



OPELIKA CITY COUNCIL
“ REGULAR MEETING AGENDA “
204 South 7th Street
September 3, 2019
TIME: 7:00 PM

1. CALL TO ORDER
2. ROLL CALL
 1. Patricia Jones, Tiffany Gibson-Pitts, Dozier Smith T, David Canon, Eddie Smith
3. INVOCATION
 1. Minister John Dale Rector from Lakeview Baptist Church.
4. PLEDGE OF ALLEGIANCE
 1. Charleigh Lowery and Simone Samuel from Southview Primary School.
5. READING OF MINUTES
 1. Minutes from the 8-20-19 city council meeting.
 2. Minutes from the 8-28-19 called city council meeting.
6. UNFINISHED BUSINESS
7. REMARKS BY THE MAYOR
 1. Proclamation to Raymond Newman for his 100th birthday.
 2. Proclamation for Airbag Recall Repair Month.
8. CITIZEN COMMUNICATIONS (Limit comments to five minutes or less)
9. REPORT OF DISBURSEMENTS
10. COMMITTEE REPORTS
11. GENERAL BUSINESS
 1. Request from EAMC for two street closures on Nov. 22 and Dec. 6.
 2. Request by Dreamz Lounge for alcohol license.
 3. Public Hearing - Weed Abatement Assessment - 1St Avenue 071.000
 4. Public Hearing - Weed Abatement Assessment - 1St Avenue 136.000
 5. Public Hearing - Weed Abatement Assessment - 1St Avenue 137.000
 6. Public Hearing - Weed Abatement Assessment - 1St Ave & N 28Th St 136.000
 7. Public Hearing - Weed Abatement Assessment - 2Nd Avenue 136.001
 8. Public Hearing - Weed Abatement Assessment - 1531 1St Ave
 9. Public Hearing - Weed Abatement Assessment - 1534 1St Avenue
 10. Public Hearing - Weed Abatement Assessment - 1699 N 16Th Pl.
 11. Public Hearing - Weed Abatement Assessment - 2401 2Nd Avenue
 12. Public Hearing - Weed Abatement Assessment - 2500 1St Avenue

13. Public Hearing for Demolition - 207 Avenue a - Ward Funeral Home
14. Public Hearing for Demolition - 3307 Arnold Avenue
15. Public Hearing, project agreement with 280 Land Co. - Hidden Lakes.
16. Public Hearing, project agreement with Interstate Properties, LLC - USA Town Center.

12. AWARDING OF BIDS

13. RESOLUTIONS

1. Expense reports from various departments.
2. Designate City Personal Property as Surplus & Authorize Disposal
3. Refund Request-Grier, Occupational License Fees.
4. Extending Contract with Waste Management - OES
5. Weed Abatement Assessment - 1St Avenue 071.000
6. Weed Abatement Assessment - 1St Avenue 136.000
7. Weed Abatement Assessment - 1St Avenue 137.000
8. Weed Abatement Assessment - 1St Ave & N 28Th St 136.000
9. Weed Abatement Assessment - 2Nd Avenue 136.001
10. Weed Abatement Assessment - 1531 1St Avenue
11. Weed Abatement Assessment - 1534 1St Avenue
12. Weed Abatement Assessment - 1699 N 16Th Pl.
13. Weed Abatement Assessment - 2401 2Nd Avenue
14. Weed Abatement Assessment - 2500 1St Avenue
15. Authorize Demolition - 207 Avenue a - Ward Funeral Home.
16. Authorize Demolition - 3307 Arnold Avenue.
17. Lease Agreement with Heritage Baptist Church
18. Approving Proposal with Piedmont Paving, Inc. - ENG
19. Annual Renewal General Liability Insurance - H/R.
20. Annual Renewal of the Excess Loss Insurance Contract - H/R.
21. Employment Contract for Terry White
22. Project Agreement Hidden Lakes
23. Project Agreement USA Town Center
24. Approval of City budget for FY2020.
25. Agreement with SUSCC, Use of Sportsplex
26. Infrastructure Funding Agreement with Opelika Utilities

14. ORDINANCES

1. Lease agreement with East Central Alabama Highway Safety Office - 1st Reading.
2. Amendments to the Personnel Policies and Procedures Manual - 1st Reading.

15. APPOINTMENTS

16. ADJOURN

1. Character Trait of the month - Dedication, a state of being totally committed to something.

"In compliance with the Americans with Disabilities Act, the City of Opelika will make reasonable arrangements to ensure accessibility to this meeting. If you need

special assistance to participate in this meeting, please contact the ADA Coordinator 72 hours prior to the meeting at (334)705-2083.”



City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

CM MINUTES (ID # 3683)

Meeting: 09/03/19 07:00 PM
Department: City Clerk
Category: CM Minutes
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:

DOC ID: 3683

Minutes from the 8-20-19 city council meeting.



OPELIKA CITY COUNCIL “ REGULAR MEETING MINUTES “

204 South 7th Street

August 20, 2019

TIME: 7:00 PM

1. Call to Order

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

2. Roll Call

Mr. Shuman called the roll and all council members were present except for Ms. Pitts.

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

3. Invocation

Minister Charlie Kincey gave the invocation.

1. Minister Charlie Kincey from the Mount of Transfiguration Church in Opelika.

4. Pledge of Allegiance

Will and Taylor lead the Pledge of Allegiance.

1. Boy Scout Troop 354, Will Bennett and Taylor Brady.

5. Reading of Minutes

1. Minutes from the 8-06-19 city council meeting.

RESULT: APPROVED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: Patricia Jones, President Pro-Tem

AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith

ABSENT: Tiffany Gibson-Pitts

6. Unfinished Business

7. Remarks By the Mayor

Mayor Fuller and President pro-tem Jones presented a memorial Resolution for Nancy Parker Boyd who passed away on Friday, August 16th, 2019 in New Orleans. Ms. Jones thanked Mayor Fuller and the City Council for honoring Nancy Parker Boyd. Ms. Jones will present the Resolution to the family while she is in New Orleans attending the funeral service.

1. City financial statements for July 2019.

Mayor Fuller passed out copies of the City's financial summary for July 2019.

2. July 2019 Building Permit Report.

Mayor Fuller called on Joey Motley, City Administrator, to provide a summary of the July 2019 Building Permit report.

3. Recognize the new 20 Under 40 class for 2019 - 2020.

Mayor Fuller recognized each member of the 20 Under 40 class for 2019-2020.

8. Citizen Communications

(Limit comments to five minutes or less)

Mr. Shuman advised those in attendance that if there is anyone in the audience that would like to speak to Mayor Fuller or City Council, to come to the microphone and give your name and address. Please limit your comments to five minutes or less and sign the Citizen Communication sheet by the door before you leave. No one came forward to speak.

9. Report of Disbursements

10. Committee Reports

11. General Business

1. Request from Lee Co. Life Chain to use ROW on October 6th.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Dozier Smith T, Council Member

SECONDER: David Canon, Council Member

AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith

ABSENT: Tiffany Gibson-Pitts

2. Request from Main Street for On The Tracks event on Oct. 18th.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: David Canon, Council Member

SECONDER: Patricia Jones, President Pro-Tem

AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith

ABSENT: Tiffany Gibson-Pitts

3. Request for the 2019 Jean Dean Run to Read on October 20th.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Patricia Jones, President Pro-Tem

SECONDER: Dozier Smith T, Council Member

AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith

ABSENT: Tiffany Gibson-Pitts

12. Awarding of Bids

1. Bids 221-19 Uniform Purchases - OPS

RESULT: **APPROVED [UNANIMOUS]**

MOVER: David Canon, Council Member

SECONDER: Dozier Smith T, Council Member

AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith

ABSENT: Tiffany Gibson-Pitts

2. Bids 222-19 One (1) 2019 Ford F-350 Extended Cab & Chassis - OPS

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Dozier Smith T, Council Member

SECONDER: David Canon, Council Member

AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith

ABSENT: Tiffany Gibson-Pitts

13. Resolutions

1. Resolution 223-19 Expense reports from various departments.

- RESULT:** **APPROVED [UNANIMOUS]**
MOVER: Patricia Jones, President Pro-Tem
SECONDER: David Canon, Council Member
AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith
ABSENT: Tiffany Gibson-Pitts
2. Resolution 224-19 Agreement for professional grant writing services - Admin.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: David Canon, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith
ABSENT: Tiffany Gibson-Pitts
3. Resolution 225-19 Naming & accepting dedication of new street - Loyalty Loop.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Dozier Smith T, Council Member
SECONDER: David Canon, Council Member
AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith
ABSENT: Tiffany Gibson-Pitts
4. Resolution 226-19 Agreement with ESG, Amendment No. 6.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Dozier Smith T, Council Member
SECONDER: David Canon, Council Member
AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith
ABSENT: Tiffany Gibson-Pitts
5. Resolution 227-19 Agreement authorizing ESG employees to use the Opelika CareHere Clinic.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: David Canon, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith
ABSENT: Tiffany Gibson-Pitts
6. Resolution 228-19 Authorize New Job Classification/Job Description for Building Service Worker - OPD.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Dozier Smith T, Council Member
AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith
ABSENT: Tiffany Gibson-Pitts
7. Resolution 229-19 Reclassify Part-Time Code Compliance Officer To Full-Time - Purchasing/Revenue Dept.

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

8. Resolution 230-19 Reclassify Part-Time Admin. Clerk To Full-Time Admin. Assistant - HR.

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

9. Resolution 231-19 Authorize New Job Classification/Job Description for IT Network Administrator; Eliminate Job Classification of IT Associate - IT Dept.

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

10. Resolution 232-19 Authorize New Job Classification/Job Description for Youth Specialist - Library.

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

11. Resolution 233-19 Memorial resolution for Nancy Parker Boyd.

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

14. Ordinances
15. Appointments
16. Adjourn

The City Council meeting minutes of August 20, 2019 are hereby adopted and approved this the ____ day of _____, 2019.

/s/

President of City Council

City of Opelika, Alabama

ATTEST:

/s/

R. G. "Bob" Shuman, CMC

City Clerk - Treasurer

1. Character Trait of the month - Commitment, a pledge or promise.
President Smith reminded everyone about the Character Trait of the Month - Commitment, a pledge or promise.

2. Motion to Adjourn.

The council meeting ended at 7:39 pm.

RESULT: APPROVED [UNANIMOUS]

MOVER: Patricia Jones, President Pro-Tem

SECONDER: Dozier Smith T, Council Member

AYES: Patricia Jones, Dozier Smith T, David Canon, Eddie Smith

ABSENT: Tiffany Gibson-Pitts



City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

CM MINUTES (ID # 3684)

Meeting: 09/03/19 07:00 PM
Department: City Clerk
Category: CM Minutes
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:

DOC ID: 3684

Minutes from the 8-28-19 called city council meeting.



OPELIKA CITY COUNCIL “ CALLED MEETING MINUTES “

204 South 7th Street

August 28, 2019

TIME: 5:30 PM

1. Call to Order

President Smith called the special called council meeting to order at 5:30 pm and asked Mr. Shuman to call the roll.

2. Roll Call

Mr. Shuman called the roll and all city council members were present.

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

3. Invocation

4. Pledge of Allegiance

5. Reading of Minutes

6. Unfinished Business

7. Remarks By the Mayor

8. Citizen Communications

(Limit comments to five minutes or less)

9. Report of Disbursements

10. Committee Reports

11. General Business

12. Awarding of Bids

13. Resolutions

1. Resolution 234-19 Transportation plan for FY2020.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Dozier Smith T, Council Member

SECONDER: Tiffany Gibson-Pitts, Council Member

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

14. Ordinances

15. Appointments

16. Adjourn

The City Council meeting minutes of August 28, 2019 are hereby adopted and approved this the ____ day of _____, 2019.

/s/

President of City Council

City of Opelika, Alabama

ATTEST:

/s/

R. G. "Bob" Shuman, CMC

City Clerk - Treasurer

1. Motion to adjourn.

The called council meeting ended at 5:36 pm.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Patricia Jones, President Pro-Tem

SECONDER: Tiffany Gibson-Pitts, Council Member

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



City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 3662)

Meeting: 09/03/19 07:00 PM
Department: City Clerk
Category: Request / Temp Street Closure
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:

DOC ID: 3662

Request from EAMC for two street closures on Nov. 22 and Dec. 6.

Shuman, Robert

From: Craig Butts <craig.butts@eamc.org>
Sent: Monday, August 26, 2019 8:01 AM
To: Shuman, Robert
Cc: Jay Walters; Angel Irvin
Subject: FW: Road Closing.

From: Craig Butts
Sent: Monday, October 1, 2018 3:38 PM
To: RShuman@Opelika-Al.gov
Subject: Road Closing.

Mr. Shuman

It is the time of Year again that we need to request the closing of East Thomason Circle For East Alabama Medical Center Events. The request is for two dates. The first is 11/22/2019 from 8:00AM till 3:30 PM. This for our Fall Festival. The second date is 12/6/2019 from 6:00 AM till 5:00 PM. This for our annual Ham/Turkey day. The section of road that we need to close is from Thomason Place to West Thomason Circle. This is the Road/Street in front of our H.R Building. In the past EAMC Maintenance and Security has handled the traffic and the setting up and removal of barriers for both events. Could you let me know if this is acceptable and that the City is OK with us closing this road for these events.

Thank you for Your help with this.

Craig Butts, Manager
Engineering and Maintenance Department
East Alabama Medical Center
Desk (334) 528-4752
Cell (334) 444-0548

Attachment: CM 9-03-19, EAMC request for street closings on 11-22-19 and 12-6-19. (3662 : Request from EAMC for two street closures on Nov.



City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 09/03/19 07:00 PM
Department: Purchasing and Revenue
Category: Business & Alcohol License
Prepared By: Courtney Ross

Initiator: Lillie Finley

Sponsors:

GENERAL BUSINESS (ID # 3681)

DOC ID: 3681

Request by Dreamz Lounge for alcohol license.



City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 09/03/19 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:

GENERAL BUSINESS (ID # 3637)

DOC ID: 3637

Public Hearing - Weed Abatement Assessment - 1St Avenue 071.000

WEED ABATEMENT INVOICE**Date: 8/21/2019****To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee Al. 36078****Property Address:
1st Avenue
Opelika Al. 36801
Parcel # 43-09-06-14-4-000-071.000**

On June 20, 2019 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>183.50</u>
Certified mail:	<u>13.34 (All inclusive)</u>
Misc.	<u></u>
Total	<u>196.84</u>

Attachment: Weed Invoice 1St Ave 071.000 (3637 : Public Hearing - Weed Abatement Assessment - 1St Avenue 071.000)

To: **Saucier Investments LLC**
5415 Chana Creek Rd
Tallassee Al. 36078

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 1st Avenue, Parcel 43-09-06-14-4-000-071.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 1st Avenue, Parcel No. 071.000 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 \$196.84.

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 3rd day of September, 2019.

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 21st day of August, 2019.

 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

Meeting: 09/03/19 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:

GENERAL BUSINESS (ID # 3641)

DOC ID: 3641

Public Hearing - Weed Abatement Assessment - 1St Avenue 136.000

WEED ABATEMENT INVOICE**Date: 08/21/2019****To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee Al. 36078****Property Address:
1st Avenue
Opelika Al. 36801
Parcel # 43-09-06-14-3-000-136.000**

On June 20, 2019 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: 62.50

Certified mail: _____

Misc. _____

Total 62.50

Attachment: Weed invoice 1st Ave 136.000 (3641 : Public Hearing - Weed Abatement Assessment - 1St Avenue 136.000)

To: **Saucier Investments LLC**
5415 Chana Creek Rd
Tallassee AL 36078

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 1st Avenue, Parcel 43-09-06-14-3-000-136.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 1st Avenue, Parcel No. 136.000 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 \$62.50.

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 3rd day of September, 2019.

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 21th day of August, 2019.

 Jerry Bush
 Code Compliance Officer

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

Attachment: NPH cost to abate, 1st Ave 136.000 (3641 : Public Hearing - Weed Abatement Assessment - 1st Avenue 136.000)



City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 3639)

Meeting: 09/03/19 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:
DOC ID: 3639

Public Hearing - Weed Abatement Assessment - 1St Avenue 137.000

WEED ABATEMENT INVOICE

Date: 08/21/2019

**To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee Al. 36078**

**Property Address:
1st Avenue
Opelika Al. 36801
Parcel # 43-09-06-14-3-000-137.000**

On June 20, 2019 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: 447.50

Certified mail: _____

Misc. _____

Total 447.50

Attachment: WEED INVOICE 1st Ave 137.000 (3639 : Public Hearing - Weed Abatement Assessment - 1st Avenue 137.000)

To: **Saucier Investments LLC**
5415 Chana Creek Rd
Tallassee Al. 36078

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 1st Avenue, Parcel 43-09-06-14-3-000-137.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 1st Avenue, Parcel No. 137.000 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 \$447.50.

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 3rd day of September, 2019.

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 21th day of August, 2019.

 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

Meeting: 09/03/19 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:

GENERAL BUSINESS (ID # 3649)

DOC ID: 3649

Public Hearing - Weed Abatement Assessment - 1St Ave & N 28Th St 136.000

WEED ABATEMENT INVOICE

Date: 08/21/2019

To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee Al. 36078

Property Address:
1st Ave & N 28th St
Opelika Al. 36801
Parcel # 43-09-06-14-3-000-136.000

On June 20, 2019 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: 1427.50

Certified mail: _____

Misc. _____

Total 1427.50

To: **Saucier Investments LLC**
5415 Chana Creek Rd
Tallassee AL 36078

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 1st Ave & N 28th St., Parcel 43-09-06-14-3-000-136.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 1st Ave & N 28th St., Parcel No. 136.000 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 \$1427.50.

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 3rd day of September, 2019.

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 21th day of August, 2019.

 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

Meeting: 09/03/19 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:

GENERAL BUSINESS (ID # 3643)

DOC ID: 3643

Public Hearing - Weed Abatement Assessment - 2Nd Avenue 136.001

WEED ABATEMENT INVOICE

Date: 08/21/2019

**To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee AL 36078**

**Property Address:
2nd Avenue
Opelika AL 36801
Parcel # 43-09-06-14-3-000-136.001**

On June 20, 2019 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: 581.10

Certified mail: _____

Misc. _____

Total 581.10

Attachment: Weed Invoice, 2nd Ave 136.001 (3643 : Public Hearing - Weed Abatement Assessment - 2Nd Avenue 136.001)

To: **Saucier Investments LLC**
5415 Chana Creek Rd
Tallassee Al. 36078

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 2nd Avenue, Parcel 43-09-06-14-3-000-136.001**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 2nd Avenue, Parcel No. 136.001 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 \$581.10.

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 3rd day of September, 2019.

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 21th day of August, 2019.

 Jerry Bush
 Code Compliance Officer

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

Attachment: NPH 2nd Ave 136.001 (3643 : Public Hearing - Weed Abatement Assessment - 2Nd Avenue 136.001)



City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 3631)

Meeting: 09/03/19 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:

DOC ID: 3631

Public Hearing - Weed Abarement Assessment - 1531 1St Ave

WEED ABATEMENT INVOICE

Date: 8/21/2019

**To: Regeneration LLC
PO Box 1058
Alexander City, Al. 35011**

Property Address:
1531 1st Avenue
Opelika Al. 36801
Parcel # 43-09-06-13-1-002-068.000

On June 20, 2019 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: 105.00

Certified mail: 13.34 (All Inclusive)

Misc.

Total	<u>118.34</u>
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Attachment: WEED INVOICE 1531 1st Ave (3631 : Public Hearing - Weed Abatement Assessment - 1531 1st Ave)

To: **Regeneration LLC**
PO Box 1058
Alexander City, AL 35011

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 1531 1st Avenue, Parcel 43-09-06-13-1-002-068.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 1531 1st Avenue, Parcel No. 068.000 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 \$118.34.

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 3rd day of September, 2019.

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 21th day of August, 2019.

 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

Meeting: 09/03/19 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:

GENERAL BUSINESS (ID # 3633)

DOC ID: 3633

Public Hearing-Weed Abatement Assessment - 1534 1St Avenue

WEED ABATEMENT INVOICE

Date: 8/21/2019

**To: Regeneration LLC
PO Box 1058
Alexander City, Al. 35011**

**Property Address:
1534 1st Avenue
Opelika Al. 36801
Parcel # 43-09-06-13-1-002-010.000**

On June 20, 2019 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: 145.00

Certified mail: _____

Misc. _____

Total 145.00

Attachment: WEED INVOICE 1534 1st Ave (3633 : Public Hearing - Weed Abatement Assessment - 1534 1st Avenue)

To: **Regeneration LLC**
PO Box 1058
Alexander City, Al. 35011

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 1534 1st Avenue, Parcel 43-09-06-13-1-002-010.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 1534 1st Avenue, Parcel No. 010.000 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 \$145.00.

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 3rd day of September, 2019.

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 21th day of August, 2019.

 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 # 3635)

Meeting: 09/03/19 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:
DOC ID: 3635

Public Hearing - Weed Abatement Assessment - 1699 N 16Th Pl.

WEED ABATEMENT INVOICE**Date: 8/21/2019****To: Regeneration LLC
PO Box 1058
Alexander City, AL 35011****Property Address:
1699 N 16th Place
Opelika AL 36801
Parcel # 43-09-06-13-1-002-014.000**

On June 20, 2019 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: 720.75

Certified mail: _____

Misc. _____

Total 720.75**Attachment: WEED INVOICE 1699 N 16th PI (3635 : Public Hearing - Weed Abatement Assessment - 1699 N 16Th PI.)**

To: **Regeneration LLC**
PO Box 1058
Alexander City, AL 35011

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 1699 N 16th PL., Parcel 43-09-06-13-1-002-014.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 1699 N 16th PL., Parcel No. 014.000 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 \$720.75.

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 3rd day of September, 2019.

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 21th day of August, 2019.

 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 # 3645)

Meeting: 09/03/19 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:
DOC ID: 3645

Public Hearing - Weed Abatement Assessment - 2401 2Nd Avenue

WEED ABATEMENT INVOICE

Date: 08/21/2019

**To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee Al. 36078**

**Property Address:
2401 2nd Ave
Opelika Al. 36801
Parcel # 09-06-14-4-000-074.000**

On June 20, 2019 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: 451.50

Certified mail: _____

Misc. _____

Total 451.50

To: **Saucier Investments LLC**
5415 Chana Creek Rd
Tallassee Al. 36078

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 2401 2nd Avenue, Parcel 43-09-06-14-4-000-074.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 2401 2nd Avenue, Parcel No. 074.000 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 \$451.50.

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 3rd day of September, 2019.

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 21th day of August, 2019.

 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

Meeting: 09/03/19 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:

GENERAL BUSINESS (ID # 3647)

DOC ID: 3647

Public Hearing - Weed Abatement Assessment - 2500 1St Avenue

WEED ABATEMENT INVOICE

Date: 08/21/2019

**To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee Al. 36078**

**Property Address:
2500 1st Avenue
Opelika Al. 36801
Parcel # 09-06-14-3-000-136.000**

On June 20, 2019 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: 1600.00

Certified mail: _____

Misc. _____

Total 1600.00

To: **Saucier Investments LLC**
5415 Chana Creek Rd
Tallassee AL 36078

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 2500 1st Avenue, Parcel 43-09-14-3-000-136.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 2500 1st Avenue, Parcel No. 136.000 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 \$1600.00.

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 3rd day of September, 2019.

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 21th day of August, 2019.

 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 # 3578)

Meeting: 09/03/19 07:00 PM
Department: Building Inspection
Category: Public Hearing
Prepared By: David Chapman
Initiator: Jeff Kappelman
Sponsors:

DOC ID: 3578

Public Hearing for Demolition - 207 Avenue a - Ward Funeral Home

July 2, 2019

TO:

Maurice Ward
P.O. Box 1107
Valley, AL 36854

NOTICE OF DANGEROUS BUILDING, FINDING OF PUBLIC NUISANCE AND ORDER TO REMEDY

This notice, finding and order is given pursuant to Ordinance No. 116-15 and Section 5-226 of the *Code of Ordinances* of the City of Opelika, Alabama, informing you that a building located within the City of Opelika, Alabama (the "City") is unsafe to the extent that it is a public nuisance and subject to demolition. According to the real property records of Lee County, Alabama, Maurice Ward is the owner of the real property described in this notice. The building is located on the following described real property, to-wit, which is described hereinafter as the "Subject Property":

Street Address: 207 Avenue A, Opelika, AL 36801

Legal Description: From the point of intersection of the Northeasterly margin of South Third Street with the Southeasterly margin of Avenue A, in the City of Opelika, Lee County, Alabama, run thence North 47°36' East along the Southeasterly margin of Avenue A, 250.0 feet; thence South 42°24' East, 100.0 feet; thence South 47°36' West 100 feet; thence North 42°24' West 5.0 feet; thence South 47°36' West 150.0 feet; to the Northeasterly margin of South Third Street; thence North 42°24' West, along the Northeasterly margin of South Third Street, 150.0 feet, to the point of beginning. Being Lot 1, and part of Lots #14, #15, Block 9, as the same appears in the Lee County Probate Records, Town Plat Book 2, Page 9.

Parcel Identification Number: 43-10-03-07-1-001-112.000

As the Building Official of the City of Opelika, the undersigned inspected the building on the Subject Property on June 28, 2019. Based upon said inspection, the building located on the Subject Property is deemed to be a "dangerous building" within the meaning of Ordinance No. 116-15 because of the following conditions and/or defects:

(Check all that apply)

- X (1) The interior walls or other vertical structure members of the building list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.
- X (2) Exclusive of foundation, the building shows thirty-three (33) percent or more of damage or deterioration of one (1) or more supporting members or fifty (50) percent of damage or deterioration of the non-supporting enclosing or outside walls or covering.
- X (3) The building has improperly distributed loads upon the floors or roofs, or, in which the same are overloaded or which has insufficient strength to be reasonably safe for the purpose used.
- X (4) The building has been damaged by fire, wind, earthquake, flood, sinkhole, deterioration, neglect, abandonment, vandalism or other cause so as to become dangerous to life, health, property, morals, safety or general welfare of the public or the occupants.
- X (5) The building has become or is so damaged, dilapidated, decayed, unsafe, unsanitary, lacking in maintenance, vermin or rat-infested, containing filth or contamination, lacking proper ventilation, lacking sufficient illumination, or which so utterly fails to provide the amenities essential to decent living that it is unfit for human habitation, or is likely to cause sickness or disease, so as to work injury to the life, health, property, morals, safety or general welfare of the public or the occupants.
- X (6) The building has light, air, heating, cooling and sanitation facilities which are inadequate to protect the life, health, property, morals, safety or general welfare of the public or the occupants.
- X (7) The building has inadequate facilities for egress in case of fire or panic, or has insufficient stairways, elevators, fire escapes or other means of ingress and egress to and from said building.
- X (8) The building does not provide minimum safeguards to protect or warn occupants in the event of fire.
- ☐ (9) The building contains unsafe equipment, including any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers, or other equipment on the premises, or within the structure which is in such disrepair or condition that such

equipment is a hazard to life, health, property, morals, safety or general welfare of the public or the occupants.

- X (10) The building is so damaged, decayed, dilapidated, structurally unsafe, or is of such faulty construction or unstable foundation that partial or complete collapse is possible.
- X (11) The building has parts thereof which are so attached that they may fall and damage property or injure the public or the occupants.
- X (12) The building, or any portion thereof, is clearly unsafe for its use or occupancy.
- X (13) The building is neglected, damaged, dilapidated, unsecured, or abandoned so as to become an attractive nuisance to children who might play in or on the building, structure, part of building or structure, party wall, or foundation to their danger, has become a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building, structure, part of building or structure, party wall, or foundation for committing a nuisance or an unlawful act.
- ☐ (14) The building has any portion remaining on a site after the demolition or destruction of the same or whenever the building, structure, part of building or structure, party wall, or foundation is abandoned so as to constitute such building, structure, part of building or structure, party wall, or foundation as an attractive nuisance or hazard to the public.
- X (15) The building is, because of its condition, unsafe, unsanitary, or dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants.

Attached hereto is a report which outlines the findings from said inspection and identifies specific code violations.

The Building Official further finds and determines that the building on the Subject Property is substantially damaged or decayed, or deteriorated from its original value or structure (not including the value of the land). The Building Official further finds and determines that the building on the Subject Property cannot be reasonably repaired so that it will no longer exist in violation of the terms of Ordinance No. 116-15 governing unsafe structures and dangerous buildings. The Building Official further finds that the building on the Subject Property is a fire hazard existing in violation of the terms of Ordinance No. 116-15, governing unsafe structures and dangerous buildings. The Building Official further finds that the building on the Subject Property is unsafe to the extent that it is a public nuisance.

NOTICE is hereby given to remedy the unsafe or dangerous condition by demolition of the building on the Subject Property within forty-five (45) days of this Notice to the Building Official's satisfaction. In the event that the owner does not comply within the time specified herein to the Building Official's satisfaction, the demolition shall be accomplished by the City and the cost thereof assessed against the Subject Property and such cost shall constitute a lien against the Subject Property.

The Building Official finds that the building on the Subject Property is in such condition as to make it dangerous to the life, health, property, morals, safety or general welfare of the public or the occupants. Therefore, the undersigned Building Official orders that the building on the Subject Property shall be and remain vacant until demolished.

Notice is hereby given that the City Council of the City of Opelika, Alabama, will hold a public hearing on Tuesday, September 3, 2019, at 7:00 p.m. in the City Council Chambers of the municipal building, 204 South 7th Street, Opelika, Lee County, Alabama, to discuss the findings of the Building Official. At that time, the City Council will consider the adoption of a resolution ordering the demolition of the building located on the Subject Property. At the public hearing, the City Council will receive any objections to the finding by the Building Official that the building or structure is unsafe to the extent of becoming a public nuisance. A written request for a public hearing is not necessary. At the public hearing, the City Council shall also receive any written objections to the findings by the Building Official. Any such written objection must be submitted to the City Clerk prior to the meeting of the City Council. All interested persons are invited to appear before the City Council in person or through his or her representative to show cause, if any, why his or her objection to the demolition of the building or structure should be sustained. No action shall be taken on the finding of the Building Official until determination is made thereon by the City Council. Upon the holding of the hearing, the City Council shall determine whether or not the building or structure is unsafe to the extent that it is a public nuisance. If it is determined by the City Council that the building or structure is unsafe to the extent that it is a public nuisance, the City Council shall order the demolition of the building or structure at the expense of the City and assess the expenses of the demolition against the land on which the building or structure stands or to which it is attached. Any person aggrieved by the decision of the City Council may, within ten (10) days thereafter, appeal to the Circuit Court of Lee County, Alabama, upon the filing with the Clerk of the Circuit Court of Lee County, Alabama, notice of appeal and bond for security of costs in the form and amount to be approved by the Circuit Court. For further particulars, see Ordinance No. 116-15 and Section 5-227 of the *Code of Ordinances*. Anyone interested in the status of these proceedings may inquire with the Opelika City Clerk at 334-705-5110 or in person at the City Clerk's office located on the second floor of City Hall, 204 South 7th Street, Opelika, Alabama.

You will further take note that:

(1) It is unlawful for any person, or for any agent, servant or employee of such person, to obstruct or interfere with the Building Official in carrying out the purposes of Ordinance No. 116-15.

(2) It is unlawful for any person, or for any agent, servant or employee of such person, to mutilate, destroy, or tamper with this “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy”.

(3) It is unlawful for any person, or for any agent, servant or employee of such person, to enter, access or be upon any building that the Building Official has ordered to be vacated pursuant to this “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy”.

(4) It is unlawful for any person who has received this “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy” to sell, transfer, mortgage, lease, encumber or otherwise dispose of the building on the Subject Property to another until such person shall first furnish the grantee, transferee, mortgagee or lessee a true copy of this “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy” and shall furnish to the Building Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee acknowledging the receipt of this “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy” and fully accepting the responsibility without condition for making the corrections, repairs or demolitions required by this “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy”.

(5) It is unlawful for any person, owner or occupant of any building to refuse to permit entry into any building, structure or premises, or onto any property by the Building Official or his authorized representative after proper credentials are displayed at a reasonable hour for the purpose of inspection pursuant to Ordinance No. 116-15.

This office seeks and anticipates your cooperation and compliance in this matter. Positive efforts by citizens like yourself help make Opelika a better community.

If there is any other way this office can assist you in resolving this matter, please immediately call Jeff Kappelman, the Building Official assigned to your case at 334-705-5420.

Thank you in advance for your attention to this Notice and your prompt response.

DATED this the ____ day of July, 2019.

Sincerely,

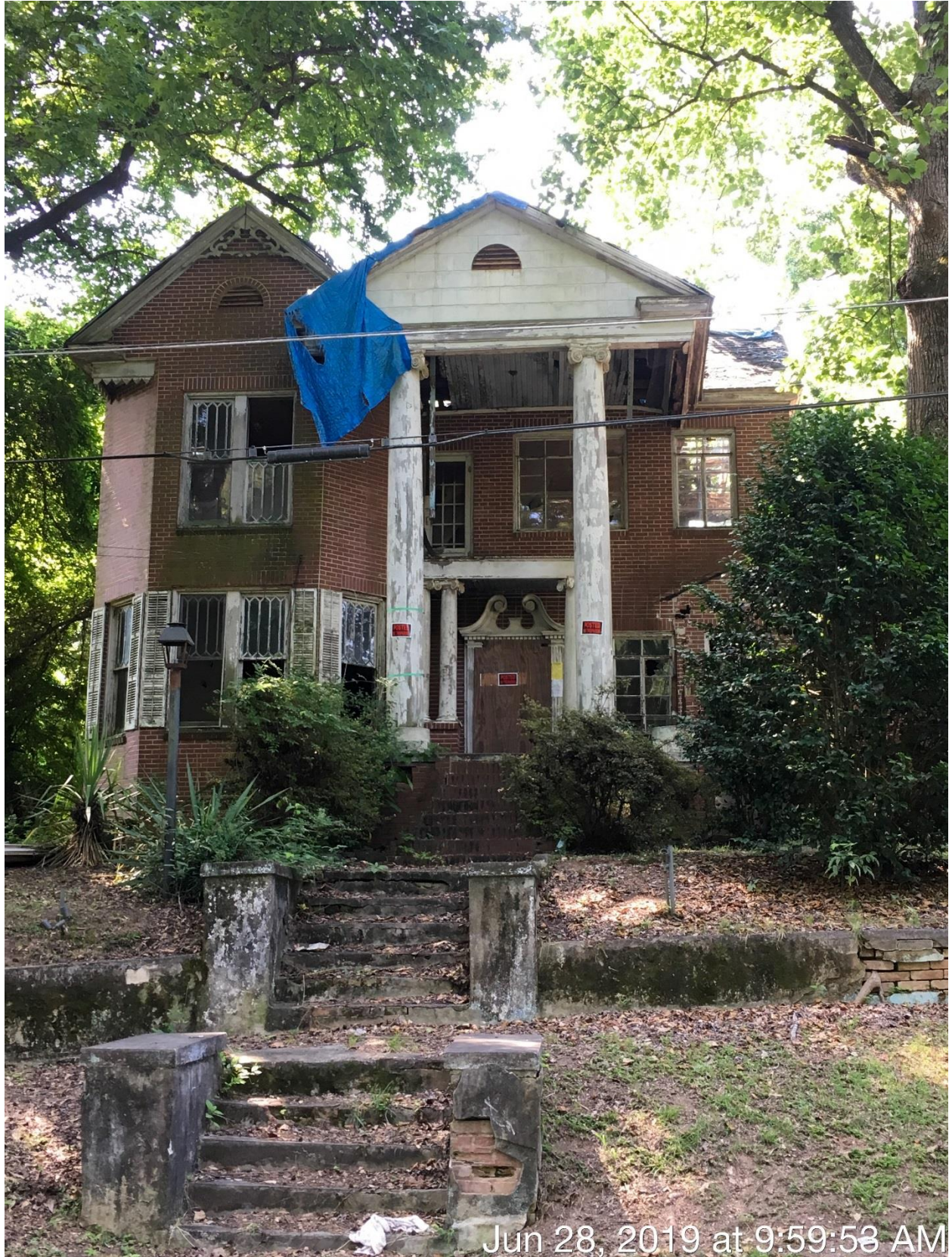
Jeff Kappelman
Building Official of the City of Opelika, Alabama
700 Fox Trail

General Business (ID # 3578)

Meeting of September 3, 2019

Opelika, AL 36801
334-705-5420

Photos of 207 Avenue A – Ward Funeral Home



Attachment: Photos of 207 Avenue A - Ward Funeral Home (3578 : Public Hearing for Demolition - 207 Avenue a - Ward Funeral Home)





Attachment: Photos of 207 Avenue A - Ward Funeral Home (3578 : Public Hearing for Demolition - 207 Avenue a - Ward Funeral Home)



Attachment: Photos of 207 Avenue A - Ward Funeral Home (3578 : Public Hearing for Demolition - 207 Avenue a - Ward Funeral Home)



Attachment: Photos of 207 Avenue A - Ward Funeral Home (3578 : Public Hearing for Demolition - 207 Avenue a - Ward Funeral Home)



Attachment: Photos of 207 Avenue A - Ward Funeral Home (3578 : Public Hearing for Demolition - 207 Avenue a - Ward Funeral Home)



Jun 28, 2019 at 9:58:33 AM

Attachment: Photos of 207 Avenue A - Ward Funeral Home (3578 : Public Hearing for Demolition - 207 Avenue a - Ward Funeral Home)



Attachment: Photos of 207 Avenue A - Ward Funeral Home (3578 : Public Hearing for Demolition - 207 Avenue a - Ward Funeral Home)



City Council

204 South 7Th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 3576)

Meeting: 09/03/19 07:00 PM
Department: Building Inspection
Category: Public Hearing
Prepared By: David Chapman
Initiator: Jeff Kappelman
Sponsors:
DOC ID: 3576

Public Hearing for Demolition - 3307 Arnold Avenue

July 3, 2019

TO:

Arthur E. Scoggins, Jr.
139 Lee Road 2087
Salem, AL 36874

Lisa A. Scoggins
2315 Airport Road
Opelika, AL 36801

AuburnBank
1967 East Samford Avenue
Auburn, AL 36830

Max Credit Union
336 North Gay Street
Auburn, AL 36830

Autovest, LLC
26261 Evergreen Road, Suite 390
Southfield, MI 48076

NOTICE OF DANGEROUS BUILDING, FINDING OF PUBLIC NUISANCE AND ORDER TO REMEDY

This notice, finding and order is given pursuant to Ordinance No. 116-15 and Section 5-226 of the *Code of Ordinances* of the City of Opelika, Alabama, informing you that a building located within the City of Opelika, Alabama (the "City") is unsafe to the extent that it is a public nuisance and subject to demolition. According to the real property records of Lee County, Alabama, Arthur E. Scoggins, Jr., and Lisa A. Scoggins are the owners of the real property described in this notice. AuburnBank is the mortgagee of record and Max Credit Union and Autovest are judgment creditors and lienholders of record. The building is located on the following described real property, to-wit, which is described hereinafter as the "Subject Property":

Street Address: 3307 Arnold Avenue, Opelika, AL 36801

Legal Description: Lot 1 of a Re-subdivision of Lots 1-2-3-4, Block "F" of the Springhill Heights Subdivision, as shown on map or plat of said subdivision filed for record in Plat Book 10, at Page 101, in the Office of the Judge of Probate of Lee County, Alabama.

Parcel Identification Number: 43-09-0-15-1-000-054.001

As the Building Official of the City of Opelika, the undersigned inspected the building on the Subject Property on May 31, 2019. Based upon said inspection, the building located on the Subject Property is deemed to be a "dangerous building" within the meaning of Ordinance No. 116-15 because of the following conditions and/or defects:

(Check all that apply)

- ☐ (1) The interior walls or other vertical structure members of the building list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.
- ☐ (2) Exclusive of foundation, the building shows thirty-three (33) percent or more of damage or deterioration of one (1) or more supporting members or fifty (50) percent of damage or deterioration of the non-supporting enclosing or outside walls or covering.
- ☐ (3) The building has improperly distributed loads upon the floors or roofs, or, in which the same are overloaded or which has insufficient strength to be reasonably safe for the purpose used.
- ☒ (4) The building has been damaged by fire, wind, earthquake, flood, sinkhole, deterioration, neglect, abandonment, vandalism or other cause so as to become dangerous to life, health, property, morals, safety or general welfare of the public or the occupants.
- ☒ (5) The building has become or is so damaged, dilapidated, decayed, unsafe, unsanitary, lacking in maintenance, vermin or rat-infested, containing filth or contamination, lacking proper ventilation, lacking sufficient illumination, or which so utterly fails to provide the amenities essential to decent living that it is unfit for human habitation, or is likely to cause sickness or disease, so as to work injury to the life, health, property, morals, safety or general welfare of the public or the occupants.
- ☐ (6) The building has light, air, heating, cooling and sanitation facilities which are inadequate to protect the life, health, property, morals, safety or general welfare of the public or the occupants.
- ☐ (7) The building has inadequate facilities for egress in case of fire or panic, or has insufficient stairways, elevators, fire escapes or other means of ingress and egress to and from said building.

- ☐ (8) The building does not provide minimum safeguards to protect or warn occupants in the event of fire.
- ☐ (9) The building contains unsafe equipment, including any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers, or other equipment on the premises, or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property, morals, safety or general welfare of the public or the occupants.
- ☐ (10) The building is so damaged, decayed, dilapidated, structurally unsafe, or is of such faulty construction or unstable foundation that partial or complete collapse is possible.
- ☐ (11) The building has parts thereof which are so attached that they may fall and damage property or injure the public or the occupants.
- X (12) The building, or any portion thereof, is clearly unsafe for its use or occupancy.
- X (13) The building is neglected, damaged, dilapidated, unsecured, or abandoned so as to become an attractive nuisance to children who might play in or on the building, structure, part of building or structure, party wall, or foundation to their danger, has become a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building, structure, part of building or structure, party wall, or foundation for committing a nuisance or an unlawful act.
- ☐ (14) The building has any portion remaining on a site after the demolition or destruction of the same or whenever the building, structure, part of building or structure, party wall, or foundation is abandoned so as to constitute such building, structure, part of building or structure, party wall, or foundation as an attractive nuisance or hazard to the public.
- X (15) The building is, because of its condition, unsafe, unsanitary, or dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants.

Attached hereto is a report which outlines the findings from said inspection and identifies specific code violations.

The Building Official further finds and determines that the building on the Subject Property is substantially damaged or decayed, or deteriorated from its original value or structure (not including the

value of the land). The Building Official further finds and determines that the building on the Subject Property cannot be reasonably repaired so that it will no longer exist in violation of the terms of Ordinance No. 116-15 governing unsafe structures and dangerous buildings. The Building Official further finds that the building on the Subject Property is a fire hazard existing in violation of the terms of Ordinance No. 116-15, governing unsafe structures and dangerous buildings. The Building Official further finds that the building on the Subject Property is unsafe to the extent that it is a public nuisance.

NOTICE is hereby given to remedy the unsafe or dangerous condition by demolition of the building on the Subject Property within forty-five (45) days of this Notice to the Building Official's satisfaction. In the event that the owner does not comply within the time specified herein to the Building Official's satisfaction, the demolition shall be accomplished by the City and the cost thereof assessed against the Subject Property and such cost shall constitute a lien against the Subject Property.

The Building Official finds that the building on the Subject Property is in such condition as to make it dangerous to the life, health, property, morals, safety or general welfare of the public or the occupants. Therefore, the undersigned Building Official orders that the building on the Subject Property shall be and remain vacant until demolished.

Notice is hereby given that the City Council of the City of Opelika, Alabama, will hold a public hearing on Tuesday, September 3, 2019, at 7:00 p.m. in the City Council Chambers of the municipal building, 204 South 7th Street, Opelika, Lee County, Alabama, to discuss the findings of the Building Official. At that time, the City Council will consider the adoption of a resolution ordering the demolition of the building located on the Subject Property. At the public hearing, the City Council will receive any objections to the finding by the Building Official that the building or structure is unsafe to the extent of becoming a public nuisance. A written request for a public hearing is not necessary. At the public hearing, the City Council shall also receive any written objections to the findings by the Building Official. Any such written objection must be submitted to the City Clerk prior to the meeting of the City Council. All interested persons are invited to appear before the City Council in person or through his or her representative to show cause, if any, why his or her objection to the demolition of the building or structure should be sustained. No action shall be taken on the finding of the Building Official until determination is made thereon by the City Council. Upon the holding of the hearing, the City Council shall determine whether or not the building or structure is unsafe to the extent that it is a public nuisance. If it is determined by the City Council that the building or structure is unsafe to the extent that it is a public nuisance, the City Council shall order the demolition of the building or structure at the expense of the City and assess the expenses of the demolition against the land on which the building or structure stands or to which it is attached. Any person aggrieved by the decision of the City Council may, within ten (10) days thereafter, appeal to the Circuit Court of Lee County, Alabama, upon the filing with the Clerk of the Circuit Court of Lee County, Alabama, notice of appeal and bond for security of costs in the form and amount to be approved by the Circuit Court. For further particulars, see Ordinance No. 116-15 and Section 5-227 of the *Code of Ordinances*. Anyone interested in the status of these proceedings may inquire with the Opelika City Clerk at 334-705-5110 or in person at the City Clerk's office located on the second floor of City Hall, 204 South 7th Street, Opelika, Alabama.

You will further take note that:

(1) It is unlawful for any person, or for any agent, servant or employee of such person, to obstruct or interfere with the Building Official in carrying out the purposes of Ordinance No. 116-15.

(2) It is unlawful for any person, or for any agent, servant or employee of such person, to mutilate, destroy, or tamper with this “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy”.

(3) It is unlawful for any person, or for any agent, servant or employee of such person, to enter, access or be upon any building that the Building Official has ordered to be vacated pursuant to this “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy”.

(4) It is unlawful for any person who has received this “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy” to sell, transfer, mortgage, lease, encumber or otherwise dispose of the building on the Subject Property to another until such person shall first furnish the grantee, transferee, mortgagee or lessee a true copy of this “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy” and shall furnish to the Building Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee acknowledging the receipt of this “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy” and fully accepting the responsibility without condition for making the corrections, repairs or demolitions required by this “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy”.

(5) It is unlawful for any person, owner or occupant of any building to refuse to permit entry into any building, structure or premises, or onto any property by the Building Official or his authorized representative after proper credentials are displayed at a reasonable hour for the purpose of inspection pursuant to Ordinance No. 116-15.

This office seeks and anticipates your cooperation and compliance in this matter. Positive efforts by citizens like yourself help make Opelika a better community.

If there is any other way this office can assist you in resolving this matter, please immediately call Jeff Kappelman, the Building Official assigned to your case at 334-705-5420.

Thank you in advance for your attention to this Notice and your prompt response.

DATED this the ____ day of July, 2019.

Sincerely,

Jeff Kappelman
Building Official of the City of Opelika, Alabama
700 Fox Trail
Opelika, AL 36801
334-705-5420

NOTICE OF REQUIRED REPAIRS

To:

**Arthur E. Scoggins, Jr.
139 Lee Road 2087**

Salem, AL 36874

**Lisa A. Scoggins
2315 Airport Road
Opelika, AL 36801**

**Auburn Bank
1967 East Samford Avenue
Auburn, AL 36830**

**Max Credit Union
336 North Gay Street
Auburn, AL 36830**

**Autovest, LLC
26261 Evergreen Road, Suite 390
Southfield, MI 48076**

**Parcel #: 09-05-15-1-000-054.001
Property Address: 3307 Arnold Avenue
Opelika, AL 36801**

Date of Notice: July 3, 2019

This is to notify you of the repairs required to satisfy the minimum code requirements for the City of Opelika. It would appear that this structure is not cost effective to repair. However, in the event of a repair, the items listed below but not limited to the following would be required:

Exterior:

- **Replace all deteriorated/damaged siding, trim, and fascia boards.**

- **Pressure wash siding, replace all damaged and broken siding.**
- **Replace all damaged, broken, and dilapidated windows throughout.**
- **Remove all debris throughout.**

- **Repair damaged roof/roof boards, and rafters.**
- **Replace all damaged shingles.**
- **Remove all the tree branches in close proximity of the roof that can damage the roof.**
- **Replace damaged garage door.**
- **Remove the old rusted out dilapidated shed.**

Note: Only the exterior of this building has been inspected. I was not able to enter the building at time of inspection. Therefore, the condition of the walls, floor and floor covering, ceilings must be in good condition.

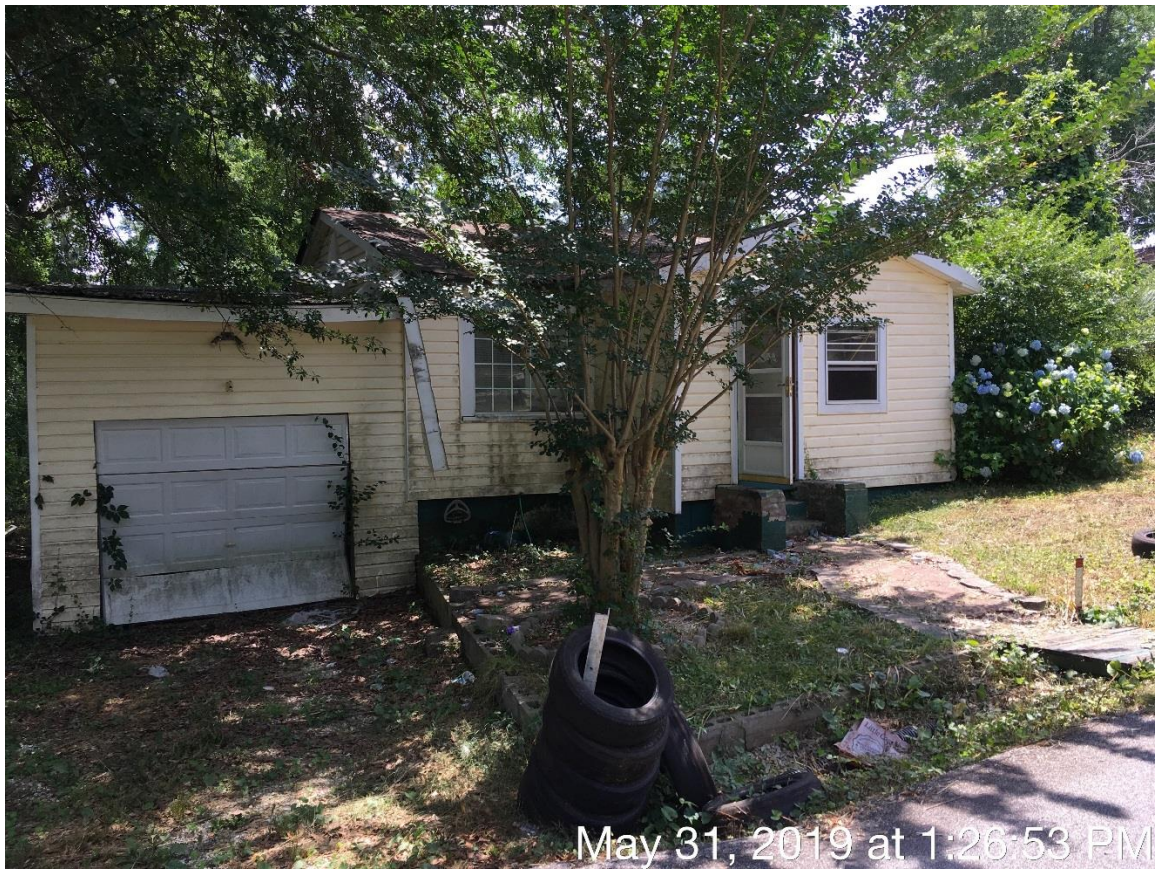
There must be a central source of heat, a water heater, plumbing fixtures and waste/vent must be in proper working order. The bathroom and kitchen must be completed and fully functional in order to occupy. There must be working smoke detectors inside every bedroom and outside the bedrooms and need to be interconnected.

Please contact David Chapman of the Building Inspections Division office at (334) 705-5420 to answer any questions.

Dated this the 3rd Day of July, 2019.

Sincerely,

**David R. Chapman
Building Inspector**



Attachment: Photos of 3307 Arnold Avenue (3576 : Public Hearing for Demolition - 3307 Arnold Avenue)







Attachment: Photos of 3307 Arnold Avenue (3576 : Public Hearing for Demolition - 3307 Arnold Avenue)



City Council

204 South 7th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 3653)

Meeting: 09/03/19 07:00 PM
Department: Economic Development
Category: Public Hearing
Prepared By: Kathryn Daugherty
Initiator: Lori Huguley
Sponsors:
DOC ID: 3653

Public Hearing, project agreement with 280 Land Co. - Hidden Lakes.

LEGAL NOTICE OF PUBLIC MEETING AND PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF OPELIKA, ALABAMA

NOTICE is hereby given that the City Council (the “Council”) of the City of Opelika, Alabama, (the “City”) will meet in public session at 7:00 p.m. on Tuesday, September 3, 2019, in the City Council Chambers of the Municipal Building, 204 South 7th Street in the City of Opelika, Alabama, for the purpose of considering the transaction of business that may properly come before the Council, such business to include, but not be limited to, the following:

1. The authorization by the Council, pursuant to Amendment No. 642 of the Constitution of Alabama of 1901, as amended, of a resolution (the “Resolution”) approving the execution and delivery of a Project Development Agreement (the “Agreement”) between the City and 280 Land Company, LLC., (the “Company”) to be dated the date of delivery. The Company is an Alabama limited liability company.

2. Pursuant to the Agreement, the Company will agree to construct a residential development on approximately 205.84 acres of land located on the south side of Sportsplex Drive and the north side of West Point Parkway (the “Project Site”). The development will consist of 64 lots for single family homes and 29 townhouse units in a Planned Unit Development entitled “Hidden Lakes Subdivision South, Phases 1 and 2” (the “Subdivision”). The “Project” will consist of (1) the construction of the public streets, sanitary sewer systems, stormwater drainage systems and water distribution systems designed to serve Hidden Lakes Subdivision, Phases 1 and 2. The City will agree to provide up to \$440,898 in cash incentives to

facilitate the Project described above. The cash incentives are more particularly described in the Agreement.

3. The City seeks to achieve, by undertaking its obligations pursuant to the Agreement and the Resolution, to promote the local economic development of the City by facilitating the development of the Project for the benefit of the general public, to increase employment in the City and to increase the tax and revenue base of the City.

4. The persons or entities to whom or for whose benefit the City proposes to lend its credit or grant of public funds or thing of value are 280 Land Company, LLC, and others who may benefit indirectly from the development of the Project.

5. All interested persons may examine and review the Agreement and Resolution and all relevant documents and make copies thereof at personal expense at the offices of the City Clerk and City Council during normal business hours, before and after the meeting referenced herein.

6. During the public meeting referenced above, the City Council will conduct a public hearing with respect to the Agreement and the matters therein contained. Interested persons will be given reasonable opportunity to express their opinions, arguments and their views, either orally or in writing or both, at the hearing. Persons unable to attend the public hearing may submit their opinions, arguments and their views to the Office of the City Clerk, 204 S. 7th Street, Opelika, AL 36801.

7. Further information concerning the information of this notice can be obtained at the office of the City Clerk during normal business hours.

8. Please contact Kevin Rice, the City's ADA Coordinator, at 334-705-2083 at least two (2) working days prior to the meeting if you require special accommodations due to a disability.

DATED this the _____ day of August, 2019.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

TO: PUBLISHER
The Opelika-Auburn News
P.O. Drawer 2208
Opelika, AL 36803-2208

Please publish the foregoing Notice one (1) time in the August 27, 2019, issue of your paper.

CITY CLERK



City Council
204 South 7th Street
Opelika, AL

SCHEDULED

Meeting: 09/03/19 07:00 PM
Department: Economic Development
Category: Public Hearing
Prepared By: Kathryn Daugherty
Initiator: Lori Huguley
Sponsors:

GENERAL BUSINESS (ID # 3652)

DOC ID: 3652

Public Hearing, project agreement with Interstate Properties, LLC - USA Town Center.

LEGAL NOTICE OF PUBLIC MEETING AND PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF OPELIKA, ALABAMA

NOTICE is hereby given that the City Council (the “Council”) of the City of Opelika, Alabama, (the “City”) will meet in public session at 7:00 p.m. on Tuesday, September 3, 2019, in the City Council Chambers of the Municipal Building, 204 South 7th Street in the City of Opelika, Alabama, for the purpose of considering the transaction of business that may properly come before the Council, such business to include, but not be limited to, the following:

1. The authorization by the Council, pursuant to Amendment 642 of the Constitution of Alabama of 1901, of a resolution (the “Resolution”) approving the execution and delivery of a Project Development Agreement (the “Agreement”) between the City and Interstate Properties, LLC (the “Company”) dated the date of delivery.

2. Pursuant to the Agreement, the Company will agree to renovate or cause to be renovated USA Town Center located at 1220 Fox Run Avenue (the “Project Area”) in the corporate limits of the City. The renovations and improvements to USA Town Center will consist of painting the façades (exterior walls), resurfacing the parking lot, repairing sidewalks and upgrading the monument sign. The Company estimates that it will make a capital investment in the Project of approximately \$485,000. In consideration of such obligation of the Company, the City has agreed to share with the Company for a ten year period an amount equal to fifty percent (50%) of the City’s sales tax and use tax revenues that exceeds \$10,500 in a quarter to be collected by retail facilities in the Project Area, up to a total maximum City

contribution of \$350,000.00. If the City Sales Tax Proceeds received by the City from businesses in the Project Area do not exceed \$10,500 for any quarter, no shared sales and use tax revenues shall be due from the City to the Company for that quarter.

3. The City seeks to achieve by undertaking its obligations pursuant to the Agreement and the Resolution, to promote local economic development of the City by facilitating the construction of the Project for the benefit of the general public, to improve aesthetics along the Fox Run Avenue corridor, to boost property values in the City and to increase the tax base and revenues of the City.

4. The business entities to whom or for whose benefit the City proposes to lend its credit or grant public funds or a thing of value are Interstate Properties, LLC, its tenants and the users and operators of the retail facilities in the Project Area.

5. All interested persons may examine and review the Agreement and Resolution and all relevant documents and make copies thereof at personal expense, at the offices of the City Clerk and City Council during normal business hours, before and after the meeting referenced herein.

6. During the public meeting referenced above the Council will conduct a public hearing with respect to the Agreement and the matters therein contained. Interested persons will be given reasonable opportunity to express their opinions, arguments and their views, either orally or in writing, or both, at the hearing. Persons unable to attend the public hearing may submit their opinions, arguments and their views to the office of the City Clerk, 204 South 7th Street, Opelika, Alabama 36801.

7. All interested persons will be given the opportunity to submit their oral or written comments at the time of the public hearing. Persons unable to attend the public hearing may

submit their comments and views to the Office of the City Clerk, 204 S. 7th Street, Opelika, Alabama, 36801. Further information concerning this Notice and the public hearing can be obtained from the office of the City Clerk during normal business hours.

8. Please contact Kevin R. Rice, the City's ADA Coordinator, at 334-705-2083 at least two (2) working days prior to the meeting if you require special accommodations due to a disability.

DATED this the _____ day of August, 2019.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

TO: PUBLISHER
The Opelika-Auburn News
P.O. Drawer 2208
Opelika, AL 36803-2208

Please publish the foregoing Notice one (1) time in the August 27, 2019 issue of your paper.

CITY CLERK

RESOLUTION NO. 235-19

Expense reports from various departments.

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
	-----	-----	-----
296.96	Gwinetta Ligon	Accounting	
	Donna Smith	Accounting	189.08
	Carol Edwards	H/R	281.88

-) 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 _____, 2019.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - City Treasurer

NAME Gwinetta Ligon DEPARTMENT Accounting

PERIOD ENDING 8/21/19

ITEMIZE ALL REIMBURSABLE EXPENSES IN APPROPRIATE BLANKS - ITEMIZE ANY NON-REIMBURSABLE EXPENSES ON REVERSE OF LAST COPY.

DATE	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS Itemize Below			MISC EXPENSES Itemize Below	DAILY TOTAL
			AIR, RAIL, ETC	RENTAL CAR, LIMO, ETC.	LOCAL TAXI, TOLLS, & PUBLIC TRANSIT	AUTO EXPENSES Itemize Below	BREAKFAST	LUNCH	DINNER		
8/14/2019	Opelika, Al to Orange Beach, Al					\$ 148.48					\$ 148.48
8/16/2019	Orange Beach, Al to Opelika, Al					\$ 148.48					\$ 148.48
											\$ -
											\$ -
											\$ -
											\$ -
											\$ -
											\$ -
											\$ -
											\$ -
											\$ -
											\$ -
											\$ -
											\$ -
											\$ -
											\$ -
WEEKLY CATEGORY TOTALS \$		\$ -	\$ -	\$ -	\$ -	\$ 296.96	\$ -	\$ -	\$ -	\$ -	\$ 296.96

[illegible]

AUTOMOBILE EXPENSES		
DATE	\$. PARKING, REPAIRS, ETC	AMOUNT
14-Aug	256 miles x .58 mileage rate	\$ 148.48
16-Aug	256 miles x .58 mileage rate	\$ 148.48

ITEMIZED MISCELLANEOUS EXPENSES			
DATE	ITEMS		AMOUNT

NUMBER OF DAYS AWAY FROM HOME

2

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

2

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

100%

NATURE OR PURPOSE OF TRAVEL

GFOAA Conference

METHOD OF REIMBURSEMENT

MAIL TO:

SIGNATURE

APPROVED BY

EXPENSE REPORT

NAME Donna Smith DEPARTMENT Accounting PERIOD ENDING 8/28/2019

ITEMIZE ALL REIMBURSABLE EXPENSES IN APPROPRIATE BLANKS - ITEMIZE ANY NON-REIMBURSABLE EXPENSES ON REVERSE OF LAST COPY.

DATE	DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS Itemize Below			ENTERTAINMENT Itemize Below	MISC EXPENSES Itemize Below	DAILY TOTAL
				AIR, RAIL, ETC	RENTAL CAR, LIMO, ETC	LOCAL TAXI, TOLLS, & PUBLIC TRANSIT	AUTO EXPENSES Itemize Below	BREAKFAST	LUNCH	DINNER			
	SUN												\$ -
	MON												\$ -
8/27/19	TUE	FROM OPELIKA, AL TO TUSCALOOSA, AL					\$ 94.54						\$ 94.54
8/28/19	WED	FROM TUSCALOOSA, AL TO OPELIKA, AL					\$ 94.54						\$ 94.54
	THU												\$ -
	FRI												\$ -
	SAT												\$ -
WEEKLY CATEGORY TOTALS \$			\$ -	\$ -	\$ -	\$ -	\$ 189.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 189.08

WEEKLY TOTAL OF EXPENSES ↑

NUMBER OF DAYS AWAY FROM HOME

1 1/2

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

NATURE OR PURPOSE OF TRAVEL

CGAT TRAINING

METHOD OF REIMBURSEMENT

MAIL TO:

DONNA SMITH

ACCT DEPT.

SIGNATURE

APPROVED BY

ITEMIZED ENTERTAINMENT AND BUSINESS MEALS					
DATE	NAME OF PERSON(S) ENTERTAINED: COMPANY, TITLE	TIME & PLACE	NATURE & PURPOSE OF ENTERTAINMENT	AMOUNT	ALLOCATED TO BUSINESS
			Agree To P.O.		
			Edm Verified		
			Fooding Verified		
			Int. Price Bio Price		
			OK To Pay		
			A/C # Verified		

ITEMIZED AUTOMOBILE EXPENSES		
DATE	MILEAGE, GAS, PARKING, REPAIRS, ETC	AMOUNT
8/27/19	OPELIKA TO TUSCALOOSA 163 MILES@.58	\$ 94.54
8/28/19	TUSCALOOSA, TO OPELIKA 163 MILES@.58	\$ 94.54

ITEMIZED MISCELLANEOUS EXPENSES		
DATE	ITEMS	AMOUNT

8/30/2019

8/30/2019

ITEMIZE ALL REIMBURSABLE EXPENSES IN APPROPRIATE BLANKS - ITEMIZE ANY NON-REIMBURSABLE EXPENSES ON REVERSE OF LAST COPY.

WEEKLY CATEGORY TOTALS \$	\$ -	\$ -	\$ -	\$ -	\$ 281.88	\$ -	\$ -	\$ -	\$ -	\$ 281.88
---------------------------	------	------	------	------	-----------	------	------	------	------	-----------

BUSINESS MEALS				
DATE	PERSON(S) DINING;	TIME	PLACE	AMOUNT
			Agree To P.O.	
			Exam Verified	
			Fooding Verified	
			Inv. Price Bio Price	
			OK To Pay	
			AC # Verifed	

ITEMIZED MISCELLANEOUS EXPENSES		
DATE	ITEMS	AMOUNT

Packet Pg. 82

RESOLUTION NO. 236-19

Designate City Personal Property as Surplus & Authorize Disposal

RESOLUTION NO. _____

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

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

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

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

No.	Qty.	Unit	Item Description	Fixed Asset
1.	1	Ea.	Wooden Desk	N/A
2.	1	Ea.	1994 Toyota Camry 4T1SK12E6RU417352	N/A

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 _____, 2019.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer

RESOLUTION NO. 237-19

Refund Request-Grier, Occupational License Fees.

Resolution No. _____

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

- 1) That Lillie Finley, Purchasing- Revenue Manager, has investigated and confirmed that said refund request is valid and recommends approval.
- 2) That the Purchasing-Revenue Manager is hereby authorized to prepare and process the appropriate documents so a refund check in the amount of \$3,236.31 can be printed payable to Michael M. Grier, 185 County Rd 501 Verbena, AL 36091 for the refund of occupational license fees withheld in error.
- 3) That the City Clerk is hereby authorized to sign, and mail said check to the address as detailed in number 2 above.
- 4) That a copy of the Purchasing-Revenue Manager's recommendation is hereto attached as Exhibit "A".

APPROVED and ADOPTED this the _____ day of _____, 2019.

C.E. "Eddie" Smith, Jr.

President of the City Council

City of Opelika, Alabama

ATTEST:

R. G. Shuman, CMC

City Clerk - Treasurer

RESOLUTION NO. 238-19

Extending Contract with Waste Management - OES

RESOLUTION NO. _____

**RESOLUTION APPROVING RENEWAL OF CONTRACT
FOR DOWNTOWN DUMPSTER SERVICE WITH WASTE MANAGEMENT
OF ALABAMA FOR AN ADDITIONAL THREE (3) YEAR TERM**

WHEREAS, on April 19, 2016, pursuant to Resolution No. 078-16, the City Council accepted the low bid of Waste Management of Alabama for a three-year contract for downtown dumpster service; and

WHEREAS, the bid specifications provided “the term of this Contract shall be three years and may be renewed for additional three-year terms with the mutual consent of both parties; and

WHEREAS, §41-16-51(a)(10), *Code of Alabama*, (1975) provides as follows:

“(a) Competitive bids shall not be required for utility services, the rates for which are fixed by law, regulation, or ordinance, and the competitive bidding requirements of this article shall not apply to:

(10) Existing contracts up for renewal for sanitation or solid waste collection, recycling, and disposal between municipalities or counties, or both, and those providing the service.”; and

WHEREAS, the Attorney General has opined that a municipality may renew a contract for solid waste collection and/or disposal without taking bids if the contract contained a renewal clause and if the terms of the contract were not materially changed; and

WHEREAS, Waste Management is willing to extend the term of the contract with no increase in rates and fees; and

WHEREAS, the City wishes to extend the Contract for an additional three-year term; and

WHEREAS, the City Council believes it is feasible, necessary and in the public interest for the City to approve the renewal.

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

Section 1. Findings. The City Council hereby finds and determines those matters set forth in the preambles hereof as fully and completely as if set out in full in this Section 1.

Section 2. The City Council hereby approves the renewal of the contract for downtown dumpster services with Waste Management of Alabama for an additional three-year term with no increase in rates and fees.

Section 3. The Mayor and the Director of Opelika Environmental Services be and they are hereby authorized and directed to execute all documents as they deem necessary or advisable in order to carry out and perform the purposes of this Resolution.

Section 4. The officers of the City and any person or persons designated and authorized by any officers of the City to act in the name and on behalf of the City, or any one or more of them, are authorized to do or cause to be done or performed in the name and on behalf of the City such other acts and to execute and deliver or cause to be executed and delivered in the name and on behalf of the City such other notices, certificates, assurances or other instruments or other

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

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

ADOPTED AND APPROVED this the _____ day of _____, 2019.

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

ATTEST:

CITY CLERK

RESOLUTION NO. 239-19

Weed Abatement Assessment - 1St Avenue 071.000

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
1st Avenue, Parcel No. 071.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 1st Avenue, parcel no. 071.000 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 1st Avenue 071.000, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 3rd day of September, 2019 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 \$196.84 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 1st Avenue, Parcel no. 071.000 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 43-09-06-14-4-000-071.000 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 3rd day of September, 2019.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 8/21/2019

To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee Al. 36078

Property Address:
1st Avenue
Opelika Al. 36801
Parcel # 43-09-06-14-4-000-071.000

On June 20, 2019 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: 183.50

Certified mail: 13.34 (All inclusive)

Misc. _____

Total	<u>196.84</u>
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Attachment: Weed Invoice 1St Ave 071.000 (239-19 : Weed Abatement Assessment - 1St Avenue 071.000)

RESOLUTION NO. 240-19

Weed Abatement Assessment - 1St Avenue 136.000

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
1st Avenue, Parcel No. 136.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 1st Avenue, parcel no. 136.000 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 1st Avenue, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 3rd day of September, 2019 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 \$62.50 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 1st Avenue, Parcel no. 136.000 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 43-09-06-14-3-000-136.000 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 3rd day of September, 2019.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 08/21/2019

**To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee Al. 36078**

**Property Address:
1st Avenue
Opelika Al. 36801
Parcel # 43-09-06-14-3-000-136.000**

On June 20, 2019 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: 62.50

Certified mail: _____

Misc. _____

Total 62.50

Attachment: Weed invoice 1st Ave 136.000 (240-19 : Weed Abatement Assessment - 1st Avenue 136.000)

RESOLUTION NO. 241-19

Weed Abatement Assessment - 1St Avenue 137.000

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
1st Avenue, Parcel No. 137.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 1st Avenue, parcel no. 137.000 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 1st Avenue, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 3rd day of September, 2019 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 \$447.50 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 1st Avenue, Parcel no. 137.000 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 43-09-06-14-3-000-137.000 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 3rd day of September, 2019.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - Treasurer

WEED ABATEMENT INVOICE

Date: 08/21/2019

**To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee Al. 36078**

**Property Address:
1st Avenue
Opelika Al. 36801
Parcel # 43-09-06-14-3-000-137.000**

On June 20, 2019 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: 447.50

Certified mail: _____

Misc. _____

Total 447.50

Attachment: WEED INVOICE 1st Ave 137.000 (241-19 : Weed Abatement Assessment - 1St Avenue 137.000)

RESOLUTION NO. 242-19

Weed Abatement Assessment - 1St Ave & N 28Th St 136.000

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
1st Ave & N 28th St., Parcel No. 136.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 1st Ave & N 28th St., parcel no. 136.000 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 1st Ave & N 28th St., a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 3rd day of September, 2019 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 \$1427.50 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 1st Ave & N 28th St., Parcel no. 136.000 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 43-09-06-14-3-000-136.000 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 3rd day of September, 2019.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

WEED ABATEMENT INVOICE

Date: 08/21/2019

**To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee AL 36078**

**Property Address:
1st Ave & N 28th St
Opelika AL 36801
Parcel # 43-09-06-14-3-000-136.000**

On June 20, 2019 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: 1427.50

Certified mail: _____

Misc. _____

Total 1427.50

Attachment: WEED INVOICE 1st Ave & N 28th St 136.000 (242-19 : Weed Abatement Assessment - 1st Ave & N 28Th St 136.000)

RESOLUTION NO. 243-19

Weed Abatement Assessment - 2Nd Avenue 136.001

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
2nd Avenue, Parcel No. 136.001**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 2nd Avenue, parcel no. 136.001 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 2nd Avenue, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 3rd day of September, 2019 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 \$581.10 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 2nd Avenue, Parcel no.136.001 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 43-09-06-14-3-000-136.001 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 3rd day of September, 2019.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 08/21/2019

**To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee Al. 36078**

**Property Address:
2nd Avenue
Opelika Al. 36801
Parcel # 43-09-06-14-3-000-136.001**

On June 20, 2019 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: 581.10

Certified mail: _____

Misc. _____

Total 581.10

Attachment: Weed Invoice, 2nd Ave 136.001 (243-19 : Weed Abatement Assessment - 2Nd Avenue 136.001)

RESOLUTION NO. 244-19

Weed Abatement Assessment - 1531 1St Avenue

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
1531 1st Avenue, Parcel No. 068.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 1531 1st Avenue, parcel no. 068.000 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 1531 1st Avenue, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 3rd day of September, 2019 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 \$118.34 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 1531 1st Avenue, Parcel no. 068.000 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 43-09-06-13-1-002-068.000 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 3rd day of September, 2019.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 8/21/2019

To: Regeneration LLC
PO Box 1058
Alexander City, Al. 35011

Property Address:
1531 1st Avenue
Opelika Al. 36801
Parcel # 43-09-06-13-1-002-068.000

On June 20, 2019 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: 105.00

Certified mail: 13.34 (All Inclusive)

Misc.

Total	118.34
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Attachment: WEED INVOICE 1531 1st Ave (244-19 : Weed Abatement Assessment - 1531 1st Avenue)

RESOLUTION NO. 245-19

Weed Abatement Assessment - 1534 1St Avenue

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
1534 1st Avenue, Parcel No. 010.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 1534 1st Avenue, parcel no. 010.000 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 1534 1st Avenue, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 3rd day of September, 2019 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 \$145.00 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 1534 1st Avenue, Parcel no. 010.000 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 43-09-06-13-1-002-010.000 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 3rd day of September, 2019.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE**Date: 8/21/2019****To: Regeneration LLC
PO Box 1058
Alexander City, Al. 35011****Property Address:
1534 1st Avenue
Opelika Al. 36801
Parcel # 43-09-06-13-1-002-010.000**

On June 20, 2019 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: 145.00

Certified mail: _____

Misc. _____

Total 145.00**Attachment: WEED INVOICE 1534 1st Ave (245-19 : Weed Abatement Assessment - 1534 1st Avenue)**

RESOLUTION NO. 246-19

Weed Abatement Assessment - 1699 N 16Th Pl.

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
1699 N 16th PL., Parcel No. 014.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 1699 N 16th PL., parcel no. 014.000 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 1699 N 16th Pl., a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 3rd day of September, 2019 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 \$720.75 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 1699 N 16th PL., Parcel no. 014.000 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 43-09-06-13-1-002-014.000 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 3rd day of September, 2019.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE**Date: 8/21/2019****To: Regeneration LLC
PO Box 1058
Alexander City, Al. 35011****Property Address:
1699 N 16th Place
Opelika Al. 36801
Parcel # 43-09-06-13-1-002-014.000**

On June 20, 2019 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: 720.75

Certified mail: _____

Misc. _____

Total 720.75

Attachment: WEED INVOICE 1699 N 16th Pl (246-19 : Weed Abatement Assessment - 1699 N 16Th Pl.)

RESOLUTION NO. 247-19

Weed Abatement Assessment - 2401 2Nd Avenue

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
2401 2nd Avenue, Parcel No. 074.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 2401 2nd Avenue, parcel no. 074.000 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 2401 2nd Avenue, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 3rd day of September, 2019 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 \$451.50 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 2401 2nd Avenue, Parcel no. 074.000 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 43-09-06-14-4-000-074.000 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 3rd day of September, 2019.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 08/21/2019

To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee Al. 36078

Property Address:
2401 2nd Ave
Opelika Al. 36801
Parcel # 09-06-14-4-000-074.000

On June 20, 2019 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: 451.50

Certified mail: _____

Misc. _____

Total	<u>451.50</u>
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Attachment: WEED INVOICE 2401 2nd Ave 074.000 (247-19 : Weed Abatement Assessment - 2401 2Nd Avenue)

RESOLUTION NO. 248-19

Weed Abatement Assessment - 2500 1St Avenue

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
2500 1st Avenue, Parcel No. 136.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 2500 1st Avenue, parcel no. 136.000 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 2500 1st Avenue, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 3rd day of September, 2019 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 \$1600.00 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 2500 1st Avenue, Parcel no. 136.000 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 43-09-06-14-3-000-136.000 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 3rd day of September, 2019.

President of the City Council

City of Opelika, Alabama

Attest:

R. G. "Bob" Shuman, CMC

City Clerk - City Treasurer

WEED ABATEMENT INVOICE**Date: 08/21/2019****To: Saucier Investments LLC
5415 Chana Creek Rd
Tallassee Al. 36078****Property Address:
2500 1st Avenue
Opelika Al. 36801
Parcel # 09-06-14-3-000-136.000**

On June 20, 2019 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: 1600.00

Certified mail: _____

Misc. _____

Total 1600.00**Attachment: WEED INVOICE 2500 1st Ave 136.000 (248-19 : Weed Abatement Assessment - 2500 1st Avenue)**

RESOLUTION NO. 249-19

Authorize Demolition - 207 Avenue a - Ward Funeral Home.

RESOLUTION NO. _____

**RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR STRUCTURE
LOCATED AT 207 AVENUE A, OPELIKA, ALABAMA 36801, PARCEL ID NO.: 43-10-
03-07-1-001-112.000 IN COMPLIANCE WITH SECTIONS**

**11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16,
INCLUSIVE, OF THE CODE OF ALABAMA, AND IN COMPLIANCE WITH
ORDINANCE NO. 116-15.**

OF THE CITY OF OPELIKA, ALABAMA

WHEREAS, the Building Official of the City of Opelika, Alabama, determined that the condition of the building or structure located at 207 Avenue A, Opelika, Alabama, 36801, Parcel I.D. Number: 43-10-03-07-4-001-112.000, (hereinafter the Subject Property”) is in such condition as to make it dangerous to the life, health, property, morals, safety or general welfare of the public or the occupants; and

WHEREAS, Maurice Ward is the record owner of the above-described property as shown from a search of records of the Office of the Judge of Probate of Lee County, Alabama; and

WHEREAS, Maurice Ward is the person last assessing the subject property for state taxes; and

WHEREAS, a “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy” was sent via certified mail, properly addressed, and postage prepaid to Maurice Ward, P.O. Box 1107, Valley, AL 36854; and

WHEREAS, contemporaneous with the filing of the “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy”, a copy of the same was posted at or within three (3) feet of an entrance to the building on the subject property; and

WHEREAS, a Lis Pendens Notice was duly filed of record in the Office of the Judge of Probate of Lee County, Alabama, as required by Ordinance No. 116-15; and

WHEREAS, notice that the subject property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is subject to demolition and that a public hearing would be held on a certain date was given to all interested parties as required by law; and

WHEREAS, Tuesday, September 3, 2019 at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Lee County, Alabama, was fixed as the time and place when and where the City Council will meet to determine whether or not the building located at 207 Avenue A is unsafe to the extent that it creates a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, September 3, 2019, at the aforesaid time and place for the purpose of conducting said public hearing; and

WHEREAS, the President of the City Council of the City of Opelika presided over said public hearing and opened the floor for comments from the public and any persons interested in the real property located at 207 Avenue A, Opelika, Alabama; and

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

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

1. The City Council hereby finds and determines that the building or structure located at 207 Avenue A, Opelika, Alabama, Parcel I.D. Number: 43-10-03-07-1-001-112.000, is unsafe to the extent that it creates a public nuisance to the citizens of Opelika, Alabama, and is due to be condemned and demolished in compliance with §§11-40-30 through 11-40-36 and §§11-53B-1 through 11-53B-16, inclusive of the *Code of Alabama*, and Ordinance No. 116-15 of the City of Opelika, Alabama, which Ordinance is codified at Sections 5-221 through 5-238, inclusive of the *Code of Ordinances* of the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

From the point of intersection of the Northeasterly margin of South Third Street with the Southeasterly margin of Avenue A, in the City of Opelika, Lee County, Alabama, run thence North 47°36' East along the Southeasterly margin of Avenue A, 250.0 feet; thence South 42°24' East, 100.0 feet; thence South 47°36' West 100 feet; thence North 42°24' West 5.0 feet; thence South 47°36' West 150.0 feet; to the Northeasterly margin of South Third Street; thence North 42°24' West, along the Northeasterly margin of South Third Street, 150.0 feet, to the point of beginning. Being Lot 1, and part of Lots #14, #15, Block 9, as the same appears in the Lee County Probate Records, Town Plat Book 2, Page 9.

Also being further described as Parcel Number 43-10-03-07-1-001-112.000, according to records maintained in the Lee County Revenue Commissioner's Office.

2. The Mayor is hereby authorized and directed to cause said building or structure to be demolished and removed after the expiration of twenty (20) days from the date of this resolution if an appeal has not been taken to the Circuit Court. The demolition may be accomplished by the municipality by the use of its own forces, or it may be provided by contract for the demolition. The municipality may sell or otherwise dispose of salvaged materials

resulting from the demolition. All employees, contractors and duly authorized agents of the City are authorized to enter upon said property for said purpose.

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

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

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

ADOPTED AND APPROVED this the ____ day of _____ 2019.

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

ATTEST:

CITY CLERK

Cc: Maurice Ward
P.O. Box 1107
Valley, AL 36854

RESOLUTION NO. 250-19

Authorize Demolition - 3307 Arnold Avenue.

RESOLUTION NO. _____

**RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR STRUCTURE
LOCATED AT 3307 ARNOLD AVENUE, OPELIKA, ALABAMA 36801, PARCEL ID
NO.: 43-09-05-15-1-000-054.001 IN COMPLIANCE WITH SECTIONS**

**11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16,
INCLUSIVE, OF THE CODE OF ALABAMA, AND IN COMPLIANCE WITH
ORDINANCE NO. 116-15.**

OF THE CITY OF OPELIKA, ALABAMA

WHEREAS, the Building Official of the City of Opelika, Alabama, determined that the condition of the building or structure located at 3307 Arnold Avenue, Opelika, Alabama, 36801, Parcel I.D. Number: 43-09-05-15-1-000-054.001, (hereinafter the Subject Property”) is in such condition as to make it dangerous to the life, health, property, morals, safety or general welfare of the public or the occupants; and

WHEREAS, Arthur E. Scoggins, Jr., and Lisa A. Scoggins are the record owners of the above-described property as shown from a search of records of the Office of the Judge of Probate of Lee County, Alabama; and

WHEREAS, Arthur E. Scoggins, Jr., and Lisa A. Scoggins are the persons last assessing the subject property for state taxes; and

WHEREAS, AuburnBank is the mortgagee of record as shown from a search of records of the Office of the Judge of Probate of Lee County, Alabama; and

WHEREAS, Max Credit Union and Autovest, LLC, are lienholders of record as shown from a search of records of the Office of the Judge of Probate of Lee County, Alabama; and

WHEREAS, a “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy” was sent via certified mail, properly addressed, and postage prepaid to Arthur E. Scoggins, Jr., 139 Lee Road 2087, Salem, AL 36874 and Lisa A. Scoggins, 2315 Airport Road, Opelika, AL 36801; the mortgagee, AuburnBank, 1967 East Samford Avenue, Auburn, AL 36830 and the lienholders, Max Credit Union, 336 North Gay Street, Auburn, AL 36830 and Autovest, LLC, 26261 Evergreen Road, Suite 390, Southfield, MI 48076; and

WHEREAS, contemporaneous with the filing of the “Notice of Dangerous Building, Finding of Public Nuisance and Order to Remedy”, a copy of the same was posted at or within three (3) feet of an entrance to the building on the subject property; and

WHEREAS, a Lis Pendens Notice was duly filed of record in the Office of the Judge of Probate of Lee County, Alabama, as required by Ordinance No. 116-15; and

WHEREAS, notice that the subject property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is subject to demolition and that a public hearing would be held on a certain date was given to all interested parties as required by law; and

WHEREAS, Tuesday, September 3, 2019, at 7:00 p.m. in the City Council Chambers of the Municipal Building, 204 South 7th Street, Opelika, Lee County, Alabama, was fixed as the time and place when and where the City Council will meet to determine whether or not the building located at 3307 Arnold Avenue is unsafe to the extent that it creates a public nuisance; and

WHEREAS, the City Council of the City of Opelika met on Tuesday, September 3, 2019, at the aforesaid time and place for the purpose of conducting said public hearing; and

WHEREAS, the President of the City Council of the City of Opelika presided over said public hearing and opened the floor for comments from the public and any persons interested in the real property located at 3307 Arnold Avenue, Opelika, Alabama; and

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

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

1. The City Council hereby finds and determines that the building or structure located at 3307 Arnold Avenue, Opelika, Alabama, Parcel I.D. Number: 43-09-05-15-000-054.001, is unsafe to the extent that it creates a public nuisance to the citizens of Opelika, Alabama, and is due to be condemned and demolished in compliance with §§11-40-30 through 11-40-36 and §§11-53B-1 through 11-53B-16, inclusive of the *Code of Alabama*, and Ordinance No. 116-15 of the City of Opelika, Alabama, which Ordinance is codified at Sections 5-221 through 5-238, inclusive of the *Code of Ordinances* of the City of Opelika, Alabama. The property referred to above is more particularly described as follows:

Lot 1 of a Re-subdivision of Lots 1-2-3-4, Block “F” of the Springhill Heights Subdivision, as shown on map or plat of said subdivision filed for record in Plat Book 10, at Page 101, in the Office of the Judge of Probate of Lee County, Alabama.

Also being further described as Parcel Number 43-09-05-15-1-000-054.001, according to records maintained in the Lee County Revenue Commissioner’s Office.

2. The Mayor is hereby authorized and directed to cause said building or structure to be demolished and removed after the expiration of twenty (20) days from the date of this resolution if an appeal has not been taken to the Circuit Court. The demolition may be accomplished by the municipality by the use of its own forces, or it may be provided by contract for the demolition. The municipality may sell or otherwise dispose of salvaged materials resulting from the demolition. All employees, contractors and duly authorized agents of the City are authorized to enter upon said property for said purpose.

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

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

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

ADOPTED AND APPROVED this the ____ day of _____ 2019.

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

ATTEST:

CITY CLERK

Cc: Arthur E. Scoggins, Jr.
139 Lee Road 2087
Salem, AL 36874

Lisa A. Scoggins
2315 Airport Road
Opelika, AL 36801

AuburnBank
1967 East Samford Avenue

Auburn, AL 36830

Max Credit Union

336 North Gay Street

Auburn, AL 36830

Autovest, LLC

26261 Evergreen Road, Suite 390

Southfield, MI 48076

RESOLUTION NO. 251-19

Lease Agreement with Heritage Baptist Church

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING AND APPROVING A PERSONAL PROPERTY LEASE
AGREEMENT BY AND BETWEEN HERITAGE CHURCH, INC.****AND THE CITY OF OPELIKA, ALABAMA**

WHEREAS, Heritage Baptist Church, Inc. (the “Church”) is the owner of 125 chairs now situated in the auditorium of the Southside Center for the Arts and one twelve-foot classroom divider (the “Personal Property”); and

WHEREAS, the City of Opelika, Alabama (the “City”) desires to lease said Personal Property for use by the Opelika Municipal Court on each Wednesday during the term of the Lease; and

WHEREAS, the City Council deems it advisable, necessary, appropriate and in the public interest for the City to enter into a Personal Property Lease Agreement with the Church for the use of said Personal Property; and

WHEREAS, a proposed Personal Property Lease Agreement (the “Lease Agreement”) has been prepared and submitted to the City Council for approval and the City Council has determined that it is now in the best interest of the City and its citizens to authorize and approve said Lease Agreement.

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

1. That the proposed Lease Agreement to be entered into between the City and the Church, a copy of which is attached hereto as Exhibit “A”, be and the same is hereby approved, authorized, ratified and confirmed in substantially the form 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 execution and delivery of said Lease Agreement.

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

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

4. That the rent to be paid to the Church pursuant to said Lease Agreement shall be paid from the Municipal Fund, and the Controller is hereby authorized to make all necessary and appropriate budget and accounting entries necessary to implement this Resolution.

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

ADOPTED AND APPROVED this the ____ day of September 2019.

PRESIDENT OF THE CITY COUNCIL

OF THE CITY OF OPELIKA

ATTEST:

CITY CLERK

PERSONAL PROPERTY LEASE AGREEMENT

THIS PERSONAL PROPERTY LEASE AGREEMENT (“Lease”) is made and effective on September __, 2019, by and between Heritage Baptist Church, Inc., an Alabama nonprofit corporation (the “LESSOR”), and the City of Opelika, Alabama, a municipal corporation (the “LESSEE”).

For and in consideration of the terms, conditions and mutual covenants contained herein and other good and valuable consideration received by each party the sufficiency of which are hereby acknowledged, the LESSOR and LESSEE agree as follows:

1. Leased Personal Property. LESSOR hereby leases to LESSEE and LESSEE hereby leases from LESSOR the following described personal property (the “Property”): One hundred twenty-five (125) chairs now situated in the auditorium of the Southside Center for the Arts located at 1103 Glenn Street and one (1) twelve-foot classroom divider. The LESSEE shall have the exclusive use and possession of the Property on each Wednesday during the term of the Lease from 8:00 a.m. until 5:30 p.m. At 5:30 p.m. on each Wednesday, the LESSEE shall return the Property to the LESSOR.

2. Term. The term of this Lease shall commence on August 15, 2019 and shall expire on January 8, 2020.

3. Rent. In consideration for the rental of the Property, LESSOR shall pay to the LESSEE one lump sum annual rental payment in the amount of \$2,100.00. Rent shall be paid after September 3, 2019.

4. Use. LESSEE shall use the Property in a careful and proper manner and shall comply with and will conform to all federal, state, municipal and other laws, ordinances and regulations in any matter relating to the possession, use or maintenance of the Property. The Property shall be used only for Opelika Municipal Court on each Wednesday during the term between the hours of 8:00 a.m. and 5:30 p.m.

5. Disclaimer of Warranties. LESSOR disclaims all any and all warranties, express or implied, including, but not limited to implied warranties of merchantability and fitness for a particular purpose, except that LESSOR warrants that LESSOR has the right to lease the Property, as provided in this Lease. The LESSEE accepts the Property in “AS IS” condition.

6. Loss and Damage. (a) The LESSEE hereby assumes and shall bear the risk of loss and damage to the Property from any and every cause whatsoever while the Property is in the possession of the LESSEE. The LESSOR assumes and shall bear the risk of loss and damage to the Property while the Property is in the possession of LESSOR. (b) In the event of any loss or damage of any kind whatsoever to the Property or any part thereof while in the possession of the LESSEE, LESSEE shall: (i) Repair or replace the same; or (ii) Pay to LESSOR the replacement cost of the Property or any part thereof.

7. **Surrender.** Upon the expiration of this Lease, LESSEE shall return the Property to LESSOR in good repair, condition and equal working order as was received, with exception of ordinary wear and tear resulting from proper use thereof, by surrendering the Property to LESSOR.

8. **Ownership.** The Property is and, at all times, shall remain the sole and exclusive property of LESSOR, and LESSEE shall have no right, title or interest therein or thereto except as expressly set forth in this Lease.

9. **Liens and Encumbrances.** LESSOR shall keep the Property free and clear of all liens, levies and other encumbrances. LESSOR shall pay all taxes, fees and governmental charges, together with any penalties or interest thereon, imposed by any federal, state or local governmental agency or department thereof, upon the Property or the use, operation or leasing of the Property or otherwise in any manner with respect thereto.

10. **Indemnity.** To the fullest extent permitted by law, LESSEE shall indemnify and hold LESSOR harmless from any and all claims, actions, suits, proceedings, costs, expenses, damages, liabilities (including reasonable attorney's fees) and costs arising out of, connected with, or resulting from LESSEE's use of the Property.

11. **Default.** If the LESSEE fails to pay any rent or other amount herein provided within thirty (30) days after the same is due and payable, or if LESSEE fails to observe, keep or perform any other provision of this Lease required to be observed, kept or performed by LESSEE, after thirty (30) days' notice to LESSEE, LESSOR shall have the right to exercise one or more of any of the following remedies:

(a) To declare the entire amount of rent hereunder immediately due and payable without notice or demand to LESSEE.

(b) To sue for and recover all rents or payments, that accrued or hereafter accrue.

(c) Take possession of the property.

(d) To terminate this Lease.

(e) To pursue any other remedy at law or in equity.

All LESSOR's remedies are cumulative and may be exercised concurrently or separately.

If LESSOR fails to observe, keep or perform any provision of this Lease required to be observed, kept or performed by LESSOR, LESSEE may pursue any remedy at law or in equity.

All LESSEE's remedies are cumulative and may be exercised concurrently or separately.

12. Entire Agreement. This Agreement constitutes the entire agreement between the parties on the subject matter hereof, and it shall not be amended, altered or changed except by a further writing signed by the parties hereto.

13. Notices. Services of all notices under this Lease shall be sufficient if given personally or mailed certified, return receipt requested, postage prepaid, at the addresses set forth below or to such address as each party may provide in writing from time-to-time:

IF TO LESSOR:

Thad Endicott
Pastor
Heritage Baptist Church
1315 County Road 539
Valley, AL 36854

IF TO LESSEE:

City of Opelika
Attn: Mayor
P.O. Box 390
Opelika, AL 36803

14. Assignment. LESSEE shall not assign this Lease or its interest in the Property without the prior written consent of LESSOR.

15. Governing Law. This Lease shall be governed by and construed in accordance with the laws of the State of Alabama.

IN WITNESS WHEREOF, the parties have caused this Lease to be executed as of the day and date first above written.

**HERITAGE BAPTIST CHURCH, INC.
LESSOR**

By: _____
THAD ENDICOTT, ITS PASTOR

**THE CITY OF OPELIKA, ALABAMA,
a municipal corporation LESSEE**

GARY FULLER, ITS MAYOR

ATTEST:

ROBERT G. SHUMAN CITY CLERK



1103 Glenn St.
Opelika, AL 36801
334-363-8943
www.hbcopelika.com

INVOICE

INVOICE #101
DATE: 08/22/2019

TO:

Joey Motley, City Commissioner
City of Opelika
Street Address
Opelika, AL
Phone

COMMENTS OR SPECIAL INSTRUCTIONS:

Advance Payment through January 8, 2020

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
125	Church Chairs for five months	\$0.75/wk	\$1,968.75
1	12ft x 8ft Black Divider for five months	\$6.25/wk	\$131.25
SUBTOTAL			\$2,100.00
SALES TAX			N/A
SHIPPING & HANDLING			N/A
TOTAL DUE			\$2,100.00

Make all checks payable to Heritage Baptist Church.

If you have any questions concerning this invoice, contact: Thad Endicott at (334) 363-8943.

THANK YOU FOR YOUR BUSINESS!

RESOLUTION NO. 252-19

Approving Proposal with Piedmont Paving, Inc. - ENG

RESOLUTION NO. _____

**RESOLUTION APPROVING PROPOSAL FROM PIEDMONT PAVING, INC., FOR
CONSTRUCTION OF CALCUTTA AVENUE DRAINAGE IMPROVEMENTS**

WHEREAS, the City of Opelika, Alabama (hereinafter called the “City”) solicited quotations from three (3) companies for the construction of certain drainage improvements on or near Calcutta Avenue; and

WHEREAS, the lowest quotation was received from Piedmont Paving, Inc., in the amount of \$44,688.20; and

WHEREAS, the City Engineer is recommending the award of the work under the contract to Piedmont Paving, Inc., on its low quotation.

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

1. That the Proposal submitted by Piedmont Paving, Inc., a copy of which is attached hereto as Exhibit “A”, is hereby approved and accepted in the form substantially submitted to the City Council.
2. That the Mayor is hereby authorized and directed to execute and deliver or cause to be executed or delivered in the name and on behalf of the City such contracts, agreements, notices, certificates, assurances or other instruments or other communications as he deems necessary or appropriate to carry into effect the intent of the provisions of this Resolution.

3. That the compensation to be paid to Piedmont Paving, Inc., under and pursuant to this Resolution shall come from the Unassigned Fund Balance and the Controller is hereby authorized and directed to make all necessary and appropriate budget adjustments to implement this Resolution.

4. That the Purchasing-Revenue Manager is hereby authorized and directed to issue purchase orders to Piedmont Paving, Inc., for the provision of construction services as outlined in the Proposal attached hereto.

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

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

ADOPTED AND APPROVED this the _____ day of _____, 2019.

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

ATTEST:

CITY CLERK

Calcutta Drainage Construction

PAY ITEM	DESCRIPTION	UNIT	Quantity	Estimate	
				UNIT COST	EXTENSION
201A-000	CLEARING AND GRUBBING	ACRE	0.5	\$ 16,100.00	\$ 8,050.00
206C-	REMOVING EXISTING HEADWALL	EACH	1	\$ 498.00	\$ 498.00
210A-000	UNCLASSIFIED EXCAVATION	CU YD	200	\$ 17.00	\$ 3,400.00
214B-000	FOUNDATION BACKFILL, (COMMERCIAL)	CU YD	25	\$ 111.00	\$ 2,775.00
530A-001	30" ROADWAY PIPE (HDPE)	LIN FT	212	\$ 68.60	\$ 14,543.20
600A-000	MOBILIZATION	LUMP SUM	1	\$ 4,690.00	\$ 4,690.00
610C-001	LOOSE RIP RAP, CLASS 2	TON	20	\$ 74.50	\$ 1,490.00
620A-000	MINOR STRUCTURE CONCRETE (for 30-inch headwall)	CU YD	3	\$ 770.00	\$ 2,310.00
621A-022	JUNCTION BOX, TYPE 1	EACH	1	\$ 3,882.00	\$ 3,882.00
665A-000	PERMANENT SEEDING	ACRE	0.1	\$ 8,250.00	\$ 825.00
665B-000	PERMANENT MULCHING	ACRE	0.1	\$ 2,750.00	\$ 275.00
665J-002	SILT FENCE	LIN FT	250	\$ 5.45	\$ 1,362.50
665O-001	SILT FENCE REMOVAL	LIN FT	250	\$ 2.35	\$ 587.50
Submitted By: Piedmont Paving, Inc.					\$ 44,688.20

RESOLUTION NO. 253-19

Annual Renewal General Liability Insurance - H/R.

RESOLUTION NO. _____

ANNUAL GENERAL LIABILITY INSURANCE RENEWAL

WITH J. SMITH LANIER & COMPANY

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

1. That the Mayor is hereby authorized and directed to contract with J. Smith Lanier & Company, the Alabama Municipal Insurance Corporation, and Chubb Insurance to procure the insurance coverages shown in Attachment "A".
2. 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 policies and coverage.
3. That the Mayor and the Treasurer are hereby authorized and directed to pay from budgeted funds all premiums for such insurances and coverages.
4. That the Controller is authorized to adjust the 2019-20 budget as necessary for the insurance contract approved by this resolution.

APPROVED AND ADOPTED this the _____ day of _____, 2019.

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

ATTEST:

R. G. Shuman, CMC
City Clerk / Treasurer

ATTACHMENT “A”

PREMIUM SUMMARY

Coverage	2018-19 Annualized Premium	2019-20 Estimated Premium
Chubb		
• Property*	\$77,677.00	\$81,345.00
AMIC Package		
• Electronic-Data Processing	\$5,751.00	\$5,751.00
• Equipment Floater	\$18,897.00	\$19,401.00
• General Liability	\$73,439.00	\$73,745.00
• Law Enforcement	\$22,600.00	\$22,912.00
• Public Officials	\$25,234.00	\$25,247.00
• Business Automobile	\$165,287.00	\$176,703.00
• Employee Benefits	\$1,470.00	\$1,470.00
• Increased Liability	\$21,250.00	\$21,250.00
Travelers		
• Fiduciary Liability	\$3,600.00	\$3,600.00
Total	\$415,205.00	\$431,424.00

*Property Includes Terrorism coverage

Notes:

Property: Total Insured Value \$89,768,904

Inland Marine: Equipment Values have increased by \$73,050

Business Auto: 18-19 264 Units \$626 Average Cost Per Unit
19-20 273 Units \$647 Average Cost Per Unit

Attachment: ATTACHMENT A (253-19 : Annual Renewal General Liability Insurance)

RESOLUTION NO. 254-19

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 Lloyds Insurance Company. The consulting fee in the amount of \$2,500.00 will be paid to Cobbs Allen & Hall, Inc.
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 2019-20 Budget as necessary for the insurance contract approved by this resolution.

APPROVED AND ADOPTED this the _____ day of September 2019.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - Treasurer

City of Opelika
Market Study and Cost Analysis
Effective Date: October 1, 2019

Company	Stop Loss Level	Plan Basis	Maximum Annual Aggregate Reimb	Single Specific Rate	Family Specific Rate	Estimated Monthly Specific Premium	Estimated Annual Specific Premium	Additional Liability due to Agg-Spec and Lasers	% Difference from Current	Comments ALL QUOTES CONDITIONAL ON EXPERIENCE UP TO EFFECTIVE DATE
Lloyds (BCBS AL) - Current	\$125,000	24/12	\$1,000,000	\$34.71	\$85.76	\$18,593	\$223,117	\$225,000	N/A	CURRENT Laser: █████ \$350,000
Lloyds (BCBS AL) - Renewal	\$125,000	24/12	\$1,000,000	\$40.87	\$101.34	\$21,940	\$263,280	\$35,000	18%	FIRM Renewal to 9-6 Laser: █████ \$160,000
BCBS AL (Lloyds)	\$140,000	24/12	\$1,000,000	\$30.97	\$77.38	\$16,702	\$200,429	\$20,000	-10%	FIRM Renewal to 9-6 Laser: █████ \$160,000
BCBS AL (Lloyds)	\$150,000	24/12	\$1,000,000	\$30.34	\$76.18	\$16,412	\$196,940	\$10,000	-12%	FIRM Renewal to 9-6 Laser: █████ \$160,000

Based on any newly disclosed information, rates and provisions concerning individual claimants are subject to review and may be changed by the carrier. Rates and provisions are not guaranteed until final approval is given by the insurer.



Enrollment	
Single	212
Family	131
Total	343

RESOLUTION NO. 255-19

Employment Contract for Terry White

RESOLUTION NO. _____

**RESOLUTION APPROVING EMPLOYMENT CONTRACT
WITH TERRY M. WHITE**

WHEREAS, the City of Opelika, Alabama, (the “City”) requires the services of a Director of the Opelika Environmental Services (“OES”); and

WHEREAS, Terry M. White (“White”) has the necessary education, experience, skills and expertise to serve as the Director of OES; and

WHEREAS, the City previously entered into an Employment Contract with White, as Director of OES, with an effective date of September 1, 2016 and an ending date of August 31, 2019; and

WHEREAS, the City and White desire to extend said Employment Contract for an additional term of three (3) years, subject to the terms and conditions of the Employment Contract attached hereto; and

WHEREAS, the City Council of the City of Opelika desires to employ Terry M. White to serve as the Director of OES; and

WHEREAS, the City Council has been furnished an Employment Contract between the City and Terry M. White, 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 Terry M. White, 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 _____, 2019.

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

ATTEST:

 CITY CLERK

STATE OF ALABAMA)
 : EMPLOYMENT CONTRACT
 COUNTY OF LEE)

THIS AGREEMENT made and entered into this the 1st day of September, 2019, by and between the **CITY OF OPELIKA, ALABAMA**, a municipal corporation, hereinafter called “Employer”, as party of the first part, and **TERRY M. WHITE**, hereinafter called “Employee”, as party of the second part.

RECITALS

WHEREAS, the Employer previously entered into an Employment Contract with Employee as Director of Opelika Environmental Services (formerly known as the Solid Waste Division) with an effective date of September 1, 2016 and an ending date of August 31, 2019; and

WHEREAS, the Employer and Employee desire to extend said Contract for an additional term of three years, subject to the terms and conditions of this Employment Contract; 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 inducements for him to remain in such employment, (2) to make possible full work productivity by assuring Employee’s morale and peace of mind with respect to future security, (3) to act as a deterrent against misconduct or dishonesty on the part of the Employee, and (4) to provide a just means for terminating Employee’s services at such time as he may be unable fully to discharge his duties due to disability or when Employer may otherwise desire to terminate his employ.

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

SECTION I. DUTIES AND WORKING HOURS

Employer hereby employs Employee as Director of Opelika Environmental Services (“OES”) and Employee accepts such employment, subject to the terms and conditions set forth herein. As Director of OES, Employee shall be responsible for managing and overseeing an integrated solid waste management program, recycling and refuse collection, disposal services and animal control with the job responsibilities and duties attendant to the position as set forth in the job description incorporated herein and attached hereto as Exhibit “A” and as may be hereinafter amended and with any other job responsibilities and duties as may be assigned by the Mayor from time to time. Employee hereby accepts and agrees to such employment, subject to the general supervision and pursuant to the orders, advice and direction of the Mayor and City Administrator. Employee shall perform such duties as are customarily performed by one holding

such a position in other, same or similar positions as that engaged in by the Employer, and shall also additionally render such other and related services and duties as may be assigned to him from time to time by the Mayor and City Administrator.

Employee shall devote his full energies, interest, 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 workday or in excess of a 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. 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.

Employee agrees to adhere to all 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 within the Personnel Policies and Procedures Manual, Departmental Rules, Executive Orders, any summary benefit plan descriptions, or any of the personal practices or policies of the Employer. To the extent that Employer's policies, procedures, rules and regulations conflict with the terms of this Agreement, the specific terms of the Agreement will control.

As a condition of employment, Employee agrees to maintain, during the term of this Agreement, his principal residence within the corporate limits of the City of Opelika.

SECTION II. TERM

Unless sooner terminated in accordance with the provisions of Sections III and IV hereof, this Agreement shall remain in full force and effect for a term of three (3) years beginning September 1, 2019 to and including August 31, 2022.

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 Agreement, the Employer is hereby given the option to terminate this Agreement. Such option shall be exercised by the Employer giving written notice to the Employee of the Employer's intention to terminate said Agreement. 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 Agreement may, at the option of the Employer, be terminated immediately by the 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 Mayor, 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 Mayor 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. Employee specifically acknowledges that he will be disciplined for violation of established City rules and regulations in accordance with the provisions of the Personnel Policies and Procedures Manual. The Employee's appeal rights shall be governed by Section 9 of the Personnel Policies and Procedures Manual.

Upon the effective date of termination, neither party shall have any further obligation to the other.

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 COSTS

(a) Base Salary. The Employer shall pay the Employee, as compensation for his services, an annual salary of \$118,065.73 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 2020-2021 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) Use of Vehicle. In addition to the base salary noted above, the Employee shall have the use of fleet vehicles assigned to OES for routine business travel within the City and for authorized business travel beyond the City limits, subject to the provisions of Executive Regulation Number 2. The Employee shall not use City vehicles for commuting between home and work or for personal business. The Employee will be reimbursed for authorized business travel-related expenses in accordance with established City policies on the same basis as any classified employee.

SECTION VI. EMPLOYEE BENEFITS

During each twelve (12) month period of the term of this Contract Agreement, Employee shall be entitled to twenty (20) paid days (160 hours) of vacation leave (annual leave). The Employee is expected to take his vacation leave (annual leave) within twelve (12) months of said leave being credited to his leave account. In the event the Employee does not take his entire leave balance, any vacation leave that is not taken during any twelve-month period will be carried over to the next leave year, up to a cap of 200 hours (past year and new year added together). All leave in excess of 200 hours will be forfeited. 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, cell phone, walkie-talkie, and other facilities, equipment, and services that are suitable to his position and appropriate for the performance of his duties.

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 him 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 Mayor from time to time may assign him. With approval of the Mayor, the Employee shall be permitted to enroll in professional development courses to enhance the performance of his job during normal business hours.

SECTION IX. ANNUAL EVALUATION

Annually, the Mayor, in consultation with the Employee, shall define such goals and performance objectives as he determines necessary for the proper operation of OES. The Mayor shall identify obtainable goals within the time limitations as specified in the annual operating and capital budgets and appropriations provided. Moreover, the Mayor 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 Mayor shall provide the Employee with an adequate opportunity for the Employee to discuss his evaluation with the Mayor.

SECTION X. OTHER TERMS AND CONDITIONS OF EMPLOYMENT

The Mayor, 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 XI. 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 Contract.

SECTION XII. SEVERABILITY

If any term, covenant, or condition of this Agreement or the application thereof to any person or circumstance shall be invalid or unenforceable, the remainder of this Agreement and/or the application of any term or provision to persons or circumstances other than those to which it is held invalid or unenforceable shall to be affected thereby, and all other terms shall be valid and enforceable to the fullest extent permitted by law.

SECTION XIII. NO REDUCTION OF BENEFITS

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

SECTION XIV. 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 XV. GENDER AND NUMBER

Whenever the context 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 XVI. AMENDMENTS AND AGREEMENT 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 XVII. 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: Terry M. White
2203 Heritage Drive
Opelika, AL 36801

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

SECTION XVIII. WAIVER OF BREACH

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

SECTION XIX. TIME OF ESSENCE

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

SECTION XX. ENTIRE AGREEMENT

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

SECTION XXI. HEADINGS

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

IN WITNESS WHEREOF, the City of Opelika has caused this Agreement 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 Agreement the day and year first above written.

THE CITY OF OPELIKA, ALABAMA

By: _____
GARY FULLER, ITS MAYOR

ATTEST:

ROBERT G. SHUMAN, CITY CLERK

TERRY M. WHITE

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 _____, 2019.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

STATE OF ALABAMA
COUNTY OF LEE

Attachment: Employment Contract Terry White 082219 (255-19 : Employment Contract with Terry White)

Before me, the undersigned authority, a Notary Public in and for said county and state, hereby certify that TERRY M. WHITE, 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, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office this the _____ day of _____, 2019.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

Attachment: Employment Contract Terry White 0822219 (255-19 : Employment Contract with Terry White)

RESOLUTION NO. 256-19

Project Agreement Hidden Lakes

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING A PROJECT DEVELOPMENT AGREEMENT
BETWEEN THE CITY OF OPELIKA, ALABAMA,
AND 280 LAND COMPANY, LLC**

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

Section 1. The City Council upon evidence duly presented to and considered by it, has found and determined, and does hereby find, determine and declare as follows:

(a) Pursuant to the applicable laws of the State of Alabama, the City and 280 Land Company, LLC, an Alabama limited liability company, (the “Company”) have agreed to the terms of that certain Project Development Agreement to be dated the date of delivery (the “Project Development Agreement”) as set forth hereinafter for the purposes referenced therein.

(b) The City is authorized to do any of the actions or undertakings referenced in Amendment No. 642 of the Constitution of Alabama of 1901, as amended (“Amendment 642”).

(c) The Project as defined in the Project Development Agreement, is the development of 64 lots for single family homes and 29 townhouses on 205.84 acres located on the south side of Sportsplex Drive and the north side of West Point Parkway (the “Project Site”). The development is a Planned Unit Development entitled “Hidden Lakes Subdivision South, Phases 1 and 2” (the “Subdivision”). The Company intends to develop the Subdivision in phases.

The “Project” will consist of (1) the construction of the streets, sanitary sewer systems, stormwater drainage systems and water distribution systems designed to serve Hidden Lakes Subdivision, Phases 1 and 2. The Project will constitute “economic development” within the meaning of Amendment 642.

(d) Pursuant to, and for the purposes of, Amendment 642, it is necessary and desirable and in the public interest for the City to provide financial incentives to the Company, and for such purposes, the City will agree to (1) pay to the Company for Phase 1 an amount equal to the lesser of (i) 28% of the actual cost of the construction of the public infrastructure (streets, sanitary sewer, stormwater drainage and water distribution systems), or (ii) \$214,398; and (2) pay to the Company for Phase 2 an amount equal to the lesser of (i) 28% of the actual cost of the public infrastructure (streets, sanitary sewer, stormwater drainage and water distribution systems), or (ii) \$226,500. The City’s Total Contribution for the Project shall not exceed \$440,898.

(e) The expenditure of public funds for the purposes specified in the Project Development Agreement will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any individuals, or any private entity or entities.

(f) On August 27, 2019, the City caused to be published in *The Opelika-Auburn News*, which newspaper has the largest circulation in the City, the Notice required by Amendment 642, a true and correct copy of which notice is attached hereto as Exhibit “A”. The Council certifies:

- (1) The information set forth in said notice is true and correct
- (2) The publication of said notice is hereby ratified and confirmed.

(g) On September 3, 2019, the City Council conducted a public hearing during the meeting referenced in said notice with respect to the matters therein contained. No person presented, either orally or in writing, any objection to the Project Development Agreement.

Section 2. The Council does hereby approve, adopt, authorize, direct, ratify and confirm:

(a) the agreements, covenants and undertakings of the City as set forth in the Project Development Agreement.

(b) the terms and provisions of the Project Development Agreement, in substantially the form set forth in Exhibit “A”, with such changes thereto (by addition or deletion) as the Mayor shall approve (other than an increase in the amount of the City’s financial commitment, which must be approved by this Council), which approval shall be conclusively evidenced by execution and delivery of the Project Development Agreement as hereinafter provided.

Section 3. The Mayor is hereby authorized and directed to execute and deliver the Project Development Agreement for and on behalf of and in the name of the City. The Clerk is hereby authorized and directed to affix the official seal of the City to the Project Development Agreement and to attest the same.

Section 4. The Mayor and the officers of the City are each hereby authorized and directed to take all such actions, and execute, deliver and perform all such agreements, documents, instruments, notices and petitions and proceedings with respect to the Project Development Agreement, as the Mayor and such other officers shall determine to be necessary or desirable to carry out the provisions of this Resolution and the Project Development Agreement or duly and punctually observe and perform all agreements and obligations of the

City under the Project Development Agreement.

Section 5. All prior actions taken, and agreements, documents or notices executed and delivered, by the Mayor or any officer or member of the City Council or other representative of the City, in connection with the agreements, covenants and undertakings of the City are hereby approved, or in connection with the preparation of the Project Development Agreement and the terms and provisions thereof, are hereby approved, ratified and confirmed.

Section 6. All resolutions, orders or parts thereof, of the City Council in conflict or inconsistent with any provision of this Resolution are, to the extent of such conflict or inconsistency, repealed.

Section 7. This Resolution shall take effect upon its passage and adoption by the City Council.

ADOPTED AND APPROVED this the _____ day of September, 2019.

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

ATTEST:

CITY CLERK

CITY CLERK'S CERTIFICATE

I, the undersigned qualified and acting City Clerk of the City of Opelika, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a resolution lawfully passed and adopted by the City Council of the City of Opelika at a regular meeting held on the _____ day of September, 2019, and that such resolution is on file in the office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Opelika on this the _____ day of September, 2019.

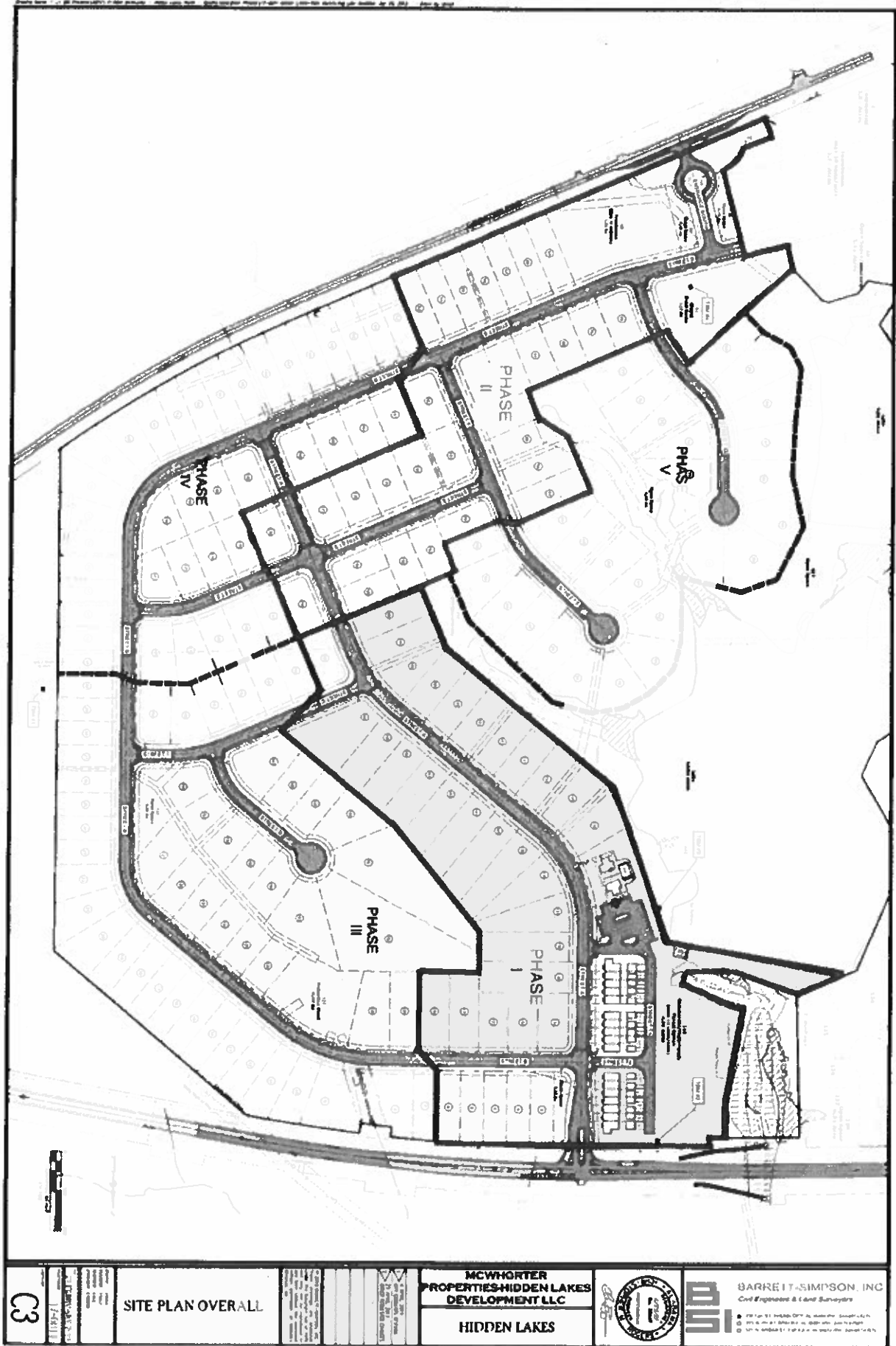
CITY CLERK

CITY OF OPELIKA, ALABAMA

EXHIBIT "A"

PROJECT AREA LEGAL DESCRIPTION

A tract or parcel of land containing 205.84 acres located partly in Section 4, Township 19 North, Range 27 East and partly in Section 33, Township 20 North, Range 27 East, Lee County, Alabama, and being more particularly described as follows: Commence at the southwest corner of said Section 33; thence N87°53'57"E 294.89 feet to the point of beginning; thence N88°22'05"E 1919.36 feet; thence N22°53'11"E 989.57 feet; thence N00°54'33"W 395.00 feet to the south right-of-way limit of Sportsplex Road; thence along said right-of-way limit N89°09'39"E 377.01 feet; thence continue along said right-of-way limit S00°50'21"E 25.00 feet; thence continue along said right-of-way limit N89°09'39"E 250.00 feet; thence continue along said right-of-way limit N00°50'21"W 25.00 feet; thence continue along said right-of-way limit N89°09'39"E 244.65 feet; thence southeasterly along said right-of-way limit along a curve to the right having a radius of 4940.00 feet, an arc length of 568.50 feet, and a chord bearing and distance of S87°32'32"E 568.19 feet; thence continue along said right-of-way limit S05°45'17"W 25.00 feet; thence southeasterly along said right-of-way limit along a curve to the right having a radius of 4915.00 feet, an arc length of 80.00 feet, and a chord bearing and distance of S83°46'45"E 80.00 feet; thence continue along said right-of-way limit N06°41'14"E 25.00 feet; thence southeasterly along said right-of-way limit along a curve to the right having a radius of 4940.00 feet, an arc length of 293.24 feet, and a chord bearing and distance of S81°36'44"E 293.20 feet; thence continue along said right-of-way limit S79°54'42"E 567.98 feet; thence southeasterly along said right-of-way limit along a curve to the right having a radius of 1940.00 feet, an arc length of 300.56 feet, and a chord bearing and distance of S75°28'24"E 300.25 feet; thence leaving said Sportsplex Road right-of-way S01°08'10"E 695.49 feet; thence S29°02'36"W 363.82 feet; thence S20°07'40"E 300.26 feet to the north right-of-way limit of West Point Parkway; thence along said right-of-way limit S55°28'34"W 103.42 feet; thence continue along said right-of-way limit S34°59'51"E 9.76 feet; thence continue along said right-of-way limit S55°02'47"W 360.33 feet; thence southwesterly along said right-of-way limit along a curve to the right having a radius of 3234.00 feet, an arc length of 582.51 feet, and a chord bearing and distance of S61°32'22"W 581.72 feet; thence continue along said right-of-way limit S66°39'57"W 1815.47 feet; thence leaving said right-of-way limit N00°15'13"W 215.42 feet; thence S69°16'30"W 81.27 feet; thence S71°03'53"W 80.20 feet; thence S72°13'04"W 62.82 feet; thence S73°51'57"W 78.95 feet; thence S75°17'41"W 78.35 feet; thence S00°32'02"W 15.51 feet; thence S77°27'08"W 81.62 feet; thence S78°49'18"W 81.23 feet; thence S80°48'37"W 81.31 feet; thence S81°21'42"W 80.11 feet; thence S83°30'09"W 80.40 feet; thence S85°09'22"W 88.21 feet; thence S86°28'53"W 60.34 feet; thence S88°23'10"W 87.88 feet; thence N01°57'55"W 59.99 feet; thence S88°08'27"W 199.70 feet; thence N01°42'37"W 399.93 feet; thence S88°11'51"W 316.33 feet; thence S87°55'54"W 343.45 feet; thence S01°38'20"E 659.51 feet to the north right-of-way limit of West Point Parkway; thence along said right-of-way limit S88°03'50"W 78.02 feet; thence N76°02'11"W 235.15 feet; thence N66°03'10"W 88.33 feet; thence N01°16'21"W 1517.23 feet to the point of beginning.



Attachment: Exhibit B (256-19 : Project Agreement Hidden Lakes)

RESOLUTION NO. 257-19

Project Agreement USA Town Center

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING A PROJECT DEVELOPMENT AGREEMENT
BETWEEN THE CITY OF OPELIKA, ALABAMA
AND INTERSTATE PROPERTIES, LLC**

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

Section 1. The City Council, upon evidence duly presented to it and considered by it, has found and determined and does hereby find, determine and declare as follows:

(a) Pursuant to the applicable laws of the State of Alabama, the City and Interstate Properties, LLC, an Alabama limited liability company (the “Company”) have prepared that certain Project Development Agreement to be dated the date of delivery (the “Project Development Agreement”), a copy of which Agreement is attached hereto as Exhibit “A”, for the purposes referenced therein.

(b) The City is authorized to do any of the actions or undertakings referenced in Amendment 642 of the Constitution of Alabama of 1901, as amended (“Amendment 642”).

(c) The Project Area, as defined in the Project Development Agreement, is an economic development within the City consisting of commercial facilities, within the meaning of Amendment 642.

(d) Pursuant to, and for the purposes of, Amendment 642, it is necessary, desirable and in the public interest for the City to provide financial incentives to the Company.

(e) The expenditure of public funds for the purposes specified in the Project Development Agreement and in Section 1(d) will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

(f) The Project, as defined in the Project Development Agreement, will consist of the renovation and rehabilitation of USA Town Center located at 1220 Fox Run Avenue in the corporate limits of the City. Pursuant to the Project Development Agreement, the Company will renovate or cause to be renovated the Project for commercial use.

(g) The Project, as defined in the Project Development Agreement, will represent a capital investment by the Company of approximately \$485,000 to rehabilitate and renovate USA Town Center. The Project will increase the City's current tax base and tax revenues. The operation of the Project will create new business and revenues for vendors, service providers and other persons engaged in business and occupations within the City.

(h) On August 27, 2019, the City caused to be published in The Opelika-Auburn News, which newspaper has the largest circulation in the City, the notice required by Amendment 642, a true and correct copy of which notice is attached hereto as Exhibit "B". The Council certifies:

(1) The information set forth in said notice is true and correct.

(2) The publication of said notice is hereby ratified and confirmed.

(i) On September 3, 2019, the Council conducted a public hearing during the meeting referenced in said notice with respect to the matters therein contained.

(j) The total indebtedness of the City chargeable against the debt limitation for the City prescribed in Section 224 of the Constitution of Alabama of 1901, as amended, is not more than twenty (20%) percent of said assessed valuation of taxable property in the City.

Section 2. The Council does hereby approve, adopt, authorize, direct, ratify and confirm:

(a) the agreements, covenants and undertakings of the City as set forth in the Project Development Agreement.

(b) the terms and provisions of the Project Development Agreement, in substantially the form set forth therein, with such changes thereto (by addition or deletion), as the Mayor shall approve, which approval shall be conclusively evidenced by execution and delivery of the Project Development Agreement.

Section 3. The Mayor is hereby authorized and directed to execute and deliver the Project Development Agreement for and on behalf and in the name of the City. The Clerk is hereby authorized and directed to affix the official seal of the City to the Project Development Agreement and to attest the same.

Section 4. The Mayor and the officers of the City are each hereby authorized and directed to take all such actions, and execute, deliver and perform all such agreements, documents, instruments, notices and petitions and proceedings, with respect to the Project Development Agreement, as the Mayor and such officers shall determine to be necessary or desirable to carry out the provisions of this ordinance or the Project Development Agreement or duly and punctually observe and perform all agreements and obligations of the City under the Project Development Agreement.

Section 5. All prior actions taken, and agreements, documents or notices executed and delivered, by the Mayor or any officer or member of the City Council or other representative of the City, in connection with the agreements, covenants, and undertakings of the City are hereby approved, or in connection with the preparation of the Project Development Agreement and the terms and provisions thereof, are hereby approved, ratified and confirmed.

Section 6. All ordinances, resolutions, orders or parts thereof, of the City Council in conflict, or inconsistent with any provision of this ordinance are, to the extent of such conflict or inconsistency are repealed.

Section 7. This resolution shall take effect upon its passage and adoption by the City Council.

ADOPTED AND APPROVED by the City Council of the City of Opelika, Alabama, on this the 3rd day of September, 2019.

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

ATTEST:

CITY CLERK

RESOLUTION NO. 258-19
Approval of City budget for FY2020.

9/3/2019 8:32 AM

City of Opelika
Annual Budget
Fiscal year ending September 30, 2020

RESOLUTION NO. _____-2019

ADOPTION OF ANNUAL BUDGET FOR FY 2019-2020

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, 2019, and ending September 30, 2020, 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 2019-2020 Budget by the amount necessary to honor the contracts in progress at September 30, 2019.

9/3/2019 8:32 AM

City of Opelika
Annual Budget
Fiscal year ending September 30, 2020

(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.

(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)

9/3/2019 8:32 AM

City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

(16) In 2018, the City Council authorized the Telecom Fund to borrow from the Electric Fund a sum not to exceed the maximum sum of thirteen million, two hundred thousand dollars (\$13,200,000). The Telecom fund is hereby authorized to continue borrowing funds up to the maximum sum of thirteen million, two hundred thousand dollars (\$13,200,000) with a continual fixed interest rate 2.62%. Interest shall be accrued and paid annually continuing until maturity on September 30, 2038 or when the amount is repaid in full prior to that date. The Mayor and the Director of Opelika Power Services, jointly and severally, are authorized to lend funds under the borrowing authorization 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 _____, 2019.

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 2020

9/3/2019 8:32 AM

City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

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City of Opelika

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

August 20, 2019

Honorable Mayor and members of the Council of the City of Opelika:

The Annual Budget report of the City of Opelika for the fiscal year ending September 30, 2020, is hereby submitted. This report includes a budget for the General Fund, Seven Cent Gasoline Tax Fund, Four Cent Gasoline Tax Fund, other special funds, grant funds, construction funds and enterprise funds. The debt service funds and the trust and agency funds are not included in this report since indenture requirements and General Fund appropriations supply adequate controls over the transactions of these funds.

The governmental budgets in the previous paragraph provide for a full range of services. These services include police and fire protection, the construction and maintenance of highways, streets and infrastructure, recreational activities and cultural events. In addition to these tax supported general government activities, the government provides for additional services based on user service charges. These enterprise fund services are included in the budgets for the Electric Utility Fund, the 1965 Sewer System Fund, and the Solid Waste Collection Fund.

The budgets for the Opelika School System, Opelika Housing Authority, Opelika Industrial Development Authority, Downtown Redevelopment Authority, Main Street, Incorporated, Indian Pines Recreation Authority, Incorporated, Medical Clinic Board, Lee/Russell Council of Governments, Ambulance Advisory Board, and the Utilities Board of the City of Opelika are not approved by the Mayor and Council. The budgets for these organizations are excluded from this report.

BUDGETARY PROCESS

During the month of May, the Finance Department begins preparation for the next fiscal year budget. Instructions are issued for budget preparation to each department within the government. The instructions issued by the Finance Department are prepared in accordance with guidelines set by the Mayor. Each department head submits his budget request to the Finance Department during the month of June. The Finance Department reviews each request for completeness and compliance with budget instructions and generally accepted accounting principles. The Mayor, as he determines necessary, reviews and adjusts each department's budget requests. In August, the Mayor presents his proposed budget to the City Council. The City Council, as it determines necessary, reviews and adjusts the budget proposed by the Mayor. The City Council then requests the final budget be presented to the Mayor and City Council. The City Council holds any hearings it feels necessary to further discuss the budget. By the last City Council meeting in September, the new budget for the coming year is adopted.

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

BACKGROUND INFORMATION

The City of Opelika, located in east central Alabama, is a modern, well established city with a population of approximately 30,000. The records indicate that the first settlers signed a treaty with the Creek Indians in 1832. Since being chartered in 1854, Opelika has enjoyed steady growth, and today is a well - balanced city of industry, commerce, and trade.

Opelika borders the City of Auburn, to the southwest (population 63,000) the home of Alabama's largest university, Auburn University. The two cities combined, serve the employment, health care, shopping, and entertainment needs of a six county region.

REVENUE PROJECTIONS/FORECASTS

A financial forecast is a fiscal management tool that presents estimated information based on past, current and projected financial conditions. This helps the City to identify future revenue and expenditure trends. The City of Opelika reviews and updates the revenue forecast annually using an objective approach that seeks to estimate revenues as accurately as possible while remaining on the conservative side. This is accomplished by an examination of historical data and other relevant economic conditions such as industry growth and population changes.

This 2020 Revenue forecast assumes that Opelika will continue to grow at rates equal to the last few years based on known growth/expansion of companies/businesses/industries in the area and the number of housing subdivisions currently under construction. In addition, the City is showing growth in shopping centers and restaurants. Actual revenues in several categories such as sale and use tax collections, occupational license fees and property tax have increased above projections for the fiscal year 2019. In 2012 we began seeing a small increase in growth of the city government's most significant revenues. Overall 2018 revenues showed an increase of 2.72% over 2017. In 2019 revenues are showing an overall increase of 2.60% over 2018.

The following charts show trends of actual revenues compared to the average of the past 10 year period for the City's major revenue categories. These revenue categories include general sales and use tax, occupational license fees, business license fees and gasoline tax for the fiscal years ending September 30, 2020.

Attachment: CM 9-03-19, updated FY2020 City Budget - Final, 9-03-19 (258-19 : Approval of City budget

9/3/2019 8:32 AM

City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

The City of Opelika's 4% sales and use tax revenue forecast for fiscal year ending September 30, 2020, is \$32,700,000. The projection is primarily based on expected sales tax revenues of \$32,300,000 in 2019 which is expected to have a modest increase in 2020. The sales tax revenue estimate includes a 1/2% tax rate increase enacted in 2003, which is projected to be approximately \$4,087,500 in 2020. The 1/2% of 3% sales tax is used to fund \$840,525 of the appropriation to the City Schools, \$377,374 committed to the Justice Center, with the remainder of the appropriation used for payment of the Sportsplex Center debt. The sales tax projection for 2020 includes 1% that was enacted in August of 2011. The 1% Sales Tax Increase is projected to be \$8,175,000 in 2020 and it is used to fund debt service for the high school renovation and other future infrastructure and road construction projects.

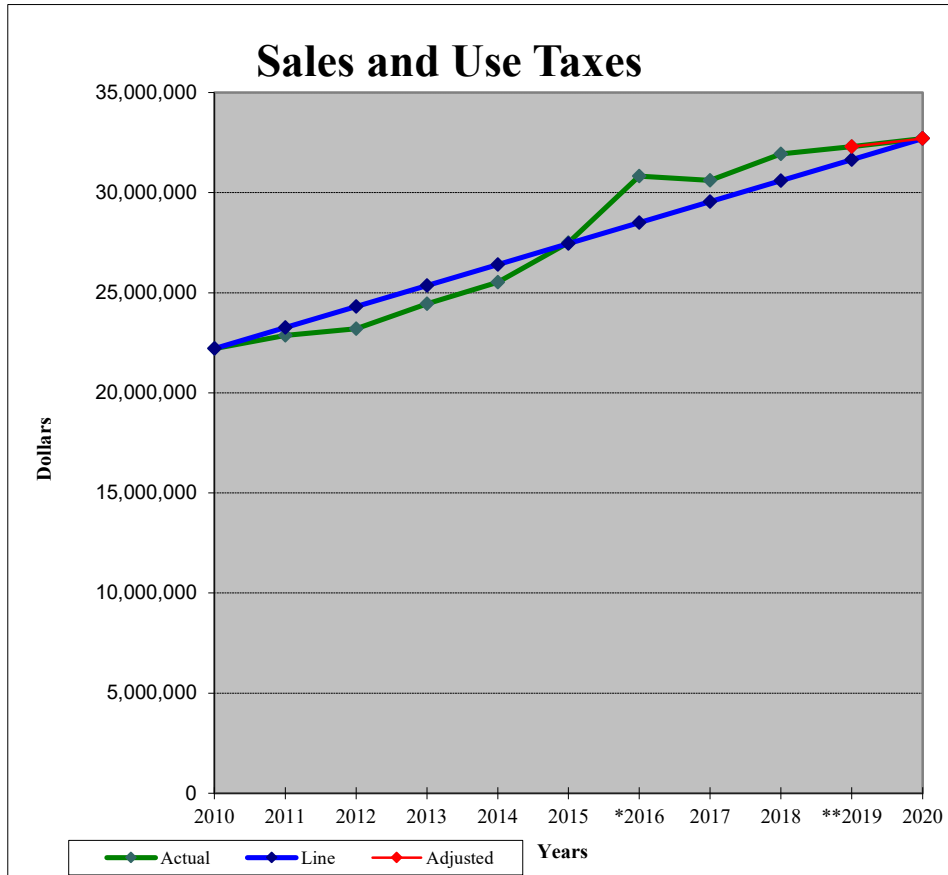
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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020



Year	Sales Tax Actual	10 Year Average Line	Sales Tax Actual % Increase
2010	22,208,636	22,208,636	
2011	22,860,579	23,257,772	2.94%
2012	23,206,110	24,306,909	1.51%
2013	24,454,096	25,356,045	5.38%
2014	25,531,042	26,405,182	4.40%
2015	27,505,938	27,454,318	7.74%
*2016	30,819,261	28,503,454	12.05%
2017	30,607,218	29,552,591	-0.69%
2018	31,932,838	30,601,727	4.33%
**2019	32,300,000	31,650,864	1.15%
2020	32,700,000	32,700,000	1.24%
Add: Manual Adjustment		0	
2020		32,700,000	1.24%

Projection	32,700,000
Projection rounded	32,700,000
Previous year's projection	32,300,000
Percent increase (decrease) from previous year's projection	1.24%

*Includes one-time revenue amount of \$1.5M from Solar Turbines

**Revised Total Revenue projection based on July 2019.

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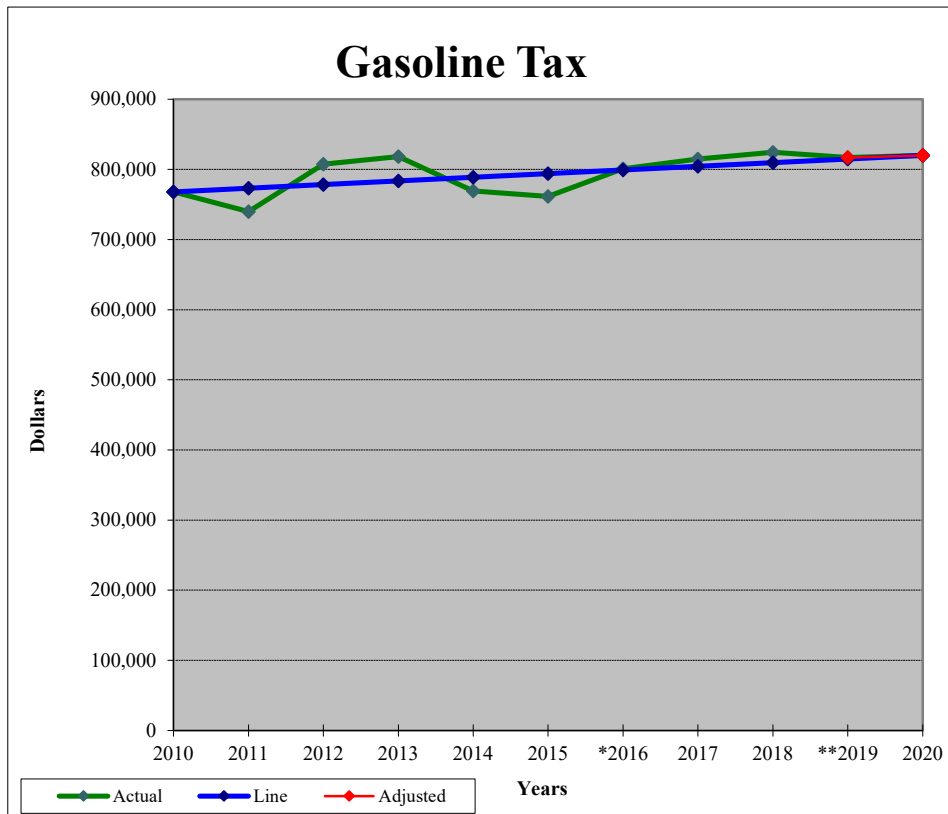
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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Gasoline tax is two cents per gallon on distributors. The Opelika Revenue Division collects gasoline tax monthly. The gasoline tax revenue projection for fiscal year ending September 30, 2020, is \$820,000 which is slightly higher than 2019 Gasoline Tax revenue.



Year	Gasoline Tax Actual	10 Year Average Line	Gasoline Tax Actual % Increase
2010	767,824	767,824	
2011	739,836	773,042	-3.65%
2012	807,269	778,259	9.11%
2013	818,099	783,477	1.34%
2014	769,258	788,694	-5.97%
2015	761,489	793,912	-1.01%
2016	800,894	799,130	5.17%
2017	814,891	804,347	1.75%
2018	824,435	809,565	1.17%
**2019	816,818	814,782	-0.92%
2020	820,000	820,000	0.39%
Less: Manual Adjustment		0	
2020		820,000	0.39%
Projection			820,000
Projection rounded to nearest thousand			820,000
Previous year's projection			816,818
Percent increase or -decrease from previous year's projection			0.39%

** Revised Total Revenue projection based on July 2019.

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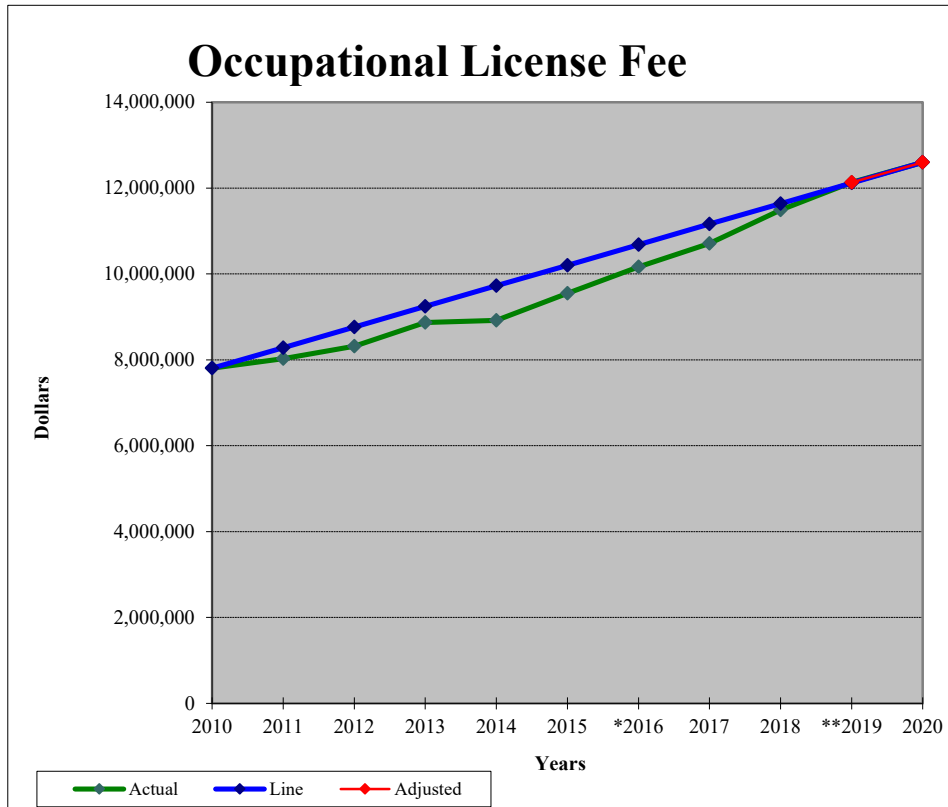
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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Occupational license fee is levied on the gross wages of all the employees within the city limits of Opelika. The Opelika Revenue Division collects this occupational license fee quarterly. The occupational license fee revenue projection for fiscal year ending September 30, 2020 is \$12,600,000. This is a 3.85% percent increase from the expected 2019 Occupational License Fee.



Year	Occupation Fee Actual	10 Year Average Line	Occupation Fee Actual % Increase
2010	7,806,686	7,806,686	
2011	8,028,982	8,286,017	2.85%
2012	8,317,240	8,765,349	3.59%
2013	8,872,885	9,244,680	6.68%
2014	8,917,021	9,724,012	0.50%
2015	9,547,138	10,203,343	7.07%
2016	10,167,780	10,682,674	6.50%
2017	10,713,529	11,162,006	5.37%
2018	11,489,814	11,641,337	7.25%
**2019	12,132,703	12,120,669	5.60%
2020	12,600,000	12,600,000	3.85%
Add: Manual Adjustment			0
2020		12,600,000	3.85%
Projection			12,600,000
Projection rounded to nearest thousand			12,600,000
Previous year's projection			12,132,703
Percent increase or -decrease from previous year's projection			3.85%

** Revised Total Revenue projection based on July 2019.

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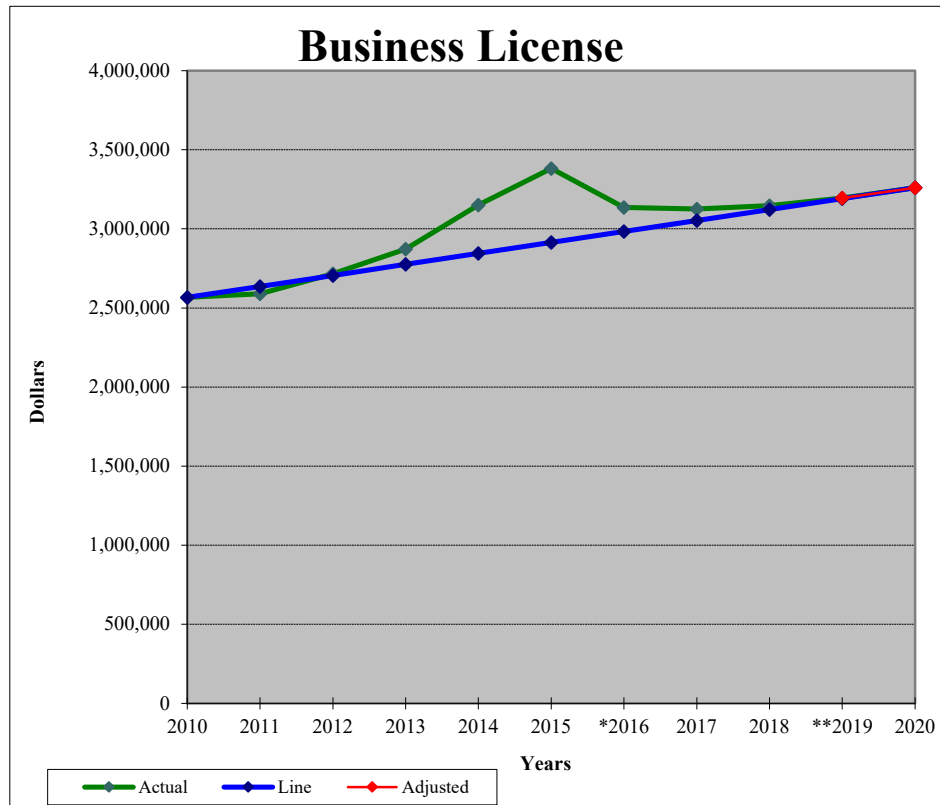
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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Business license is a fee for the privilege of doing business in Opelika. The Opelika Revenue Division collects business license fees during January each year. The business license fees revenue projection for the fiscal year ending September 30, 2020, is \$3,260,000. This is a 2.03% percent increase over the expected 2019 Business License revenue.



Year	Business License Actual	10 Year Average Line	Business License Actual % Increase
2010	2,567,296	2,567,296	
2011	2,590,194	2,636,566	0.89%
2012	2,715,997	2,705,837	4.86%
2013	2,872,732	2,775,107	5.77%
2014	3,150,896	2,844,378	9.68%
2015	3,382,064	2,913,648	7.34%
2016	3,134,976	2,982,918	-7.31%
2017	3,125,817	3,052,189	-0.29%
2018	3,146,715	3,121,459	0.67%
**2019	3,195,000	3,190,730	1.53%
2020	3,260,000	3,260,000	2.03%
Add: Manual Adjustment			0
2020			3,260,000
			2.03%
Projection			3,260,000
Projection rounded to nearest thousand			3,260,000
Previous year's projection			3,195,000
Percent increase or -decrease from previous year's projection			2.03%

** Revised Total Revenue projection based on July 2019.

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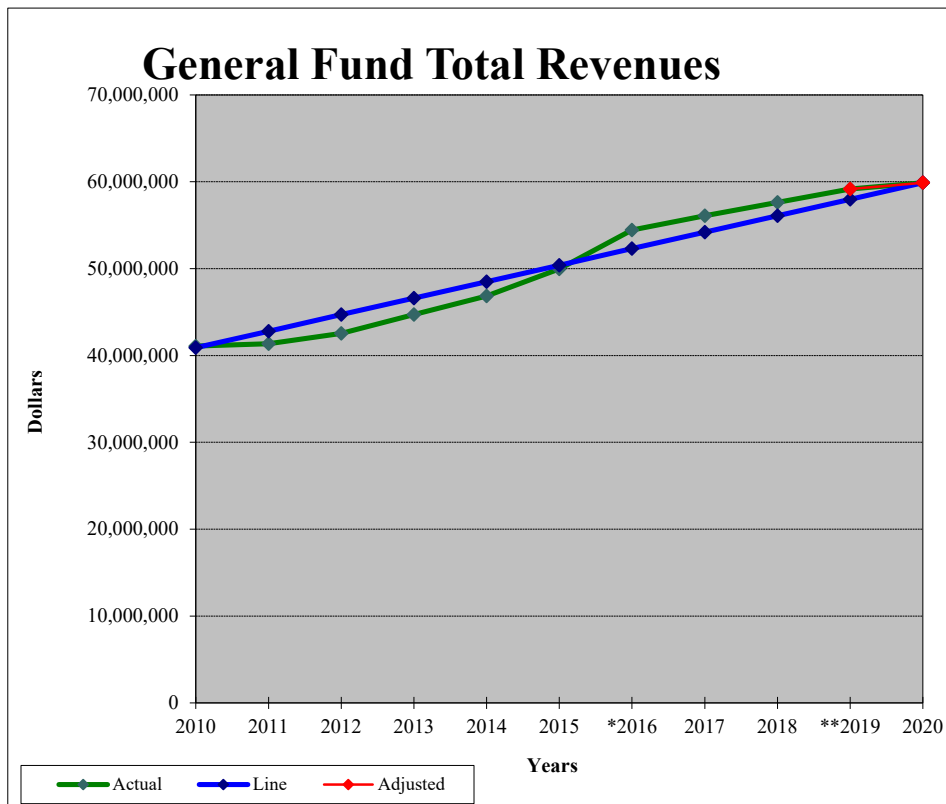
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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Forecasting based on prior years' actual is used to project all other general fund revenue items. These projections are based on the actual revenues for fiscal year ending September 30, 2018, and the forecasted revenues for fiscal year ending September 30, 2019. The total general fund revenue forecast for fiscal year ending September 30, 2020, is \$59,888,967. This is a 1.22% increase over the 2019 revenue projection. Interest revenue is not included in the projection calculations below.



Year	Revenues Actual	10 Year Average Line	Revenues Actual % Increase
2010	41,087,890	40,901,426	
2011	41,352,043	42,800,180	0.64%
2012	42,527,425	44,698,934	2.84%
2013	44,697,834	46,597,688	5.10%
2014	46,847,505	48,496,442	4.81%
2015	49,968,313	50,395,197	6.66%
*2016	54,434,909	52,293,951	8.94%
2017	56,103,034	54,192,705	3.06%
2018	57,630,154	56,091,459	2.72%
**2019	59,169,083	57,990,213	2.67%
2020	59,888,967	59,888,967	1.22%
Add: Manual Adjustment			0
2020		59,888,967	1.22%
Projection			59,888,967
Projection rounded to nearest thousand			59,889,000
Previous year's projection			59,169,083
Percent increase or -decrease			1.22%

* Includes one-time revenue of \$1.5M from Solar Turbines

** Revised Total Revenue projection based on July 2019.

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Annual Budget

Fiscal year ending September 30, 2020

The total revenue data on the previous page does not include interest revenue because it is better projected from expected interest rate and cash balances. The data on the previous page has also been adjusted for tax rate changes. The schedule below explains the computation of the total revenue projection and comparison to the total General Fund revenue forecast. (see next page also.)

	2017-2018 <u>Actual</u>	2018-2019 <u>Forecast</u>	2019-2020 <u>Forecast</u>	2019-2020 <u>Average</u>	2019-2020 <u>Difference</u>
Total revenues excluding interest	57,630,154	59,169,083	59,888,967	59,888,967	-
Interest revenue	610,791	463,647	450,000	450,000	-
	<u>58,240,945</u>	<u>59,632,730</u>	<u>60,338,967</u>	<u>60,338,967</u>	<u>-</u>
2019-2020 total revenue forecast including interest					<u>60,338,967</u>
2018-2019 total revenue forecast including interest					<u>59,632,730</u>
2017-2018 revised total revenue forecast including interest					<u>58,240,945</u>
Percent increase or -decrease over the previous year's forecast					<u>1.18%</u>
Percent increase or -decrease over the previous year's revised forecast					<u>3.60%</u>

The Four cent Gasoline Tax fund projection for the fiscal year ending September 30, 2020 is \$66,000 which is only slightly higher than 2019 projected to be \$64,996. This projection is based on actual revenues of \$61,669 and \$61,616 in fiscal years 2017 and 2018 respectively. This fund includes the Five cent Gasoline Tax.

The Seven cent Gasoline Tax Fund projection for the fiscal year ending September 30, 2020, is \$83,500. This is the same as the 2019 projection. This projection consists of seven cent gasoline tax revenues, petroleum inspection fees, and interest income. The seven cent gasoline tax projection is based on actual revenues of \$79,664 and \$81,492 in fiscal years 2017 and 2018 respectively.

The Alabama Trust Fund projection for the fiscal year ending September 30, 2020, is \$247,575. This is the same as 2019 projection. This projection is based on actual revenues of \$226,834 and \$231,672 in fiscal years 2017 and 2018 respectively.

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

The Electric Utility Fund (Opelika Power Services) electric sales projection for September 30, 2020, is based on prior years' average Kwh sales and purchases. Sales and Purchase cost per Kwh are based on 2018 actual revenue and cost. The expected power cost adjustment is also based on these Kwh projections.

The information below displays electric charges for services in excess of power purchased, and power purchased as a percent of revenues.

	Budget <u>2020</u>	Projected <u>2019</u>	Actual <u>2018</u>	Actual <u>2017</u>	Actual <u>2016</u>
Electric charges for services	44,838,500	42,824,671	43,782,051	42,049,061	42,608,231
Cost of Power purchased	<u>30,200,000</u>	<u>28,370,238</u>	<u>29,191,511</u>	<u>28,043,694</u>	<u>28,041,881</u>
Electric charges in excess of power purchased	<u>14,638,500</u>	<u>14,454,433</u>	<u>14,590,540</u>	<u>14,005,367</u>	<u>14,566,350</u>
 Cost of power purchased as a percent of electric charges for services	 <u>67.35%</u>	 <u>66.25%</u>	 <u>66.67%</u>	 <u>66.69%</u>	 <u>65.81%</u>

The Sewer Fund service charge projection for fiscal year ending September 30, 2020, is \$4,702,000. This projection is an increase of 1% over the 2019 projection of \$4,652,590. The 2020 projection includes \$100,000 for sewer assessment fees and \$4,600,000 for sewer service charges.

The Solid Waste Collection Fund service charge projection for the fiscal year ending September 30, 2020, is \$3,494,678 which is an increase of 3% over 2019. This projection of \$3,381,992 is based on Solid Waste Collection Fund service charges through July 2019.

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

FINANCIAL INFORMATION

Debt Administration. The government's rating from Standard and Poor's Corporation is AA. The government's current rating from Moody's Investors Service is Aa2.

OTHER INFORMATION

In closing, without the leadership and support of the governing body along with the assistance of the accounting staff, preparation of this budget would not have been possible.

Sincerely,

Cynthia G. Boyd, CPA
Controller

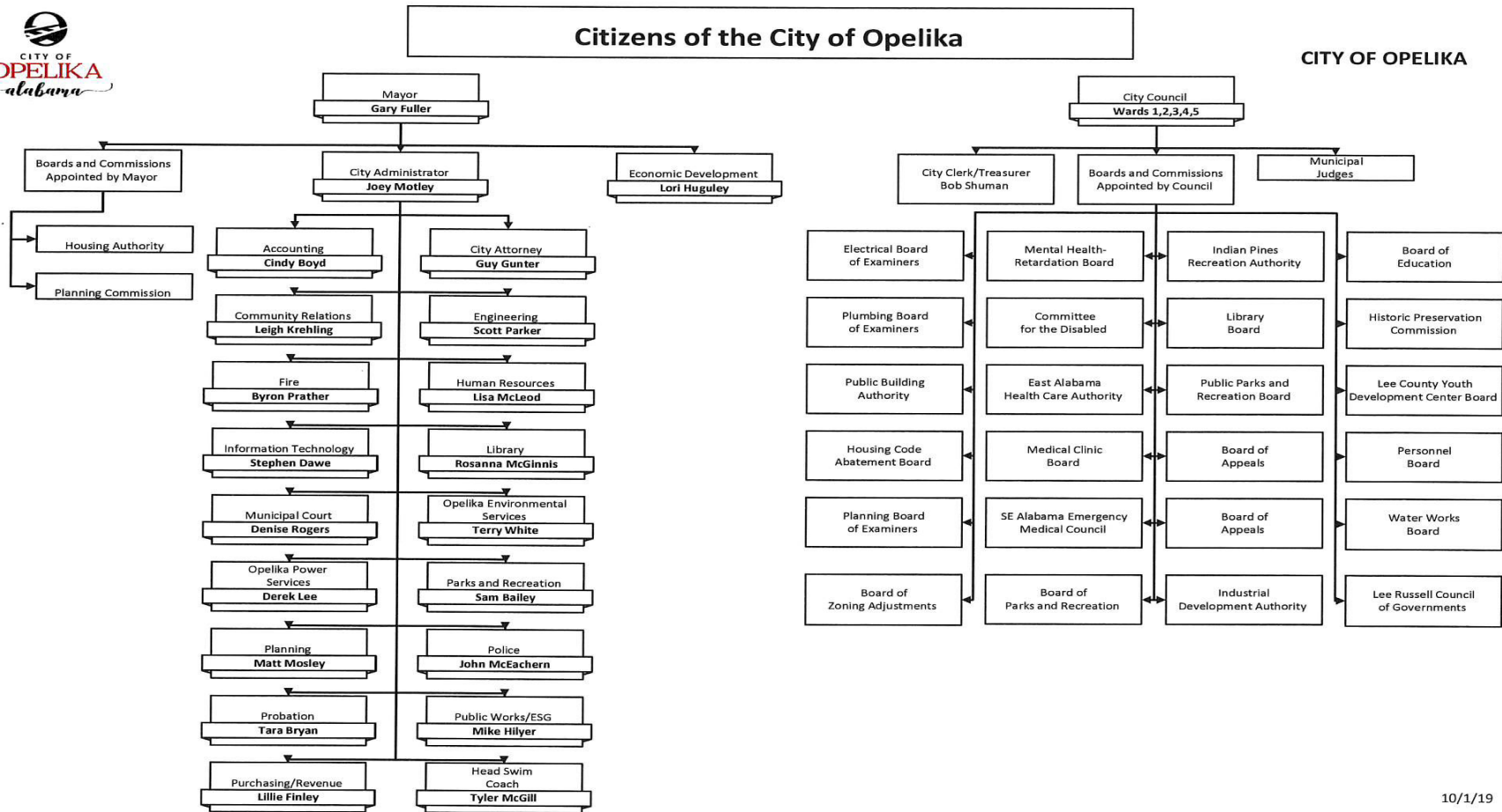
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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020



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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Officials of the City of Opelika

Mayor
 Council member, ward 1
 Council member, ward 2
 Council member, ward 3
 Council President, ward 4
 Council member, ward 5
 City Administrator
 Municipal Judge
 Associate Judge
 Public Defender
 Municipal Court Clerk
 City Attorney
 City Clerk/Treasurer
 Controller
 Chief Technology Officer
 Human Resources Director
 Planning Director
 Purchasing Agent/Revenue Manager
 Chief of Police
 Fire Chief
 City Engineer
 Library Director
 Parks and Recreation Director
 Opelika Power Services Director
 Economic Development Director
 Community Relations Officer
 Environmental Services Director
 Public Works Director

Gary Fuller
 Patricia A. Jones
 Tiffany Gibson-Pitts
 Dozier H. Smith T
 Charles E. Smith, Jr.
 David Canon
 Joey Motley
 Ben Hand
 Wes McCollum
 M. Joanne Camp
 Denise Rogers
 Guy F. Gunter, III
 Robert G. Shuman
 Cynthia G. Boyd
 Stephen N. Dawe
 Lisa McLeod
 Matt Mosley
 Lillie Finley
 John H. McEachern III
 Byron J Prather, Jr.
 Scott H. Parker
 Rosanna McGinnis
 Samuel S. Bailey, Jr.
 Derek Lee
 Lori B. Huguley
 Leigh Krehling
 Terry White
 Michael J. Hilyer

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City of Opelika
Annual Budget
Fiscal year ending September 30, 2020

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City of Opelika
Annual Budget
Fiscal year ending September 30, 2020

Budget Section

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Governmental Fund Types					
	General Fund	Special Revenue	Capital Projects	Internal Services	Proprietary Fund type	Memo Total
Revenues	60,338,967	9,006,707	130,000	4,606,000	53,035,178	127,116,852
Non-operating revenues	-	-	-	19,500	702,000	721,500
Other financing sources	<u>3,020,000</u>	<u>3,420,000</u>	<u>4,143,588</u>	<u>238,800</u>	<u>375,000</u>	<u>11,197,388</u>
 Total revenues	<u>63,358,967</u>	<u>12,426,707</u>	<u>4,273,588</u>	<u>4,864,300</u>	<u>54,112,178</u>	<u>139,035,740</u>
 Departmental expenditures	38,529,812	2,158,159	4,168,588	4,625,500	48,035,040	97,517,099
Appropriations	5,968,024	7,276,556	-	-	-	13,244,580
Capital outlay	6,514,013	385,575	105,000	-	-	7,004,588
Debt service	4,783,532	2,586,417	-	-	1,879,110	9,249,059
Non-operating expenses	-	-	-	-	-	-
Transfers-out	<u>7,563,586</u>	<u>20,000</u>	<u>-</u>	<u>238,800</u>	<u>3,000,000</u>	<u>10,822,386</u>
 Total expenditures	<u>63,358,967</u>	<u>12,426,707</u>	<u>4,273,588</u>	<u>4,864,300</u>	<u>52,914,150</u>	<u>137,837,712</u>
 Total revenues over (under) total expenditures	-	-	-	-	1,198,028	1,198,028

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Governmental Fund Types					
	General Fund	Special Revenue	Capital Projects	Internal Services	Proprietary Fund type	Memo Total
Adjustments to obtain estimated funds flow:						
Add:						
Depreciation					4,934,867	4,934,867
Debt Proceeds					-	-
Subtract:						
Land and Buildings (substation)					365,000	365,000
Fixed Assets, Trucks and Equipment					1,450,000	1,450,000
System Expansion					7,700,000	7,700,000
Line of credit from Electric to Telecommunications					9,049,486	9,049,486
Debt principal payments	-				1,879,110	1,879,110
Projected increase or (decrease) in funds	-	-	-	-	(14,310,701)	(14,310,701)
Projected fund balance, beginning of year	57,461,768	14,018,780	763,355	2,623,002	73,810,888	148,677,793
Projected fund balance, end of year	57,461,768	14,018,780	763,355	2,623,002	59,500,187	134,367,092

* Proprietary type funds use accrual based accounting and governmental funds use modified accrual based accounting. For the purposes of this overview the differences are not considered significant.

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Governmental Fund Types					
General Fund	Special Revenue	Capital Projects	Internal Services	Proprietary Fund type	Memo Total

Less: Fund balance non-spendable/restricted/committed/assigned/encumbered:

Encumbered for future expenditures	8,310,077	(24,800)	-	4,412	94,543	8,384,232
Fund balance other than unassigned	<u>19,252,850</u>	<u>14,043,580</u>	<u>763,355</u>	<u>2,618,590</u>	<u>45,748,414</u>	<u>82,426,789</u>
Unassigned fund balance, end of year	<u>29,898,841</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>13,657,230</u>	<u>43,556,070</u>

The City Council desires that a minimum level of Unassigned Fund Balance be maintained at an amount equal to ten percent of budgeted revenues for the General Fund and the Proprietary Fund Types

	<u>6,033,897</u>	<u>-</u>	<u>-</u>	<u>5,303,518</u>	<u>11,337,415</u>
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* Proprietary type funds use accrual based accounting and governmental funds use modified accrual based accounting. For the purposes of this overview the differences are not considered significant.

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Annual Budget
Fiscal year ending September 30, 2020

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

General Fund

The General Fund is used for resources traditionally associated with the government which are not required legally or by sound financial management to be accounted for in another fund.

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Governmental Funds:					
General Fund:					
Revenues:					
Taxes:					
Sales & Use	30,819,261	30,607,218	31,932,838	32,300,000	32,700,000
Property:					
Property	3,336,189	3,500,286	3,521,635	4,030,859	4,100,000
Payments in lieu of taxes	22,031	25,220	5,961	5,717	5,717
	3,358,220	3,525,506	3,527,596	4,036,576	4,105,717
Other:					
Gasoline	800,893	814,891	824,435	816,818	820,000
Cigarette	85,972	82,204	76,088	64,050	60,900
Wine	25,632	25,578	26,189	27,000	28,000
Rental	541,173	579,513	576,400	604,155	650,000
	1,453,670	1,502,186	1,503,112	1,512,023	1,558,900
Total taxes	35,631,151	35,634,910	36,963,546	37,848,599	38,364,617
Special assessments:	37,287	50,604	28,699	16,400	12,000
Licenses and permits:					
Occupational	10,167,780	10,713,529	11,489,814	12,132,703	12,600,000
Business:					
General	3,134,976	3,125,817	3,146,715	3,195,000	3,260,000
Lodging	801,184	729,110	894,252	917,000	925,000
Franchise fee	303,726	514,692	541,333	497,137	515,000
	4,239,886	4,369,619	4,582,300	4,609,137	4,700,000

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Telecommunication fees	22,000	10,000	21,500	22,000	22,000
Land Disturbance fee	6,420	-	10,680	10,560	10,600
Permits and inspections	533,738	920,233	780,758	689,426	800,000
	<u>562,158</u>	<u>930,233</u>	<u>812,938</u>	<u>721,986</u>	<u>832,600</u>
Total licenses and permits	<u>14,969,824</u>	<u>16,013,381</u>	<u>16,885,052</u>	<u>17,463,826</u>	<u>18,132,600</u>
Intergovernmental revenue:					
Shared county revenue:					
Motor vehicle license	<u>115,789</u>	<u>120,187</u>	<u>134,215</u>	<u>136,201</u>	<u>136,000</u>
Shared state revenue:					
Bank excise tax	167,529	198,860	171,110	180,000	199,000
Business privilege tax	73,074	73,429	73,980	73,500	74,000
State asset forfeiture	13,087	57,937	12,355	1,021	-
Share of liquor tax profits	<u>146,234</u>	<u>158,205</u>	<u>169,844</u>	<u>143,187</u>	<u>144,750</u>
	<u>399,924</u>	<u>488,431</u>	<u>427,289</u>	<u>397,708</u>	<u>417,750</u>
Shared Federal Revenue:					
Federal Asset Forfeiture	<u>29,389</u>	<u>-</u>	<u>-</u>	<u>181,906</u>	<u>-</u>
Other:					
Federal	26,909	26,880	26,966	27,082	27,000
State	24,074	-	31,717	32,522	-
Lee County	<u>17,500</u>	<u>15,000</u>	<u>15,000</u>	<u>15,000</u>	<u>15,000</u>
	<u>68,483</u>	<u>41,880</u>	<u>73,683</u>	<u>74,604</u>	<u>42,000</u>
Total intergovernmental revenue	<u>613,585</u>	<u>650,498</u>	<u>635,187</u>	<u>790,419</u>	<u>595,750</u>

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Charges for services:					
General Government:					
Zoning and Subdivision Fees	17,715	22,959	21,474	24,459	24,000
Public safety:					
Highway Safety Program	-	-	-	-	-
City Schools	12,000	12,000	12,000	150,000	150,000
City of Auburn	6,380	8,131	8,861	4,468	4,000
Communications / E911	40,000	30,000	43,000	44,000	44,000
Auburn University	76,808	47,719	25,340	1,794	-
Police/EAMC	88,830	142,745	107,894	160,415	160,000
Other	451	639	632	563	-
Towing, firecalls, Training, EMS	10,853	5,475	6,288	9,383	-
	235,322	246,709	204,015	370,623	358,000
Public Works:					
Clearing and grading - other	69,717	110,483	70,301	69,982	30,000
Health:					
Graves and monuments	132,625	149,025	152,575	171,933	151,000
Cemetery Vases and Markers	130	110	(60)	-	-
	132,755	149,135	152,515	171,933	151,000
Culture and recreation:					
Entry fees and concessions	1,411,263	1,445,800	1,385,441	1,463,084	1,490,000
Total charges for service	1,866,772	1,975,086	1,833,746	2,100,081	2,053,000

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City of Opelika

Annual Budget

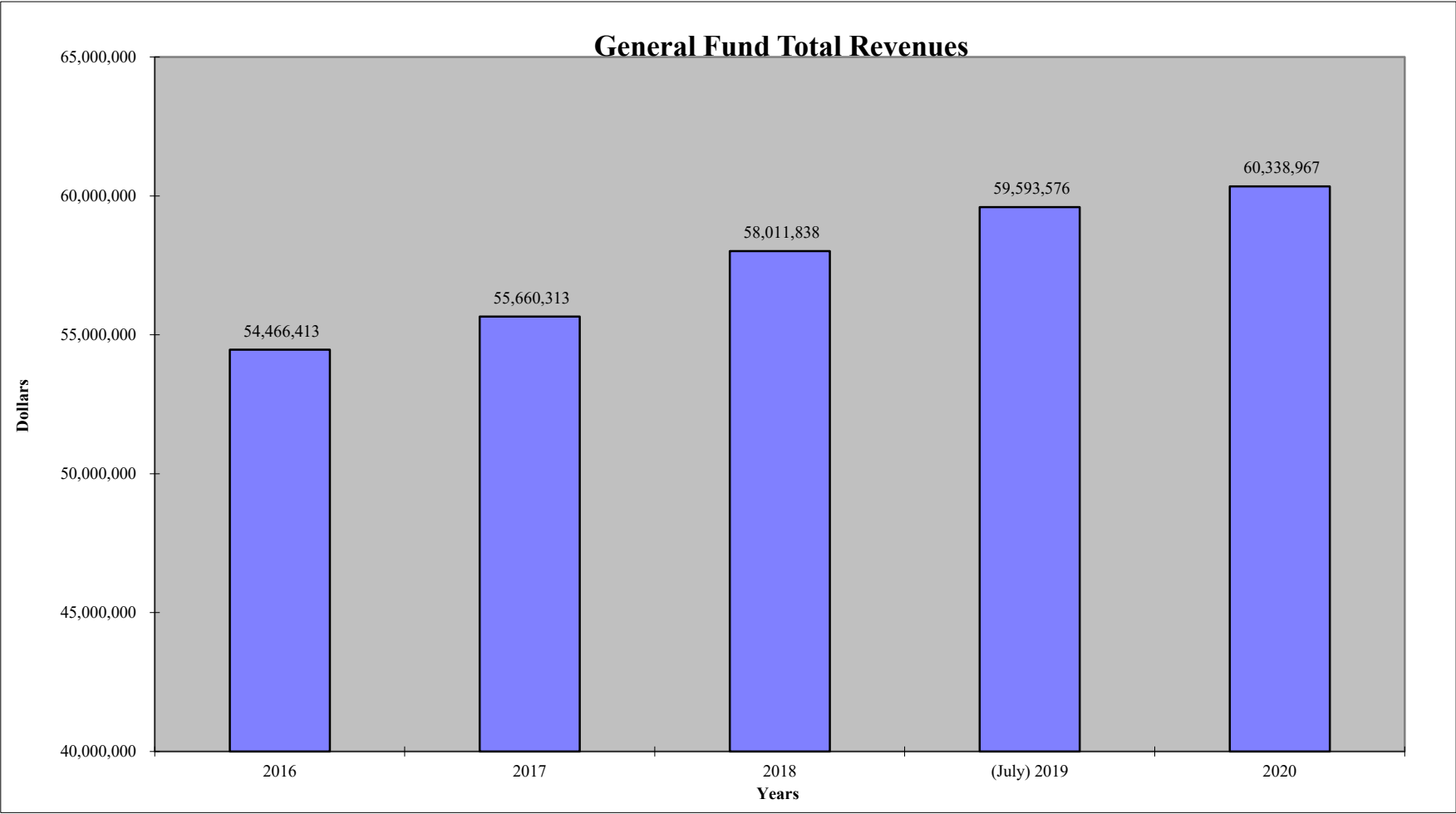
Fiscal year ending September 30, 2020

	Actual 2016	0	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Fines and forfeits:						
Public safety:						
Fines and costs	803,031		649,238	651,556	421,016	412,000
Culture and recreation:						
Fines	39,379		30,897	24,180	21,891	22,000
Total fines and forfeits	842,410		680,135	675,736	442,907	434,000
Miscellaneous revenues:						
Interest earnings	189,024		249,644	610,791	463,647	450,000
Other:						
Rental income	74,336		115,773	94,432	122,071	117,000
Contributions	97,153		67,127	112,343	91,887	-
Insurance claims	4,289		62,370	47,148	29,588	-
Cemetery lots	93,770		86,960	106,890	137,313	130,000
Miscellaneous	46,812		73,825	18,268	86,838	50,000
Total miscellaneous revenues	316,360		406,055	379,081	467,697	297,000
Total miscellaneous revenues	505,384		655,699	989,872	931,344	747,000
Total revenues	54,466,413		55,660,313	58,011,838	59,593,576	60,338,967

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City of Opelika
Annual Budget
Fiscal year ending September 30, 2020



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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Expenditures:					
Current:					
General government:					
Mayor					
Personnel services	145,286	144,254	149,138	166,089	168,995
Other	143,964	112,926	103,427	304,135	453,050
Total mayor	<u>289,250</u>	<u>257,180</u>	<u>252,565</u>	<u>470,224</u>	<u>622,045</u>
Administration:					
Personnel services	136,758	144,324	609,914	171,726	183,734
Other	305,243	344,960	482,627	260,212	497,360
Total administration	<u>442,001</u>	<u>489,284</u>	<u>1,092,541</u>	<u>431,938</u>	<u>681,094</u>
Legal:					
Personnel services	120,658	128,076	133,869	147,158	158,115
Other	12,861	12,901	218,508	317,632	323,100
	<u>133,519</u>	<u>140,977</u>	<u>352,377</u>	<u>464,790</u>	<u>481,215</u>
Legislative - City Clerk:					
Personnel services	194,195	190,014	193,542	205,226	209,274
Other	155,274	162,332	151,778	192,972	240,900
Total legislative	<u>349,469</u>	<u>352,346</u>	<u>345,320</u>	<u>398,198</u>	<u>450,174</u>

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Expenditures:					
Current:					
General government other:					
Revenue:					
Personnel services	213,399	217,912	308,317	347,419	395,550
Other	67,529	58,581	73,825	66,561	76,845
	<u>280,928</u>	<u>276,493</u>	<u>382,142</u>	<u>413,980</u>	<u>472,395</u>
Accounting:					
Personnel services	462,589	459,667	484,024	541,087	562,954
Other	161,169	143,927	110,283	109,157	155,540
Services provided other funds	(159,528)	(159,528)	(159,528)	(105,183)	(109,722)
	<u>464,230</u>	<u>444,066</u>	<u>434,779</u>	<u>545,061</u>	<u>608,772</u>
Information Technologies:					
Personnel services	648,730	605,552	683,842	764,518	831,609
Other	963,769	846,087	2,042,195	1,965,758	1,641,590
Services provided other funds	(173,925)	(173,925)	(173,925)	(240,691)	(266,021)
	<u>1,438,574</u>	<u>1,277,714</u>	<u>2,552,112</u>	<u>2,489,585</u>	<u>2,207,178</u>
Judicial:					
Personnel services	278,219	312,834	394,746	449,504	476,083
Other	565,970	372,991	193,889	63,332	71,220
	<u>844,189</u>	<u>685,825</u>	<u>588,635</u>	<u>512,836</u>	<u>547,303</u>

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Expenditures:					
Current:					
General government other:					
Human Resources administration:					
Personnel services	252,642	260,087	269,539	327,092	368,474
Other	92,537	126,771	143,260	150,757	158,575
Services provided to other funds	-	-	-	(65,443)	(58,953)
	<u>345,179</u>	<u>386,858</u>	<u>412,799</u>	<u>412,406</u>	<u>468,096</u>
Planning:					
Personnel services	317,322	301,781	310,207	390,548	519,424
Other	30,354	33,803	47,783	44,502	75,720
	<u>347,676</u>	<u>335,584</u>	<u>357,990</u>	<u>435,050</u>	<u>595,144</u>
Purchasing:					
Personnel services	295,928	326,043	283,854	331,115	338,325
Other	(133,978)	16,084	18,273	17,610	21,780
Services provided to other funds	(75,373)	(75,374)	(75,374)	(92,142)	(45,624)
	<u>86,577</u>	<u>266,753</u>	<u>226,753</u>	<u>256,583</u>	<u>314,481</u>
Community Relations:					
Personnel services	77,541	98,959	67,711	110,050	153,493
Other	47,388	73,367	87,089	109,403	104,950
	<u>124,929</u>	<u>172,326</u>	<u>154,800</u>	<u>219,453</u>	<u>258,443</u>

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Expenditures:					
Current:					
General government other:					
Nondepartmental:					
Lee County Area Council of Governments	136,215	140,300	144,500	167,328	168,350
Opelika Chamber of Commerce	60,000	65,000	60,000	60,000	65,000
Downtown Redevelopment Authority	4,500	-	10,000	10,000	6,000
Opelika Industrial Development Authority	125,000	125,000	125,000	125,000	125,000
Auburn-Opelika Airport	121,647	140,725	156,882	156,647	156,647
Lee County Extension Service	10,000	10,000	10,000	10,000	12,500
Main Street, Inc.	20,600	21,000	20,000	21,000	20,000
Envision Opelika	12,000	12,000	12,000	20,000	20,000
JW Darden Foundation	5,000	5,000	5,000	5,000	5,000
Other	21,478	5,500	23,994	18,500	-
	<u>516,440</u>	<u>524,525</u>	<u>567,376</u>	<u>593,475</u>	<u>578,497</u>
Total other	<u>4,448,722</u>	<u>4,370,144</u>	<u>5,677,386</u>	<u>5,878,429</u>	<u>6,050,309</u>
Total general government	<u>5,662,961</u>	<u>5,609,931</u>	<u>7,720,189</u>	<u>7,643,579</u>	<u>8,284,837</u>

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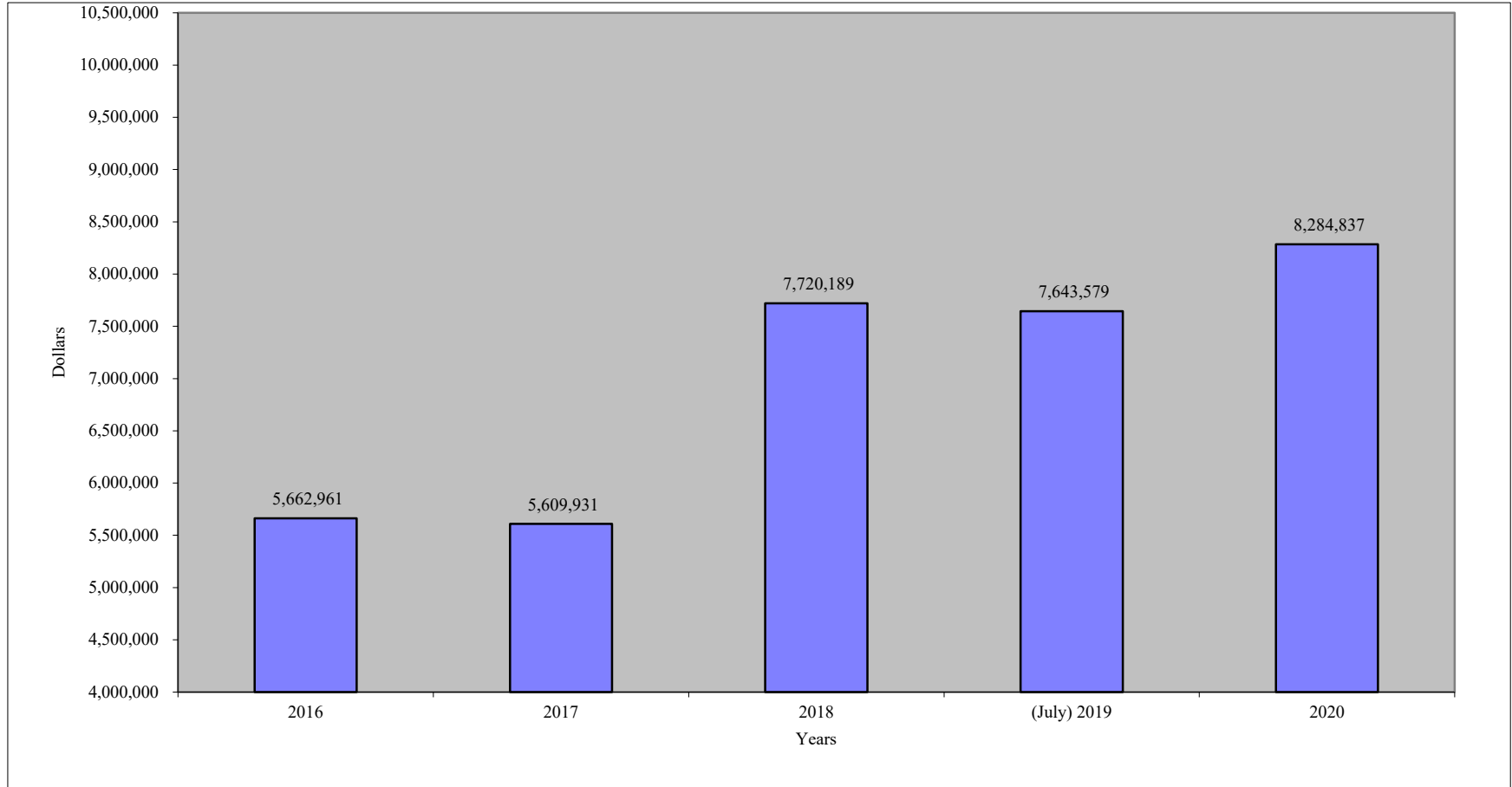
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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

General Government Expenditures



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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Public safety:					
Police:					
Personnel services	7,059,888	6,830,672	7,241,985	8,897,606	9,354,931
Other	1,364,588	1,321,647	1,547,213	2,155,889	1,903,280
Total police	<u>8,424,476</u>	<u>8,152,319</u>	<u>8,789,198</u>	<u>11,053,495</u>	<u>11,258,211</u>
Fire:					
Personnel services	4,437,334	4,604,477	4,631,983	5,432,747	5,762,211
Other	495,698	611,987	730,665	599,781	710,190
Total fire	<u>4,933,032</u>	<u>5,216,464</u>	<u>5,362,648</u>	<u>6,032,528</u>	<u>6,472,401</u>
Other:					
Nondepartmental:					
National Guard	-	-	-	-	-
Juvenile Court	10,000	10,000	10,000	10,000	10,000
Lee County Emergency Mgt	34,196	32,000	34,500	32,000	34,500
Emergency Medical Service	289,475	319,476	319,476	319,476	375,476
Other	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total other	<u>333,671</u>	<u>361,476</u>	<u>363,976</u>	<u>361,476</u>	<u>419,976</u>
Total public safety	<u>13,691,179</u>	<u>13,730,259</u>	<u>14,515,822</u>	<u>17,447,499</u>	<u>18,150,588</u>

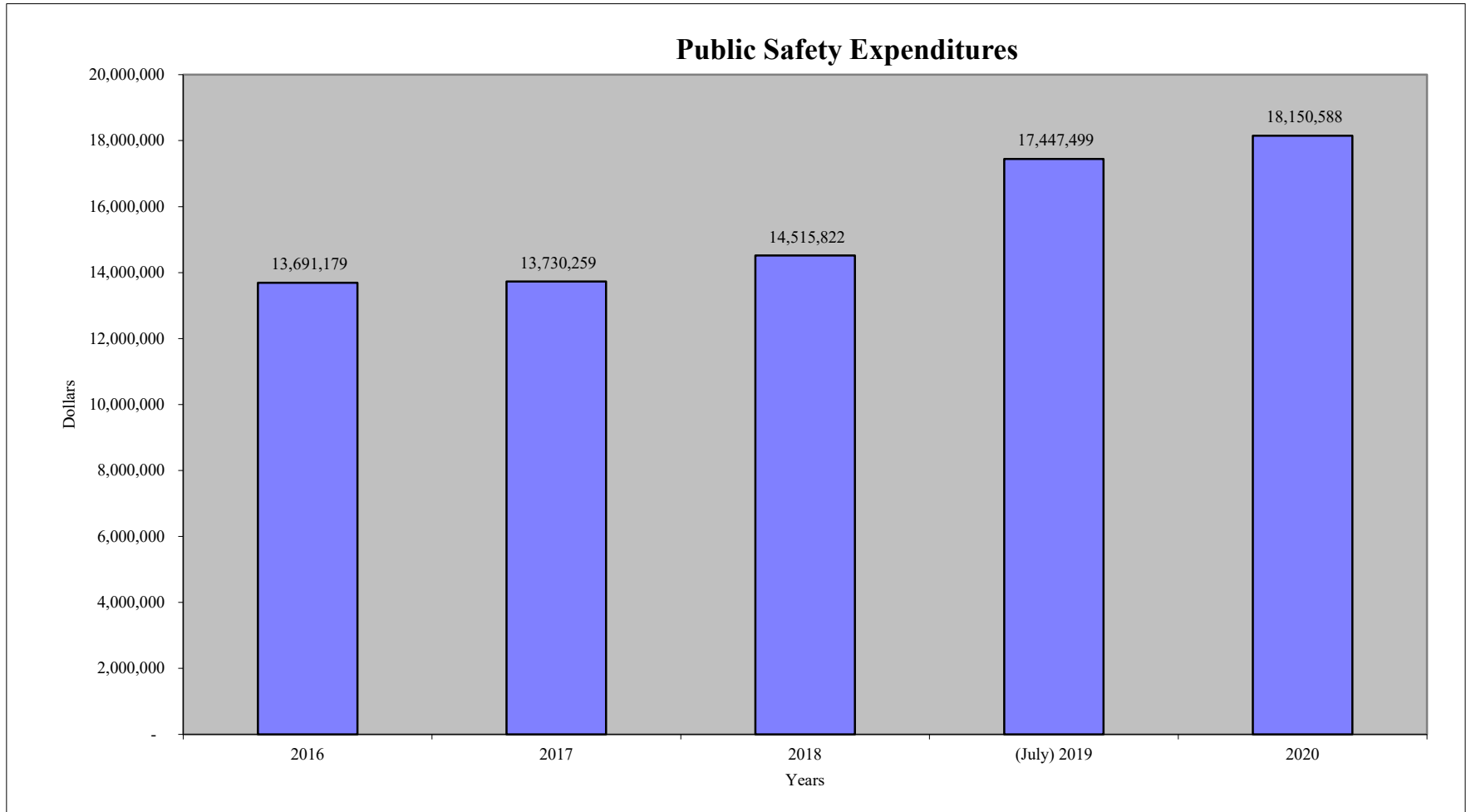
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Fiscal year ending September 30, 2020



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City of Opelika
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Fiscal year ending September 30, 2020

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Public Works:					
Highways and streets:					
Personnel services	4,292	3,744	3,744	2,496	-
Other	1,166,944	1,173,214	1,233,118	1,341,166	1,419,937
	<u>1,171,236</u>	<u>1,176,958</u>	<u>1,236,862</u>	<u>1,343,662</u>	<u>1,419,937</u>
Engineering:					
Personnel services	384,408	360,557	431,848	474,230	519,268
Other	93,133	111,718	69,362	330,081	107,000
	<u>477,541</u>	<u>472,275</u>	<u>501,210</u>	<u>804,311</u>	<u>626,268</u>
Other:					
Administration:					
Personnel services	-	-	-	-	-
Other	354,069	499,389	449,653	500,940	520,268
	<u>354,069</u>	<u>499,389</u>	<u>449,653</u>	<u>500,940</u>	<u>520,268</u>
Cemetery:					
Personnel services	-	-	-	-	-
Other	200,589	200,763	205,574	221,231	229,381
	<u>200,589</u>	<u>200,763</u>	<u>205,574</u>	<u>221,231</u>	<u>229,381</u>

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City of Opelika

Annual Budget

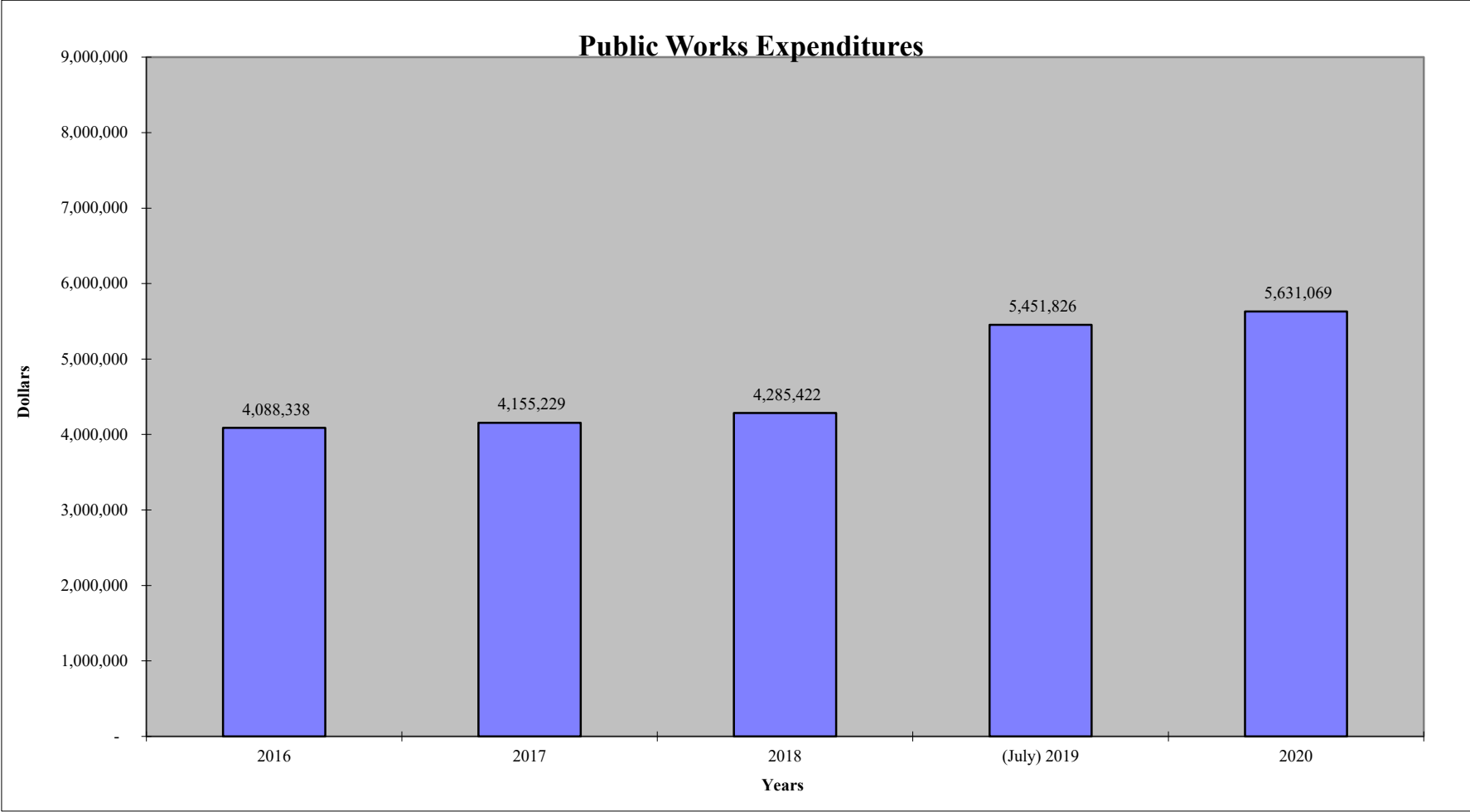
Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Automotive shop:					
Personnel services	-	-	-	-	-
Other	564,751	399,976	424,257	592,274	588,654
	<u>564,751</u>	<u>399,976</u>	<u>424,257</u>	<u>592,274</u>	<u>588,654</u>
Grounds maintenance:					
Personnel services	-	-	-	-	-
Other	555,917	607,846	603,599	938,533	966,019
	<u>555,917</u>	<u>607,846</u>	<u>603,599</u>	<u>938,533</u>	<u>966,019</u>
Building maintenance:					
Personnel services	3,744	3,744	624	-	-
Other	321,839	383,768	403,727	538,329	643,555
	<u>325,583</u>	<u>387,512</u>	<u>404,351</u>	<u>538,329</u>	<u>643,555</u>
Sign Shop					
Other	-	10,801	13,340	-	13,400
	<u>-</u>	<u>10,801</u>	<u>13,340</u>	<u>-</u>	<u>13,400</u>
Inspection:					
Personnel services	384,874	399,386	390,774	443,427	470,187
Other	53,903	45,967	55,802	69,119	153,400
	<u>438,777</u>	<u>445,353</u>	<u>446,576</u>	<u>512,546</u>	<u>623,587</u>
Total other	<u>(125)</u>	<u>(45,644)</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total public works	<u>4,088,338</u>	<u>4,155,229</u>	<u>4,285,422</u>	<u>5,451,826</u>	<u>5,631,069</u>

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City of Opelika

Annual Budget

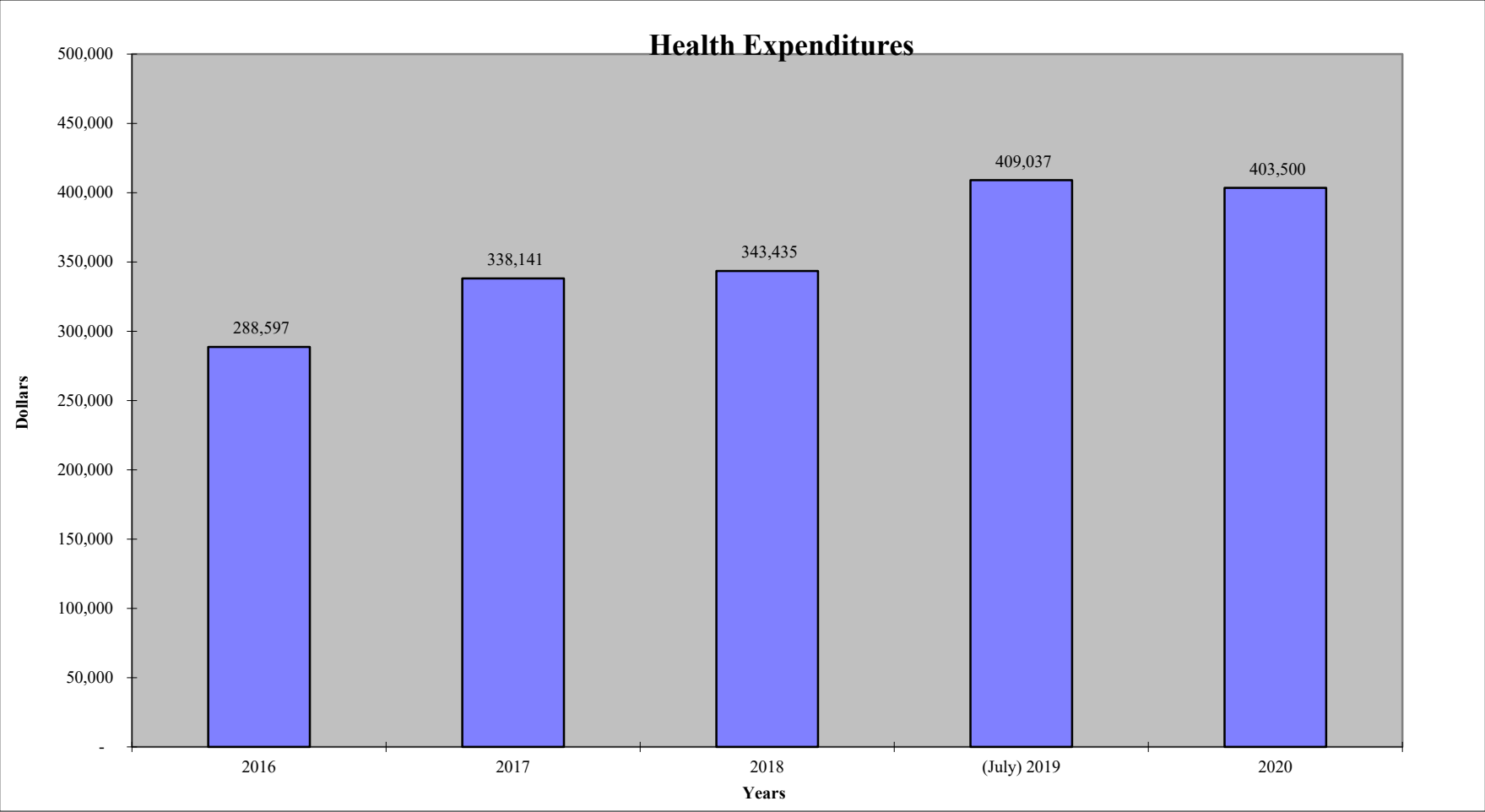
Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Health:					
Animal control:					
Personnel services	57,641	56,816	60,328	70,805	73,244
Other	2,786	7,245	5,371	4,941	11,800
	<u>60,427</u>	<u>64,061</u>	<u>65,699</u>	<u>75,746</u>	<u>85,044</u>
Other:					
Nondepartmental:					
Public health	46,800	46,800	46,000	46,000	46,000
Mental health	42,500	45,000	42,500	40,000	40,000
Lee County Humane Society	77,170	104,280	114,236	153,911	165,456
Substance abuse	32,500	35,000	32,500	30,000	25,000
Spay and Neuter Clinic	-	15,000	-	26,880	15,000
Valley Haven School	2,000	4,000	2,000	2,000	2,000
Child care alliance	6,000	6,000	6,000	6,000	6,000
Red Cross	8,500	8,500	-	20,000	10,000
Child Advocacy Center	3,000	3,500	3,500	3,500	5,000
Domestic Violence Intervention Ctr	-	-	-	-	4,000
Other	9,700	6,000	31,000	5,000	-
	<u>228,170</u>	<u>274,080</u>	<u>277,736</u>	<u>333,291</u>	<u>318,456</u>
Total health	<u>288,597</u>	<u>338,141</u>	<u>343,435</u>	<u>409,037</u>	<u>403,500</u>

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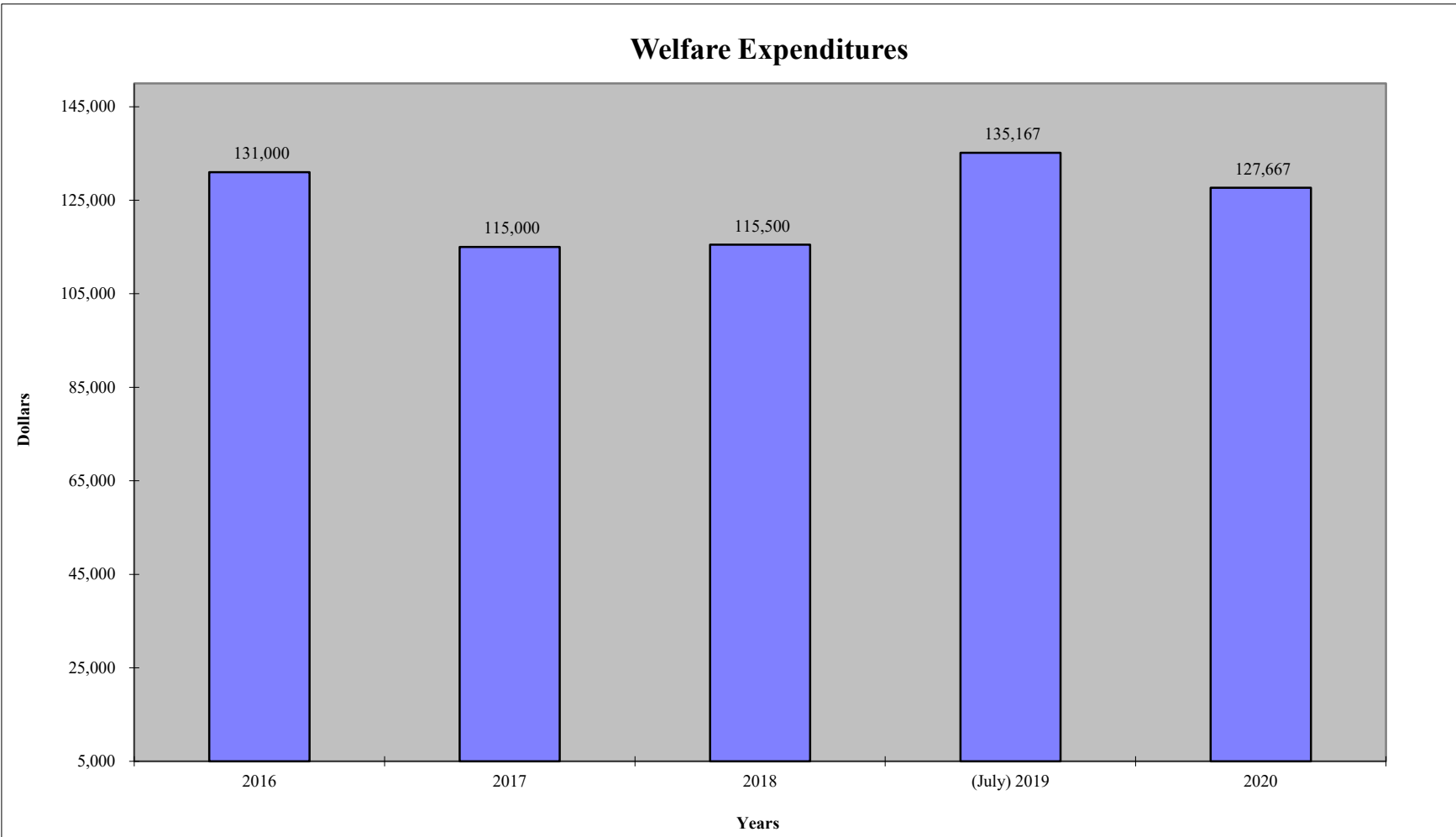
Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Welfare:					
Other:					
Nondepartmental:					
East Alabama Services for the Elderly	10,000	10,000	10,000	10,000	7,500
Lee County Youth Development	32,000	32,000	32,000	32,000	35,000
Council on Human Relations	20,000	20,000	20,000	20,000	20,000
Boys and Girls Club	57,500	40,000	40,000	40,000	40,000
East Alabama Food Bank	-	-	-	16,667	16,667
Story Book Farms	4,000	5,000	5,000	5,000	6,000
Christian Care Ministries	1,500	2,000	2,000	4,500	2,500
Other	6,000	6,000	6,500	7,000	-
Total welfare	131,000	115,000	115,500	135,167	127,667

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City of Opelika

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Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Culture and recreation:					
Parks and recreation:					
Personnel services	1,556,434	1,416,950	1,493,213	1,877,104	2,052,483
Other	3,883,727	3,779,536	3,722,540	3,453,369	3,771,918
Total parks and recreation	5,440,161	5,196,486	5,215,753	5,330,473	5,824,401
Library:					
Personnel services	521,591	535,001	583,956	650,000	754,836
Other	166,339	194,060	263,016	278,107	215,450
Total library	687,930	729,061	846,972	928,107	970,286
Nondepartmental:					
Kreher Preserve & Nature Ctr	-	-	-	-	10,000
Beautification Committee	40,000	40,000	38,000	38,000	38,000
Opelika Tree Commission	-	-	-	-	-
Arts Association (Depot)	28,100	28,100	25,000	25,000	50,000
Museum of East Alabama	29,601	29,600	29,600	29,600	29,600
Other	2,800	3,500	5,500	7,000	-
Total culture and recreation	6,228,592	6,026,747	6,160,825	6,358,180	6,922,287

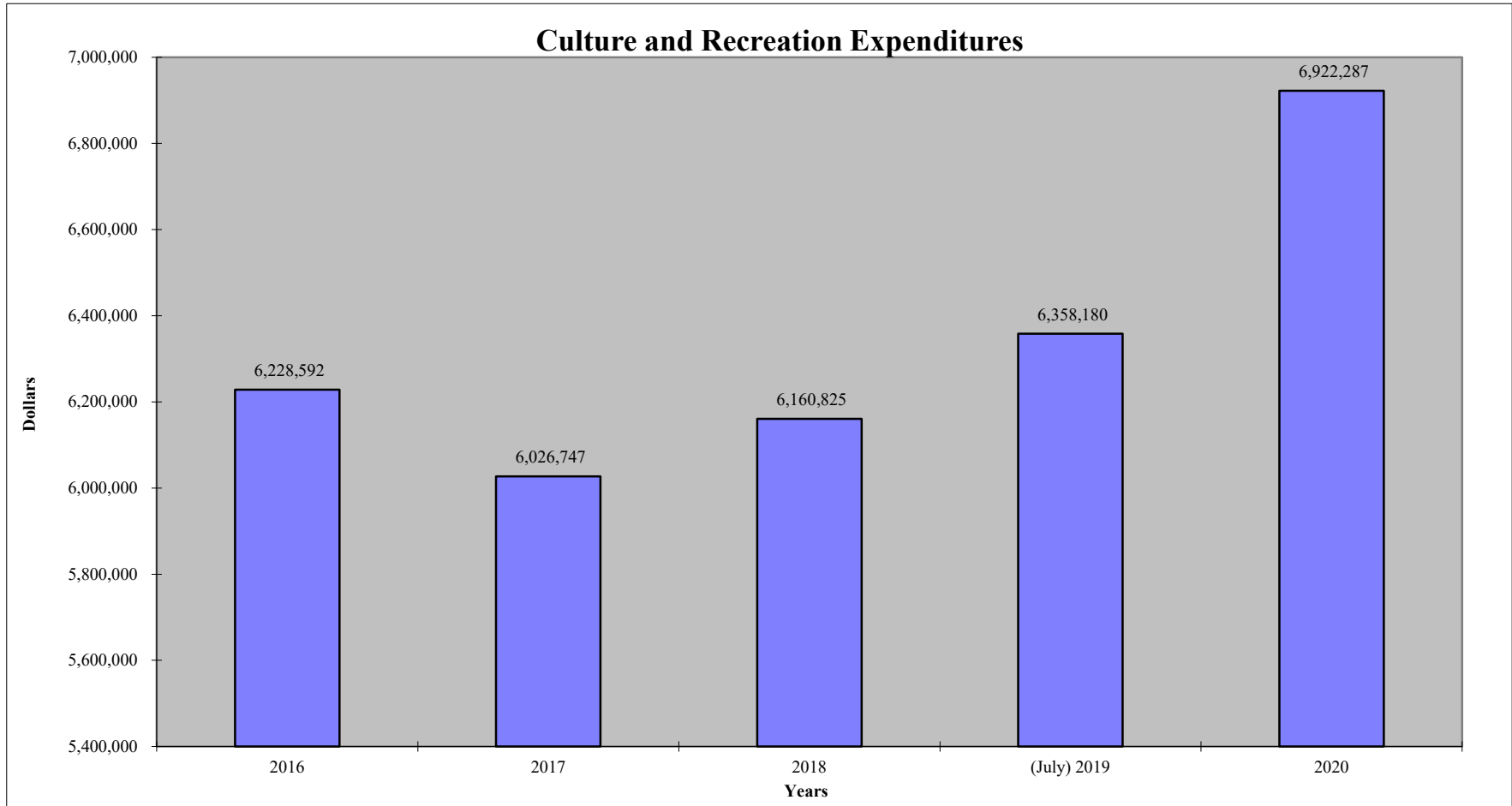
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City of Opelika

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Fiscal year ending September 30, 2020



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City of Opelika

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Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Economic development:					
Personnel services	297,042	287,807	203,986	288,038	313,635
Other	162,570	106,596	108,961	93,870	268,425
Economic development	459,612	394,403	312,947	381,908	582,060
Nondepartmental:					
Golden States Foods	-	-	210,000	74,000	50,000
Pharmavite	114,167	112,171	123,686	140,000	140,000
Eastwynn Theaters	84,853	77,895	85,692	90,000	100,000
Crossroads of Opelika	86,858	38,142	-	-	-
Glynn Smith 2012A Warrants	135,930	157,571	44,791	442	-
Tiger Square	-	4,367	11,616	50,000	50,000
Old Lowes Building	117,375	82,805	-	120,000	-
Thompson Tractor	-	-	-	25,413	100,000
Yongsan	-	-	-	-	90,500
Tiger Town Warrants	698,151	679,380	694,885	705,000	-
Mando	-	100,000	-	50,000	50,000
Hanwha Economic Incentive	-	-	117,000	82,000	35,000
Gambro Economic Incentive	-	471,000	55,000	35,000	139,000
Daewon Economic Incentive	-	8,750	8,750	8,750	8,750
South East Alabama Gas	-	146,764	-	-	-
Barbasol	-	133,000	-	-	-
Chapman H LLC Econ Inc	475,000	1,250,000	-	-	-
Prop Tax - Mando	15,815	15,815	75,770	50,483	76,000
Car Tech Economic Develop	-	16,797	104,532	87,433	25,000
S&E Holdings (shooting range)	-	-	91,500	-	-
Broadview Properties	-	-	-	74,088	-

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Economic development:					
Nondepartmental (continued):					
First South Farm Credit	-	-	-	24,154	-
Plainsmen	-	-	-	327,000	-
Renovation-FA & Nuri	-	-	-	60,000	35,000
Prop tax - JoAnn Stores	-	-	64,367	78,290	78,290
Prop tax - Hanwha	-	-	11,182	12,468	12,500
SouthsideOpel LLC	-	-	-	92,288	92,288
BC Stone-Camelot	-	-	-	97,555	-
Total Nondepartmental	<u>1,728,150</u>	<u>3,294,458</u>	<u>1,698,771</u>	<u>2,284,364</u>	<u>1,082,328</u>
Total economic development	<u>2,187,762</u>	<u>3,688,861</u>	<u>2,011,718</u>	<u>2,666,272</u>	<u>1,664,388</u>
Education:					
Opelika City Schools	3,000,000	3,250,000	3,000,000	3,350,000	3,000,000
Opelika City Schools Pre-K	-	-	-	-	310,000
Lee County Water Festival	3,000	3,000	3,000	3,000	3,500
Other	<u>5,000</u>	<u>61,800</u>	<u>3,000</u>	<u>30,971</u>	<u>-</u>
Total Education	<u>3,008,000</u>	<u>3,314,800</u>	<u>3,006,000</u>	<u>3,383,971</u>	<u>3,313,500</u>
Total current expenditures	<u>35,286,429</u>	<u>36,978,968</u>	<u>38,158,911</u>	<u>43,495,531</u>	<u>44,497,836</u>

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Annual Budget

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	Actual 2016	0	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Capital outlay:	3,279,492		5,328,259	6,388,056	19,657,265	6,514,013
Debt service:						
Issue cost and Trustee fees	-		-	-	-	-
Principal	591,383		1,319,935	691,372	680,215	680,215
Interest	154,033		89,541	54,045	17,876	17,876
	<u>745,416</u>		<u>1,409,476</u>	<u>745,417</u>	<u>698,091</u>	<u>698,091</u>
Total expenditures	<u>39,311,337</u>		<u>43,716,697</u>	<u>45,292,384</u>	<u>63,850,887</u>	<u>51,709,940</u>
Excess of revenues over (under) expenditures	15,155,076		11,943,616	12,719,454	(4,257,311)	8,629,027

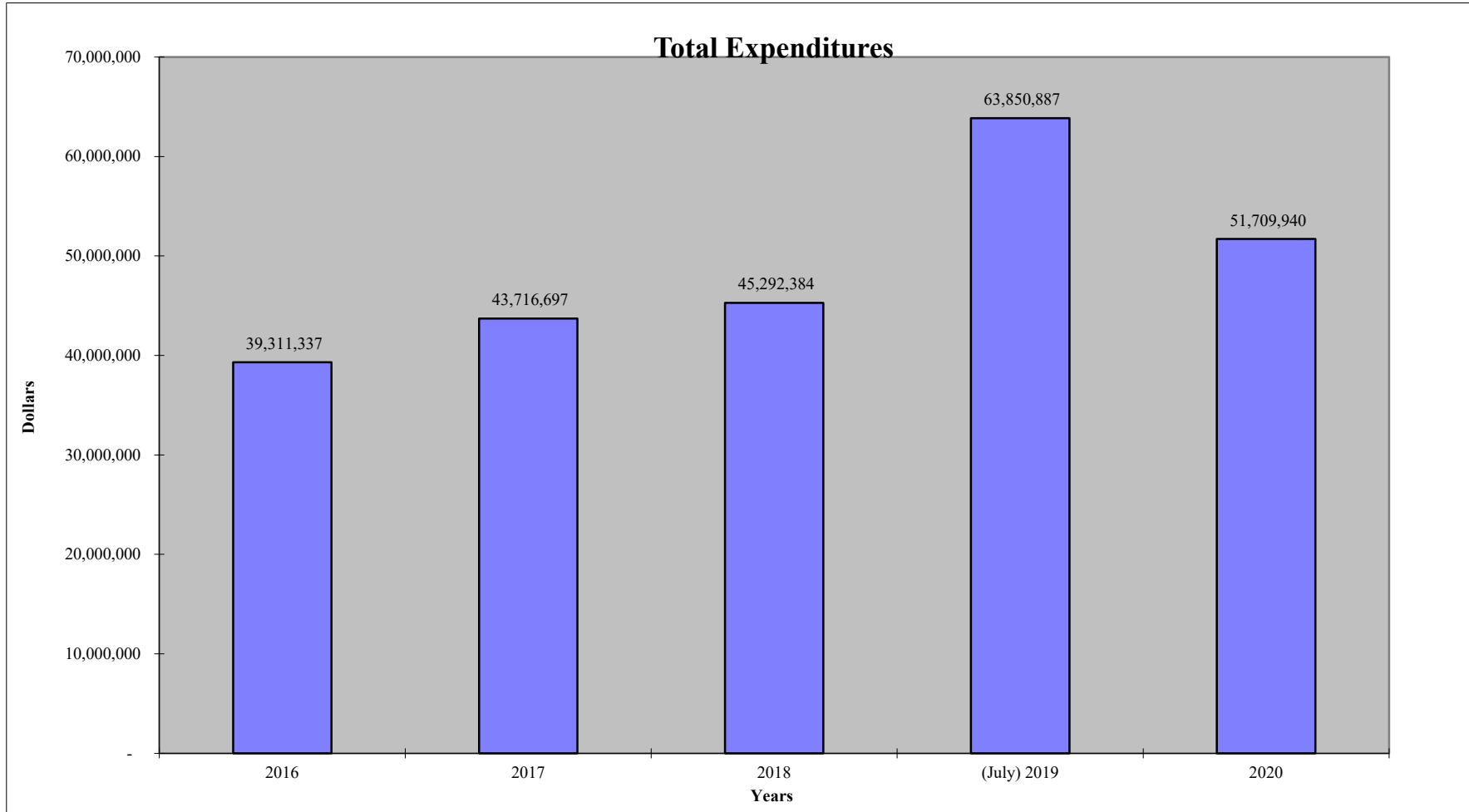
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Annual Budget

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Other financing sources (uses):					
Proceeds from General Long-Term Debt	-	664,060	-	-	-
Sales of fixed assets	157,520	28,307	207,893	39,154	-
Transfers from Electric Utility Fund	3,000,000	3,000,000	2,997,769	3,000,000	3,000,000
Transfers from Sales Tax Revenue Fund	-	-	-	-	-
Transfers from Garden Hills Cemetery					
Perpetual Care Trust Fund	11,895	16,013	13,281	19,823	20,000
Transfers from Governmental Funds	62,500	45,641	2,375	-	-
Transfers from General Obligation Debt Service Fund	-	-	-	-	-
Transfers to Community Development Fund	(312,028)	(11,505)	(386,191)	(497,620)	-
Transfers to GO 2010 Warrants	(64,818)	(64,789)	(64,823)	(64,608)	(64,879)
Transfers to Garden Hills Cemetery					
Perpetual Care Trust Fund	(21,233)	(21,741)	(26,723)	(25,746)	(20,000)
Transfers to Committed Road Const Fund	-	-	-	-	-
Transfers to SRF 1/2% Sales Tax Reserve Fund	(2,776,465)	(3,059,972)	(3,207,198)	(3,391,672)	(3,400,000)
Transfers to Capital Projects Fund 1% Sales Tax	-	-	-	-	(4,143,586)
Transfers to GO 2011 Warrants	(4,013,899)	(4,019,394)	(4,008,806)	(4,012,248)	(4,020,562)
Transfers to Health Insurance Fund	(1,359,620)	(1,157,321)	(1,453,949)	-	-
Transfers to Lodging Fund	-	-	-	-	-
Transfers to Sewer Fund	-	-	-	-	-
Total other financing sources (uses):	(5,316,148)	(4,580,701)	(5,926,372)	(4,932,917)	(8,629,027)

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Annual Budget

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	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
General Fund:					
Excess of revenues and other sources over (under) expenditures and other uses	9,838,928	7,362,915	6,793,082	(9,190,228)	-
Projected fund balance, beginning of year	41,964,116	51,803,044	59,374,798	66,651,995	57,461,768
Adjustment	-	208,839	484,115	-	-
Projected fund balance, end of year	51,803,044	59,374,798	66,651,995	57,461,768	57,461,768

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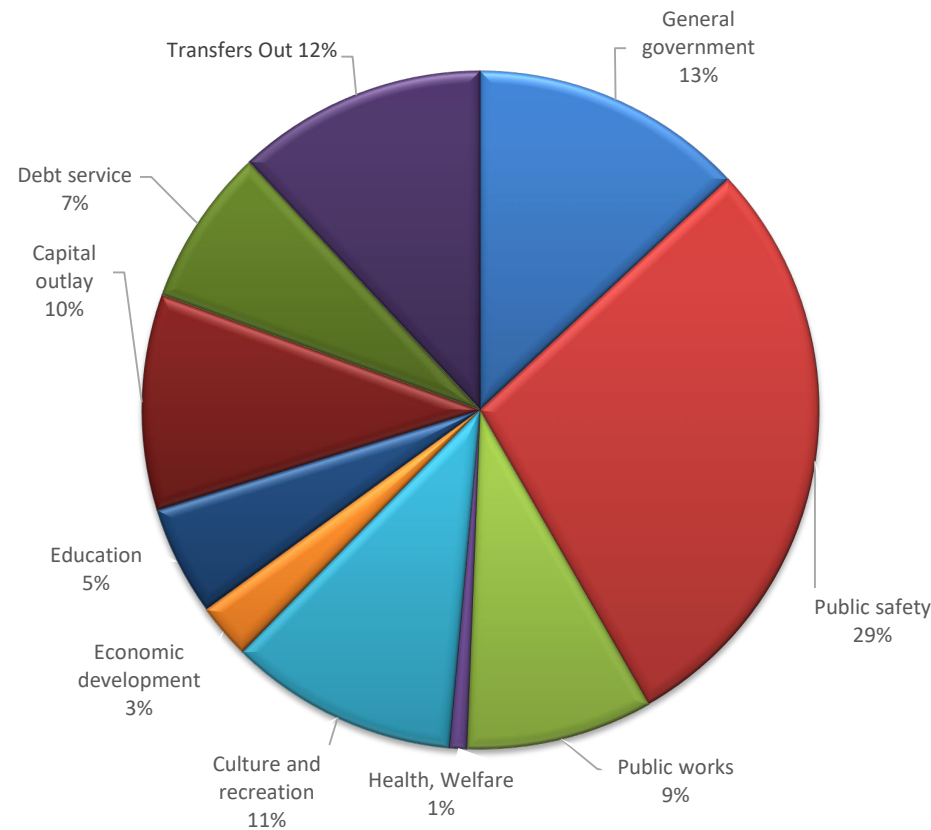
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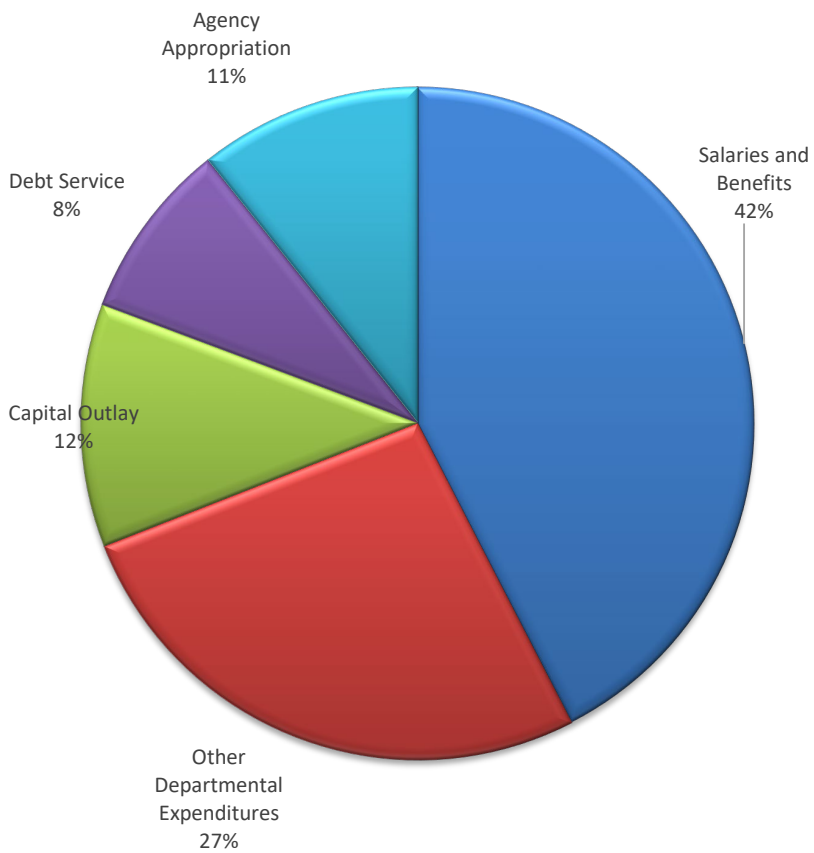
Annual Budget

Fiscal year ending September 30, 2020

2020 EXPENDITURES BY FUNCTION



2020 DISTRIBUTION OF EXPENDITURES



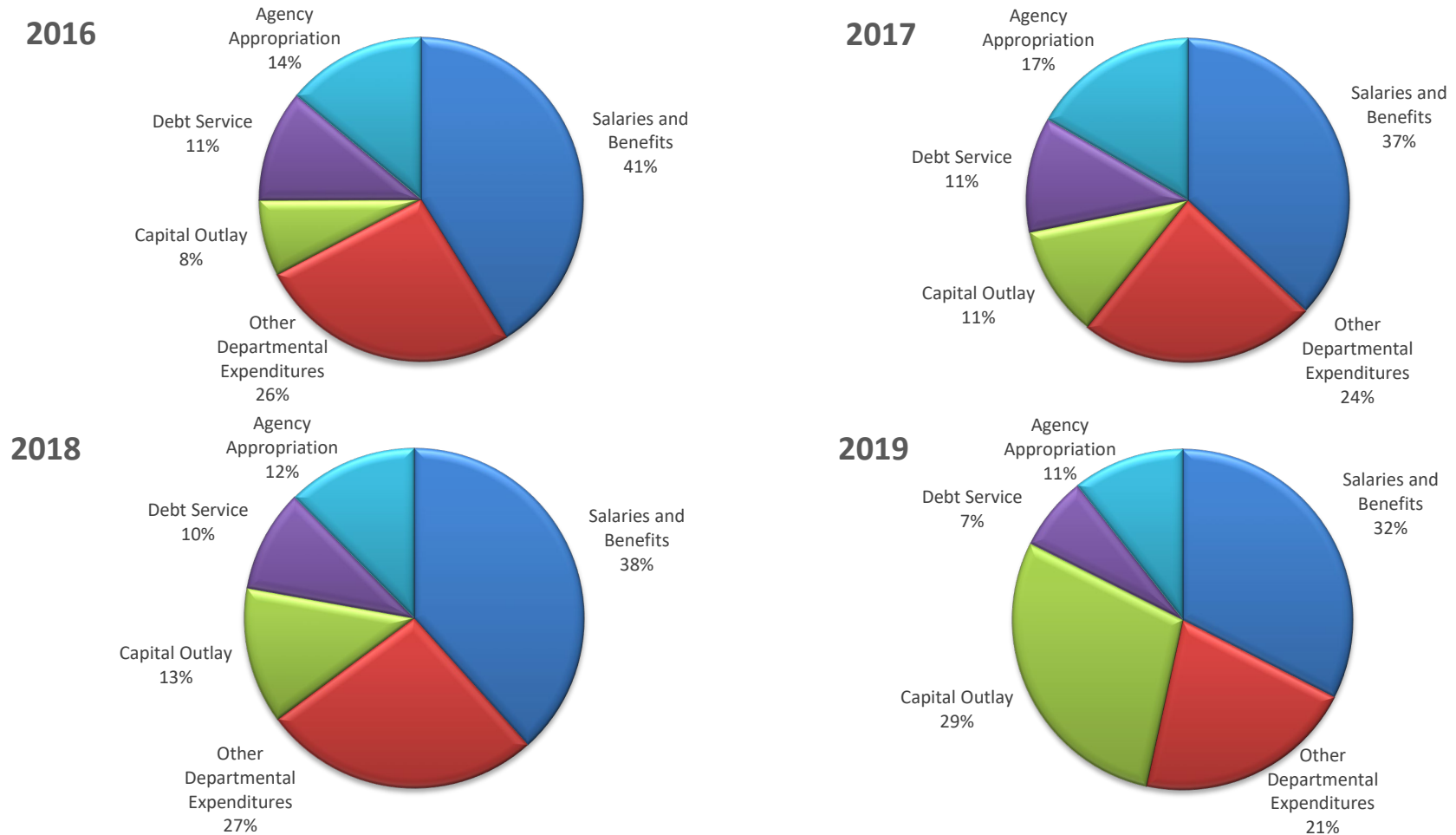
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HISTORICAL DISTRIBUTION OF EXPENDITURES



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Fiscal year ending September 30, 2020

Special Revenue Funds

Special revenue funds are used to account for specific revenues that are restricted to expenditure for particular purposes.

The School Tax Special Revenue Fund is used to account for Ad valorem tax revenues that are restricted for school purposes. Revenues in excess of debt service on school debt are paid to the Opelika City Board of Education and are classified as an education appropriation.

The Lodging Tax Fund is used to account for revenues that are intended for economic development initiatives.

4¢ State Gasoline Tax Fund - This fund is used to account for the government's share of revenues to be used exclusively for the purposes of paying the costs of resurfacing, restoration, and rehabilitation of roads, bridges and streets, and bridge replacement and road construction.

7¢ State Gasoline Tax Fund - This fund is used to account for the government's share of revenues to be used exclusively for the purposes of paying the costs of transportation planning, the construction, reconstruction, maintenance, widening, alteration and improvement of public roads, bridges, streets and other public ways.

Capital Improvement Funds - These funds are used to account for the government's share of revenues to be used exclusively for the purposes of paying the costs of capital improvements or the renovation of capital improvements or to retire debt associated with capital improvements.

Workmen's Compensation Insurance Fund is used to account for the allocation of costs associated with the workmen's compensation self insurance fund.

Sportsplex fund is used to account for sales tax that is intended for debt service and other ongoing operations of the recreation center.

Garden Hills Cemetery Trust Fund is a permanent fund that is used to account for resources that are legally restricted.

Rosemere Cemetery Fund - This fund is used to account for the government's share of revenues to be used exclusively for the perpetual care, maintenance, and preservation of the graves in this cemetery.

Community Development grant funds are used for funding various projects including substandard housing and other community improvements.

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Schools Property Tax Fund:					
Revenues:					
Property:					
Property	6,381,828	6,703,090	6,790,693	7,731,666	7,740,000
Miscellaneous:					
Contributions	-	-	-	-	-
Interest	2,593	4,360	16,553	35,325	35,000
Total revenues	<u>6,384,421</u>	<u>6,707,450</u>	<u>6,807,246</u>	<u>7,766,991</u>	<u>7,775,000</u>
Expenditures:					
Nondepartmental:					
Education	<u>5,395,028</u>	<u>5,718,039</u>	<u>5,811,615</u>	<u>6,780,127</u>	<u>6,794,043</u>
Excess of revenues over (under) expenditures	<u>989,393</u>	<u>989,411</u>	<u>995,631</u>	<u>986,864</u>	<u>980,957</u>
Other financing sources (uses):					
Transfers to debt service funds	<u>(989,393)</u>	<u>(989,411)</u>	<u>(995,018)</u>	<u>(987,477)</u>	<u>(980,957)</u>
Excess of revenues and other sources over (under) expenditures and other uses	-	-	613	(613)	-
Projected fund balance, beginning of year	<u>-</u>	<u>-</u>	<u>-</u>	<u>613</u>	<u>-</u>
Projected fund balance, end of year	<u><u>-</u></u>	<u><u>-</u></u>	<u><u>613</u></u>	<u><u>-</u></u>	<u><u>-</u></u>

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Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Lodging Tax Fund:					
Revenues:					
Miscellaneous:					
Lodging Fees	373,207	362,679	419,897	390,000	400,000
Interest	798	460	6,055	10,500	10,000
Contributions	-	-	-	30,000	-
Total revenues	<u>374,005</u>	<u>363,139</u>	<u>425,952</u>	<u>430,500</u>	<u>410,000</u>
Expenditures:					
Economic Development	208,612	95,221	173,043	175,000	250,000
Other Contractual Services		18,000	24,000	18,000	35,000
General Government Appropriations	190,833	130,750	-	147,391	125,000
Capital Outlay	-	-	-	117,038	-
Excess of revenues over (under) expenditures	<u>(25,440)</u>	<u>119,168</u>	<u>228,909</u>	<u>(26,929)</u>	<u>-</u>
Other financing sources (uses):					
Transfers from General Fund	-	-	-	-	-
Transfers to General Fund	-	-	-	-	-
Transfers from (to) General Fund	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Excess of revenues and other sources over (under) expenditures and other uses	(25,440)	119,168	228,909	(26,929)	-
Projected fund balance, beginning of year	<u>754,082</u>	<u>728,642</u>	<u>847,810</u>	<u>1,076,719</u>	<u>1,049,790</u>
Projected fund balance, end of year	<u><u>728,642</u></u>	<u><u>847,810</u></u>	<u><u>1,076,719</u></u>	<u><u>1,049,790</u></u>	<u><u>1,049,790</u></u>

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Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
4 cent State Gasoline Tax Fund:					
Revenues:					
Intergovernmental:					
Shared state gasoline tax	61,404	61,653	61,605	61,853	63,000
Miscellaneous:					
Interest	12	16	11	3,143	3,000
Other	-	-	-	-	-
Total revenues	61,416	61,669	61,616	64,996	66,000
Expenditures:					
Current:					
Public works	-	-	-	-	-
Capital Outlay	97,373	-	-	62,815	66,000
Total expenditures	97,373	-	-	62,815	66,000
Excess of revenues over (under) expenditures	(35,957)	61,669	61,616	2,181	-
Projected fund balance, beginning of year	2,910	(33,047)	28,621	90,237	92,418
Projected fund balance, end of year	(33,047)	28,621	90,237	92,418	92,418

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Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
7 cent State Gasoline Tax Fund:					
Revenues:					
Intergovernmental:					
Shared state gasoline tax	78,450	78,808	78,288	78,000	78,000
Miscellaneous:					
Interest	343	856	3,204	5,500	5,500
Total revenues	78,793	79,664	81,492	83,500	83,500
Expenditures:					
Current:					
Public works	-	-	-	8,000	11,500
Capital outlay	-	-	-	71,000	72,000
Total expenditures	-	-	-	79,000	83,500
Excess of revenues over (under) expenditures	78,793	79,664	81,492	4,500	-
Projected fund balance, beginning of year	100,972	179,765	259,429	340,921	345,421
Projected fund balance, end of year	179,765	259,429	340,921	345,421	345,421

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Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Capital Improvement Fund					
Revenues:					
Intergovernmental:					
Shared state gasoline tax	232,090	225,756	226,126	238,829	238,829
Industrial access grant	-	74,060	153,558	944,100	-
Miscellaneous:					
Interest	345	1,142	5,546	8,746	8,746
Other	-	-	-	-	-
Total revenues	<u>232,435</u>	<u>300,958</u>	<u>385,230</u>	<u>1,191,675</u>	<u>247,575</u>
Expenditures:					
Current:					
Public works	-	-	-	-	-
Capital Outlay	<u>290,595</u>	<u>1,328,693</u>	<u>304,900</u>	<u>450,873</u>	<u>247,575</u>
Total expenditures	<u>290,595</u>	<u>1,328,693</u>	<u>304,900</u>	<u>450,873</u>	<u>247,575</u>
Excess of revenues over (under) expenditures	(58,160)	(1,027,735)	80,330	740,802	-
Other financing sources (uses):					
Transfers from General Fund	314,406	410,624	-	566,116	-
Transfers to General Fund	-	-	-	-	-
Transfers from (to) General Fund	<u>314,406</u>	<u>410,624</u>	<u>-</u>	<u>566,116</u>	<u>-</u>
Excess of revenues and other sources over (under) expenditures and other uses	256,246	(617,111)	80,330	1,306,918	-
Projected fund balance, beginning of year	<u>129,185</u>	<u>385,431</u>	<u>(231,680)</u>	<u>(151,350)</u>	<u>1,155,568</u>
Projected fund balance, end of year	<u><u>385,431</u></u>	<u><u>(231,680)</u></u>	<u><u>(151,350)</u></u>	<u><u>1,155,568</u></u>	<u><u>1,155,568</u></u>

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	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Workman's Compensation Insurance:					
Operating revenues:					
Charges for Insurance	408,751	529,753	514,755	434,756	500,000
Operating expenses:					
Insurance Claims and expenses	289,985	120,507	378,929	195,199	280,000
Operating income	118,766	409,246	135,826	239,557	220,000
Nonoperating revenues:					
Interest	4,428	4,946	21,595	44,123	18,800
Operating transfer in (out)	(182,000)	(182,000)	(238,200)	(283,680)	(238,800)
Change in net assets	(58,806)	232,192	(80,779)	-	-
Net assets, beginning of year	2,582,499	2,523,693	2,755,885	2,675,106	2,675,106
Net assets, end of year	2,523,693	2,755,885	2,675,106	2,675,106	2,675,106

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	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Health Insurance Fund:					
Operating revenues:					
Charges for Insurance	2,152,600	2,334,525	2,108,367	4,054,084	4,106,000
Operating expenses:					
Insurance Claims and expenses	3,612,400	3,755,687	3,852,695	4,310,941	4,345,500
Operating income	(1,459,800)	(1,421,162)	(1,744,328)	(256,857)	(239,500)
Nonoperating revenues:					
Interest	-	21	76	719	700
Operating transfer in (out)	1,541,620	1,339,321	1,692,149	256,137	238,800
Change in net assets	81,820	(81,820)	(52,103)	(1)	-
Net assets, beginning of year	-	81,820	-	(52,103)	(52,104)
Net assets, end of year	81,820	-	(52,103)	(52,104)	(52,104)

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	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Sportsplex Fund:					
Revenues:					
Miscellaneous:					
Interest	11,150	49,874	108,752	157,873	150,000
Contributions	145,000	142,501	157,499	-	-
Total revenues	156,150	192,375	266,251	157,873	150,000
Expenditures:					
Current:					
Bldg & Imp Repair/Maint	7,520	-	-	200,000	200,000
Appropriation for Justice Center Additions	360,706	361,574	359,214	361,630	357,513
Other	-	-	-	1,191,899	1,387,027
Capital Outlay	-	-	-	-	-
Excess of revenues over (under) expenditures	(212,076)	(169,199)	(92,963)	(1,595,656)	(1,794,540)
Other financing sources (uses):					
Proceeds of Sales of Equipment					
Transfers from Governmental Funds	2,776,466	3,059,973	3,207,198	3,200,000	3,400,000
Transfers to Governmental Funds (Debt)	(1,080,270)	(1,600,607)	(1,599,508)	(1,604,344)	(1,605,460)
Other financing sources (uses)	1,696,196	1,459,366	1,607,690	1,595,656	1,794,540
Excess of revenues and other sources over (under) expenditures and other uses	1,484,120	1,290,167	1,514,727	-	-
Projected fund balance, beginning of year	5,937,121	7,421,241	8,711,408	10,226,135	10,226,135
Projected fund balance, end of year	7,421,241	8,711,408	10,226,135	10,226,135	10,226,135

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	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Garden Hills Cemetery Trust Fund:					
Revenues:					
Miscellaneous:					
Interest	8,016	8,971	9,354	8,548	10,000
Other	67,445	77,026	64,165	23,076	-
Total revenues	75,461	85,997	73,519	31,624	10,000
Expenditures:					
Current:	10,338	5,097	7,677	6,497	10,000
Excess of revenues over (under) expenditures	65,123	80,900	65,842	25,127	-
Other financing sources (uses):					
Transfers from General Fund	21,233	21,740	26,723	25,746	20,000
Transfers to General Fund	(11,896)	(16,013)	(13,281)	(19,823)	(20,000)
Transfers from (to) General Fund	9,337	5,727	13,442	5,923	-
Excess of revenues and other sources over (under) expenditures and other uses	74,460	86,627	79,284	31,050	-
Projected fund balance, beginning of year	903,394	977,854	1,064,481	1,143,765	1,174,815
Projected fund balance, end of year	977,854	1,064,481	1,143,765	1,174,815	1,174,815

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	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Rosemere Cemetery Fund:					
Revenues:					
Miscellaneous:					
Interest	165	252	29	33	-
Contributions	-	16,877	8,702	9,000	9,000
Total revenues	165	17,129	8,731	9,033	9,000
Expenditures:					
Contractual Services	30,251	18,608	20,423	9,000	9,000
Capital Outlay	-	-	-	-	-
Excess of revenues over (under) expenditures	(30,086)	(1,479)	(11,692)	33	-
Other financing sources (uses):					
Transfers from General Fund	-	-	-	-	-
Transfers to General Fund	-	-	-	-	-
Transfers from (to) General Fund	-	-	-	-	-
Excess of revenues and other sources over (under) expenditures and other uses	(30,086)	(1,479)	(11,692)	33	-
Projected fund balance, beginning of year	42,467	12,381	10,902	(790)	(757)
Projected fund balance, end of year	12,381	10,902	(790)	(757)	(757)

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
HUD Entitlement Grant Fund Program Years 2015-2019:					
Revenues:					
Intergovernmental:					
Federal grants	322,542	147,394	280,294	350,824	255,632
Miscellaneous:					
Other	-	-	-	-	-
Total revenues	322,542	147,394	280,294	350,824	255,632
Expenditures:					
Current:	312,205	177,013	290,960	345,486	255,632
Capital Outlay:	-	-	-	-	-
	312,205	177,013	290,960	345,486	255,632
Excess of revenues over (under) expenditures	10,337	(29,619)	(10,666)	5,338	-
Other financing sources (uses):					
Transfers from General Fund	-	-	-	-	-
Transfers to General Fund	-	-	-	-	-
Transfers from (to) General Fund	-	-	-	-	-
Excess of revenues and other sources over (under) expenditures and other uses	10,337	(29,619)	(10,666)	5,338	-
HUD Entitlement Grant Fund Program Years 2015-2019:					
Projected fund balance, beginning of year	-	10,337	(19,282)	(29,948)	(24,610)
Projected fund balance, end of year	10,337	(19,282)	(29,948)	(24,610)	(24,610)

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Capital Projects Funds

The Opelika Corrections Fund is used to account for Special Court Costs and Fees which were enacted in 2009.

The 2011 Road Construction Fund is used to account for 1% sales tax proceeds that are used for the 2011 High School Renovation and Road Construction Warrants

The Future Capital Improvements, Roads, Buildings, other Fund will be used for development of future infrastructure.

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Year to Date (July) 2019	Budget 2020
Opelika Corrections Fund:					
Revenues:					
Fines and forfeits:					
Public safety:					
Fines and costs	137,219	103,328	159,938	142,945	120,000
Interest	1,094	1,135	4,647	7,277	10,000
Total revenues	<u>138,313</u>	<u>104,463</u>	<u>164,585</u>	<u>150,222</u>	<u>130,000</u>
Expenditures:					
Current:	11,170	60,053	7,462	35,500	25,000
Capital Outlay	<u>-</u>	<u>427,336</u>	<u>-</u>	<u>82,500</u>	<u>105,000</u>
Excess of revenues over (under) expenditures	<u>127,143</u>	<u>(382,926)</u>	<u>157,123</u>	<u>32,222</u>	<u>-</u>
Other financing sources (uses):					
Transfers from General Fund	-	-	-	-	-
Transfers to General Fund	<u>-</u>	<u>(45,641)</u>	<u>(2,375)</u>	<u>-</u>	<u>-</u>
Transfers from (to) General Fund	<u>-</u>	<u>(45,641)</u>	<u>(2,375)</u>	<u>-</u>	<u>-</u>
Excess of revenues and other sources over (under) expenditures and other uses	127,143	(428,567)	154,748	32,222	-
Projected fund balance, beginning of year	<u>889,264</u>	<u>1,016,407</u>	<u>576,385</u>	<u>731,133</u>	<u>763,355</u>
Projected fund balance, end of year	<u><u>1,016,407</u></u>	<u><u>576,385</u></u>	<u><u>731,133</u></u>	<u><u>763,355</u></u>	<u><u>763,355</u></u>

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Annual Budget

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	Actual 2016	Actual 2017	Actual 2018	Year to Date (July) 2019	Budget 2020
2011 Road Construction Fund:					
Revenues:					
Miscellaneous:					
Investment income	23,298	22,198	20,210	6,800	-
Contributions	55,260	-	362,424	-	-
Total revenues	78,558	22,198	382,634	6,800	-
Expenditures:					
Public works	-	290,985	-	-	-
Capital Outlay	1,245,215	1,448,650	4,372,222	285,028	-
Total Expenditures	1,245,215	1,739,635	4,372,222	285,028	-
Excess of revenues over (under) expenditures	(1,166,657)	(1,717,437)	(3,989,588)	(278,228)	-
Other financing sources (uses):					
Transfers from governmental funds	-	-	-	-	-
Transfers to governmental funds	(708,570)	(490,540)	(44,115)	(430,528)	-
Transfers from (to) General Fund	(708,570)	(490,540)	(44,115)	(430,528)	-
Excess of revenues and other sources over (under) expenditures and other uses	(1,875,227)	(2,207,977)	(4,033,703)	(708,756)	-
Projected fund balance, beginning of year	8,825,663	6,950,436	4,742,459	708,756	-
Projected fund balance, end of year	6,950,436	4,742,459	708,756	-	-

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Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Year to Date (July) 2019	Budget 2020
Future Capital Improvements, Roads, Buildings, Other					
Revenues:					
Miscellaneous:					
Interest	-	-	-	-	-
Total revenues	-	-	-	-	-
Expenditures:					
Debt Service	-	-	-	-	-
Capital Outlay	-	-	-	-	4,143,588
Excess of revenues over (under) expenditures	-	-	-	-	(4,143,588)
Other financing sources (uses):					
Debt proceeds net premium	-	-	-	-	-
Transfers from other funds	-	-	-	-	4,143,588
Transfers to other funds	-	-	-	-	-
Transfers from (to) General Fund	-	-	-	-	4,143,588
Excess of revenues and other sources over (under) expenditures and other uses	-	-	-	-	-
Projected fund balance, beginning of year	-	-	-	-	-
Projected fund balance, end of year	-	-	-	-	-

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Enterprise Funds

Enterprise Funds are established to account for the financing of self-supporting enterprises that render goods or services to the public at large on a consumer charge basis. Accounting for the operations of such funds is similar to that of a private, profit-making business.

Electric Utility Fund - This fund is used to account for the activities of the government's electric distribution operations.

Telecommunication Fund - This fund is used to account for the activities of the government's telecommunication activities.

1965 Sewer System fund - This fund is used to account for the activities of the government's wastewater treatment operations.

Solid Waste Collection Fund - This fund is used to account for the activities of the government's solid waste collection activities.

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Enterprise Funds:					
Opelika Power Services:					
Electric Utility Fund:					
Operating revenues:					
Charges for services	42,608,231	42,049,061	43,782,051	42,824,671	44,838,500
Operating expenses:					
Power purchased	28,041,881	28,043,694	29,191,511	28,370,238	30,200,000
Depreciation	2,888,692	3,166,750	2,973,243	2,877,036	3,600,000
Personnel services	3,100,913	3,042,502	2,875,992	3,463,508	4,199,307
Other	1,879,208	1,760,037	2,103,904	2,355,717	3,101,404
Services provided by other funds	158,352	394,530	347,622	307,227	287,935
Total operating expenses	36,069,046	36,407,513	37,492,272	37,373,726	41,388,646
Operating income	6,539,185	5,641,548	6,289,779	5,450,945	3,449,854
Nonoperating revenues (expenses):					
Interest revenues	47,368	277,002	461,332	457,797	375,000
Miscellaneous revenues	268,950	1,356,925	1,008,057	578,609	250,000
Sale of fixed assets	(11,918)	35,773	(65,561)	30,698	25,000
Interest expense and fiscal charges	(1,435,652)	(1,435,652)	(1,390,069)	(1,628,157)	(1,272,187)
Other expenses	-	-	-	-	-
Total nonoperating revenue (expenses)	(1,131,252)	234,048	13,759	(561,053)	(622,187)
Income before operating transfers	5,407,933	5,875,596	6,303,538	4,889,892	2,827,667

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Opelika Power Services:					
Electric Utility Fund:					
Operating transfers in (out):					
Capital Contributions	99,700	477,770	411,775	1,047,192	300,000
To other funds	(3,000,000)	(3,000,000)	(2,997,769)	(3,000,000)	(3,000,000)
	<u>(2,900,300)</u>	<u>(2,522,230)</u>	<u>(2,585,994)</u>	<u>(1,952,808)</u>	<u>(2,700,000)</u>
Income before extraordinary item	2,507,633	3,353,366	3,717,548	2,937,088	127,667
Extraordinary loss	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Change in net assets	2,507,633	3,353,366	3,717,548	2,937,088	127,667
Net Assets, beginning of year	36,356,507	38,864,140	40,597,029	43,983,951	46,921,039
Prior Period Adjustment	<u>-</u>	<u>(1,620,477)</u>	<u>(330,632)</u>	<u>-</u>	<u>-</u>
Projected Retained Earnings/Net Assets	<u><u>38,864,140</u></u>	<u><u>40,597,029</u></u>	<u><u>43,983,951</u></u>	<u><u>46,921,039</u></u>	<u><u>47,048,706</u></u>

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Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Opelika Power Services:					
Telecommunications Fund:					
Operating revenues:					
Charges for services	4,748,841	5,467,753	6,807,863	603,274	-
Operating expenses:					
Telecommunication Purchases	2,653,282	2,341,253	2,609,178	245,587	-
Depreciation	1,172,422	2,111,817	2,380,629	137,276	-
Personnel services	627,119	899,892	958,934	145,681	-
Other	1,021,502	1,182,102	1,239,760	1,288,640	-
Services provided by other funds	249,512	51,975	51,975	7,279	-
Total operating expenses	5,723,837	6,587,039	7,240,476	1,824,463	-
Operating income	(974,996)	(1,119,286)	(432,613)	(1,221,189)	-
Nonoperating revenues (expenses):					
Interest revenues	476	3,284	9,839	28,077	-
Miscellaneous revenues	30,479	70,097	42,957	6,477	-
Sale of fixed assets	-	-	-	4,969,137	-
Interest expense and fiscal charges	(388,669)	(527,415)	(550,453)	(30,458)	(326,125)
Total nonoperating revenues (expenses)	(357,714)	(454,034)	(497,657)	4,973,233	(326,125)
Income before operating transfers	(1,332,710)	(1,573,320)	(930,270)	3,752,044	(326,125)

*2019 Projection is not adjusted for all close out journal entries from sale to Point Broadband, LLC

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Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Opelika Power Services:					
Telecommunications Fund:					
Operating transfers in (out):					
Capital Contributions	-	20,888	6,842	-	-
System Repairs Reimbursement	-	3,732	13,408	-	-
From other funds	-	-	-	-	-
To other funds	-	-	-	-	-
Net income (Loss) before extraordinary item	(1,332,710)	(1,548,700)	(910,020)	3,752,044	(326,125)
Extraordinary loss	-	-	-	-	-
Net income (Loss)	(1,332,710)	(1,548,700)	(910,020)	3,752,044	(326,125)
Net Assets, beginning of year	(6,293,972)	(7,626,682)	(13,424,968)	(14,411,978)	(10,659,934)
Prior Period Adjustment	-	(4,249,586)	(76,989)	-	-
Net Assets, end of year	<u>(7,626,682)</u>	<u>(13,424,968)</u>	<u>(14,411,978)</u>	<u>(10,659,934)</u>	<u>(10,986,059)</u>

*2019 Projection is not adjusted for all close out journal entries from sale to Point Broadband, LLC

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
1965 Sewer System Fund:					
Operating revenues:					
Charges for services	4,476,571	4,765,414	4,725,060	4,652,590	4,702,000
Operating expenses:					
Depreciation	1,021,277	1,009,671	998,326	1,059,448	1,010,867
Personnel services	3,744	3,744	3,744	1,872	-
Other	2,098,817	2,187,560	2,488,647	2,140,710	2,089,682
Services provided by other funds	30,158	30,158	30,158	42,033	44,284
Total operating expenses	3,153,996	3,231,133	3,520,875	3,244,063	3,144,833
Operating income	1,322,575	1,534,281	1,204,185	1,408,527	1,557,167
Nonoperating revenues (expenses):					
Interest revenues	6,388	13,576	59,960	91,020	45,000
Miscellaneous revenues	272	4,711	5,509	10,009	-
Sale of fixed assets	-	-	1,565	-	-
Interest expense and fiscal charges	(300,347)	(287,725)	(269,416)	(280,304)	(280,798)
Other expenses	-	-	-	-	-
Total nonoperating revenues (expenses)	(293,687)	(269,438)	(202,382)	(179,275)	(235,798)

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Annual Budget

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	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
1965 Sewer System Fund:					
Income before operating transfers	1,028,888	1,264,843	1,001,803	1,229,252	1,321,369
Operating transfers in (out):					
Capital Contributions	76,963	75,787	74,843	4,124,143	75,000
From general fund	-	-	-	-	-
	<u>76,963</u>	<u>75,787</u>	<u>74,843</u>	<u>4,124,143</u>	<u>75,000</u>
Net income before extraordinary item	1,105,851	1,340,630	1,076,646	5,353,395	1,396,369
Extraordinary loss	-	-	-	-	-
Net income (Loss)	1,105,851	1,340,630	1,076,648	5,353,395	1,396,369
Net Assets, beginning of year	<u>26,612,104</u>	<u>27,717,955</u>	<u>29,058,585</u>	<u>30,135,233</u>	<u>35,488,628</u>
Projected Net Assets, end of year	<u><u>27,717,955</u></u>	<u><u>29,058,585</u></u>	<u><u>30,135,233</u></u>	<u><u>35,488,628</u></u>	<u><u>36,884,997</u></u>

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Solid Waste Collection Fund:					
Operating revenues:					
Charges for services	2,683,463	2,865,189	3,199,498	3,381,992	3,494,678
Operating expenses:					
Landfill dumping charges	431,048	472,468	464,124	420,000	580,000
Depreciation	228,161	248,967	276,230	325,445	324,000
Personnel services	1,210,968	1,278,037	1,193,710	1,414,388	1,504,708
Other	388,331	410,041	471,733	551,830	914,778
Services provided by other funds	122,634	122,674	122,634	167,199	178,075
Total operating expenses	2,381,142	2,532,187	2,528,431	2,878,862	3,501,561
Operating income	302,321	333,002	671,067	503,130	(6,883)
Nonoperating revenues (expenses):					
Interest revenues	454	3,460	10,286	3,000	3,000
Miscellaneous revenues	36,281	70,359	65,826	8,182	4,000
Sale of fixed assets	85,415	13,393	47,234	-	-
Grant income	99,180	24,961	9,487	-	-
Other expenses	-	-	-	-	-
Total nonoperating revenues (expenses)	221,330	112,173	132,833	11,182	7,000
Income before operating transfers	523,651	445,175	803,900	514,312	117

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City of Opelika

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Fiscal year ending September 30, 2020

	Actual 2016	Actual 2017	Actual 2018	Projection (July) 2019	Budget 2020
Solid Waste Collection Fund:					
Operating transfers in (out):					
From general fund	-	-	-	-	-
Net income (Loss) before extraordinary item	523,651	445,175	803,900	514,312	117
Extraordinary loss	-	-	-	-	-
Net income (Loss)	523,651	445,175	803,900	514,312	117
Net Assets, beginning of year	(103,918)	419,733	864,909	1,546,843	2,061,155
Prior Period Adjustment	-	-	(121,966)	-	-
Net Assets, end of year	419,733	864,909	1,546,843	2,061,155	2,061,272

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Capital Outlay Section

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City of Opelika

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Capital outlay:

General Fund:

Capital outlay - equipment, improvements and projects (exhibit A)
 ADA Sidewalk Compliance Project
 Resurfacing:

Total General Fund Capital Outlay

<u>Resurfacing</u>	<u>Capital Outlay</u>
\$ -	\$ 3,014,013
\$ -	\$ 2,000,000
<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>
	<u>\$ 6,514,013</u>

Special Funds Capital Outlay:

Resurfacing:

State Gasoline Tax Fund 4 & 5 cent
 State Gasoline Tax Fund 7 cent
 Capital Improvement Fund

Total Special Funds Capital Outlay

\$ 66,000	\$ 66,000
\$ 72,000	\$ 72,000
<u>\$ 247,575</u>	<u>\$ 247,575</u>
	<u>\$ 385,575</u>

Capital Projects Fund Capital Outlay

Opelika Corrections Fund

Total Capital Projects Fund Capital Outlay

<u>\$ 105,000</u>
<u>\$ 105,000</u>

Total General Fund, Special Funds & Capital Projects Fund Capital Outlay

<u>\$ 7,004,588</u>

Total Resurfacing

\$ 1,885,575

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Capital outlay:

Enterprise Funds:

Electric Utility Fund:

	Capital Outlay
Land and Buildings	\$ 365,000
Trucks & Equipment	\$ 925,000
Construction	\$ 6,000,000
Total electric Utility Fund fixed assets and system expansion	<u>\$ 7,290,000</u>

1965 Sewer System Fund:

Capital Outlay Equipment and Projects	\$ 1,850,000
Total 1965 Sewer System Fund fixed assets and system expansion	<u>\$ 1,850,000</u>

Solid Waste Collection Fund:

Capital Outlay Equipment	\$ 375,000
Total Solid Waste Collection Fund fixed assets	<u>\$ 375,000</u>

Total City of Opelika Capital Outlay	<u>\$ 16,624,588</u>
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Human Resources Section

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Annual Budget

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Human Resources:

	<u>Budgeted Positions</u>	
	<u>Full Time</u>	<u>Part Time</u>
General Fund:		
General Government:		
Mayor:		
Mayor	1	
Administrative Asst to Mayor	1	
City Attorney:		
City Attorney		1
Legal Secretary	1	
Administration:		
City Administrator	1	
Legislative		
City Clerk/Treasurer	1	
Council Members		5
Other:		
Revenue:		
Code Compliance Officer	2	1
Revenue Assistant	2	
Community Relations:		
Community Relations Officer	1	
Community Relations Coordinator	1	
Accounting:		
Controller	1	
Assistant Controller	1	
Senior Accountant	1	
Accountant	1	
Accounting Technician I	1	
Accounting Technician II	2	

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Human Resources:

	<u>Budgeted Positions</u>	
	<u>Full Time</u>	<u>Part Time</u>
General Fund (continued):		
General Government (continued):		
Other (continued):		
Information Technology:		
Chief Technology Officer	1	
Administrative Assistant	1	
GIS Administrator	1	
GIS Associate	1	
GIS Intern		1
IT Technical Specialist II	1	
Senior Systems Administrator	2	
Systems Administrator	1	
Systems Support Specialist	1	
Judicial:		
Court Clerk	1	
Court Magistrate	4	
Human Resources Administration:		
Human Resources Director	1	
Human Resources Analyst	2	
Human Resources Administrative Clerk	1	

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Human Resources:

Budgeted Positions

General Fund (continued):

General Government (continued):

Other (continued):

Planning:

Planning Director

1

Assistant Planning Director

1

ADA Compliance Officer

1

Community Development Administrator

1

Planning and Zoning Technician

1

Planner I

1

Purchasing:

Purchasing Agent / Revenue Manager/Codes Mgr

1

Buyer I

1

Buyer II

1

Stores Manager

1

Building Service Worker

1

Public Safety:

Police:

Chief of Police

1

Assistant Chief of Police

1

Administrative Coordinator

1

Identification Technician

1

Inmate Work Detail - Evidence Clerk

2

Police Captain

3

Hwy Traffic Safety Manager, Grant Employee

1

9/3/2019 8:32 AM

City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Human Resources:

	<u>Budgeted Positions</u>	
	<u>Full Time</u>	<u>Part Time</u>
General Fund (continued):		
Public Safety (continued):		
Police:		
Police Lieutenant	6	
Police Detective	11	
Police Officer	49	
Police Records Clerk	3	
Police Sergeant	15	
School Crossing Guard		4
Communications:		
Communications Operator	14	
Communications Supervisor	1	
Fire:		
Fire Chief	1	
Administrative Coordinator	1	
Fire Captain - Inspector	1	
Fire Captain - Training Officer	1	
Fire Inspector	1	
HazMat Coordinator/AO	1	
Apparatus Operator Sergeant	15	
Battalion/Assistant Fire Chief	3	
Fire Captain	6	
Fire Lieutenant	6	
Fire Fighter	34	

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Human Resources:

	<u>Budgeted Positions</u>	
	<u>Full Time</u>	<u>Part Time</u>
General Fund (continued):		
Probations:		
Senior Probation Officer	1	
Probation Officer	1	
Public Works:		
Highways and Streets:	ESG	
Other:		
Administration:	ESG	
Cemetery:	ESG	
Automotive shop:	ESG	
Building maintenance:	ESG	
Inspection:		
Chief Building Inspector	1	
Building Inspector	3	
Permit Technician	2	
Grounds Maintenance:	ESG	
Engineering:		
City Engineer	1	
Assistant City Engineer	1	
Administrative Assistant	1	
Engineer Stormwater Coordinator	1	
Registered Land Surveyor	1	
Engineering Technician	1	

Attachment: CM 9-03-19, updated FY2020 City Budget - Final, 9-03-19 (258-19 : Approval of City budget

9/3/2019 8:32 AM

City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Human Resources:

	<u>Budgeted Positions</u>	
	<u>Full Time</u>	<u>Part Time</u>
General Fund (continued):		
Health:		
Animal Control:		
Animal Control Officer	1	
Culture and Recreation:		
Parks and Recreation:		
Parks and Recreation Director	1	
Assistant Parks & Recreation Director	1	
Sportsplex Manager	1	
Administrative Coordinator	1	
Athletics Coordinator	1	
Building Service Worker	4	
Parks and Recreation Marketing Membership	1	
Recreation Customer Service Rep	2	
Parks and Recreation Area Manager	2	
Parks and Recreation Center Assistant	2	
Adult Activities Coordinator	1	
Aquatics Coordinator	1	
Center Supervisor	3	
Fitness Coordinator	1	
Programs & Special Activities Coordinator	1	
Maintenance Coordinator	1	

Attachment: CM 9-03-19, updated FY2020 City Budget - Final, 9-03-19 (258-19 : Approval of City budget

9/3/2019 8:32 AM

City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Human Resources:

		<u>Budgeted Positions</u>	
		<u>Full Time</u>	<u>Part Time</u>
General Fund (continued):			
Culture and Recreation:			
Parks and Recreation:			
Receptionist		2	
Tennis Pro		1	
Tumbling Manager		1	
Springvilla Manager		1	
Head Swim Coach		1	
Part Time Temporary			Employment Service
Library:			
Children's Specialist		1	
Circulation Specialist		1	
Library Assistant I			4
Library Assistant II		1	
Library Assistant III		3	
Library Director		1	
Assistant Library Director		1	
Economic Development:			
Economic Development Director		1	
Administrative Assistant		1	
Economic Development Project Manager		1	
Total Governmental Funds employees		<u>282</u>	<u>16</u>

Attachment: CM 9-03-19, updated FY2020 City Budget - Final, 9-03-19 (258-19 : Approval of City budget

9/3/2019 8:32 AM

City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Human Resources:

		<u>Budgeted Positions</u>	
		<u>Full Time</u>	<u>Part Time</u>
Enterprise Funds:			
Opelika Power Services:			
Electric Utility Fund:			
Opelika Power Services Director		1	
Manager of Distribution Service/Asst Director		1	
Administrative Coordinator		1	
Distribution Engineering Rep		1	
Electrical Distribution Supervisor		1	
GIS Technician		1	
Senior Distribution Engineer		1	
Warehouse Manager		1	
Warehouse Technician		1	
Apprentice Lineman I, II & III		8	
Electronics Technician		2	
Journeyman Lineman		8	
Senior Electronics Technician		1	
Senior Network Engineer		1	
Line Supervisor		3	
Customer Service:			
Customer Service Representative		2	
Senior Utility Technician		1	
Customer Service Manager		1	
Senior Customer Service Representative		1	
Utility Billing Technician		1	
Total Electric Utility Fund employees		<u>36</u>	

Attachment: CM 9-03-19, updated FY2020 City Budget - Final, 9-03-19 (258-19 : Approval of City budget

9/3/2019 8:32 AM

City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Human Resources:

Enterprise Funds:

1965 Sewer System Fund:

Total 1965 Sewer System Fund employees

Solid Waste Collection Fund:

Solid Waste Director

Administrative Clerk

Solid Waste Supr/Sanitation Officer

Knuckleboom Operator

Motor Vehicle Operator

Refuse Equipment Operator

Senior Refuse Operator

Solid Waste Superintendent

Solid Waste Maintenance Coordinator

Solid Waste Collection Fund Recycling:

Motor Vehicle Operator

Solid Waste Worker

Total Solid Waste Employees

Total Enterprise Funds employees

Total City of Opelika employees

Budgeted PositionsFull
TimePart
Time

ESG

ESG

1

1

8

4

2

1

1

1

1

20

0

56

0

338

16

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Capital Requests FY 2020

Dept	Org	Obj	Description	Total
ADMIN	19315	97002	Building Maint/Renovation	\$ 100,000
ADA Projects	19333	98050	ADA Compliance	\$ 2,000,000
INFO TECH	19319	97004	Cisco Switches	\$ 100,000
INFO TECH	19319	97004	Camera System (City Wide)	\$ 100,000
INFO TECH	19319	97004	Smart Street Lights / LED's + Analytics	\$ 200,000
INFO TECH	19319	97004	Data Storage Replacement	\$ 275,000
INFO TECH	19319	97004	MUNIS - time clocks software	\$ 150,000
INFO TECH	19319	97004	Security System Upgrades	\$ 250,000
INFO TECH	19319	97004	Aerials for GIS	\$ 85,000
P&R	19351	97004	Dog Park Agility Equipment	\$ 10,000
P&R	19351	97003	Fence Work Covington Baseball Field	\$ 40,000
LIBRARY	19355	97004	Bibliobike	\$ 7,000
PLANNING	19319	97005	Tahoe	\$ 35,000
FIRE	19322	97004	Smartboard for Training Center	\$ 12,000
FIRE	19322	97005	Rescue truck to replace old truck	\$ 260,000
POLICE	19321	97005	Tahoes (3)	\$ 129,000
POLICE	19321	97005	Ford Transit XL 15 Passenger Van	\$ 33,156
POLICE	19321	97005	Tahoes (7)	\$ 448,000
POLICE	19321	89012	Evidence and Document Scanning	\$ 120,000
PUBWKS	19339	97005	Ford F150 Truck	\$ 24,890
PUBWKS	19339	97004	Sportsplex Steam Room Boilers (2)	\$ 13,390
PUBWKS	19339	97003	Evergreen Cemetery Fence	\$ 13,000
PUBWKS	19339	97005	Kubota M5-111 Cab Tractor	\$ 52,559
PUBWKS	19339	97004	Side Cutting and Spraying	\$ 50,000
PUBWKS	19339	97004	Zero turn mowers (2)	\$ 21,068
PUBWKS	19339	97003	School Zone lights	\$ 120,000
PUBWKS	19339	97004	Lighted Intersection Signs	\$ 54,000

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City of Opelika

Annual Budget

Fiscal year ending September 30, 2020

Capital Requests FY 2020 (continued)

Dept	Org	Obj	Description	Total
PUBWKS	19339	97004	Equipment Trailer	\$ 4,550
PUBWKS	19339	97005	Street Sweeper	\$ 281,400
ENG	19333	97004	Robotic Total Station survey device	\$ 25,000
ENG	19333	99049	Resurfacing Streets	\$ 1,500,000
			Total Capital	<u>\$ 6,514,013</u>

Attachment: CM 9-03-19, updated FY2020 City Budget - Final, 9-03-19 (258-19 : Approval of City budget

RESOLUTION NO. 259-19

Agreement with SUSCC, Use of Sportsplex

RESOLUTION NO. _____

**RESOLUTION APPROVING INTERLOCAL AGREEMENT FOR USE OF FACILITIES
BETWEEN THE CITY OF OPELIKA, ALABAMA
AND SOUTHERN UNION STATE COMMUNITY COLLEGE**

WHEREAS, the City of Opelika, Alabama (the “City”) is the owner of the Opelika Sportsplex and Aquatics Center (hereinafter referred to as the “Sportsplex”) located at 1001 Andrews Road; and

WHEREAS, Southern Union State Community College (the “College”) offers academic, technical, health science and social science programs to post-secondary students in the East Central Alabama region; and

WHEREAS, the College has a campus located at 1701 LaFayette Parkway, Opelika, Alabama, which has an enrollment of over 4,000 students; and

WHEREAS, in order to provide its students and employees a facility for traditional and progressive recreation programs, the College desires to participate in the use of the Sportsplex through membership privileges; and

WHEREAS, a proposed Interlocal Agreement for Use of Facilities (hereinafter the “Agreement”) to be entered into between the City and the College has been prepared and submitted to the City Council for approval and the City Council has determined that it is now in the best interest of the City and its citizens to approve said Agreement.

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

Alabama, as follows:

1. That the proposed Interlocal Agreement for Use of Facilities to be entered into between the City and the College, a copy of which is attached hereto 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 Agreement.

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

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

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

ADOPTED AND APPROVED this the _____ day of _____, 2019.

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

ATTEST:

CITY CLERK

**INTERLOCAL AGREEMENT FOR USE OF FACILITIES
BETWEEN THE CITY OF OPELIKA, ALABAMA AND
SOUTHERN UNION STATE COMMUNITY COLLEGE**

THIS INTERLOCAL AGREEMENT FOR THE USE OF FACILITIES (the “Agreement”) is hereby made and entered into this the ____ day of September, 2019, by and between the City of Opelika, Alabama, a municipal corporation under the laws of the State of Alabama (hereinafter referred to as “City”, and Southern Union State Community College, a State of Alabama institution of post-secondary education (hereinafter referred to as the “College”). The City and the College are sometimes collectively referred to as the “Parties”.

RECITALS

WHEREAS, the City is the owner of the Opelika Sportsplex and Aquatic Center (hereinafter referred to as the “Sportsplex”) located at 1001 Andrews Road; and

WHEREAS, the state-of-the-art Sportsplex includes a modern aquatics center, a weight room that features a free weight area and superior strength training equipment, a cardiovascular area, a gymnasium, indoor racquetball courts, an indoor track, an outdoor track, a tumble tree disk golf course, a soccer complex and a new covered twelve-court pickleball complex; and

WHEREAS, the College offers academic, technical, health science and social science programs to post-secondary students in the East Central Alabama region; and

WHEREAS, the College has a campus located at 1701 LaFayette Parkway, Opelika, Alabama, which has an enrollment of over 4,000 students; and

WHEREAS, in order to provide its students and faculty a facility for traditional and progressive recreational programs, the College desires to participate in the use of the Sportsplex through membership privileges; and

WHEREAS, the students and employees of the College will derive substantial benefits from the activities and programs offered at the Sportsplex.

NOW, THEREFORE, in contemplation of the mutually beneficial relationship to be established and the mutual promises and covenants contained herein, the sufficiency of which is hereby agreed and accepted, the Parties agree as follows:

Section 1. Recitals. The foregoing recitals are an effective and operative part of this Agreement.

Section 2. Term. This Agreement shall be effective for a period of one (1) year beginning August 18, 2019 and ending August 17, 2020.

Section 3. Agreements and Obligations of the College.

(a) The College shall pay to the City the sum of \$15,000, payable in one lump sum payment on or before October 1, 2019. The College's contribution shall be used by the City to reduce the cost of student and employee Sportsplex membership fees.

(b) On a semester basis, or at such intervals as may be requested, the College shall provide the City a digital list of current students enrolled at the Opelika campus and a current roster of employees of the College

Section 4. Agreements and Obligations of the City.

(a) During the term of this Agreement, the City will use the Sportsplex for the operation of a recreational facility in substantially the manner that it is being used at the commencement of the term of this Agreement.

(b) During the term of this Agreement, the City shall offer discounted individual and family Sportsplex memberships to all current students of the College enrolled at the Opelika campus and all employees of the College at the following discounted membership fees:

Individual/Single Memberships (Per Semester)

- \$80.00 for Fall and Spring Semesters
- \$60.00 for Summer Semester

Family Memberships (Per Semester)

- \$120.00 for Fall and Spring Semesters
- \$90.00 for Summer Semester

(c) The College's students and employees may use the Sportsplex facility on the same basis as all other members. Students and employees must comply with all policies governing the use of the facility.

(d) If, during the term of this Agreement, more than 200 students purchase memberships in the Sportsplex for any semester, the City will rebate back to the College the sum of \$1,000 for each such semester. The total maximum rebate to the College is \$3,000 (\$1,000 for each semester that the number of student memberships exceed 200). Any amounts rebated back to the College shall be used exclusively for student activities.

(e) On a semester basis, or at such other intervals as may be requested, the City shall provide to the College digital copies of the current student and faculty memberships in the Sportsplex.

Section 5. Open Records. The College acknowledges that the City is required to comply with the Alabama Public Records Act codified in Sections 36-12-40 and 36-12-41, *Code of Alabama*, 1975. Under the Public Records Act, this Agreement

and documents related to this Agreement, which are in the City's possession or which the City has access, are presumed to be public, and the City may release these records to the public unless an exception described in the Act applies to a document.

Section 6. Non-Discrimination. The Parties agree to comply with all federal, state and local rules, regulations, executive orders and laws forbidding unlawful discrimination.

Section 7. Further Assurances. The Parties agree to execute and deliver any additional papers, documents and other assurances and take all acts that are reasonably necessary to carry out the intent of this Agreement.

Section 8. Agreement Governed by Alabama Law. It is the intention of the parties hereto that this Agreement shall in all respects be governed by the laws of the State of Alabama.

Section 9. Severability. In the event that any provision hereof shall be held invalid or unenforceable by any court of competent jurisdiction, such holdings shall not invalidate or render unenforceable any other provisions hereof.

Section 10. Notices. All notices, requests and other communications to be given or made hereunder shall be deemed sufficient and properly given and made, if in writing and sent by United States Registered or Certified Mail, postage prepaid, addressed as follows:

If to the City:

City of Opelika
Attn: Gary Fuller, Mayor
701 South 7th Street
Opelika, AL 36801

If to the College:

Southern Union State Community College
Attn: Todd Shackett, President
1701 LaFayette Parkway
Opelika, AL 36801

The City and the College may, by like notice, designate any further or different addresses to which subsequent notices shall be sent.

By signing this contract, the contracting parties affirm, for the duration of this agreement, that they will not violate federal immigration law or knowingly employ, hire, for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of this agreement and shall be responsible for all damages resulting there from.

IN WITNESS WHEREOF, the City and the College have caused this Agreement to be executed in their respective corporate names by their duly authorized officers, have caused this Agreement to be attested by their duly authorized officers, all in two counterparts, each of which will be deemed an original, and the City and the College have caused this Agreement to be dated the ____ day of September, 2019.

THE CITY OF OPELIKA, ALABAMA.
A municipal corporation

By: _____
GARY FULLER, ITS MAYOR

ATTEST:

ROBERT G. SHUMAN,
CITY CLERK

SOUTHERN UNION STATE
COMMUNITY COLLEGE

By: _____
TODD SHACKETT, ITS PRESIDENT

APPROVED:

CHANCELLOR,
ALABAMA COMMUNITY
COLLEGE SYSTEM

RESOLUTION NO. 260-19

Infrastructure Funding Agreement with Opelika Utilities

RESOLUTION NO. _____

**RESOLUTION APPROVING INFRASTRUCTURE FUNDING AGREEMENT WITH
THE UTILITIES BOARD OF THE CITY OF OPELIKA, ALABAMA**

WHEREAS, the City of Opelika, Alabama (the “City”) intends to design and construct street, sidewalk and intersection improvements in the areas on and around Geneva Street, Carver Avenue, Clanton Street, and McCoy Street; and

WHEREAS, the City and the Utilities Board of the City of Opelika, Alabama (the “Board”) have determined that it is mutually beneficial to include roadway rehabilitation/reconstruction, sidewalk improvements and water main replacements within the scope of the project; and

WHEREAS, the City has requested assistance from the Board, and the Board is willing to commit funds to the project; and

WHEREAS, the City Council has been furnished a copy of an Infrastructure Funding Agreement to be entered into by and between the City and the Board; and

WHEREAS, the City Council has determined that the general terms of such Agreement are acceptable to the Council in principal.

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

1. That the proposed Infrastructure Funding Agreement (the “Agreement”) to be entered into between the City and the Board, a copy of which is attached hereto 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 Agreement.

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

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

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

ADOPTED AND APPROVED this the _____ day of _____, 2019.

PRESIDENT OF THE CITY COUNCIL
OF THE CITY OF OPELIKA

ATTEST:

CITY CLERK

**INFRASTRUCTURE FUNDING AGREEMENT BETWEEN THE CITY OF OPELIKA
AND THE UTILITIES BOARD OF THE CITY OF OPELIKA**

This **INFRASTRUCTURE FUNDING AGREEMENT** (the “Agreement”) is made and entered into as of September ____, 2019, by and between the **CITY OF OPELIKA, ALABAMA**, an Alabama municipal corporation (the “City”) and **THE UTILITIES BOARD OF THE CITY OF OPELIKA**, a public corporation (the “Board”). The City and the Board are sometimes also referred to collectively as the “Parties”.

RECITALS

WHEREAS, the City and the Board have determined to work together in good faith in their respective capital improvements which may impact each other; and

WHEREAS, the City intends to design and construct street, sidewalk and intersection improvements in areas on and around Geneva Street, Carver Avenue, Clanton Street and McCoy Street (the “Project Area”); and

WHEREAS, the Board is responsible for the operation, maintenance, repair and replacement of water mains; and

WHEREAS, the City and the Board have determined that it will be mutually beneficial to include roadway rehabilitation/reconstruction, sidewalk improvements and water main replacements within the scope of the Project; and

WHEREAS, the City has requested the assistance of the Board, and the Board is willing to commit funds to the Project; and

WHEREAS, the parties agree that an Infrastructure Funding Agreement is appropriate; and

WHEREAS, pursuant to the applicable laws of the State of Alabama and for the purposes referenced herein, the City and the Board have delivered this Agreement.

AGREEMENT

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants and agreements herein contained, the City and the Board hereby covenant and agree as follows:

ARTICLE 1

DEFINITIONS

For the purposes of this Agreement, the following terms shall have the following meanings:

“City” shall mean the City of Opelika, Alabama.

“Board” or the “Board” shall mean The Utilities Board of the City of Opelika, a public corporation.

“Board contribution” shall have the meaning set forth in Section 3.

“Project” shall mean the total sum of work defined in the bid specifications including the following work:

1. Realigning, rebuilding and reconstructing Clanton Street at the intersection of Clanton Street and McCoy Street.
2. Rebuilding Geneva Street from McCoy Street to Vaughn Avenue.
3. Installing a sidewalk from Carver Avenue to Clanton Street.
4. Replacing the existing water main on Clanton Street from Carver Avenue to McCoy Street with six-inch ductile iron pipe with valves and service lines.
5. Replacing the existing water main on Geneva Street from McCoy Street to Columbus Parkway with six-inch ductile iron pipe with valves and service lines.

ARTICLE 2

AGREEMENTS AND OBLIGATIONS OF CITY

Section 2.01 Description of Obligations.

- (1) The City hereby agrees to duly and punctually observe and perform all agreements under this Agreement.
- (2) The City shall engage, at its sole cost, a civil engineering firm registered in the State of Alabama to prepare detailed plans and specifications for the complete construction of the Project in accordance with the City's engineering specifications and standards. The specifications shall include a separate line item for water main replacement within the Project Area.
- (3) The City shall advertise, receive bids and award a contract for the construction of the Project and cause the Project to be constructed in accordance with plans and specifications approved jointly by the City and the Board.
- (4) The City agrees to assume the overall Project responsibility including assuring that all permits as may be required by the Project are secured. The parties hereto agree to cooperate with timely acquisition and clearance of said permits.
- (5) The City agrees that on or before July 30, 2020, it shall construct or cause the Project to be constructed in accordance with the City's design standards and specifications.
- (6) The City agrees to pay all costs and expenses incurred by the City in connection with the construction of the Project, subject to reimbursement by the Board as hereinafter stipulated.

(7) Upon completion of the Project, the City agrees, at its sole cost and expense, to maintain the streets and sidewalks within the Project Area.

(8) The City agrees to indemnify, hold harmless and defend the Board, its officials, representatives, agents, servants and employees from and against all claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from the construction of the Project improvements.

ARTICLE 3

AGREEMENTS AND OBLIGATIONS OF THE BOARD

Section 3.01 Description of Obligations.

(1) The Board hereby agrees to duly and punctually observe and perform all agreements under this Agreement.

(2) The Board shall engage, at its sole cost, a civil engineering firm registered in the State of Alabama to prepare detailed plans and specifications for the replacement of water mains in the Project Area. These plans and specifications shall be incorporated into the scope of work in the bid documents.

(3) The Board agrees to reimburse the City for all costs associated with the water main replacements within the Project Area. The estimated cost for the replacement of water mains is \$407,000.

(4) The Board agrees that upon completion of the Project and receipt of an invoice from the City to pay to the City an amount equal to all costs associated with the water main replacements within the Project Area.

(5) Upon completion of the Project, the Board agrees, at its sole expense, to maintain the water mains within the Project Area.

ARTICLE 4

SPECIAL AGREEMENTS OF THE PARTIES

(1) The obligations and agreements of the parties hereunder are contingent and subject to the following:

- (a) Approval of this Agreement by the Opelika City Council.
- (b) Approval of this Agreement by the Board of Directors of the Board.

ARTICLE 5

PROVISIONS OF GENERAL APPLICATION

Section 5.01 Prior Agreements.

This Agreement shall completely and fully supersede all other prior agreements, both written and oral, among the parties hereto relating to the matters contained herein. None of the parties hereto shall hereafter have any rights under any such prior agreements but shall look to this Agreement for definition and determination of all of their respective rights, liabilities and responsibilities relating to the matters contained herein.

Section 5.02. Counterparts.

This Agreement may be executed in counterparts, each of which shall constitute but one and the same agreement.

Section 5.03. Binding Effect; Governing Law

(1) This Agreement shall inure to the benefit of and shall be binding upon the parties hereto and their respective their successors and assigns.

(2) This Agreement shall be governed exclusively by the laws of the State of Alabama.

Section 5.04. Notices.

(1) All notices, demands, consents, certificates or other communications hereunder shall be in writing, shall be sufficiently given and shall be deemed given when delivered personally to a party or to an officer of the party to whom the same is directed or mailed by registered or certified mail, postage prepaid, or sent by overnight courier, addressed to:

(a) If to the City: City of Opelika
204 South 7th Street
Opelika, AL 36801
ATTN: Mayor

(b) If to the Board: The Utilities Board of the City of Opelika
4055 Water Street
Opelika, AL 36801
ATTN: Chairman

(2) Any such notice or other document shall be deemed to be received as of the date delivered, if delivered personally, or as of three (3) days after the date deposited in the mail, if mailed, or the next business day, if sent by overnight courier.

Section 5.05. Amendments.

This Agreement may be amended or supplemented only by an instrument in writing duly authorized, executed and delivered by the parties hereto.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the day and date first above written.

THE CITY OF OPELIKA, ALABAMA

By: _____
GARY FULLER, ITS MAYOR

ATTEST:

CITY CLERK

THE UTILITIES BOARD OF THE
CITY OF OPELIKA, ALABAMA

BY: _____
JEFFERY A. HILYER, CHAIRMAN

ATTEST:

HERBERT SLAUGHTER, SECRETARY

ORDINANCE NO. (ID # 3664)

Lease agreement with East Central Alabama Highway Safety Office - 1st 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, 2019 and ending on September 30, 2020.

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 _____, 2019.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR this the ____ day of _____, 2019.

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2019.

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, 2019 (the “Effective Date”) by and between the City of Opelika, Alabama, a Municipal Corporation, (hereinafter referred to as “**LANDLORD**”), and East Central Alabama 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, 2020.
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, 2019 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 ALABAMA
HIGHWAY SAFETY OFFICE

TERRY HENDERSON, ITS DIRECTOR
TENANT

ORDINANCE NO. (ID # 3680)

Amendments to the Personnel Policies and Procedures Manual - 1st Reading.

ORDINANCE NO. _____

**AN ORDINANCE APPROVING AND ADOPTING AMENDMENTS TO THE
PERSONNEL POLICIES AND PROCEDURES MANUAL
OF THE CITY OF OPELIKA, ALABAMA**

WHEREAS, the City of Opelika, Alabama, (the “City”) has previously adopted general provisions pertaining to personnel rules and regulations, including, but not limited to, staffing, separations, disciplinary actions, grievance procedures, compensation and employee benefits, which are set forth in the “Personnel Policies and Procedures of the City of Opelika” (hereinafter referred to as the “Personnel Manual”); and

WHEREAS, City staff has recommended to the City Council that the Personnel Manual be updated at the present time to provide for additional and revised policies and procedures pertaining to the administration of City employees and personnel; and

WHEREAS, the City Council realizes that periodic adjustments must be made to the Personnel Manual must be made in order to keep the manual current and consistent with state and federal labor and employment law requirements as well as policies, procedures, guidelines, rules and regulations established by the City on the local level for employees; and

WHEREAS, the City Council has determined that it is in the best interest of the public health, safety and general welfare to amend the Personnel Manual at this time as recommended by City staff to update the policies, procedures, guidelines, rules and regulations.

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

Section 1. **Amendments.** That the Personnel Manual of the City of Opelika, adopted on November 19, 2002, as previously amended, is further amended in the following respects:

- (a) That Section 1.12.5 is amended to read as follows:

1.12.5 Smoking.

It shall be the policy of the City of Opelika to provide a safe and non-hazardous work environment for its employees, in so far as possible. The City of Opelika, in recognition of the fact that the U.S. Surgeon General has declared "secondary smoke" to be a health hazard to non-smokers, adopts this policy in order to reach a reasonable accommodation between the rights of smoking and non-smoking employees. It shall be the policy of the City of Opelika to attempt to reach a reasonable accommodation between the preferences of smoking and non-smoking employees. However, where a satisfactory accommodation cannot be reached, the preferences of non-smoking employees shall prevail for health, safety and welfare. "Smoking" is defined as inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device whatsoever.

- (b) That Section 10.1 is hereby amended to read as follows:

10.1 Hours of Operation

The Mayor will, in coordination with the City Council, establish the hours that city offices and departments will be open for business and/or manned. Normally, such hours of operations will be between 8:00 am and 5:00 pm, Monday through Friday. However, some activities, such as public safety are required to operate on a twenty-four (24) around the clock basis and other activities, such as Parks and Recreation, Opelika Environmental Services, Library, and Opelika Power Services, may be required to work expanded hours of operation to provide needed services for the citizens of the City of Opelika. The scheduling of employees needed to efficiently and effectively perform required activities during the hours of operation as established for each department will be the responsibility of the Department Head. Scheduling of employees and their attendance at work will be in accordance with the guidelines of this section.

- (c) That Section 10.3.4 is hereby amended to read as follows:

10.3.4. Public Safety, Emergency, and Public Utility Holiday Schedule.

Eligible employees who are designated public safety, emergency, or public utility employees are entitled to paid holidays as follows:

(a) Employees of the police department, and public utility departments will receive eighty (80) hours of paid holiday leave per calendar year. Paid holiday leave for these personnel will accrue at the rate of 8 hours for each holiday observed. The use of accrued holiday leave will be approved at the discretion of the employee's supervisory personnel in accordance with guidelines to be developed by the employee's Department Head. Accrued holiday leave will be approved in advance of each absence, except in unusual circumstances. Failure to comply with this requirement may result in an absence being treated as unauthorized leave and disciplinary action being taken. Accrued holiday leave will not be authorized in less than one (1) hour increments of time. In the event the Department Head is unable to schedule the total accumulated holiday leave for any of the department's employee during the calendar year, the Department Head may carry forward such accumulated hours of holiday leave to the next calendar year not to exceed 200 hours. In the event an employee will lose holiday leave due to personnel shortages in the department and the employee is not allowed to take leave on said holiday, the Department Head, in coordination with the Human Resources Director, the City Administrator and/or the Mayor, may allow the employee to be paid the holiday leave that will otherwise be forfeited.

(b) Fire protection personnel (normally scheduled to work 24-hour shifts) will receive one hundred forty-four (144) hours of paid holiday leave per calendar year. Paid holiday leave for fire protection personnel will accrue at the rate of 24 hours for each holiday observed, except that fire protection personnel shall not accrue more than 144 hours of paid holiday leave in any one calendar year. The use of accrued holiday leave will be scheduled with the approval of the Fire Chief and will be granted only for accumulated (accrued) hours earned in accordance with this subsection. In other words, fire protection personnel will not be eligible to take holiday leave during any calendar year before such leave is accrued. In the event the Fire Chief is unable to schedule the total accumulated holiday leave

for any fire protection employee during the calendar year, the Fire Chief may carry forward such accumulated hours of holiday leave to the next calendar year not to exceed 200 hours. In the event an employee will lose holiday leave due to personnel shortages in the department and the employee is not allowed to take leave on said holiday, the Department Head, in coordination with the Human Resources Director, the City Administrator and/or the Mayor, may allow the employee to be paid the holiday leave that will otherwise be forfeited. For each day (24 hours) of holiday leave taken, fire protection personnel will be paid for one twenty-four (24) shift. Newly hired fire protection personnel hired after January first of the calendar year and who are normally scheduled to work twenty-four hour shifts shall receive holiday pay during the remainder of their first calendar year on a pro-rata basis based upon accruing thirteen and one-half (13 ½) hours per designated city holiday.

- (d) That Section 10.4.2.2 is hereby amended to read as follows:

10.4.2.2. General Sick Leave Accumulation. Classified service employees, except fire protection employees who are regularly scheduled to work twenty-four (24) hour shifts, will earn and accumulate sick leave credit as follows:

- (a) Beginning with the first pay period after hire, employees will accrue 3.692 hours of sick leave for each pay period they are listed on payroll. Note: Sick leave will stop accumulating when an employee goes off the city payroll because of a Worker's Compensation on the job injury. Such employees may accumulate and carry forward up to sixty (60) days of sick leave (480 hours).

- (e) That Section 10.4.2.3 is hereby amended to read as follows:

10.4.2.3. Fire Department Sick Leave Accumulation. Classified service fire protection employees who are regularly scheduled to work twenty-four (24) hour shifts will earn and accumulate sick leave credit as follows:

- (a) Beginning with the first pay period after hire, employees will accrue 5.31 hours of sick leave for each pay period they are listed on payroll. Note: sick leave will stop accumulating when a fire protection employee goes off the city payroll because of a Workers' Compensation on the job injury. Such employees may accumulate and carry forward up to twenty-eight and three quarters (28 ¾)

days of sick leave (690 hours).

Sick leave credit is calculated for fire protection employees who regularly work twenty-four (24) hour shifts based upon the extended hours they are scheduled to work as compared to other employees who are normally scheduled to work eight (8) hours per day (1.4375). When a fire protection employee who is scheduled to work a twenty-four (24) hour shift does not work any part of the scheduled shift due to use of sick leave, his accumulated sick leave hours will be reduced by the number of hours he is absent from work. Using such provisions will ensure that fire protection employees are afforded sick leave benefits equivalent to other city employees.

- (f) That Section 11.8 is hereby amended to read as follows:

11.8 STANDBY PAY.

When a non-exempt employee is required to perform standby duty in his department, he will be entitled to receive standby pay. Standby duty normally requires that the employee maintain continuous contact with a city representative (or activity) and respond to a request to report to duty within fifteen (15) minutes. Contact with the city will normally include cell phone or radio, as required by department rules. Exempt employees who are placed on standby duty will not be entitled to standby pay.

11.8.1. **Authorization.** The Mayor will authorize, based upon recommendations from Department Heads, the number and types of employees required to perform standby duty in the city. The designation of employees who are to perform standby duty and to receive standby pay will be made by the appropriate Department Head in accordance with department rules and regulations.

11.8.2. **Pay While on Standby.** Each Department Head, with approval of the Mayor and the Director of Human Resources is hereby authorized to establish and implement stand-by pay guidelines and payment structures for eligible on-call personnel. The Department Head shall be responsible for

determining the need for on-call availability and for assigning employees to stand-by duty status.

- (g) That Section 11.9.2 is hereby amended to read as follows:

11.9.2. Regular Rate of Pay. Call-out pay will be paid an eligible employee at his regular rate of pay. Overtime pay will be paid only if the actual time he works causes his total time for the workweek/work period to qualify for overtime in accordance with the provisions of the FLSA and these policies and procedures.

- (h) That Section 11.13 is hereby amended to read as follows:

11.13 OTHER PAY SUPPLEMENTS.

The city will provide pay supplements for eligible members of the police and fire departments in accordance with the following guidelines.

The Mayor will establish eligibility criteria for an employee to be entitled to receive a particular pay supplement and the number of employees who may be awarded such supplement. However, any individual who is being paid a supplement at the time of adoption of these policies and procedures will continue to draw such supplement so long as he continues to meet the eligibility criteria previously established for entitlement to supplement.

The City will pay eligible employees the following supplements:

Fire Department Employees Only:

- | | |
|--------------------------------------|-------------------------|
| (a) Emergency Medical Technician I | \$10.00 per pay period |
| (b) Emergency Medical Technician II | \$40.00 per pay period |
| (c) Emergency Medical Technician III | \$200.00 per pay period |

Plus an additional \$1.25 per hour for each hour assigned to a rescue vehicle.

Police Department Employees Only:

(d) Polygraph Operator \$50.00 per pay period

(e) Breath Analyzer \$5.00 per pay period

(f) S.W.A.T. Team

An amount equal to three percent (3%) of the two-week base salary per pay period (Officers S.W.A.T. Team supplement pay only if they are assigned as an active member of the S.W.A.T.).

(g) Detective

An amount equal to three percent (3%) of the two-week base salary per pay period. (Officers will draw Detective supplement pay only if they are assigned to the Investigative Services Section)

(h) Field Training Officer (FTO)

An amount equal to three percent (3%) of the two-week base salary per pay period (Officers will draw field training supplement pay only if they are actually training another officer during the applicable pay period).

(i) Traffic Homicide Investigator (THI)

An amount equal to three percent (3%) of the two-week base salary per pay period (Officers will draw Traffic Homicide Investigator supplement pay only if they remain THI certified during the applicable pay period).

(j) K-9 Handler

An amount equal to three percent (3%) of the two-week base salary per pay period (Officers will draw K-9 Handler pay only if they are actually assigned a K-9 during the applicable pay period).

(k) School Resource Officer (SRO)

An amount equal to three percent (3%) of the two-week base salary per pay period. (Officers will draw School Resource Officer supplement pay only if they are assigned to a school as SRO).

All Applicable Employees:

(l) Bi-lingual Pay

An amount equal to three percent (3%) of the two-week base salary per pay period provided an employee meets the requirements for bilingual pay:

1. Fluent in a non-English language
2. Job duties that require the use of non-English skills on a regular basis.
3. The employee must have direct public contact on a regular basis with residents or citizens who do not speak English.
4. The Human Resources Department may require the employee to take and pass a proficiency test.
5. Supplemental pay will be discontinued if the employee is reassigned to a different position where the usage of bilingual skills is no longer needed.
6. Employees receiving bilingual pay are expected to translate for employees who are not bilingual in the event such services are needed.
7. Employees receiving bilingual pay may be required to report to work during non-scheduled working hours and may have a role in disaster recovery efforts and may be expected to work during periods of emergency response by the City.

(m) College Degree attainment supplemental pay:

Associate Degree: An amount equal to three percent (3%) of the two-week base salary per pay period.

Bachelor's degree: An amount equal to five percent (5%) of the two-week base salary per pay period.

Master's Degree: An amount equal to three percent (7%) of the two-week base salary per pay period.

To be eligible for the College Degree attainment supplemental pay, the policy requires completion of an associates, bachelor's or master's degree from an accredited college or university. To be eligible for this pay supplement, the employees must provide the Human Resources Department an official transcript received directly from the issuing institution or an original degree from the University or College. The pay supplement will be awarded the pay period following the certification. If an employee has attained multiple degrees, only the highest degree will be recognized for the pay supplement. Employees are not eligible for the pay supplement if the degree conferred is a requirement for the position held by the employee.

- (i) That Section 12.4.2.2. is hereby amended to read as follows:

12.4.2.2. **Health Plan.** Generally, new employees are covered on the first of the month following date of employment. New eligible employees may be covered by the city's group health plan by completing a written application for such coverage within thirty-one (31) days of their employment with the city. If an employee does not apply for coverage within this time period and later wishes to apply for coverage, his coverage will not become effective until the carrier gives its written consent for such coverage. An eligible employee may select either single coverage for himself or family coverage to include his eligible dependents. The city will pay a percentage of cost associated with single coverage for the employee. The employee will be responsible for the costs associated with coverage for his family. Benefits paid under the employee health insurance plan will be coordinated with any other health insurance plan the employee may come under in accordance with the terms of the policy. Any employee covered by the employee health insurance plan may at separation be eligible to purchase coverage for himself and/or his dependents in accordance with the terms of the policy and federal law.

Except as otherwise provided, any eligible employee, at the time of service retirement, may elect to purchase health insurance coverage for himself and dependents under the city's group health insurance plan. An eligible employee as used herein shall mean:

- (a) Any employee with at least ten (10) years of creditable service who has attained age sixty (60) at the time of withdrawal from the service.
- (b) An employee with twenty-five (25) years or more creditable service at the time of withdrawal from service.

Payment of premiums for individual and/or dependent coverage hereunder shall be the financial responsibility of the retired employee and such premium payment shall be made to the city on or before the first day of each month, payable one (1) month's premium in advance. All coverage shall cease when the retiree reaches the age of 65 or becomes eligible for Medicare, whichever occurs first. Employees who retired prior to October 1, 2019 may remain until the retiree reaches age 65.

- (j) That Section 12.5.3 is hereby amended to read as follows:

12.5.3. Eligible Education and Tuition Expenses.

(a) Educational assistance will be provided for courses of study which are directly related to the employee's present job or which will enhance the employee's potential for enhancement to a position within the City which the individual has a reasonable expectation of achieving.

(b) Eligible courses shall only be available through an accredited college, university, community college, technical school or business school approved by the Mayor. The educational establishment must have a campus within a sixty-five (65) mile radius of the City or online classes specifically approved by the Mayor - i.e. Columbia Southern University.

(c) Reimbursable costs and expenses comprise registration fees, tuition, lab fees and shop fees. No other expenses shall be considered for reimbursement. Employees are prohibited from requesting tuition reimbursement for allowable costs for which they have received financial support from other sources, such as VA benefits, grants, scholarships, fellowships, etc.

(d) The maximum reimbursement the employee shall receive within one (1) calendar year is \$8,000 and \$4,000 for one (1) semester.

(e) Student activity fees, late fees, books, school supplies, parking fees, lodging, meals and transportation costs do not qualify for reimbursement.

(f) Successful completion of coursework is defined as:

- A grade of C (or 2.0) or better for an undergraduate course
- A passing grade or better for a graduate course
- A grade of "pass" for a pass/fail course

(g) Employees will be reimbursed using the following criteria:

Associates and Bachelors Degrees

Percent of Reimbursement	Grade Obtained
100%	A
85%	B
75%	C
100%	Pass (Pass/Fail courses)
0%	D, F or Fail (Pass/Fail courses)

Master's Degrees

Percent of Reimbursement	Grade Obtained
50%	A
40%	B
30%	C
50%	Pass (Pass/Fail courses)
0%	D, F or Fail (Pass/Fail courses)

Section 2. **Severability.** The provisions of this ordinance are severable. If any section, subsection, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall not affect the validity of the remaining portions of this ordinance.

Section 3. **Cumulative of All Other Ordinances.** The provisions of this ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the subject matter as covered herein, provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

Section 4. **Effective Date.** This ordinance shall become effective upon its passage, approval and publication as required by law.

Section 5. **Publication.** The City Clerk of the City of Opelika, Alabama is hereby authorized and directed to cause this Ordinance to be published one (1) time in a newspaper of general circulation published in the City of Opelika, Lee County, Alabama.

ADOPTED AND APPROVED this the ____ day of _____, 2019.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR on this the ____ day of _____, 2019.

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2019.

MAYOR

ATTEST:

CITY CLERK