations governing sports, recreational activities, and the use of exercise equipment.

Provide participants with information and resources regarding nutrition, weight control, and lifestyle issues.

Conduct therapeutic, recreational, or athletic activities.

Administer emergency first aid, wrap injuries, treat minor chronic disabilities, or refer injured persons to physicians.

Maintain fitness equipment.

Advise clients about proper clothing and shoes.

Other duties or responsibilities as assigned by the Sportsplex Directors or supervisory staff.

P & R Fitness Trainer

WORK ACTIVITIES: Performing General Physical Activities, Updating and Using Relevant Knowledge, Establishing and Maintaining Interpersonal Relationships, performing for or Working Directly with the Public, Handling and Moving Objects, Thinking Creatively, Assisting and Caring for Others, Getting Information, Training and Teaching Others, Coaching and Developing Others

DETAILED WORK ACTIVITIES: Administer first aid. Administer therapeutic massages. Demonstrate activity techniques or equipment use. Develop educational or training programs. Distribute resources to patrons or employees. Enforce rules or regulations. Evaluate capabilities or training needs. Explain regulations, policies, or procedures. Maintain client information or service records. Maintain supply or equipment inventories. Organize recreational activities or events. Perform basic equipment maintenance. Promote products, services, or programs. Provide medical or cosmetic advice for clients. Sell products or services. Teach exercise or fitness techniques. Teach health or hygiene practices.

DATA RESPONSIBILITY: *Data refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.*

Collects, classifies, and formats data or information.

PEOPLE RESPONSIBILITY: *People refers to individuals who have contact with or are influenced by the position.*

Supervises or directs others by determining or interpreting work procedures, assigning specific duties, maintaining harmonious relations, and promoting efficiency.

INVOLVEMENT WITH THINGS: *Things refers to inanimate objects such as substances, materials, machines, tools, equipment, work aids, or products. A thing is tangible and has shape, form, and other physical characteristics.*

Handles or uses machines, tools, equipment or work aids involving moderate latitude for judgment regarding attainment of a standard or in selecting appropriate items such as aquatics equipment or standard office equipment such as computers, laminators, or copiers.

ASSETS RESPONSIBILITY: *Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.*

Requires responsibility for achieving major economies and/or preventing losses through the handling of accounting for materials, supplies, or small amounts of money.

MATHEMATICAL REQUIREMENTS: *Mathematics deals with quantities, magnitudes, and forms and their relationships and attributes by the use of numbers and symbols.*

Uses addition, subtraction, multiplication, and division; may compute ratios, rates, and percents.

COMMUNICATIONS REQUIREMENTS: *Communications involves the ability to read, write, and speak.*

Reads professional publications; composes reports; speaks formally to groups outside the organization.

P & R Fitness Trainer

COMPLEXITY OF WORK: *Complexity of work addresses the analysis, initiative, ingenuity, creativity, and concentration required by the position and the presence of any unusual pressures.*

Performs supervisory work involving policy and guidelines, solving both people and work-related problems; requires continuous, close attention for accurate results and frequent exposure to unusual pressure.

JUDGMENT REQUIREMENTS: *Judgement requirements refers to the frequency and complexity of judgments and decisions given the stability of the work environment, the nature and type of guidance, and the breadth of impact of the judgments and decisions.*

Requires decision-making as a significant part of the job, affecting a large segment of the organization and the public; works in a dynamic environment with responsibility for developing policies and practices.

IMPACT OF ERRORS: *Impact of decisions refers to consequences such as damage to property, loss of data or property, exposure of the organization to legal liability, or injury or death for individuals.*

Makes decisions with major impact - affects those in immediate work area and those outside of work area.

EDUCATION REQUIREMENTS: *Education requirements refers to job specific training and education required for entry into the position.*

Requires college degree in fitness administration, certified training degree, or related field.

SKILLS AND ABILITIES:

Basic Skills: Talking to others to convey information effectively.

Monitoring/Assessing performance of yourself, other individuals, or organizations to make improvements or take corrective action. Selecting and using training/instructional methods and procedures appropriate for the situation when learning or teaching new things. Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times. Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.

Social Skills: Teaching others how to do something. Adjusting actions in relation to others' actions. Being aware of others' reactions and understanding why they react as they do. Persuading others to change their minds or behavior. Bringing others together and trying to reconcile differences.

Complex Problem-Solving Skills: Identifying complex problems and reviewing related information to develop and evaluate options and implement solutions.

Technical Skills: Analyzing needs and product requirements to create a design. Conducting tests and inspections of products, services, or processes to evaluate quality or performance. Determining the kind of tools and equipment needed to do a job. Watching gauges, dials, or other indicators to make sure a machine is working properly. Controlling operations of equipment or systems.

P & R Fitness Trainer

System Skills: Considering the relative costs and benefits of potential actions to choose the most appropriate one. Identifying measures or indicators of system performance and the actions needed to improve or correct performance, relative to the goals of the system. Determining how a system should work and how changes in conditions, operations, and the environment will affect outcomes.

Resource Management Skills: Motivating, developing, and directing people as they work, identifying the best people for the job. Managing one's own time and the time of others. Obtaining and seeing to the appropriate use of equipment, facilities, and materials needed to do certain work. Determining how money will be spent to get the work done, and accounting for these expenditures.

Desktop/Laptop Computer Skills: **Databases** - Using a computer application to manage large amounts of information, including creating and editing simple databases, inputting data, retrieving specific records, and creating reports to communicate the information. **Graphics** - Working with pictures in graphics programs or other applications, including creating simple graphics, manipulating the appearance, and inserting graphics into other programs. **Internet** - Using a computer application to create, manipulate, edit, and show virtual slide presentations. **Navigation** - Using scroll bars, a mouse, and dialog boxes to work within the computer's operating system. Being able to access and switch between applications and files of interest. **Presentations** - Navigating the Internet to find information, including the ability to open and configure standard browsers; use searches, hypertext references, and transfer protocols; and send and retrieve electronic mail (e-mail). **Spreadsheets** - Using a computer application to enter, manipulate, and format text and numerical data; insert, delete, and manipulate cells, rows, and columns; and create and save worksheets, charts, and graphs. **Word Processing** - Using a computer application to type text, insert pictures, format, edit, print, save, and retrieve word processing documents.

LICENSES, CERTIFICATIONS, AND REGISTRATIONS REQUIRED: *Licenses, certifications, and registrations refers to professional, state, or federal licenses, certifications, or registrations required to enter the position.*

Must obtain and maintain State of Alabama Driver's License. Must be certified in cardiopulmonary resuscitation (CPR) and First Aid within six months of hire date. Any equivalent combination of education, experience and training which provides the required knowledge, abilities and skills may be considered as approved by the hiring authority.

EXPERIENCE REQUIREMENTS: *Experience refers to the amount of work experience that is required for entry into the position that would result in reasonable expectation that the person can perform the tasks required by the position.*

Any equivalent combination of education, experience and training which provides the required knowledge, abilities and skills may be considered.

P & R Fitness Trainer

PHYSICAL DEMANDS: *Physical demands refers to the requirements for physical exertion and coordination of limb and body movement.*

Requires considerable strength, flexibility, agility, coordination and balance to demonstrate and / or instruct patrons in the correct way to lift weights, participate in cardio vascular activities and / or other fitness or exercise pursuits.

Willing to work non-standard hours and overtime time as required. Willing to travel to attend workshops and fitness seminars and events.

SAFETY OF OTHERS: *Safety of others refers to the responsibility for the safety of others, either inherent in the job or to assure the safety of the general public.*

Requires considerable responsibility for safety and health of others and/or for occasional enforcement of the standards for all fitness patrons.

UNAVOIDABLE HAZARDS: *Unavoidable hazards refers to unusual conditions in the work environment that may cause illness or injury.*

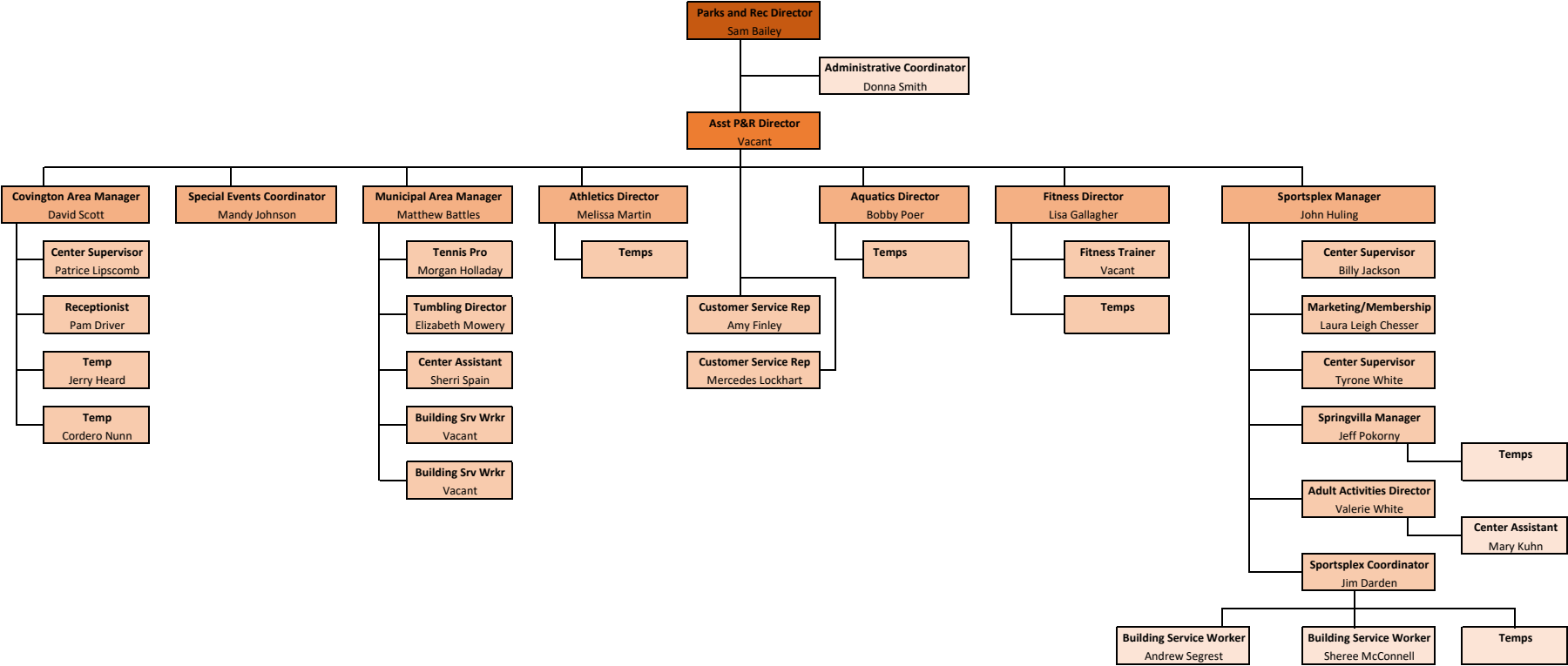
The position is exposed to extreme heat and/or cold, wet/humid conditions, bright and/or dim light, dust or pollen, intense noise levels, disease, and traffic.

SENSORY (ADA) REQUIREMENTS: *Sensory requirements refers to hearing, sight, touch, taste, and smell necessary to perform the tasks required by the position efficiently.*

The position requires normal visual acuity and field of vision, hearing, speaking, color perception, sense of smell, and texture perception.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

The City of Opelika is an Equal Opportunity Employer. ADA requires the City to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.



RESOLUTION NO. 209-18

Add ADA Compliance Officer Job Classification

RESOLUTION NO. _____

**RESOLUTION ADDING THE JOB CLASSIFICATION OF
ADA COMPLIANCE OFFICER IN THE PLANNING DEPARTMENT**

WHEREAS, the Mayor has submitted his recommendation to the City Council to authorize the new job classification of ADA Compliance Officer in the Planning Department.

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

1. That the new job classification of ADA Compliance Officer at pay grade 19 in the Planning Department is hereby approved and authorized by the City Council. The job description of ADA Compliance Officer, attached hereto as Exhibit "A" and incorporated herein by reference, is hereby approved.
2. That the Planning Director is hereby authorized and directed to modify the organizational chart of the Planning Department to implement the changes in personnel as contemplated by this Resolution.
3. That the Controller is authorized to make the appropriate budget adjustments to implement this Resolution. Any deficiency in the Salaries and Wages Account of the Parks and Recreation Department resulting from the reorganization approved herein shall be paid from the Unassigned Fund Balance Account.
4. That this Resolution shall take effect upon its passage and adoption by the City

Council.

ADOPTED AND APPROVED this the _____ day of _____, 2018.

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

ATTEST:

CITY CLERK

**CITY OF OPELIKA
POSITION DESCRIPTION**

TITLE: ADA Compliance Officer

GENERAL DESCRIPTION

The essential function of the position within the organization is to oversee, recommend, monitor and coordinate the City's ADA Self-Evaluation and Transition Plan as related to facilities management, private development and public access. The employee in this position will provide direction and services necessary to meet compliance with all state and federal disability legislation and regulations; review complaints and grievances, conduct investigations; write reports; respond to requests for information from federal and/or state, and/or disability compliance officials. An employee in this position will also provide assistance to the Planning Department in areas such as Plans examination, as directed by Planning Director. The position is responsible for overseeing ADA building inspections, ADA building codes and ordinance compliance, reviewing building plans, customer service, related clerical functions, and reporting on events and activities to senior management. The position develops and implements programs within organizational policies; reports major activities to executive level administrators through conferences and reports.

PRIMARY DUTIES: *This list represents the essential tasks performed by this position. Employees may be assigned additional duties by management as required.*

Recommend, monitor and coordinate the City's ADA Self-Evaluation and Transition Plan as related to facilities management, private development and public access.

Serves as a liaison between City departments to facilitate compliance with the ADA.

Provide technical assistance to public and private agencies on ADA issues.

Review and recommend changes to architectural drawings and plans of new and existing construction for architectural accessibility for both public and private development.

Conduct site visits to review programs, designs, plans, work in progress, etc. for compliance with the ADA.

Represent the City and be an advocate for ADA issues.

Provides assistance to Director with departmental duties when directed; interprets and ensures compliance with ADA building codes and ordinances. Monitors City personnel compliance with ADA regulations.

Conducts on-site building, structural, electrical, mechanical, and plumbing inspections to ensure compliance with applicable ADA codes and ordinances.

Collects and maintains information/data and prepares a wide variety of reports and statistics based on permits and construction activities; enters and maintains data in departmental database.

ADA Compliance Officer

Interacts with architects, engineers and contractors to provide information, discuss code and ordinance compliance, and review plans and correspondence.

Oversees, reviews, and approves expenditures for area of responsibility; provides fiscal data for the preparation of the annual budget when requested by Director.

Sets up and maintains record system; processes daily paperwork including reports, memos, requisitions, and personnel information; logs and maintains fixed asset inventory.

Attends or conducts staff and other professional meetings to exchange information; attends in-service training and technical or professional classes, seminars, or conferences to improve technical or professional skills

Other related duties as required by Department Head.

DATA RESPONSIBILITY: *Data refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.*

Coordinates or determines time, place, or sequence of operations or activities based on analysis of data and possibly executes determinations or reports on events.

PEOPLE RESPONSIBILITY: *People refers to individuals who have contact with or are influenced by the position.*

Supervises or directs others by determining or interpreting work procedures, assigning specific duties, maintaining harmonious relations, and promoting efficiency.

INVOLVEMENT WITH THINGS: *Things refers to inanimate objects such as substances, materials, machines, tools, equipment, work aids, or products. A thing is tangible and has shape, form, and other physical characteristics.*

Leads or handles machines, tools, equipment or work aids involving moderate latitude for judgment regarding attainment of a standard or in selecting appropriate items such as electrical testing instruments or transits.

ASSETS RESPONSIBILITY: *Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.*

Requires responsibility and opportunity for achieving considerable economies and/or preventing considerable losses through the management of a large division or minor department, and/or handling of very large amounts of money.

MATHEMATICAL REQUIREMENTS: *Mathematics deals with quantities, magnitudes, and forms and their relationships and attributes by the use of numbers and symbols.*

Uses basic algebra calculating variables and formulas, and/or basic geometry, calculating plane and solid figures; may compute discounts, interest, ratios and proportions, and percentages.

COMMUNICATIONS REQUIREMENTS: *Communications involves the ability to read, write, and speak.*

Created August 2018

Reads professional publications; composes complex reports and manuals; speaks formally to groups outside the organization.

COMPLEXITY OF WORK: *Complexity of work addresses the analysis, initiative, ingenuity, creativity, and concentration required by the position and the presence of any unusual pressures.*

Performs coordinating work involving guidelines and rules with constant problem solving; requires continuous, close attention for accurate results or frequent exposure to unusual pressure.

JUDGMENT REQUIREMENTS: *Judgement requirements refers to the frequency and complexity of judgments and decisions given the stability of the work environment, the nature and type of guidance, and the breadth of impact of the judgments and decisions.*

Requires decision-making as a significant part of the job, affecting a large segment of the organization and the general public; works in a dynamic environment with responsibility for developing policies and practices.

IMPACT OF ERRORS: *Impact of decisions refers to consequences such as damage to property, loss of data or property, exposure of the organization to legal liability, or injury or death for individuals.*

Makes decisions with moderate impact - affects those in work unit and outside agencies.

EDUCATION REQUIREMENTS: *Education requirements refers to job specific training and education required for entry into the position.*

High school diploma or GED; supplemented by vocational/technical training or certification(s) in building mechanical systems, building construction, or building inspection. Previous experience and/or training that includes building inspection, building mechanical systems, or building construction; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job as determined by the hiring authority. Certification as a Building Code Official from ICC within one year of employment and maintenance of certification as a condition of continued employment. Must obtain and maintain considerable knowledge of and/or training on federal, state and local laws, regulations and judicial decisions regarding the Rehabilitation Act of 1973 and the Americans with Disabilities Act. Must possess a State of Alabama Driver's License.

SKILLS AND ABILITIES:

Basic Skills: Talking to others to convey information effectively.

Monitoring/Assessing performance of yourself, other individuals, or organizations to make improvements or take corrective action. Selecting and using training/instructional methods and procedures appropriate for the situation when learning or teaching new things. Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times. Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.

ADA Compliance Officer

Social Skills: Teaching others how to do something. Adjusting actions in relation to others' actions. Being aware of others' reactions and understanding why they react as they do. Persuading others to change their minds or behavior. Bringing others together and trying to reconcile differences.

Complex Problem-Solving Skills: Identifying complex problems and reviewing related information to develop and evaluate options and implement solutions.

Technical Skills: Analyzing needs and product requirements to create a design. Conducting tests and inspections of products, services, or processes to evaluate quality or performance. Determining the kind of tools and equipment needed to do a job. Watching gauges, dials, or other indicators to make sure a machine is working properly. Controlling operations of equipment or systems.

System Skills: Considering the relative costs and benefits of potential actions to choose the most appropriate one. Identifying measures or indicators of system performance and the actions needed to improve or correct performance, relative to the goals of the system. Determining how a system should work and how changes in conditions, operations, and the environment will affect outcomes.

Resource Management Skills: Motivating, developing, and directing people as they work, identifying the best people for the job. Managing one's own time and the time of others. Obtaining and seeing to the appropriate use of equipment, facilities, and materials needed to do certain work. Determining how money will be spent to get the work done, and accounting for these expenditures.

Desktop/Laptop Computer Skills: **Databases** - Using a computer application to manage large amounts of information, including creating and editing simple databases, inputting data, retrieving specific records, and creating reports to communicate the information. **Graphics** - Working with pictures in graphics programs or other applications, including creating simple graphics, manipulating the appearance, and inserting graphics into other programs. **Internet** - Using a computer application to create, manipulate, edit, and show virtual slide presentations. **Navigation** - Using scroll bars, a mouse, and dialog boxes to work within the computer's operating system. Being able to access and switch between applications and files of interest. **Presentations** - Navigating the Internet to find information, including the ability to open and configure standard browsers; use searches, hypertext references, and transfer protocols; and send and retrieve electronic mail (e-mail). **Spreadsheets** - Using a computer application to enter, manipulate, and format text and numerical data; insert, delete, and manipulate cells, rows, and columns; and create and save worksheets, charts, and graphs. **Word Processing** - Using a computer application to type text, insert pictures, format, edit, print, save, and retrieve word processing documents.

LICENSES, CERTIFICATIONS, AND REGISTRATIONS REQUIRED: *Licenses, certifications, and registrations refers to professional, state, or federal licenses, certifications, or registrations required to enter the position.*

ADA Compliance Officer

Requires State of Alabama Driver's License. Possess or obtain certification as a Building Code Official from ICC. The employee is required to obtain certification within one year of employment as a condition of employment. The employee must maintain certification.

EXPERIENCE REQUIREMENTS: *Experience refers to the amount of work experience that is required for entry into the position that would result in reasonable expectation that the person can perform the tasks required by the position.*

Requires 5 years of related experience as determined by the hiring authority.

PHYSICAL DEMANDS: *Physical demands refers to the requirements for physical exertion and coordination of limb and body movement.*

Candidate must successfully pass a Post-Offer – Validated Essential Job Functions and Physical Demands Evaluation.

Physical ability to navigate across uneven terrain on multiple construction sites daily. Ability to bend, crawl, stoop and climb ladders to inspect attics, basements, and or crawl spaces when needed. Requires lengthy standing or walking much of the work day, exerting up to 40 pounds of force on a regular basis, and extreme dexterity in operating machinery, tools, in order to perform essential job duties.

SAFETY OF OTHERS: *Safety of others refers to the responsibility for the safety of others, either inherent in the job or to assure the safety of the general public.*

Requires considerable responsibility for the safety and health of others and/or continuous enforcement of the laws and standards of public health and safety.

UNAVOIDABLE HAZARDS: *Unavoidable hazards refers to unusual conditions in the work environment that may cause illness or injury.*

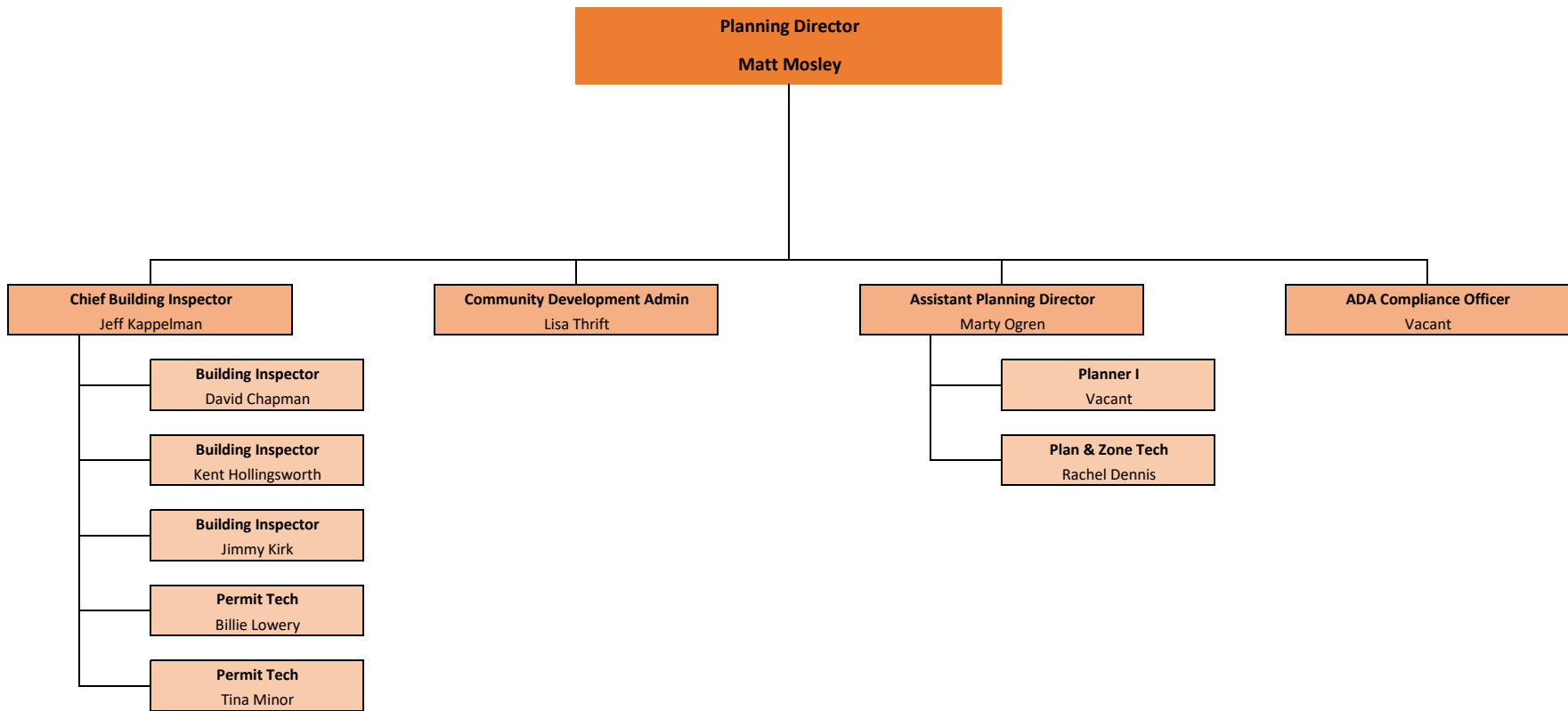
The position is exposed to extreme heat and/or cold, wet/humid conditions, bright and/or dim light, dust or pollen, intense noise levels, vibration, fumes or noxious odors, moving mechanical parts, electrical shock, heights, traffic, animals/wildlife, toxic or caustic chemicals, and explosives.

SENSORY (ADA) REQUIREMENTS: *Sensory requirements refers to hearing, sight, touch, taste, and smell necessary to perform the tasks required by the position efficiently.*

The position requires normal visual acuity and field of vision, hearing, speaking, color perception, sense of smell, and depth perception.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

The City of Opelika is an Equal Opportunity Employer. ADA requires the City to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.



RESOLUTION NO. 210-18

Add New Assistant Police Chief Job Classification

RESOLUTION NO. _____

**RESOLUTION ADDING THE JOB CLASSIFICATION OF
ASSISTANT POLICE CHIEF IN THE OPELIKA POLICE DEPARTMENT**

WHEREAS, the Mayor has submitted his recommendation to the City Council to authorize the new job classification of Assistant Police Chief in the Opelika Police Department.

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

1. That the new classified full-time position of Assistant Police Chief at pay grade 24 in the Opelika Police Department is hereby approved and authorized by the City Council. The job description of Assistant Police Chief, attached hereto as Exhibit “A” and incorporated herein by reference, is hereby approved.
2. That the part-time contractual position of Assistant Police Chief is hereby deleted.
3. That the Police Chief is hereby authorized and directed to modify the organizational chart of the Opelika Police Department to implement the changes in personnel as contemplated by this Resolution.
4. That the Controller is authorized to make the appropriate budget adjustments to implement this Resolution. Any deficiency in the Salaries and Wages Account of the Opelika Police Department resulting from the reorganization approved herein shall be paid from the Unassigned Fund Balance Account.

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

ADOPTED AND APPROVED this the _____ day of _____, 2018.

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

ATTEST:

CITY CLERK

Organizational Charts

Chief				
Assistant Chief				
Captain of Patrol				
Captain of Investigations				
Captain of Staff Services				
Captain of Special Services				
Administrative Coordinator				
<u>Assistant Chief</u>	<u>Captain of Patrol</u>	<u>Captain of Investigations</u>	<u>Captain of Staff Services</u>	<u>Captain of Special Services</u>
Sergeant	4 Lieutenants	Lieutenant	Records Clerk	Sergeant
Comm. Supervisor	8 Sergeants	Sergeant	Records Clerk	Officer
Comm. Operator II	44 Officers	Sergeant	Evidence Clerk	Officer
Comm. Operator II	SWAT	Sergeant	Inmate/Evidence Clerk	Officer
Comm. Operator II		Sergeant	Inmate/Evidence Clerk	Officer
Comm. Operator II		Detective		
Comm. Operator I		Detective		
Comm. Operator I		Detective		
Comm. Operator I		Detective		
Comm. Operator I		Detective		
Comm. Operator I		Detective		
Comm. Operator I		Detective		
Comm. Operator I		Detective		
Comm. Operator I		Detective		
Comm. Operator I		Records Clerk		
Comm. Operator I		K9 Officers		

Attachment: Copy of POLICE Organizational Chart (210-18 : Add New Assistant Police Chief Job

**CITY OF OPELIKA
POSITION DESCRIPTION**

TITLE: ASSISTANT CHIEF OF POLICE

GENERAL DESCRIPTION

The essential function of the position within the organization is to assist the Chief of Police in overseeing and directing the operations of the City's Police Department. The position is responsible for the safety of the citizens of Opelika, staff supervision, training, establishing long range plans, developing policy and procedures, budget preparation, law enforcement, public relations, related administrative duties, and reporting on events and activities to senior management and elected or appointed officials. The position assists in formulating long range goals for the organization; assists in developing policy and position papers and negotiates with the chief administrative officer and/or elected officials.

PRIMARY DUTIES: *This list represents the essential tasks performed by this position. Employees may be assigned additional duties by management as required.*

Oversees all major crime scenes, accidents and searches. Checks each division daily on proper operations and keeps the Chief of Police abreast of these operations.

Ensures that SOP's, General Procedures, and Rules and Regulations are kept current and up to date. Supervises staff, including establishing staffing standards, organizing, selecting or recommending selection, mentoring, assigning and evaluating work, counseling, disciplining, and terminating or recommending termination.

Monitors and researches trends, new methodology and technology, laws, regulations, and City policy to develop and enhance public service processes and activities, and to plan for future expansion to meet growth needs.

Follows-up on complaints on officers and investigates citizens' complaints.

Monitors Field Training Program for new officers.

Assists with administrative matters such as developing departmental budgets, monitoring expenditures, monitoring maintenance and accountability of departmental equipment, conducting special studies, managing correspondence and records, preparing routine and special reports, administering training, or providing for staff technical or professional growth.

Conducts staff, City Council, and other professional meetings and conferences to exchange information; attends technical or professional seminars or conferences to improve professional skills.

DATA RESPONSIBILITY: *Data refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.*

Synthesizes or integrates analysis of data or information to discover facts or develop knowledge or interpretations; modifies policies, procedures, or methodologies based on findings.

PEOPLE RESPONSIBILITY: *People refers to individuals who have contact with or are influenced by the position.*

Negotiates or exchanges ideas, information, and opinions with others to formulate policies and programs, or arrive jointly at decisions, conclusions, or solutions.

ASSISTANT CHIEF OF POLICE

INVOLVEMENT WITH THINGS: *Things refers to inanimate objects such as substances, materials, machines, tools, equipment, work aids, or products. A thing is tangible and has shape, form, and other physical characteristics.*

Coordinates the handling of machines, tools, equipment or work aids involving extensive latitude for judgment regarding attainment of a standard or in selecting appropriate items such as police vehicles or firearms.

ASSETS RESPONSIBILITY: *Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.*

Requires responsibility and opportunity for achieving considerable economies and/or preventing considerable losses through the management of a large division or minor department, and/or handling of very large amounts of money.

MATHEMATICAL REQUIREMENTS: *Mathematics deals with quantities, magnitudes, and forms and their relationships and attributes by the use of numbers and symbols.*

Uses basic algebra calculating variables and formulas, and/or basic geometry, calculating plane and solid figures; may compute discounts, interest, ratios and proportions, and percentages.

COMMUNICATIONS REQUIREMENTS: *Communications involves the ability to read, write, and speak.*

Reads and interprets advanced professional materials; writes extremely complex reports and papers; speaks to high level professional groups.

COMPLEXITY OF WORK: *Complexity of work addresses the analysis, initiative, ingenuity, creativity, and concentration required by the position and the presence of any unusual pressures.*

Performs work involving the application of logical principles and thinking to solve practical problems within or applying to a unit or division of the organization; requires continuous, close attention for accurate results and frequent exposure to unusual pressure.

JUDGMENT REQUIREMENTS: *Judgement requirements refers to the frequency and complexity of judgments and decisions given the stability of the work environment, the nature and type of guidance, and the breadth of impact of the judgments and decisions.*

Requires decision-making as almost the entire focus of the job, affecting most segments of the organization and the general public; works in a highly dynamic environment with responsibility for establishing goals, objectives, and policies.

IMPACT OF ERRORS: *Impact of decisions refers to consequences such as damage to property, loss of data or property, exposure of the organization to legal liability, or injury or death for individuals.*

Makes decisions with very serious impact - affects entire organization and the general public; probability of loss of life and/or damage is very likely.

EDUCATION REQUIREMENTS: *Education requirements refers to job specific training and education required for entry into the position.*

Requires bachelor's degree in public administration, law enforcement, or a closely related field. Ten years of experience in law enforcement in a supervisory position may be substituted in lieu of college degree as approved by the hiring authority.

Updated September 2013

ASSISTANT CHIEF OF POLICE

LICENSES, CERTIFICATIONS, AND REGISTRATIONS REQUIRED: *Licenses, certifications, and registrations refers to professional, state, or federal licenses, certifications, or registrations required to enter the position.*

Requires State of Alabama Driver's License and applicable law enforcement credentials.

EXPERIENCE REQUIREMENTS: *Experience refers to the amount of work experience that is required for entry into the position that would result in reasonable expectation that the person can perform the tasks required by the position.*

Requires over ten years of related experience.

PHYSICAL DEMANDS: *Physical demands refers to the requirements for physical exertion and coordination of limb and body movement.*

Requires sedentary work involving standing or walking for brief periods, exerting up to 10 pounds of force on a regular basis, and some dexterity in operating machines, tools, or office equipment.

SAFETY OF OTHERS: *Safety of others refers to the responsibility for the safety of others, either inherent in the job or to assure the safety of the general public.*

Requires management level responsibility for application and interpretation of the policies regarding the provision of continuous enforcement of the laws and standards of public health and safety.

UNAVOIDABLE HAZARDS: *Unavoidable hazards refers to unusual conditions in the work environment that may cause illness or injury.*

The position is exposed to extreme heat and/or cold, wet/humid conditions, bright and/or dim light, dust or pollen, intense noise levels, violence, disease, traffic, and explosives.

SENSORY (ADA) REQUIREMENTS: *Sensory requirements refers to hearing, sight, touch, taste, and smell necessary to perform the tasks required by the position efficiently.*

The position requires normal visual acuity and field of vision, hearing, speaking, color perception, sense of taste, sense of smell, depth perception, and texture perception.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

The City of Opelika is an Equal Opportunity Employer. ADA requires the City to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.

ORDINANCE NO. 016-18-ORD

East Central Alabama Highway Safety Office Lease - 2Nd Reading.

ORDINANCE NO. _____

**AN ORDINANCE APPROVING LEASE AGREEMENT WITH
EAST CENTRAL ALABAMA HIGHWAY SAFETY OFFICE**

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 (the “City”) is not currently needed for public or municipal purposes, to-wit:

One (1) room on the first floor of the Public Works Administration Building located at 700 Fox Trail, Opelika, Alabama.

Section 2. That the City, having received an offer from East Central Alabama Highway Safety Office to lease said room described in Section 1 above, it is hereby declared to be in the best interest of the public and the City, to lease said office room to East Central Alabama Highway Safety Office at a monthly rental of \$1,900.00 for a term of one (1) year commencing on October 1, 2018 and ending on September 30, 2019.

Section 3. That a proposed Lease Agreement to be entered into between the City and East Central Alabama Highway Safety Office, a copy of which is attached as Exhibit “A”, be and the same is hereby approved, authorized, ratified and confirmed in substantially the form submitted to the City Council.

Section 4. That the Mayor and the City Clerk are hereby authorized and directed to execute, attest and deliver said Lease Agreement in the name and on behalf of the City.

Section 5. That this ordinance shall become effective immediately upon its adoption and publication as required by law.

Section 6. That 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 _____, 2018.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR this the ____ day of _____, 2018.

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2018.

MAYOR

ATTEST:

CITY CLERK

STATE OF ALABAMA)
COUNTY OF LEE)

LEASE AGREEMENT

THIS LEASE AGREEMENT (the “Lease”) is made this the 1st day of October, 2018 (the “Effective Date”) by and between the City of Opelika, Alabama, a Municipal Corporation, (hereinafter referred to as “**LANDLORD**”), and East Central Highway Safety Office (hereinafter referred to as “**TENANT**”).

In consideration of the mutual covenants contained herein, **LANDLORD** and **TENANT** agree as follows:

1. **Property leased.** **LANDLORD** hereby leases to **TENANT** and **TENANT** hereby leases from **LANDLORD** for the term and for the terms, covenants and conditions set forth in this Lease, one (1) office room in the Engineering Department located within the Public Works Administration Building located at 700 Fox Trail, Opelika, Alabama, said premises being hereinafter referred to as the “Leased Premises”. Office furnishings to include desks, chairs, tables, bookcases, filing cabinets and other personal items shall be included as part of the Leased Premises.
2. **Term.** The term of this Lease (the “Term”) shall be one (1) year commencing on the effective date and ending on September 30, 2019.
3. **Rent.** **TENANT** agrees to pay **LANDLORD** monthly rent for the term of this Lease in the sum of one thousand nine hundred dollars (\$1,900.00). Rent shall be payable in advance on the 1st day of each month commencing October 1, 2018 and continuing on the 1st day of each month thereafter until the termination of this Lease. Rental payments shall be made to the City of Opelika.

4. Condition of Premises. **TENANT** accepts the Leased Premises in its present, “AS IS” condition. **LANDLORD** shall not be obligated to perform any work, or make any improvements or alterations to the Leased Premises. **TENANT**, during the term of this Lease, shall keep the Leased Premises in clean condition, free of debris and trash.

5. Use. The Leased Premises shall be used by the **TENANT** for commercial/governmental office space as the business office of the Project Director of East Central Alabama Highway Safety Office. The Leased Premises shall not be used for any other purpose without the written consent of **LANDLORD**.

6. Compliance with Laws. **TENANT** shall comply with all laws, orders and regulations of Federal, State, County and Municipal authorities as to its use of the Leased Premises. **TENANT** shall not do, or permit to be done, any act within or upon the Leased Premises which invalidates any fire insurance policies covering the building, fixtures or property therein; and shall not bring or keep anything therein, except not or hereafter permitted by the Opelika Fire Department, the Fire Insurance Rating Organization, or other authority having jurisdiction.

7. Maintenance. The **LANDLORD** agrees to maintain the Leased Premises in a good and safe condition during the term of this Agreement. **TENANT** shall be responsible for any and all damages to the Leased Premises resulting from the willful acts or negligence of the **TENANT** and its agents, employees or invitees.

8. Utilities. **LANDLORD** shall provide and pay the costs of all water, sewer and electrical power, fuel and all other utilities consumed in or at the Leased Premises. **TENANT** shall provide and pay costs of telephone services and additional Internet connections.

9. Insurance. **LANDLORD** agrees to procure and keep in force during the term of this Agreement, insurance covering the building and **LANDLORD's** property.

LANDLORD's insurance coverage shall not be required to cover any of **TENANT's** property and **TENANT** shall not have any claim against any of the proceeds of **LANDLORD's** coverage.

10. Loss, Damage. **LANDLORD** shall not be liable for any loss, damage or expense to any person or property of **TENANT** or to the property of others given to the **TENANT**. **LANDLORD** shall also not be liable for any theft of **TENANT's** property, nor for injury or damage to persons or property resulting from any cause whatsoever, unless due to the willful acts of **LANDLORD**, its agents, servants and/or employees.

11. No Other Space. **TENANT** is afforded no other space in the building other than the office described above.

12. Indemnification. **TENANT** agrees to indemnify and hold **LANDLORD** harmless from and against any and all liability for any injury to or death of any person or persons or any damaged property in any way arising out of or connected with the use or occupancy of the Leased Premises, or in any way arising out of the activities of the **TENANT**, his employees, guests, and invitees, and from all costs, expenses, liabilities, including, but not limited to, court costs and reasonable attorney's fees incurred by the **LANDLORD** in connection therewith, excepting, however, liability caused by the **LANDLORD'S** gross negligence.

13. Smoking. No smoking is allowed on the Leased Premises. This rule will be strictly adhered to.

14. Alcoholic Beverages. Alcoholic beverages are prohibited on the Leased Premises.

This rule will be strictly adhered to.

15. Care of Leased Premises. TENANT agrees to use due care in the use of the Leased Premises and further agrees that he will not commit waste thereon.

16. Remedies for Default. If TENANT shall fail to pay rent when due, shall default in any other provision of this Lease, or shall abandon the Leased Premises, LANDLORD, in addition to all other remedies provided either at law or in equity, may reenter and take possession of the Leased Premises and remove all persons and property therefrom, without being deemed guilty of any manner of trespass.

All rights and remedies of LANDLORD under this Lease shall be cumulative and none shall exclude any other right or remedy at law. Such rights and remedies may be exercised and enforced concurrently and whenever and as often as occasion therefor arises.

17. Attorney's Fees. LANDLORD shall be entitled to recover reasonable attorney's fees and costs in connection with any action or proceeding to enforce this Lease or otherwise secure any rights due it under this Lease or as may be accorded by law.

18. Relationship that of LANDLORD and TENANT. The Execution of this Lease or the performance of any act pursuant to the provisions thereof shall not be deemed or construed to have the effect of creating between LANDLORD and TENANT the relationship of principle or agent, or of partnership, or of joint venture, and the relationship between them shall only be that of LANDLORD and TENANT.

19. Notices. All notices required to be given to LANDLORD hereunder, shall be delivered to the City of Opelika, 204 Seventh Street South, Opelika, Alabama 36801, or

such other address as **LANDLORD** may direct by written notice forwarded to **TENANT** by certified mail. All notices required to be given **TENANT** shall be delivered to the address written above, or such address as **TENANT** may direct by written notice forwarded to **LANDLORD** by certified mail.

20. Conversion to Tenancy at Will. After the execution of this Lease, this Agreement shall convert to a tenancy at will between the parties hereto and may be terminated at any time without cause upon **TENANT's** giving notice in writing to **LANDLORD**, or **LANDLORD's** giving notice in writing to **TENANT** at least thirty (30) days prior to the termination date.

21. Waiver. The failure of the **LANDLORD** to insist upon strict performance of any of the covenants or conditions of this Lease or to exercise any option herein conferred in any one or more instances shall not be construed as a waiver or relinquishment of any such covenants, conditions or options, but the same shall be and remain in full force and effect. The receipt by the **LANDLORD** of rent, with knowledge of the breach of any covenant hereof, shall not be deemed to have been made unless expressed in writing and signed by the **LANDLORD**.

22. Renewal Options. This Lease may be renewed from year to year on the same terms as provided herein for a maximum period of five (5) years, unless one party gives the other notice it does not intend to renew at least thirty (30) days prior to the end of the lease year.

23. Entire Agreement. This Lease constitutes the entire agreement between the parties hereto, and any change or modification to this Lease shall be in writing and signed by the parties hereto.

24. Counterparts. This Lease may be executed in two or more counterparts, each of which shall be deemed to be an original but all of which shall constitute one and the same instrument.

25. Binding Effect. The provisions of this Lease shall be binding upon and shall inure to the benefit of the parties and their respective successors, legal representatives, heirs and assigns.

IN WITNESS WHEREOF, **LANDLORD** and **TENANT** have respectively caused this Lease to be executed by their duly authorized representatives as of the day and year first above written.

CITY OF OPELIKA-- LANDLORD

BY: _____
ITS MAYOR

ATTEST:

CITY CLERK

EAST CENTRAL HIGHWAY SAFETY OFFICE

TERRY HENDERSON, ITS DIRECTOR
TENANT

ORDINANCE NO. (ID # 3008)

Annexation of Property at 465 Lee Road 174 - 2Nd Reading.

James Duane Small has requested the annexation of approximately 13.9 acres into the City of Opelika. He requested to be annexed to have access to city services. The subject property currently has two homes and a barn structure. The property is located along the west side of Allbrite Road (Lee Road 174) off of Lafayette Parkway. At the August 28th meeting, the Planning Commission voted to send a positive recommendation to City Council to annex the 13.9 acres and zone the property R-1. A Planning Commission report and Map are attached. This is a request to place the annexation ordinance on the agenda for 1st reading.

ORDINANCE NO. _____

ORDINANCE ANNEXING CERTAIN PROPERTY TO THE CITY OF OPELIKA(JAMES D. SMALL PROPERTY)

WHEREAS, on the 17th day of July 2018, James D. Small (hereinafter referred to as the “Petitioner”) being the owner of the property hereinafter described, did file a Petition for Annexation (the “Petition”) with the City of Opelika, Alabama, a municipal corporation, a copy of which is attached hereto as Exhibit “A”, requesting the annexation of certain property owned by the Petitioner as more particularly described below; and

WHEREAS, said Petition did contain the signatures of all owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Opelika; 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 did determine that it is in the public interest that said property be annexed into the City of Opelika and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, *Code of Alabama* (1975).

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

Section 1. The City Council of the City of Opelika, finds and declares as the legislative body of the City of Opelika that it is in the best interest of the citizens of the City of Opelika, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the City of Opelika.

Section 2. The boundary lines of the City of Opelika, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretobefore encompassed by the corporate limits of the City of Opelika, Alabama, and in addition thereto the following described territory, to-wit:

Parcel Three (3) of Somerset, according to and as shown by map or plat of said subdivision of record in Town Plat Book 14, at Page 4, in the Office of the Judge of Probate of Lee County, Alabama; said parcel containing 13.9 acres, more or less.

Being further described as Tax Parcel No. 43 03 04 19 0 000 001.000.

Section 3. 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 "B" and made a part hereof.

Section 4. The Clerk of the City of Opelika is hereby authorized and directed to file with the Probate Judge of Lee County, Alabama, a certified copy of this ordinance, together with a certified copy of the petition of the property owner and the Clerk is further directed to take all necessary and proper steps to perfect the annexation of said territory herein described.

Section 5. This ordinance shall be published as provided by law in a newspaper of general circulation in the City of Opelika, Alabama.

Section 6. The territory described in this ordinance shall become a part of the corporate limits of the City of Opelika upon publication of this ordinance as set forth in Section 5 above.

ADOPTED AND APPROVED this the ____ day of _____, 2018.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR on this the ____ day of _____, 2018.

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2018.

MAYOR

ATTEST:

CITY CLERK

Annex-1049

AGENDA ITEM # 9

**PETITION FOR
ANNEXATION
PLANNING DEPARTMENT**

700 FOX TRAIL
OPELIKA, AL 36801

P: (334) 705-5156 F: (334) 705-5159

PC DEADLINE: 8/7/18 PC MEETING: 8/28/18

PROPERTY OWNER/ AUTHORIZED APPLICANT: James Duane Small
MAILING ADDRESS: 465 Lee Rd. 174
PHONE NUMBER: (334) 742-0474 FAX NUMBER: _____
EMAIL ADDRESS: jdsma1164@gmail.com

PARCEL INFORMATION

Annexed Property Address: 465 Lee Rd. 174 Opelika, AL 36801
Current Land Use: Res. d. Proposed Zoning: R-1
Description of proposed use: Res.
Adjacent Zoning Districts (if applicable): North: R-1 South: R-1 East: R-1 West: R-1
Tax Parcel Number: 03 04 19 0 000 001 .000
Ownership Configuration: ☒ single parcel/single ownership ☐ multiple parcels/single ownership
☐ single parcel/multiple ownership ☐ multiple parcels/multiple ownership

1. Is this property(s) contiguous with Opelika City limits? Yes
2. What is the population of proposed annexed area? 5
3. What is the population by race? 5 White, ___ Black, ___ Hispanic, ___ Asian, ___ Other
4. How many registered voters reside in proposed annexed area? 5
5. Are there any businesses in proposed annexed area? No
List type of business and location: _____

Proposed Zoning: R-1 Fee: 2x \$250.00 per dwelling or
\$250.00 per business

TOTAL = \$500.00

PAID ck# 7023

OWNERS SIGNATURE: <u>James D. Small</u>	DATE: <u>July 17, 2018</u>
(PRINT NAME) <u>James D. Small</u>	

AGENDA ITEM #

9**REQUIREMENTS**

1. Copy of deed of property
2. Copy of legal description of property
3. Following annexation, the property owner is responsible to change the physical address of the property annexed (not just the mailing address). Complete a change of address form provided by the Post Office. Then notify the telephone company about the address change.
4. Fee for Loss of Revenues to Volunteer Fire Department \$250.00

NOTE: Pursuant to Section 8, Act No. 89-390 of the State of Alabama, the County Fire Tax Fee remains in effect for five years after a property is annexed into the Opelika City limits. This State requirement concerns properties with dwellings or commercial improvements not vacant land. After five years, a Fire Tax Fee will not be collected. The Fire Tax Fee is \$50 per year for properties with dwellings (5 yrs. = \$250) or \$50 for properties with commercial improvements, (building) (5 yrs. = \$250). For each annexed property with a structure, a check in the amount of \$250, payable to the City of Opelika, is due when the annexation application, deed, and legal description are submitted. Fee is refundable if annexation is denied.

I hereby request the Opelika Planning Commission to review my annexation application for property located at the (address/general location) 465 Lee Road 174 Opelika, A as described in the legal description submitted. I understand the requirements above that I 3681 may be required to provide additional information with my application. The City may require information or waive certain requirements at any time during the annexation process.

James D. Snell

Signature (owner)

July 17, 2018

Date

AGENDA ITEM # 9

PETITION FOR ANNEXATION INTO CITY LIMITS OF THE CITY OF OPELIKA PURSUANT TO THE PROVISIONS OF SECTION 11-42-20, ET SEQ OF THE CODES OF ALABAMA, 1975

STATE OF ALABAMA

LEE COUNTY

TO: THE CITY COUNCIL OF THE CITY OF OPELIKA, ALABAMA

Come now the undersigned (hereinafter referred to as the "Petitioners"), being all the property owners of all the land described below, and represent and show unto your Honors as follows:

1. The Petitioners are the owners of the property hereinafter described, which is located and contained within an area contiguous to the corporate limits of the City of Opelika, an incorporated Municipality, situated in Lee County, Alabama, with a population of more than two thousand (2,000) according to the most recent Federal Census, which said property, is more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE (legal description)

2. There is attached hereto as Exhibit "B" and made a part of this Petition, a MAP of the above-described territory showing its relationship to the corporate limits of said Municipality of which it is proposed to be annexed.
3. The Petitioners certify that they are the owners of all the land within the above-described property.
4. The Petitioners certify that the territory to be annexed is contiguous to the existing corporate limits of the City of Opelika will form a homogenous part of the City.
5. The Petitioners represent and show it will be to the best interest of the City of Opelika and that the public good requires that the above-described territory be annexed into the City of Opelika, Alabama, a Municipal corporation.
6. The Petitioners understand that the city has not committed to provide sanitary sewer service to their property immediately, but will work to provide the service as soon as economically feasible.

WHEREFORE, your Petitioners respectfully pray that the City Council of the City of Opelika adopt an appropriate annexation ordinance assenting to the annexation of the above-described property into said Municipality, and that the corporate limits of the City be extended and rearranged by said ordinances so as to embrace and to include the above-described property as part of the corporate area of said City. The Petitioners further show that such other acts is taken as are necessary or appropriate in order to accomplish the annexation of the above-described territory.

RESPECTFULLY SUBMITTED this the 17th day of July, 2018.

AGENDA ITEM # 9**NOTARY SIGNATURES**

Before me, _____,
 a Notary Public in and for said County and State, hereby
 certify that _____,
 whose name is signed to the foregoing petition as
 _____ [President, Chairman, etc.]
 of _____,
 [Corporation, City], and who is known to me, acknowledged
 before me on this date that he executed the same voluntarily
 for and as the act of said corporation, being duly authorized
 to do so, all on the day they say bears date. Given under
 my hand and official seal of office this the
 _____ day of _____,

Notary Public

(print name)

(address)

(city, state, zip)

BY: _____
(signature)ITS: _____
(title)

DATE: _____

I, the undersigned authority, a Notary Public in and for
 said County and State, hereby certify that _____,
 whose name is signed to the foregoing petition, and
 who is known to me, acknowledged before me on this
 day, that being informed of the contents of said petition,
 he/she executed the same voluntarily on this date.
 Given under my hand and official seal of office this
 _____ day of _____,

Notary Public

(Signature)

(print name)

(mailing address)

DATE: _____

I, the undersigned authority, a Notary Public in and for
 said County and State, hereby certify that _____,
 whose name is signed to the foregoing petition, and
 who is known to me, acknowledged before me on this
 day, that being informed of the contents of said petition,
 he/she executed the same voluntarily on this date.
 Given under my hand and official seal of office this
 _____ day of _____,

Notary Public

(Signature)

(print name)

(mailing address)

DATE: _____

I, the undersigned authority, a Notary Public in and for
 said County and State, hereby certify that _____,
 whose name is signed to the foregoing petition, and
 who is known to me, acknowledged before me on this
 day, that being informed of the contents of said petition,
 he/she executed the same voluntarily on this date.
 Given under my hand and official seal of office this
 _____ day of _____,

Notary Public

(Signature)

(print name)

(mailing address)

DATE: _____

STATE OF ALABAMA
LEE COUNTY

DEED 2206 389
Recorded In Above Book and Page
04/16/2001 12:53:08 PM
BILL ENGLISH
PROBATE JUDGE
LEE COUNTY
Deed Tax 46.00
Recording Fee 11.00
TOTAL 57.00

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid to the undersigned grantor, CHERYL H. EMERY, a single woman (hereinafter referred to as GRANTOR), the receipt whereof is hereby acknowledged, I, the said GRANTOR do hereby grant, bargain, sell and convey unto JAMES D. SMALL, (hereinafter referred to as GRANTEE), all my right, title and interest in and to the following described real estate, situated in LEE County, Alabama, to-wit:

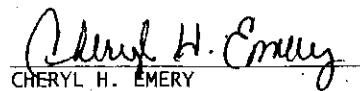
Parcel Three (3) of Somerset, according to and as shown by map, or plat of said subdivision of record in Town Plat Book 14, at Page 4, in the Office of the Judge of Probate of Lee County, Alabama.

This conveyance is made subject to the Restrictive Covenants dated September 18, 1989, recorded in Deed Book 1463, at Page 159, in the Office of the Judge of Probate of Lee County, Alabama, and any other easements, covenants, restrictions and rights-of-way of record in said county affecting said described property.

TO HAVE AND TO HOLD to said GRANTEE, his heirs and assigns forever.

And I, the said GRANTOR do for myself and my heirs, executors and administrators, covenant with the said GRANTEE, his heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances except as may be noted above; that I have a good right to sell and convey the same as aforesaid; and that I will and my heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, his heirs and assigns forever against the lawful claims of all persons.

Given under my hand and seal this the 13 day of April, 2001.


CHERYL H. EMERY

STATE OF ALABAMA
COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that CHERYL H. EMERY, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 13th day of April, 2001.

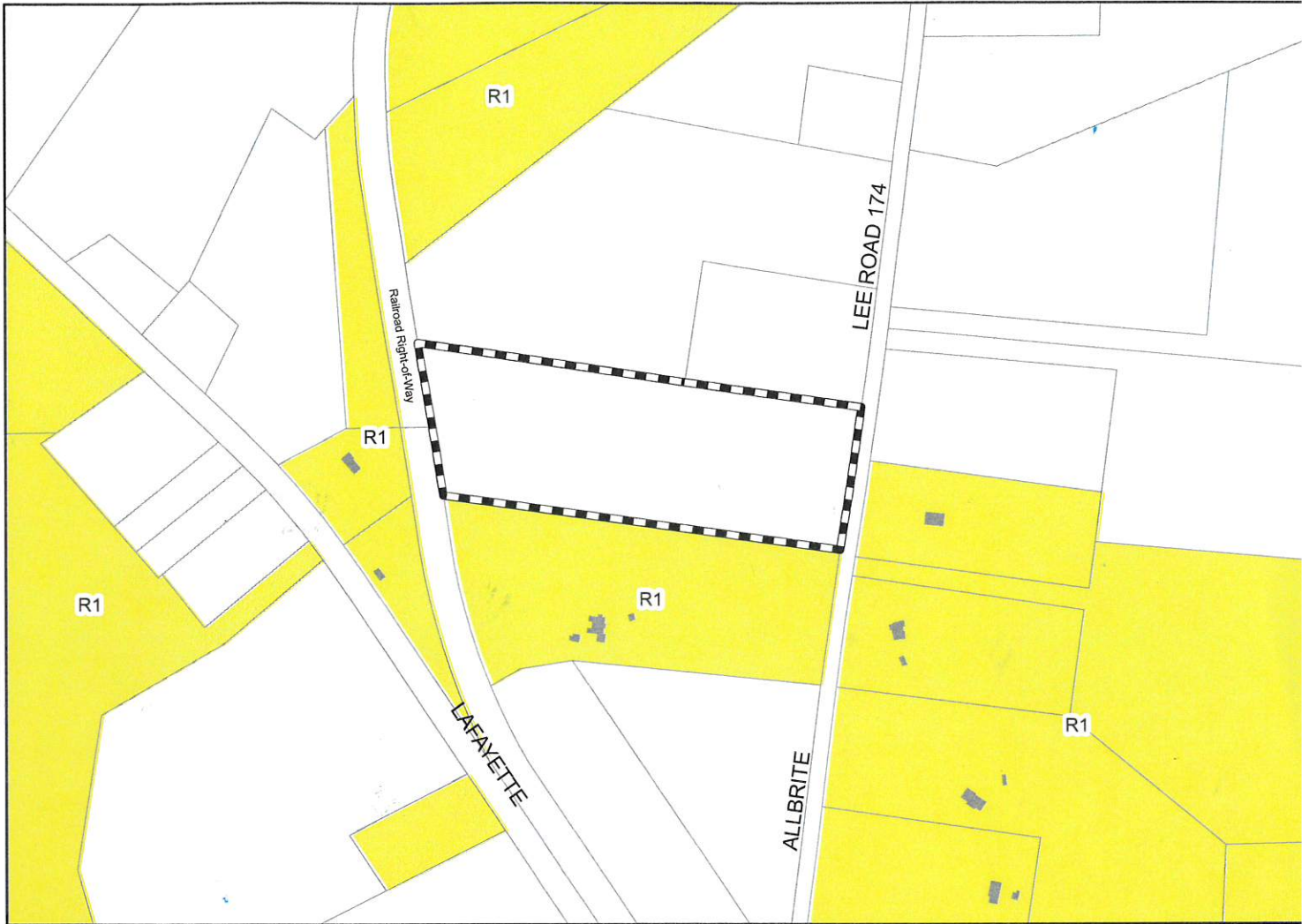
Sharon C. Brasswell
NOTARY PUBLIC
My Commission Expires: 4-19-04

Grantee's Address:
James D. Small
4164 E. 25th Street
Tucson, AZ 85711

This instrument prepared by:
James R. Thrash
P.O. Box 2009
Opelika, AL 36803-2009

DEED 2206 390
Recorded In Above Book and Page
04/16/2001 12:53:08 PM
BILL ENGLISH
PROBATE JUDGE
LEE COUNTY

**JAMES DUANE SMALL
465 LEE ROAD 174
ANNEXATION**



The applicant is requesting to annex 13.9 acres and is requesting a R-1 zoning district.



Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without

CITY OF OPELIKA

Planning Commission Report

Action Requested: Annexation and Zoning

Location of Property: 465 Lee Road 174

Property Owner: James D. Small

Current Zoning: PJ (Planning Jurisdiction)

Proposed Zoning: R-1

Existing Land Use: Residential

Adjacent Zoning/Land Use: North: Planning Jurisdiction (PJ)
 South: Rural (R-1)
 East: Rural (R-1)
 West: Rural (R-1)

PLANNING STAFF DISCUSSION: Mr. Small has requested the annexation of approximately 13.9 acres into the City of Opelika. He requested to be annexed to have access to city services. The subject property currently has two homes and a barn structure. The property is located along the west side of Allbrite Road (Lee Road 174) off of Lafayette Parkway. This property is contiguous to the City of Opelika through the South, East, and West property lines.

Section 5.3 of the City of Opelika Zoning Ordinance states that all properties annexed into the City will receive an R-1 zoning designation. The applicant has not requested any other zoning designation.

RECOMMENDATION: A positive recommendation to City Council for annexation.

At the August 28th meeting, the Planning Commission voted 6 to 0 (one abstain) to send a positive recommendation to City Council to annex 13.9 acres; the zoning district requested by the Petitioner and recommended by the Planning Commission is R-1.

This is a request to submit information to the City Attorney to prepare an ordinance to annex the 13.9 acres and zone the property R-1.

