



OPELIKA CITY COUNCIL
“ REGULAR MEETING AGENDA “
204 South 7th Street
January 21, 2020
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. Pastor Leo Douglass from the Lee Co. Ministerial Association.
4. PLEDGE OF ALLEGIANCE
 1. Genesis Harvis and Brooklyn Turnham from Jeter Primary School.
5. READING OF MINUTES
 1. Minutes from the 1-07-2020 city council meeting.
6. UNFINISHED BUSINESS
7. REMARKS BY THE MAYOR
 1. City financial summary December 2019.
 2. December 2019 Monthly Building Report
8. CITIZEN COMMUNICATIONS (Limit comments to five minutes or less)
9. REPORT OF DISBURSEMENTS
10. COMMITTEE REPORTS
11. GENERAL BUSINESS
 1. ARCH Investments LLC DbA 280 Marathon Request Wine and Beer Off Premise License.
 2. Prime Food Mart LLC DbA 4Th Street Station Request Wine and Beer Off Premise License.
 3. Takoyaki LLC DbA Takoyaki Request Restaurant Retail Liquor & on Premise Beer License.
12. AWARDING OF BIDS
 1. Siemens Single-Phase Voltage Regulators W/ SEL Control Panel - OPS
13. RESOLUTIONS
 1. Expense reports from various departmens.
 2. Designate City Personal Property Surplus and Authorize Disposal

3. Request for a downtown bike race on 2-16-2020.
4. Deny rezoning of property located at 1203 Crawford Road.
5. Appoint new City Clerk/Treasurer and temporary Deputy City Clerk.
6. Contract with Sain Assoc., bicycle pedestrian master plan - Engineering.
7. Proposal from CDG Engineers, remediation of Rocky Brook Road & Dam - Engineering.

14. ORDINANCES

1. Amend Cannon Gate PUD Master Plan - 2nd Reading.
2. Amend Zoning Ord & Map, Dickson Street, R-3 to I-1, 2nd Reading
3. Amend Zoning Ordinance Section 9 Sign Regulations - 2nd Reading

15. APPOINTMENTS

16. ADJOURN

1. Character Trait of the Month - Integrity, adherence to moral and ethical principles; soundness of moral character; honesty.

"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 # 3933)

Meeting: 01/21/20 07:00 PM
Department: City Clerk
Category: CM Minutes
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:

DOC ID: 3933

Minutes from the 1-07-2020 city council meeting.



OPELIKA CITY COUNCIL “ REGULAR MEETING MINUTES “

204 South 7th Street

January 7, 2020

TIME: 7:00 PM

1. Call to Order

President Smith called the city 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 city council members were present.

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

3. Invocation

Pastor Henry Smith gave the invocation.

1. Henry Smith, an elder with the Presbyterian Church.

4. Pledge of Allegiance

Kendall and Bryson lead the Plead of Allegiance.

1. Kendall Bryant and Bryson McGlynn from Jeter Primary School.

5. Reading of Minutes

1. Minutes from the 12-17-19 city council meeting.

RESULT: APPROVED [UNANIMOUS]

MOVER: Tiffany Gibson-Pitts, Council Member

SECONDER: Dozier Smith T, Council Member

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

6. Unfinished Business

7. Remarks By the Mayor

Mayor Fuller recognized Tara Young in the IT department with a performance award.

1. City's financial summary report for October 31, 2019.

Mayor Fuller passed out copies of a summary of the October 2019 city financials to all the city council members for their information and review.

2. City's financial summary report for November 30, 2019.

Mayor Fuller passed out copies of a summary of the November 2019 city financials to all the city council members for their information and review.

3. Proclamation recognizing January as Human Trafficking Awareness Month.

Mayor Fuller presented a proclamation recognizing January 2019 as Human Trafficking Awareness Month.

8. Citizen Communications

(Limit comments to five minutes or less) None.

9. Report of Disbursements

10. Committee Reports

11. General Business

1. Public Hearing - Weed Abatement Assessment - 1701 N Uniroyal Rd.
Mr. Shuman presented a public hearing for a weed abatement assessment to said property in the amount of \$463.34. President Smith opened the public hearing and asked if there was anyone present that would like to speak for or against said assessment. No one came forward. President Smith closed the public hearing.
 2. Public Hearing, Amend Cannon Gate PUD Master Plan
Mr. Shuman presented a public hearing to amend the Cannon Gate PUD Master Plan. President Smith opened the public hearing and asked if there was anyone present that would like to speak for or against said amendment. No one came forward. President Smith closed the public hearing.
 3. Public Hearing, Amend Zoning Ord & Map: Dickson Street, R-3 to I-1
Mr. Shuman presented a public hearing to amend the zoning ordinance & map from R3 to I1 for certain property on Dickson Street. President Smith opened the public hearing and asked if there was anyone present that would like to speak for or against said rezoning. No one came forward. President Smith closed the public hearing.
 4. Public Hearing, Amend Text Zoning Ordinance Section 9 Sign Regulations
Mr. Shuman presented a public hearing to amend the text of the zoning ordinance for Section 9 sign regulations. President Smith opened the public hearing and asked if there was anyone present that would like to speak for or against said amendment. No one came forward. President Smith closed the public hearing.
12. Awarding of Bids
 13. Resolutions
 1. Resolution 001-20 Expense reports from various departments.
RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
 2. Resolution 002-20 Designate City Personal Property Surplus and Authorize Disposal
RESULT: APPROVED [UNANIMOUS]
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
 3. Resolution 003-20 Purchase - Cisco Hardware - National IPA Contract #2018011-01 - IT
RESULT: APPROVED [UNANIMOUS]
MOVER: Dozier Smith T, Council Member
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
 4. Resolution 004-20 Refund Request-Stephens, Occupational License Fees.
RESULT: APPROVED [UNANIMOUS]
MOVER: David Canon, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
 5. Resolution 005-20 Refund Request- Colley, Occupational License Fees.
RESULT: APPROVED [UNANIMOUS]
MOVER: Patricia Jones, President Pro-Tem
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
 6. Resolution 006-20 Weed Abatement Assessment - 1701 N Uniroyal Rd.

RESULT: APPROVED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: David Canon, Council Member

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

7. Resolution 007-20 Set public hearing date to fix cost & assessment of demolition at 207 Avenue A.

RESULT: APPROVED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: David Canon, Council Member

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

8. Resolution 008-20 Set public hearing date to fix cost & assessment of demolition at 3307 Arnold Avenue.

RESULT: APPROVED [UNANIMOUS]

MOVER: Tiffany Gibson-Pitts, Council Member

SECONDER: Dozier Smith T, Council Member

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

9. Resolution 009-20 Proposal from NRC for Arborist Services.

RESULT: FAILED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: David Canon, Council Member

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

10. Resolution 010-20 Agreement with ESG Engineering; upgrades to Eastside WW Treatment Plant.

RESULT: APPROVED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: Tiffany Gibson-Pitts, Council Member

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

11. Resolution 011-20 Amendment 1 to agreement with Constantine Engineering; improvements to Westside WW Treatment Plant.

RESULT: APPROVED [UNANIMOUS]

MOVER: David Canon, Council Member

SECONDER: Dozier Smith T, Council Member

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

12. Resolution 012-20 Reappoint municipal court officials.

RESULT: APPROVED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: David Canon, Council Member

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

13. Resolution 013-20 Appoint Benjamin H. Parr Assistant Municipal Prosecutor.

RESULT: APPROVED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: David Canon, Council Member

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

14. Ordinances

1. Ordinance 001-20-ORD Amend Wyndham PUD Master Plan - 2nd Reading.

RESULT: SECOND READING AND APPROVED [UNANIMOUS]

MOVER: Tiffany Gibson-Pitts, Council Member

SECONDER: David Canon, Council Member

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

2. Ordinance Amend Cannon Gate PUD Master Plan - 1st Reading.
This ordinance was introduced by Mr. Canon.

3. Ordinance Amend Zoning Ord & Map, Dickson Street, R-3 to I-1, 1St Reading
This ordinance was introduced by Mr. Smith T.

4. Ordinance Amend Zoning Ordinance Section 9 Sign Regulations - 1St Reading
This ordinance was introduced by Mr. Canon.

15. Appointments

1. Municipal Court appointments; see resolution no. 12 and 13 above.

16. Adjourn

The City Council meeting minutes of January 7, 2020 are hereby adopted and approved this the _____ day of _____, 2020.

/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 - Integrity, adherence to moral and ethical principles; soundness of moral character; honesty.

2. Motion to adjourn.

President Smith announced that interviews with the selected candidates for the new City Clerk-Treasurer are scheduled. The new City Clerk-Treasurer may be appointed at the next city council meeting on January 21, 2020.

This city council meeting ended at 7:30 pm.

RESULT: APPROVED [UNANIMOUS]

MOVER: Patricia Jones, President Pro-Tem

SECONDER: Dozier Smith T, Council Member

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



City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 01/21/20 07:00 PM
Department: City Clerk
Category: Financial Statements
Prepared By: Robert Shuman
Initiator: Robert Shuman
Sponsors:

MAYOR'S REMARKS (ID # 3944)

DOC ID: 3944

City financial summary December 2019.

City of Opelika
 Combined Balance Sheet - All Funds and Account Groups (Interim Report)
 December 31, 2019
 *Thousands of dollars

Governmental Funds										
	General Fund	Special Revenue Funds	Debt Service Funds	Capital Project Funds	Garden Hills Cemetery Permanent Fund	Internal Service Funds	Enterprise Funds	General Capital Assets	General Long Term Debt	Total
ASSETS										
Cash	\$ 29,330	\$ 16,170	\$ 37	\$ 1,154	\$ -	\$ 3,896	\$ 38,268	\$ -	\$ -	\$ 88,855
Certificates of deposit	21,987	5,000	-	-	-	-	8,529	-	-	35,516
Receivables:										
Accounts and unbilled service	-	-	-	180	-	(16)	4,983	-	-	5,147
Taxes	7,348	8,060	-	-	-	-	-	-	-	15,408
Licenses and fees	3,004	-	-	-	-	-	-	-	-	3,004
Fines and forfeitures	-	-	-	-	-	-	-	-	-	-
Assessments	165	-	-	-	-	-	-	-	-	165
Interest	16	-	-	-	3	-	14	-	-	33
Other	181	753	-	-	-	9	-	-	-	943
Due from other funds	168	-	-	-	8	-	9,500	-	-	9,676
Due from other governments	3,009	708	-	-	-	-	992	-	-	4,709
Inventories of supplies, at cost	101	-	-	-	-	-	1,027	-	-	1,128
Prepaid expenses	236	-	-	-	-	-	-	-	-	236
Investments	-	16	-	-	1,234	-	-	-	-	1,250
Investments with fiscal agent	-	-	1,209	-	-	-	1,512	-	-	2,721
Capital assets:										
Land	-	-	-	-	-	-	2,462	10,308	-	12,770
Buildings	-	-	-	-	-	-	13,666	45,437	-	59,103
Equipment	-	-	-	-	-	-	11,698	22,971	-	34,669
Utility systems	-	-	-	-	-	-	116,431	-	-	116,431
Infrastructure	-	-	-	-	-	-	-	119,097	-	119,097
Construction in progress	-	-	-	-	-	-	186	16,518	-	16,704
Total capital assets	-	-	-	-	-	-	144,443	214,331	-	358,774
Less: accumulated depreciation	-	-	-	-	-	-	(70,036)	(63,255)	-	(133,291)
Capital assets, net	-	-	-	-	-	-	74,407	151,076	-	225,483
Deposits	-	69	-	-	-	19	2	-	-	90
Amount to be provided for general long term debt	-	-	-	-	-	-	-	-	83,511	83,511
Total assets	65,545	30,776	1,246	1,334	1,245	3,908	139,235	151,076	83,511	477,876
DEFERRED OUTFLOWS OF RESOURCES										
Employer retirement contributions	-	-	-	-	-	-	1,201	-	-	1,201
Difference on projected OPEB earnings	-	-	-	-	-	-	8	-	-	8
Bond refunding costs	-	-	-	-	-	-	2,507	-	-	2,507
Total deferred outflows of resources	-	-	-	-	-	-	3,716	-	-	3,716

City of Opelika
 Combined Balance Sheet - All Funds and Account Groups (Interim Report)
 December 31, 2019
 *Thousands of dollars

Governmental Funds										
	General Fund	Special Revenue Funds	Debt Service Funds	Capital Project Funds	Garden Hills Cemetery Permanent Fund	Internal Service Funds	Enterprise Funds	General Capital Assets	General Long Term Debt	Total
LIABILITIES										
Accounts payable	1,041	1	-	-	-	67	4,162	-	-	5,271
Interest payable	-	-	-	-	-	-	437	-	-	437
Accrued payroll and benefits, due within one year	904	(8)	-	-	-	-	358	-	-	1,254
Due to other funds	8	168	-	-	-	-	9,500	-	-	9,676
Due to other governments	1	302	-	-	-	-	-	-	-	303
Claims and judgements, due within one year	-	-	-	-	-	315	-	-	-	315
Bonds payable due within one year	-	-	-	-	-	-	1,980	-	-	1,980
Claims and judgements, due in more than one year	-	-	-	-	-	117	-	-	-	117
Bonds payable, due in more than one year	-	-	-	-	-	-	31,804	-	83,511	115,315
Net pension liability	-	-	-	-	-	-	7,431	-	-	7,431
Accrued payroll & benefits, due in more than one year	-	-	-	-	-	-	893	-	-	893
Customer deposits held	-	-	-	-	-	-	3,183	-	-	3,183
Total liabilities	1,954	463	-	-	-	499	59,748	-	83,511	146,175
DEFERRED INFLOWS OF RESOURCES										
Net difference in earnings on retirement plan	-	-	-	-	-	-	222	-	-	222
Net change in OPEB assumptions	-	-	-	-	-	-	32	-	-	32
Unearned revenues	4,178	9,010	-	-	-	355	356	-	-	13,899
Total deferred inflows of resources	4,178	9,010	-	-	-	355	610	-	-	14,153
FUND BALANCES										
Nonspendable	108	69	-	-	1,144	-	-	-	-	1,321
Restricted	202	7,953	1,246	1,100	-	291	1,512	-	-	12,304
Committed	40	-	-	-	-	-	-	-	-	40
Assigned	15,764	11,624	-	-	-	2,754	-	-	-	30,142
Unassigned	26,670	1,023	(1)	188	100	-	-	-	-	27,980
Invested in capital assets, net of related debt	-	-	-	-	-	-	43,130	151,076	-	194,206
Unrestricted	-	-	-	-	-	-	34,551	-	-	34,551
Encumbrances	16,628	633	-	46	-	10	3,399	-	-	20,716
Total fund balances	\$ 59,412	\$ 21,302	\$ 1,245	\$ 1,334	\$ 1,244	\$ 3,055	\$ 82,591	\$ 151,076	\$ -	\$ 321,259

City of Opelika

Combined Statement of Revenues, Expenditures, and Changes in Fund Balance - All Governmental Funds and Account Groups (Interim FYTD December 31, 2019)

*Thousands of dollars

	Governmental Funds					Total
	General Fund	Special Revenue Funds	Debt Service Funds	Capital Project Funds	Garden Hills Cemetery Permanent Fund	
REVENUES:						
Taxes	\$ 11,127	\$ 4,159	\$ -	\$ -	\$ -	\$ 15,286
Special assessments	-	-	-	-	-	-
Licenses and permits	3,771	155	-	-	-	3,926
Intergovernmental	120	205	-	22	-	347
Charges for services	450	-	-	-	-	450
Fines and forfeits	79	-	-	-	-	79
Grants	4	-	-	-	-	4
Contributions	72	-	-	-	-	72
Investment income	134	35	-	2	20	191
Miscellaneous	104	-	-	-	-	104
Total revenues	15,861	4,554	-	24	20	20,459
EXPENDITURES:						
General government	1,957	62	-	-	1	2,020
Public safety	4,042	65	-	-	-	4,107
Public works	1,302	-	-	-	-	1,302
Health	98	-	-	-	-	98
Education	829	-	-	-	-	829
Welfare	26	-	-	-	-	26
Culture and recreation	1,522	-	-	-	-	1,522
Economic development	114	58	-	-	-	172
Capital outlay	1,786	(171)	-	(46)	-	1,569
Debt service:						
Principal retirement	-	-	1,965	-	-	1,965
Interest and fees	3	-	1,053	-	-	1,056
Total expenditures	11,679	14	3,018	(46)	1	14,666
Excess of revenues over/(under) expenditures	4,182	4,540	(3,018)	70	19	5,793
Other financing sources/(uses):						
Proceeds from debt issuance	-	-	-	-	-	-
Proceeds used to refund bonds	-	-	-	-	-	-
Sale of capital assets	-	-	-	-	-	-
Transfers from other funds	755	912	4,225	41	8	5,941
Transfers to other funds	(3,979)	(1,209)	-	-	(13)	(5,201)
Total other financing sources/(uses)	(3,224)	(297)	4,225	41	(5)	740
Net change in fund balances	958	4,243	1,207	111	14	6,533
Fund balances, beginning of the year	58,454	17,244	38	1,038	1,230	78,004
Fund balances, end of period	\$ 59,412	\$ 21,487	\$ 1,245	\$ 1,149	\$ 1,244	\$ 84,537

Attachment: CM 1-21-19, Financial summary, Dec. 2019 (3944 : City financial summary December 2019.)

City of Opelika
 Combined Balance Sheet (Interim Report)
 Proprietary and Fiduciary Funds
 December 31, 2019 Preliminary
**Thousands of dollars*

	Electric FYTD	Telecom FYTD	Sewer FYTD	Solid Waste FYTD	Workmen's Comp. FYTD	Health Insurance FYTD
ASSETS						
Current assets:						
Cash	\$ 23,531	\$ 1,225	\$ 11,423	\$ 2,088	\$ 3,232	\$ 664
Certificates of deposit	8,529	-	-	-	-	-
Receivables and prepaid expenses	4,402	-	322	273	-	(7)
Due from other funds and governments	9,500	-	992	-	-	-
Inventory	1,027	-	-	-	-	-
Total current assets	46,989	1,225	12,737	2,361	3,232	657
Restricted assets:						
Cash and investments with fiscal agent	1,510	1	1	-	-	-
Total restricted assets	1,510	1	1	-	-	-
Net capital assets	43,288	-	29,042	2,076	-	-
Other assets:						
Deposits	-	-	2	-	19	-
Total other assets	-	-	2	-	19	-
Total assets	91,787	1,226	41,782	4,437	3,251	657
DEFERRED OUTFLOWS OF RESOURCES						
Retirement contributions	864	-	-	337	-	-
Difference on projected OPEB earnings	6	-	-	2	-	-
Bond refunding costs	2,424	-	82	-	-	-
Total deferred outflows of resources	3,294	-	82	339	-	-
Total assets and deferred outflows of resources	\$ 95,081	\$ 1,226	\$ 41,864	\$ 4,776	\$ 3,251	\$ 657
LIABILITIES						
Current liabilities:						
Accounts and other payables	\$ 4,808	\$ -	\$ 62	\$ 87	\$ 52	\$ 330
Due to electric fund	-	9,500	-	-	-	-
Due to other funds	-	-	-	-	-	-
Bonds payable within one year	1,325	-	655	-	-	-
Unearned revenue	357	-	-	-	-	355
Total current liabilities	6,490	9,500	717	87	52	685
Noncurrent liabilities:						
Claims and employee benefits due in more than one year	650	-	-	243	117	-
Bonds payable, in more than one year, net	27,090	-	4,714	-	-	-
Net pension liability	5,529	-	-	1,902	-	-
Customer deposits held	3,016	-	-	167	-	-
Total noncurrent liabilities	36,285	-	4,714	2,312	117	-
Total liabilities	42,775	9,500	5,431	2,399	169	685
DEFERRED INFLOWS OF RESOURCES						
Difference on earnings on OPEB investments	23	-	-	9	-	-
Difference on earnings on plan investments	158	-	-	64	-	-
Total deferred inflows of resources	181	-	-	73	-	-
Total liabilities and deferred inflows of resources	42,956	9,500	5,431	2,472	169	685
NET POSITION						
Invested in capital assets, net of related debt	17,297	-	23,755	2,076	-	-
Restricted	1,510	1	1	-	209	82
Unrestricted	31,658	(8,569)	11,442	20	2,873	(118)
Encumbrances	1,660	295	1,236	207	-	10
Total net position	52,125	(8,273)	36,434	2,303	3,082	(26)
Total liabilities, deferred inflows, and net position	\$ 95,081	\$ 1,227	\$ 41,865	\$ 4,775	\$ 3,251	\$ 659

Attachment: CM 1-21-19, Financial summary, Dec. 2019 (3944 : City financial summary December 2019.)

City of Opelika
 Combined Summary Statement of Revenues, Expenses, and Changes in Net Position (Interim Report)
 Proprietary and Fiduciary Funds
 FYTD December 31, 2019 Preliminary
**Thousands of dollars*

	Electric 2019 FYTD	Sewer 2019 FYTD	Solid Waste 2019 FYTD	Workmen's Comp. 2019 FYTD	Health Insurance 2019 FYTD
Operating Revenues					
Charges for services	\$ 11,086	\$ 1,228	\$ 890	\$ 91	\$ 879
Operating Expenses					
Purchases	4,379	-	75	-	-
Depreciation	740	271	87	-	-
Personnel services	767	-	297	-	-
Other	500	448	321	7	859
Total operating expenses	6,386	719	780	7	859
Operating income/(loss)	4,700	509	110	84	20
Nonoperating Revenues/(Expenses)					
Gain/(Loss) on sale of capital assets	34	-	-	-	-
Fiber optic line leases	-	-	-	-	-
Investment income	117	15	6	10	2
Grant income	-	-	-	-	-
Pole rental	-	-	-	-	-
Miscellaneous revenues	(29)	1	11	-	-
Interest expense and charges	(278)	(22)	-	-	-
Total nonoperating revenues/(expenses)	(156)	(6)	17	10	2
Other Revenues and Transfers In/(Out):					
Capital contributions	124	-	-	-	-
Transfers from other funds	-	-	-	-	-
Transfers to other funds	(750)	-	-	-	-
Total other revenues/(expenses)	(626)	-	-	-	-
Net Income/(loss)	3,918	503	127	94	22
Net position, beginning of year	48,207	35,931	2,176	2,988	(48)
Net position before encumbrances	52,125	36,434	2,303	3,082	(26)
Encumbrances	1,660	1,236	207	-	-
Net position, end of period	\$ 50,465	\$ 35,198	\$ 2,096	\$ 3,082	\$ (26)
Additional Information:					
Cash position at September 30, 2020	\$ 23,531	\$ 11,423	\$ 2,088	\$ 3,232	\$ 664
Cash position at September 30, 2019	22,495	6,638	1,915	3,142	654
Change in cash	\$ 1,036	\$ 4,785	\$ 173	\$ 90	\$ 10

Attachment: CM 1-21-19, Financial summary, Dec. 2019 (3944 : City financial summary December 2019.)

City of Opelika
 General Fund Revenue and Expenditure Summary (Interim Report)
 Comparison of Actual and Budget to Prior Year
 FYTD December 2019 Preliminary
 *Thousands of dollars

	YTD Actual			Budget to Actual		
	2019	2020	Variance	2020 Budget	2020 Actual	Variance
Revenues:						
Taxes	\$ 10,346	\$ 11,127	\$ 781	\$ 9,591	\$ 11,127	\$ 1,536
Licenses and permits	3,568	3,771	203	4,533	3,771	(762)
Intergovernmental	139	120	(19)	173	120	(53)
Charges for services	372	450	78	502	450	(52)
Fines and forfeits	103	79	(24)	109	79	(30)
Grants	4	4	-	-	4	4
Contributions	46	72	26	1	72	71
Investment income	171	134	(37)	113	134	21
Miscellaneous	71	104	33	80	104	24
Total revenues	14,819	15,861	1,042	15,102	15,861	759
Expenditures:						
General government	1,837	1,957	120	2,129	1,957	172
Public safety	4,220	4,042	(178)	4,676	4,042	634
Public works	1,278	1,302	24	1,609	1,302	307
Culture and recreation	1,468	1,522	54	1,762	1,522	240
Economic development	650	114	(536)	416	114	302
Health	91	98	7	99	98	1
Education	858	829	(29)	829	829	-
Welfare	45	26	(19)	31	26	5
Capital outlay	1,900	1,786	(114)	4,739	1,786	2,953
Debt service	190	3	(187)	179	3	176
Total expenditures	12,537	11,679	(858)	16,469	11,679	4,790
Other financing sources/(uses)						
Sale of capital assets	-	-	-	11	-	11
Transfers in	754	755	1	1,791	755	1,036
Transfer out	(4,221)	(3,979)	242	(2,930)	(3,979)	1,049
Total other financing sources/(uses)	(3,467)	(3,224)	243	(1,128)	(3,224)	2,096
Net change in fund balance	(1,185)	958	2,143	(2,495)	958	3,453
Fund balance, beginning of year	66,652	58,454	(8,198)	66,652	58,454	8,198
Fund balance, year to date	\$ 65,467	\$ 59,412	\$ (6,055)	\$ 64,157	\$ 59,412	\$ (4,745)
Less:						
Nonspendable	120	101	(19)	-	42	(42)
Restricted	70	207	137	-	207	(207)
Committed	49	42	(7)	-	42	(42)
Assigned	12,674	15,764	3,090	-	15,764	(15,764)
Encumbrances	25,541	16,628	(8,913)	-	16,628	(16,628)
	38,454	32,742	(5,712)	-	32,683	(32,683)
Unassigned fund balance	27,013	26,670	(343)	64,157	26,729	27,938
20% budgeted revenues	3,020	3,020		3,020	3,020	
Available unassigned fund balance	\$ 23,993	\$ 23,650		\$ 61,137	\$ 23,709	

Attachment: CM 1-21-19, Financial summary, Dec. 2019 (3944 : City financial summary December 2019.)

City of Opelika
General Fund Revenues (Interim Report)
Comparison of Actual and Budget to Prior Year
FYTD December 2019 Preliminary
*Thousands of dollars

	YTD Actual			Budget to Actual		
	2019	2020	Variance	2020 Budget	2020 Actual	Variance
Taxes:						
Sales	\$ 7,941	\$ 8,587	\$ 646	\$ 8,175	\$ 8,587	\$ 412
Property:						
Property	1,989	2,110	121	1,025	2,110	1,085
Payments in lieu of taxes	-	18	18	1	18	17
Total property taxes	1,989	2,128	139	1,026	2,128	1,102
Other						
Gasoline	206	220	14	205	220	15
Cigarette	22	18	(4)	15	18	3
Wine and liquor	7	8	1	7	8	1
Rental	181	166	(15)	163	166	3
Total other taxes	416	412	(4)	390	412	22
Total taxes	10,346	11,127	781	9,591	11,127	1,536
Licenses and permits:						
Occupational license	2,884	3,038	154	3,150	3,038	(112)
Business:						
General	131	68	(63)	750	68	(682)
Lodging	279	340	61	231	340	109
Franchise fee	94	84	(10)	129	84	(45)
Miscellaneous	47	68	21	65	68	3
Total business	551	560	9	1,175	560	(615)
Telecommunications permits and fees	6	2	(4)	5	2	(3)
Permits and inspections	125	169	44	200	169	(31)
Other	2	2	-	3	2	(1)
Total licenses and permits	3,568	3,771	203	4,533	3,771	(762)
Intergovernmental:						
Shared county motor vehicle	53	41	(12)	34	41	7
Shared state:						
Bank excise tax	-	-	-	50	-	(50)
Business privilege tax	-	-	-	19	-	(19)
Liquor tax profits	46	41	(5)	36	41	5
State asset forfeiture	-	2	2	12	2	(10)
Total shared state	46	43	(3)	117	43	(74)
Shared federal asset forfeiture	-	10	10	4	10	6
Other	40	26	(14)	18	26	8
Total intergovernmental	139	120	(19)	173	120	(53)
Charges for services:						
General government - other	5	6	1	6	6	-
Public Safety:						
Fire training	3	4	1	1	4	3
City schools	-	-	-	38	-	(38)
Auburn University	2	4	2	-	4	4
EAMC	16	42	26	40	42	2
Other	3	2	(1)	-	2	2
Health - Graves and monuments	35	40	5	38	40	2
Public Works - Paving and plan review fees	7	24	17	8	24	16
Culture and Rec - Entry and concession fees	301	329	28	371	328	(43)
Total charges for services	372	451	79	502	451	(51)
Fines and forfeits:						
Municipal Court	92	71	(21)	98	71	(27)
Red light violations	-	-	-	-	-	-
Other	11	9	(2)	11	9	(2)
Total fines and forfeits	103	80	(23)	109	80	(29)
Grant income	4	4	-	-	4	4
Contributions: Mobile Clinic	4	61	57	-	61	61
Contributions: Other	42	11	(31)	1	11	10
Investment income	171	134	(37)	113	134	21
Miscellaneous	71	104	33	80	104	24
Total revenues	14,819	15,861	1,042	15,102	15,861	759
Other financing sources						
Proceeds of general obligation debt	-	-	-	-	-	-
Operating transfers from Electric fund	750	750	-	750	750	-
Other transfers	4	5	1	1,041	5	(1,036)
Sale of capital assets	-	-	-	11	-	(11)
Total other financing sources	754	755	1	1,802	755	(1,047)
Total revenue and other financing sources	\$ 15,573	\$ 16,616	\$ 1,043	\$ 16,904	\$ 16,616	\$ (288)

Attachment: CM 1-21-19, Financial summary, Dec. 2019 (3944 : City financial summary December 2019.)

City of Opelika
General Fund Expenditures (Interim Report)
Comparison of Actual and Budget to Prior Year
FYTD December 2019 Preliminary
**Thousands of dollars*

	YTD Actual			Budget to Actual		
	2019	2020	Variance	2020 Budget	2020 Actual	Variance
General government:						
Legislative	\$ 104	\$ 100	\$ (4)	\$ 113	\$ 100	\$ 13
Executive	61	50	(11)	163	50	113
Legal	74	104	30	129	104	25
Administration	147	162	15	196	162	34
Accounting	138	116	(22)	153	116	37
Human resources	70	94	24	124	94	30
Information technology	723	769	46	590	769	(179)
Revenue	103	87	(16)	119	87	32
Municipal court	93	86	(7)	97	86	11
Purchasing	74	68	(6)	79	68	11
Community development	42	61	19	65	61	4
Planning	96	106	10	151	106	45
Other - nondepartmental	111	154	43	147	154	(7)
Total general government	1,837	1,957	120	2,129	1,957	172
Public safety:						
Police	2,497	2,525	28	2,907	2,525	382
Probation	37	19	(18)	40	19	21
Fire	1,596	1,393	(203)	1,623	1,393	230
Other - nondepartmental	90	105	15	105	105	-
Total public safety	4,220	4,042	(178)	4,676	4,042	634
Public works:						
Streets	333	355	22	367	355	12
Engineering	147	209	62	192	209	(17)
Administration	119	120	1	136	120	16
Cemetery	55	57	2	57	57	-
Auto shop	128	43	(85)	290	43	247
Building maintenance	135	154	19	163	154	9
Inspection	127	123	(4)	162	123	39
Grounds maintenance	235	242	7	242	242	-
Total public works	1,278	1,302	24	1,609	1,302	307
Culture and recreation:						
Parks and recreation	1,175	1,203	28	1,486	1,203	283
Library	221	211	(10)	243	211	32
Other - nondepartmental	71	108	37	33	108	(75)
Total culture and recreation	1,468	1,522	54	1,762	1,522	240
Economic development:						
Development	81	84	3	146	84	62
Other - nondepartmental	570	31	(539)	271	31	240
Total economic development	650	114	(536)	416	114	302
Health:						
Animal control	19	18	(1)	22	18	4
Mobile Clinic	-	-	-	-	-	-
Other	72	80	8	77	80	(3)
Total health	91	98	7	99	98	1
Education	858	829	(29)	829	829	-
Welfare	45	26	(19)	31	26	5
Capital outlay	1,900	1,786	(114)	4,739	1,786	2,953
Debt service						
Principal retirement	178	-	(178)	170	-	170
Interest and charges	12	3	(9)	9	3	6
Total debt service	190	3	(187)	179	3	176
Total expenditures	12,537	11,679	(858)	16,469	11,679	4,790
Other financing uses						
Transfers out:						
Transfers to PR/Jail construction fund	801	882	81	850	882	(32)
Transfers to other funds	3,420	3,096	(324)	2,080	3,096	(1,016)
Total transfers out	4,221	3,979	(242)	2,930	3,979	(1,049)
Total expenditures and other financing uses	\$ 16,758	\$ 15,659	\$ (1,100)	\$ 19,396	\$ 15,659	\$ 3,737

Attachment: CM 1-21-19, Financial summary, Dec. 2019 (3944 : City financial summary December 2019.)

City of Opelika
 Capital Outlay (Interim Report)
 Comparison of Actual and Budget to Prior Year
 FYTD November 2019 Preliminary

	FYTD Actual			Budget to Actual		
	2019	2020	Variance	2020 Rev Budg	2020 Actual	Variance
GENERAL FUND						
General Government:						
Legislative	-	-	-	-	-	-
Executive	-	-	-	-	-	-
Legal	-	-	-	-	-	-
Administration	-	-	-	-	-	-
Accounting	-	-	-	1,020,381	-	1,020,381
Human Resources	-	-	-	-	-	-
Information Technology	177,228	56,149	(121,079)	752,273	56,149	696,124
Revenue	-	-	-	-	-	-
Municipal Court	-	-	-	-	-	-
Purchasing	-	-	-	-	-	-
Community Development	-	-	-	-	-	-
Planning	-	-	-	-	-	-
Health	-	-	-	100,938	-	100,938
Other	-	-	-	-	-	-
Total general government	\$ 177,228	\$ 56,149	\$ (121,079)	\$ 1,873,592	\$ 56,149	\$ 1,817,443
Public Safety:						
Police	1,552,456	688,915	(863,541)	3,703,719	688,915	3,014,804
Probation	-	-	-	-	-	-
Fire	16,125	269,333	253,208	529,754	269,333	260,421
Total public safety	\$ 1,568,581	\$ 958,248	\$ (610,333)	\$ 4,233,473	\$ 958,248	\$ 3,275,225
Public Works:						
Streets	(37,170)	349,046	386,216	5,295,404	349,046	4,946,358
Engineering	30,703	145,125	114,422	6,856,984	145,125	6,711,859
Administration	44,172	127,192	83,020	525,430	127,192	398,238
Cemetery	-	-	-	-	-	-
Auto Shop	-	-	-	-	-	-
Building Maintenance	-	-	-	-	-	-
Inspection	-	-	-	-	-	-
Grounds Maintenance	-	-	-	-	-	-
Total public works	\$ 37,705	\$ 621,363	\$ 583,658	\$ 12,677,818	\$ 621,363	\$ 12,056,455
Culture and Recreation:						
Parks and Recreation	116,758	149,761	33,003	171,761	149,761	22,000
Library	-	-	-	-	-	-
Total culture and recreation	\$ 116,758	\$ 149,761	\$ 33,003	\$ 171,761	\$ 149,761	\$ 22,000
Economic development	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Health, Education and Welfare	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total capital outlay expenditures	\$ 1,900,272	\$ 1,785,521	\$ (114,751)	\$ 18,956,644	\$ 1,785,521	\$ 17,171,123
PROPRIETARY FUNDS						
Electric	356,112	437,309	81,197	7,715,547	437,309	7,278,238
Telecommunications	37,763	-	(37,763)	128,009	-	128,009
Sewer	3,674,717	16,302	(3,658,415)	2,113,763	16,302	2,097,461
Solid Waste	-	137,951	137,951	375,000	137,951	237,049
Total Proprietary funds	\$ 4,068,592	\$ 591,562	\$ (3,477,030)	\$ 10,332,319	\$ 591,562	\$ 9,740,757
OTHER GOVERNMENTAL FUNDS						
Municipal Complexes fund - Municipal Court	-	-	-	69,000	-	69,000
4 & 5 Cent Gas Tax fund - Street Resurfacing	-	-	-	66,000	-	66,000
2011 Road Construction - Streets	-	-	-	-	-	-
2011 Road Construction - Street paving	-	-	-	-	-	-
2011 Road Construction - Other	71,396	-	(71,396)	-	-	-
Capital Improvement funds - Other	-	0	-	93,358	-	93,358
Industrial Road Grant funds - Other	6,538	3,090	(3,448)	202,756	3,090	199,666
Industrial Access Road Grant funds - Engineering	1,152,259	-	(1,152,259)	32,115	-	32,115
Total Other Governmental funds	\$ 1,230,193	\$ 3,090	\$ (1,227,103)	\$ 463,229	\$ 3,090	\$ 460,139
Total	\$ 7,199,057	\$ 2,380,173	\$ (4,818,884)	\$ 29,752,192	\$ 2,380,173	\$ 27,372,019

Attachment: CM 1-21-19, Financial summary, Dec. 2019 (3944 : City financial summary December 2019.)



City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 01/21/20 07:00 PM
Department: Building Inspection
Category: Building Permit Report.
Prepared By: BJ Lowery
Initiator: Jeff Kappelman
Sponsors:

MAYOR'S REMARKS (ID # 3932)

DOC ID: 3932

December 2019 Monthly Building Report



CITY OF
OPELIKA
alabama

BUILDING INSPECTIONS

700 Fox Trail
Opelika, AL 36801
(p) 334-705-5420
(f) 334-705-5159
www.opelika-al.gov

Monthly Permits For December, 2019

Work & Repair On Buildings:

Building Repairs	Commercial	Residential
Buildings Condemned	0	0
Buildings Demolished	0	0
Building Repairs	7	13
Plumbing Upgrades	5	5
Electrical Upgrades	0	6
Mechanical Upgrades	1	2
Reroofs And Roof Repairs	1	5
Mobile Home Services	0	0
Building Additions/Accessory Structures	0	0

Monthly Totals For December 2009-2018

2010	\$3,234,467.00
2011	\$2,923,621.00
2012	\$4,444,694.00
2013	\$4,376,038.00
2014	\$8,139,696.00
2015	\$6,288,230.00
2016	\$749,380.00
2017	\$8,354,285.00
2018	\$4,265,483.00
2019	\$6,206,305.40

Total Permits Issued:

0	New Buildings: Commercial	\$0.00
7	Commercial Renovations And Repairs	\$779,220.00
2	Signs	\$5,519.00
20	New Single Family Homes	\$5,157,431.40
13	Residential Repairs And Renovations	\$264,135.00
	New Apartment Units	\$0.00
	New Duplex Residences	
	Total Building Permits Issued	

42

Total Permits Issued For December, 2019

\$6,206,305.40

TAKEN FROM THE RECORDS OF THE
BUILDING INSPECTOR


Jeff Kappelman
Chief Building Inspector





BUILDING INSPECTIONS
 700 Fox Trail
 Opelika, AL 36801
 (p) 334-705-5420
 (f) 334-705-5159
 www.opelika-al.gov

Fiscal Year To Date Report - 2020

Building Repairs	Commercial	Residential
Buildings Condemned	0	0
Buildings Demolished	0	0
Building Repairs	7	22
Plumbing Upgrades	1	11
Electrical Upgrades	6	13
Mechanical Upgrades	6	13
Reroofs And Roof Repairs	0	7
Mobile Home Services	0	0
Building Additions/Accessory Structures	1	7

Yearly Totals For Oct. 1st - Sept. 30th	
2010	\$96,662,342.00
2011	\$45,352,237.00
2012	\$178,221,004.00
2013	\$61,881,917.00
2014	\$79,409,560.00
2015	\$192,080,600.00
2016	\$127,079,852.00
2017	\$166,673,506.00
2018	\$111,654,002.74

Total Permits Issued:

1	New Buildings: Commercial	\$3,511,011.00
17	Commercial Renovations And Repairs	\$1,837,386.00
7	Signs	\$24,669.00
72	New Single Family Homes	\$19,309,957.00
33	Residential Repairs And Renovations	\$987,238.00
0	New Apartment Units	\$0.00
0	New Duplex Residences	\$0.00
0	Total Building Permits Issued	\$0.00

130

Permit Total Issued for FY 2020

\$25,670,261.00


 JEFF KAPPELMAN
 Chief Building Inspector



City Of Opelika Building Inspections Department

December 2019 Monthly Building Report

Issue Date	Main Address	Work Class	Company	Valuation
12/2/2019	809 SKI SPRAY PT	New Single Family Detached	MCCANN CONSTRUCTION LLC	\$ 590,450.00
12/3/2019	3401 QUAIL CV	Alteration	CHAMPION WINDOW CO OF BIRMINGHAM	\$ 19,200.00
12/3/2019	2812 3RD AVE	Roofs	GTR CONTRACTORS LLC	\$ 40,000.00
12/3/2019	3603 DOUBLE EAGLE LN	Alteration	CHAMPION WINDOW CO OF BIRMINGHAM	\$ 12,900.00
12/4/2019	2701 FREDERICK RD 202	Signs	SIGN WORLD INC	\$ 3,839.00
12/4/2019	2221 TIGER TOWN PKWY	Signs	EFFECTIVE SIGNS LLC	\$ 1,680.00
12/4/2019	805 E TOWNE LAKE CIR	Addition	COLUMBUS FOUR SEASONS SUNROOMS	\$ 55,627.00
12/4/2019	2460 ENTERPRISE DR	Roofs	ENCORE ROOFING INC	\$ 348,000.00
12/4/2019	4201 NORTHPARK DR	Alteration	TAKCO INC	\$ 85,000.00
12/9/2019	1922 BOXWOOD WAY	New Single Family Detached	EDGAR HUGHSTON BUILDER INC	\$ 261,922.00
12/9/2019	1809 ARCHER WAY	New Single Family Detached	EDGAR HUGHSTON BUILDER INC	\$ 266,739.00
12/9/2019	1807 ARCHER WAY	New Single Family Detached	EDGAR HUGHSTON BUILDER INC	\$ 267,374.00
12/9/2019	1879 WILDWOOD DR	New Single Family Detached	EDGAR HUGHSTON BUILDER INC	\$ 262,552.00
12/11/2019	2606 POPLAR ST	Alteration	GOLD HILL CONSTRUCTION	\$ 8,850.00
12/11/2019	603 WINSTON ST	Accessory Buildings	Lee McLeroy	\$ 2,800.00
12/11/2019	1700 JOLLIT AVE	Alteration	GOLD HILL CONSTRUCTION	\$ 6,205.00
12/11/2019	3494 EAGLE TRL	New Single Family Attached	CONNER BROTHERS CONSTRUCTION	\$ 198,177.00
12/12/2019	2246 LAKEVIEW DR	New Single Family Detached	HOLLAND HOMES LLC	\$ 284,038.00
12/12/2019	2250 LAKEVIEW DR	Amusement And Rec. Building	HOLLAND HOMES LLC	\$ 180,820.00
12/13/2019	1303 CEDAR CREEK DR	Accessory Buildings	Douglas Hall	\$ 3,500.00
12/16/2019	1022 ODEN CT	New Single Family Detached	STONE MARTIN BUILDERS	\$ 212,640.00
12/16/2019	1116 TUMBLESTONE FRK	New Single Family Detached	STONE MARTIN BUILDERS	\$ 187,976.00
12/16/2019	654 HIGH FIELD CT	New Single Family Detached	STONE MARTIN BUILDERS	\$ 301,740.00
12/16/2019	815 MORNING GLORY DR	New Single Family Detached	STONE MARTIN BUILDERS	\$ 286,031.80
12/16/2019	662 HIGH FIELD CT	New Single Family Detached	STONE MARTIN BUILDERS	\$ 259,821.00
12/16/2019	1058 ODEN CT	New Single Family Detached	STONE MARTIN BUILDERS	\$ 212,546.00
12/16/2019	4094 BROADVIEW DR	New Single Family Detached	STONE MARTIN BUILDERS	\$ 196,012.70

12/16/2019	613 TOWNE LAKE PKWY	New Single Family Detached	STONE MARTIN BUILDERS	\$ 268,418.40
12/17/2019	3689 QUAIL TRCE	New Single Family Detached	CONNER BROTHERS CONSTRUCTION	\$ 226,740.00
12/17/2019	3647 EAGLE TRL	New Single Family Detached	CONNER BROTHERS CONSTRUCTION	\$ 190,033.00
12/18/2019	1700 ARROWHEAD AVE	Alteration	J MANIFOLD CONSTRUCTION	\$ 95,295.00
12/19/2019	3628 QUAIL TRCE	New Single Family Detached	CONNER BROTHERS CONSTRUCTION	\$ 295,506.00
12/19/2019	2603 PEPPERELL PKWY	Addition	BILL LYNN CONSTRUCTION INC	\$ 12,000.00
12/19/2019	3078 YARDS LN	New Single Family Detached	CONNER BROTHERS CONSTRUCTION	\$ 148,660.00
12/20/2019	1006 GWYNNE'S WAY	New Single Family Detached	BUILDERS PROFESSIONAL GRP LLC	\$ 240,054.50
12/20/2019	1800 CRAWFORD RD	Alteration	SJ & CONSTRUCTION	\$ 75,000.00
12/20/2019	702 WINSTON ST	Decks	Fred Papenburg	\$ 1,600.00
12/23/2019	1504 ROCKY BROOK RD	Alteration	A&E HOLDINGS LLC	\$ 2,663.00
12/23/2019	1105 BEAUFORD DR	Alteration	A&E HOLDINGS LLC	\$ 4,530.00
12/26/2019	310 SAMFORD AVE	Roofs	J&H HOME IMPROVEMENT	\$ 5,000.00
12/30/2019	2701 FREDERICK RD 201	Alteration	Inseok Jank	\$ 3,400.00
12/31/2019	205 MORRIS AVE	Roofs	TRIPLE B CONSTRUCTION LLC	\$ 5,965.00
12/31/2019	1701 CANNON GATE DR	Amusement And Recreational Bu	STONE MARTIN BUILDERS	\$ 75,000.00
				\$ 6,206,305.40


 Jeff Kappelman Chief Building Official

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 3938)**

Meeting: 01/21/20 07:00 PM
Department: Purchasing and Revenue
Category: Business & Alcohol License
Prepared By: Martha Wright

Initiator: Lillie Finley

Sponsors:

DOC ID: 3938

ARCH Investments LLC Dba 280 Marathon Request Wine and Beer Off Premise License.

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 3939)**

Meeting: 01/21/20 07:00 PM
Department: Purchasing and Revenue
Category: Business & Alcohol License
Prepared By: Martha Wright

Initiator: Lillie Finley

Sponsors:

DOC ID: 3939

Prime Food Mart LLC Dba 4Th Street Station Request Wine and Beer Off Premise License.



City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 01/21/20 07:00 PM
Department: Purchasing and Revenue
Category: Business & Alcohol License
Prepared By: Martha Wright

Initiator: Lillie Finley

Sponsors:

GENERAL BUSINESS (ID # 3940)

DOC ID: 3940

Takoyaki LLC Dba Takoyaki Request Restaurant Retail Liquor & on Premise Beer License.



City Council

204 South 7Th Street
Opelika, AL

SCHEDULED

BIDS 014-20

Meeting: 01/21/20 07:00 PM
Department: Purchasing and Revenue
Category: Bid
Prepared By: Angela Norrell
Initiator: Lillie Finley
Sponsors:
DOC ID: 3935

Siemens Single-Phase Voltage Regulators W/ SEL Control Panel - OPS

RESOLUTION NO. _____

WHEREAS, the Purchasing Department solicited bids for a contract for Siemens Single-Phase Voltage Regulators w/ SEL Control Panel for Opelika Power Services; and

WHEREAS, Siemens Industry, Inc. is the sole responsible bidder meeting specifications; and

WHEREAS, funds are coming from System Expansion & Upgrade fund;

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

1. That the contract be awarded to Siemens Industry, Inc. on their sole bid meeting specifications.
2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to Siemens Industry, Inc. in the total amount of \$32,510.00.
3. That the Controller is authorized to adjust the budget as necessary for this contract.
4. That the Mayor is hereby authorized to sign all documents pertaining to this contract.

APPROVED AND ADOPTED this the _____ day of _____, 2020.

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

ATTEST:

Bids 014-20

Meeting of January 21, 2020

Robert G. Shuman, CMC
City Clerk - Treasurer

FACT SHEET

SUBJECT: Sealed Bid #20004 – We are asking the Council to approve a contract for Siemens Single-Phase Voltage Regulators w/ SEL Control Panel

FACTS:

- Bid opening date – 1/6/20
- User departments – Power Services
- The bid was mailed to 6 vendors
- 1 bid was received
- Budgeted contract
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend the contract be awarded to Siemens Industry, Inc. on their sole bid meeting specifications in the total amount of \$32,510.00.**

[illegible]

RESOLUTION NO. 015-20

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
-----	-----	-----
Lori Huguley	Economic Development	262.80
Gary Fuller	Mayor	412.80

-) 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 _____, 2020.

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

ATTEST:

Robert G. Shuman, CMC
City Clerk - City Treasurer

PERIOD ENDING

NAME

DEPARTMENT

Name Lori Huguley

Department Economic Development

DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS Itemize Below			ENTERTAIN- MENT Itemize Below	MISC. EXPENSES Itemize Below	DAILY TOTAL
			AIR RAIL, ETC	RENTAL CAR LIMO ETC.	LOCAL TAXI, TOLLS & PUB- LIC TRANSIT	AUTO EXPENSES Itemize Below	BREAKFAST	LUNCH	DINNER			
SUN												0.00
MON												0.00
TUE												0.00
WED 1/8/20	Tampa, FL		262.80									262.80
THU												0.00
FRI												0.00
SAT												0.00
WEEKLY CATEGORY TOTALS \$		0.00	262.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	262.80

WEEKLY TOTAL EXPENSES

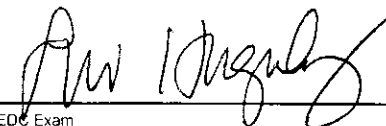
DATE	NAME OF PERSON(S) ENTERTAINED; COMPANY, TITLE	TIME & PLACE	NATURE & PURPOSE OF ENTERTAINMENT	AMOUNT	% OR \$ ALLOCATED TO BUSINESS

NUMBER OF DAYS AWAY FROM HOME

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

NATURE OR PURPOSE OF TRAVEL

Economic Development IEDC Exam grader and
conference 2/7-2/7/2020


IEDC Exam

DEDUCT FROM
MY ADVANCE

MAIL: TO

ITEMIZED AUTOMOBILE EXPENSES

DATE	MILEAGE, GAS, PARKING REPAIRS, ETC.	AMOUNT

ITEMIZED MISCELLANEOUS EXPENSES

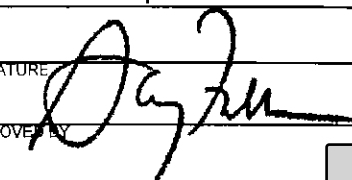
DATE	ITEMS	AMOUNT

Lori Huguley

Economic Development

SIGNATURE

APPROVED BY



EXPENSE REPORT

NAME

Gary Fuller

DEPARTMENT

Department Mayor's office

PERIOD ENDING

DAY	CITY AND STATE	LODGING	TRANSPORTATION				BUSINESS MEALS			ENTERTAINMENT	MISC. EXPENSES	DAILY TOTAL
			AIR RAIL ETC	RENTAL CAR LIMO ETC	LOCAL TAXI TOLLS & PUBLIC TRANSIT	AUTO EXPENSES	Itemize Below			Itemize Below	Itemize Below	
SUN							BREAKFAST	LUNCH	DINNER			0.00
MON 3/9/2020	Washington, DC		412.80									412.80
TUE												0.00
WED												0.00
THU												0.00
FRI												0.00
SAT												0.00
WEEKLY CATEGORY TOTALS \$		0.00	412.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	412.80

WEEKLY TOTAL EXPENSES

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

NUMBER OF DAYS AWAY FROM HOME

1

NUMBER OF DAYS AWAY ON PERSONAL AFFAIRS

0

% OF TOTAL DAYS AWAY FOR PERSONAL AFFAIRS

100%

NATURE OR PURPOSE OF TRAVEL

2020 3rd Congressional District Dinner for Mike Rogers

METHOD OF REIMBURSEMENT

☐ DEDUCT FROM MY ADVANCE☒ MAIL TO

Employee Gary Fuller

Department Mayor's office

SIGNATURE

APPROVED BY

ITEMIZED AUTOMOBILE EXPENSES		
DATE	MILEAGE GAS PARKING REPAIRS, ETC.	AMOUNT

ITEMIZED MISCELLANEOUS EXPENSES		
DATE	ITEMS	AMOUNT

RESOLUTION NO. 016-20

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

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

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

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

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

No.	Qty.	Unit	Item Description	Fixed Asset
1.	1	Ea.	Zero Turn Riding Mower	87002737
2.	1	Ea.	1997 Ford F350 Crew Cab 1FTJW35F4VEB85326	87001286

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 _____, 2020.

C.E. “Eddie” Smith, Jr.

President of the City Council
City of Opelika, Alabama

ATTEST:

Robert G. Shuman, CMC

City Clerk - Treasurer

RESOLUTION NO. 017-20

Request for a downtown bike race on 2-16-2020.

RESOLUTION NO. _____

**RESOLUTION APPROVING REQUEST TO HOLD ROAD
BICYCLE RACE IN DOWNTOWN OPELIKA ON February 16, 2020**

WHEREAS, bicycling activities and attractions have great potential to have a positive impact on the City of Opelika's economy and tourism by making the City attractive to businesses and citizens who enjoy the outdoors and healthy lifestyles; and

WHEREAS, Elizabeth Keefer of the Auburn Flyers Cycling Club has requested permission to organize a road bicycle race in downtown Opelika on February 16, 2020; and

WHEREAS, the organizer/sponsor of said road bicycle race has requested permission to temporarily close certain City streets in downtown Opelika to conduct said event; and

WHEREAS, the City Council finds and determines that it is in the best interest of the City and its citizens to approve said request of the Auburn University Cycling Team.

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

1. That the request submitted by Elizabeth Keefer of the Auburn Flyers Cycling Club, to organize and hold a road bicycle race in downtown Opelika on Sunday, February 16, 2020 is hereby approved subject to the following conditions: (a) that the organizer/sponsor of said event shall execute and deliver to the City an Indemnification Agreement satisfactory to the City Attorney, (b) the organizer/sponsor shall purchase and maintain during the event commercial general liability insurance with limits not less than \$1,000,000 per occurrence and \$2,000,000 aggregate with the City named as an additional insured and shall provide the City certificates of insurance demonstrating that the above insurance requirements have been met.
2. That the Mayor, City Engineer and Director of Public Works and their designees are hereby authorized and directed to temporarily close portions of certain City streets designated per the attached route map on February 16, 2020 from 6:00 a.m. until

3:00 p.m.

ADOPTED AND APPROVED this the _____ day of _____, 2020.

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

ATTEST:

CITY CLERK

January 13, 2020

TO: Opelika City Council
FROM: Auburn Cycling/ Opelika Bicycle Advisory Committee
RE: Street Closure Request

Please find below our street closure request for the 2020 Auburn Flyers Race event.

The Auburn Cycling Club requests the following streets to be closed for the 2020 Auburn Flyers Weekend race on **Sunday February 16, 2020 at 6:00 am**. The 5th annual Auburn Flyers Road Race Weekend is set for February 15-16th. Both collegiate and amateur racers travel from all across the South East to compete in this weekend long event. The Sunday racing consists of a series of criterium races. Previously, these races have been held in beautiful downtown Opelika and we would like to bring back this tradition.

The request is to block:

- 1st Avenue from 10th Street to N 7th Street
- North Railroad Avenue from 10th Street to N 7th Street
- 10th Street from 1st Avenue to North Railroad Avenue
- N 7th Street from 1st Avenue to North Railroad Avenue

A map has been attached outlining the requested street closures.

This area will need to be closed from 6:00am to 3:00pm. Opelika Main Street Executive Director Ken Ward has been consulted and has no issues with the closures.

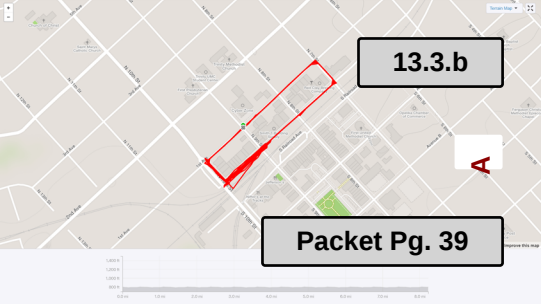
Please feel free to reach out with any questions/concerns by emailing sek0026@auburn.edu or by calling 256-473-5657 or Shirley at shirleylazenby@msn.com or 334-787-7679.

Thank you for your help with this!

Elizabeth Keefer
Auburn Flyers Cycling/ President

Shirley Lazenby
Opelika Bicycle Advisory Committee/ President

Attachment: CM 1-21-20, request for downtown Bike Race on 2-16-2020. (017-20 : Request for a downtown bike race on 2-16-2020.)



13.3.b

A

Packet Pg. 39

RESOLUTION NO. 018-20

Deny rezoning of property located at 1203 Crawford Road.

RESOLUTION NO. _____

RESOLUTION DENYING APPLICATION TO REZONE 22.2 ACRES LOCATED
AT 1203 CRAWFORD ROAD FROM R-1 TO C-2

WHEREAS, at its regular meeting on December 17, 2019, the Opelika Planning Commission considered an application (the “zoning application”) to rezone a parcel of land containing 22.2 acres located at 1203 Crawford Road from a R-1 District (Rural District) to a C-2 District (Office/Retail District); and

WHEREAS, after holding a public hearing, the Planning Commission sent a report to the City Council recommending approval of the zoning application; and

WHEREAS, all of the properties surrounding the subject 22.2-acre parcel are zoned R-1; and

WHEREAS, spot zoning refers to singling out a small parcel of land for use or uses classified differently from the surrounding area which is of similar character; and

WHEREAS, spot zoning is illegal in Alabama; and

WHEREAS, the governing body, in the exercise of its zoning power, may not discriminate between different properties or property owners; and

WHEREAS, the City Council finds and determines that the proposed zoning amendment constitutes an illegal spot zoning; and

WHEREAS, the City Council is not bound by the recommendation of the Planning Commission; and

WHEREAS, Section 11-52-77, *Code of Alabama*, requires that the City Council give public advance notice and hold a public hearing prior to adopting an amendment to the Zoning Ordinance; and

WHEREAS, the City Council does not have to conduct a public hearing if the City Council has decided not to consider or disapprove of the proposed zoning amendment recommended by the Planning Commission (AGO 1999-236).

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

1. That the City Council hereby denies the proposed zoning application on the grounds

that the proposed rezoning will constitute an illegal spot zoning in violation of Alabama law.

2. Given the zoning application's non-compliance with Alabama law, the Council hereby finds and determines that a public hearing is not needed to consider the proposed zoning amendment.

ADOPTED AND APPROVED this the _____ day of _____, 2020.

PRESIDENT OF THE CITY COUNCIL
OF THE CITY OF OPELIKA

ATTEST:

CITY CLERK

RESOLUTION NO. 019-20

Appoint new City Clerk/Treasurer and temporary Deputy City Clerk.

RESOLUTION NO. _____

RESOLUTION APPOINTING SUCCESSOR CITY CLERK/TREASURER

WHEREAS, Robert G. Shuman, the incumbent City Clerk/Treasurer, has announced his plans to retire on March 1, 2020; and

WHEREAS, pursuant to §11-43-3, *Code of Alabama*, 1975, the City Clerk/Treasurer is elected by the governing body of the municipality; and

WHEREAS, the City Council desires to appoint a successor to fill the vacancy for the remainder of the unexpired term of the incumbent City Clerk/Treasurer; and

WHEREAS, a screening committee appointed by the President of the City Council has reviewed the applications of candidates for the office of City Clerk/Treasurer and has interviewed qualified candidates for said position; and

WHEREAS, the screening committee has recommended the appointment of Russell A. Jones to fill said position; and

WHEREAS, the City Council finds and determines that Russell A. Jones is qualified to fill the office of City Clerk/Treasurer; and

WHEREAS, the Mayor desires to appoint Russell Jones to the position of Deputy City Clerk for the period beginning January 22, 2020 and ending March 1, 2020, in order to give him a broader understanding of the duties of the office of City Clerk and to better prepare him to assume said office on March 1, 2020.

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

Alabama, as follows:

1. That Russell A. Jones is hereby elected to serve as City Clerk/Treasurer for the unexpired term of the incumbent City Clerk/Treasurer, beginning March 1, 2020 and expiring November 2, 2020, or until his successor is elected and qualified.

2. That the salary to be paid to the successor City Clerk/Treasurer and the benefits he shall receive are fixed by Resolution No. 402-19 adopted by the City Council on December 17, 2019. The initial salary of the successor City Clerk/Treasurer shall be \$53,368.71.

3. That the Mayor is hereby authorized to fill the position of Deputy City Clerk (Class Code 1345) at pay grade 14 at an initial annual salary of \$53,368.71 for the period beginning January 22, 2020 and ending March 1, 2020. The salary and benefits associated with the position of Deputy City Clerk shall come from the Unassigned Fund Balance and the Mayor and Controller are authorized and directed to transfer adequate funds from the Unassigned Fund Balance to the appropriate salaries and wages account. Due to the temporary nature of the appointment, the Council hereby waives the normal requisitioning, recruiting and selection procedures, as outlined in Section 4 of the Policies and Procedures Manual associated with the selection of the Deputy City Clerk.

4. That the job description of Deputy City Clerk, attached hereto as Exhibit "A" and incorporated herein by reference, is hereby approved by the City Council.

5. That the provisions of this Resolution shall not apply to the incumbent City Clerk/Treasurer, Robert G. Shuman, but shall apply to his successor in office. The incumbent City Clerk/Treasurer shall continue to receive his full salary, compensation and emoluments until his retirement date of March 1, 2020.

6. That the provisions of this Resolution shall take effect immediately upon its passage and adoption by the City Council, except that the effective date of the election of the successor City Clerk/Treasurer shall be March 1, 2020, as provided above.

ADOPTED AND APPROVED this the ____ day of _____ 2020.

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

ATTEST:

CITY CLERK

CITY OF OPELIKA POSITION DESCRIPTION

Deputy City Clerk Office of the City Clerk

Job Summary

This position is FLSA nonexempt (full-time). The essential function of the position within the organization is to provide administrative, organizational and complex clerical support to the City Clerk/Treasurer's Office. The position is responsible for performing administrative and clerical tasks of responsibility. The position works under the general supervision of the City Clerk/Treasurer.

Minimum Qualifications

- Attend all regular and special meetings of the city council and attend certain meetings of all committees, boards and commissions of the city to the extent required by law or the council.
- Assist in preparing and maintain the minutes of all meetings of the city council.
- Attest the execution of city documents in the absence of the City Clerk.
- Publish notice of public hearings, special meetings of the city council, elections and other official actions as required by state law and city ordinance.
- Maintain copies of all city ordinances and resolutions for public use.
- Receive and file all communications and petitions directed to the city council or to the city generally and indicate thereon the action of the city council taken upon matters in such communications and petitions.
- Provide information or assistance to the public on request by answering questions, researching records and directing them to appropriate persons and transmitting messages to city staff or officials.
- Prepare certain resolutions, contracts, agreements and notices at the direction of the City Clerk/Treasurer.
- Publish certain legal notices and advertisements as required by law.
- Mail notices to property owners of public improvements made by the city council.
- Ensure city ordinances, resolutions and minutes of the city council are signed and recorded, if necessary.
- Compose correspondence, reports, memos, letters, notices, resolutions and ordinances on behalf of the city council.
- Carry out assignments and directives of the city council and City Clerk/Treasurer.

Essential Job Functions

- This position frequently works with other employees in a professional office environment.

- Communicates and exchanges information with others to assist city officials with inquiries and business involving City Clerk/Treasurer.
- Remains in a sedentary position while they screen telephone calls and visitors to City Clerk/Treasurer's office; provide information, resolve issues, direct caller/visitor to proper personnel, or take messages for City Clerk/Treasurer.
- Schedules appointments for City Clerk/Treasurer and maintains calendar; keeps City Clerk/Treasurer apprised of appointments throughout the day.
- Schedules and arranges meetings and conferences and notifies interested parties.
- Operates keyboard equipment, such as typewriters and personal computers, to produce legal documents, such as resolutions, ordinances, contracts, pleadings, deeds, easements, licenses and opinions.
- Proofreads and corrects prepared materials for correct grammatical spelling, punctuation, format, syntax and content.
- Composes routine letters.
- Operates office equipment such as personal computers, typewriters, scanners, duplicating machines, facsimiles, etc.
- Interacts with senior management to stay abreast of activities in City departments; informs City Clerk/Treasurer of activities and events as required.
- Sets up and maintains files, books, records and other departmental systems of responsibility; provides database updates as required.
- Composes and types correspondence, memoranda, reports, e-mails, and other documents observing strict confidentiality.
- Gathers and maintains information/data to support periodic and special reports for the area of responsibility; makes copies and distributes to appropriate personnel/departments as directed by City Clerk/Treasurer.
- Regularly attends work.

Marginal Job Functions

- This position occasionally travels to attend workshops, training seminars, and events to improve technical or professional skills.
- Moves about the office to perform routine office tasks such as preparing correspondence, data entry, filing, faxing, telephoning, and photocopying which may involve transporting files weighing up to 10 lbs.

EMPLOYMENT POLICY

The City of Opelika is an Equal Opportunity, Affirmative Action, and Americans with Disabilities Act compliant employer. We consider applicants for all positions without regard to race, religion, color, national origin, gender (including pregnancy, childbirth or related medical conditions), sexual orientation, gender identity, gender expression, age, parental status, status as a protected veteran, status as an individual with a disability or any other legally protected status. In accordance with the Department of Justice regulations implementing Subtitle A of Title II of the Americans with Disabilities Act (42 U.S.C. 12131), the City of Opelika welcomes all reasonable requests for accommodations from prospective applicants. The City's ADA Coordinator can be reached at (334) 705-2083 or at ADA@opelika-al.gov.

RESOLUTION NO. 020-20

Contract with Sain Assoc., bicycle pedestrian master plan - Engineering.

RESOLUTION NO. _____

**RESOLUTION ACCEPTING PROPOSAL AND AUTHORIZING AWARD OF
CONTRACT TO SAIN ASSOCIATES FOR PLANNING AND ENGINEERING
SERVICES IN CONNECTION WITH THE DEVELOPMENT OF A BICYCLE AND
PEDESTRIAN PLAN FOR THE CITY OF OPELIKA, ALABAMA**

WHEREAS, pursuant to Resolution No. 309-19, the City of Opelika (the “City”) and the State of Alabama, acting by and through The Alabama Department of Transportation (“ALDOT”), entered into an Agreement for the development of a bicycle and pedestrian plan for the City of Opelika (the “Project”); and

WHEREAS, professional planning and engineering services are needed for the Project; and

WHEREAS, Sain Associates, Inc., (“Sain”) is a professional engineering firm that possesses the requisite knowledge, skill and resources to provide planning and engineering services for the Project; and

WHEREAS, Sain has been approved by ALDOT to provide said planning and engineering services; and

WHEREAS, the City has received a Proposal for Engineering Services from Sain to provide preliminary engineering services to the City for the development of a bicycle and pedestrian plan for the City Council; and

WHEREAS, the City Council has reviewed the Proposal submitted by Sain and has

determined that it is in the best interest of the City to enter into a contract with Sain.

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 Sain Associates, Inc., 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 execution and delivery of said Proposal.
2. That the Mayor is further authorized to execute and deliver or cause to be executed or delivered in the name and on behalf of the City such other agreements, contracts, 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 be paid to Sain Associates under and pursuant to the Proposal 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. The City will forward invoices for said planning and engineering services to ALDOT for reimbursement.
4. That the Purchasing-Revenue Manager is hereby authorized and directed to issue a purchase order to Sain Associates for the provision of planning and engineering services as outlined to the Proposal attached hereto.
5. That this Resolution shall take effect upon its passage and adoption by the City

Council.

ADOPTED AND APPROVED this the _____ day of _____, 2020.

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

ATTEST:

CITY CLERK



SAIN
ASSOCIATES

January 9, 2020

Mr. Matt Mosley, AICP
Planning Director
City of Opelika
700 Fox Trail
Opelika, AL 36803

Two Perimeter Park South
Suite 500 East
Birmingham, Alabama 35243
Telephone: (205) 940-6420
www.sain.com

SUBJECT: Opelika Bicycle and Pedestrian Plan
SA Project #19-0341

Dear Matt:

We appreciate the opportunity to submit this proposal for planning and engineering services. Following is a description of our understanding of your project and the scope of services that we propose to undertake.

General Project Understanding

Based on our meeting with the City on October 14, the following is our understanding of the project:

- The City of Opelika has been awarded PL funds for development of a Bicycle and Pedestrian Plan.
- The City desires a document to include both a long range master plan and a short range implementation plan.
- The study area for the bike/ped plan is primarily local roads. State and County roads may need to be included for connectivity.

The Bicycle and Pedestrian Plan will serve as both a graphic expression of the City's needs to accommodate non-motorized travel modes as well as a policy document to guide the City's conversations and considerations regarding infrastructure for both cyclists and pedestrians. It will provide guidance to the City for both long range and short range implementation.

Scope of Services

To accomplish the needs of the City, Sain will perform the following scope:

GIS Base Mapping

The City will provide GIS files to Sain for use in preparing the base mapping. The City will provide parcel data, City roadways, City facilities such as schools and parks, and a layer of existing sidewalk locations. For dedicated bicycle accommodations, the City does not have a GIS layer, but will provide a written description of the locations and Sain will prepare the GIS layer.

In order to identify the connectivity needs for a city-wide bike/ped plan, Sain will also incorporate the following into the GIS base mapping (as it's available from the City):

- Other local plans such as the Creekline Greenway and the Carver Jeter Plans



- Regional bicycle and pedestrian plans within the City limits (Auburn, Lee Russell Council of Governments, and the ALDOT Statewide)
- Destinations (schools, parks, downtown, Tiger Town, Southern Union, and transit stops)
- Future developable sites that may attract cyclists and walkers
- Available traffic volumes

Existing Conditions Review

The activities that will be undertaken include:

- Planning Documents – Review any relevant City planning documents that may pertain to bike/ped for incorporation into this plan
- Traffic Volumes – Gather previously collected traffic count data from available sources and determine if additional traffic count data is needed. If additional data is needed, the City will collect and provide to Sain
- Windshield Review – Perform a windshield review of the existing network (corridors to be negotiated with the City)
 - This high level field review will include an assessment of the existing roadway (existing travel lane configuration, speed limit, roadway shoulder type and condition, potential grading difficulties, major visible utility impacts, and property impacts). From this in-field review, bike/ped accommodations will be placed into three installation categories: easy, medium, and difficult
 - In areas where it appears the travel lane width deviates from a typical 11 foot to 12 foot width, we will measure the lane width
 - We will develop a GIS data collection application to be used during in-field inventory
- Potential Use – We will prepare a heat map that identifies densely populated, recreational, commercial, and business areas to draw attention to pedestrian and cyclist generators. This map will aid in identifying those areas where installation of accommodations would likely be used, if they were installed

Develop a Vision Statement, Goals, and Objectives

Sain will review other City planning documents (2001 Bike Plan, 2005 Comprehensive Plan, and 2015 Master Plan) to ensure the vision, goals, and objectives of the bike/ped plan are in line with existing documents. Sain will combine this information along with feedback from the City and select outside organizations, such as the Bicycle Advisory Board and the Creek Line Group, to articulate a clear vision for non-motorized transportation in the City's future, and a series of achievable goals and objectives that will make the vision a reality. All future recommendation will be compared to these benchmarks to see if they are aligned with the overall goals.

Master Plan

Following the development of the existing base mapping and the windshield review, Sain will perform the following to develop a long range master plan of the recommended bike/ped accommodations:

- Identify connections to other existing plans – Identifying the key routes that connect to other regional plans (2001 Bike Plan, 2005 Comprehensive Plan, and 2015 Master Plan) will be the first



step. The local plans, that have not yet been adopted by the City (Creekline Greenway Plan and Carver Jeter Plan) will be consulted but will not be of as high importance as establishing the regional connections

- Identify connections to destinations – If multiple connection route options exist, we will identify the most appropriate route to connect existing generators as well as high potential use areas.

Prioritization

Prioritizing potential projects will be based on the criteria from the Federal Highway Administration's (FHWA) *Pedestrian Safety Guide and Countermeasure Selection System* and from FHWA's *How to Develop a Pedestrian Safety Action Plan*. Establishing priorities for potential facility segments will include:

- Development of a prioritized list of criteria. For purposes of establishing a fee for this scope of services, it is estimated this list of criteria will include:
 1. Cost (high level opinions of probable costs based on per mile installations)
 2. Feasibility (easy, medium, and difficult)
 3. Severity of the problem (speed of the roadway and traffic characteristics which lends to severity of the problem, if no accommodation is present)
 4. Probable Use (distance to destinations)
 5. Effectiveness of the Solution (Connectivity)
 6. Transportation Equity (ADA accommodations-based on existing ADA plan, improved accessibility for low income residents, students, and elderly)
- Development of a methodology for using the criteria to evaluate potential sites
- Creation of a prioritized list of sites for improvements

Phasing

Following the prioritization, installation phases can be identified. The first step will be to identify any "low hanging fruit" installations such as restriping or road diet candidates. Next, phases will be selected based on providing connectivity between existing facilities, geographically close segments, and estimated construction costs.

Short term Implementation Recommendations

For a select number of roadways, to be negotiated with the City, Sain will perform a more detailed constructability field review and prepare concept maps on aerials. These routes will be based on discussions with the City and could be those that meet the criteria for Transportation Alternative Program (TAP) funding. These maps will depict the recommended bicycle and pedestrian accommodations for the roadway and provide more detailed information on challenges with implementation such as topography, drainage, utilities, and right of way. Detailed opinions of probable costs will be prepared.

Bicycle and Pedestrian Report

The report will be a guide for the City to develop and build bicycle and pedestrian accommodations and implement the policy recommendations.



The report will be organized into chapters with information on the tasks detailed in this scope of work. Additionally, the report will provide the following tools for the City's use:

- Road Diet – guidance on ADT threshold and best practices for implementation
- Guidance for new construction and different methods for implementation
- Recommended requirements for developers for installation of bike/ped facilities
- Typical section options, along with guidance on where each is appropriate
- Potential funding opportunities

Meetings

Attendance at four meetings is included in this scope of work:

- Public meeting
 - The goal of the meeting will be to provide the public with an overview of the project including the identified connection locations and related corridors. Feedback on specific corridor selection and priorities will not be solicited
- Bicycle advisory board
 - Sain will prepare for and attend a meeting with the Bicycle Advisory Board to present the bike/ped plan
- Two (2) additional meetings with the City

Exclusions

The following services are excluded from this proposal but can be provided if deemed necessary and requested by you: survey, design or development of construction plans, traffic study or counts, crash analysis, signal inventory or re-timings, permitting, and construction observations.

Fees

We propose to provide the above described services based on the following fee schedule:

Total Estimated Budget \$150,000.00

Reimbursable expenses such as printing, shipping, plan/permit application fees, mileage, etc. are included in the above fees.

Procedures for Changes in Scope of Work

The scope of work documented herein is based upon information known as of the date of this proposal. Should future changes (e.g. site plan, regulatory, project phasing, additional meetings, etc.) necessitate changes in the scope of work, we will contact you to discuss the scope of the additional work and its impact to our contracted fees and project schedule. No additional work will be undertaken by Sain or our subconsultants without your authorization.

Terms and Conditions

This contract is subject to the enclosed Terms and Conditions. All subsequent services required by you outside the scope of service specified will be performed on a time and materials basis according to the

Bicycle and Pedestrian Plan
 City of Opelika
 1/9/2020
 Page 5



schedule of rates enclosed. Any modification to this contract document must be approved in writing by both parties with approval indicated by each signatory's initials and the date of approval.

Proposal Limitations

We reserve the right to withdraw or modify this proposal if not contracted within 60 days.

Schedule

Sain is available to start work upon your authorization. We estimate a 9-month project schedule to deliver a draft report.

Thank you for the opportunity to provide this proposal. If you have any questions or need clarification on any item, please call me. We look forward to working with you.

Sincerely,

SAIN ASSOCIATES, INC.

Alicia Bailey, P.E.
 Principal/Owner
 AL #26339

Enclosures:
 ALDOT Manday Estimate
 Sain Terms & Conditions (sch. 2020)

OFFERED:
 SAIN ASSOCIATES, INC.
 BY: Becky White, PTP

 Signature of Authorized Representative

Date: 1/9/2020

ACCEPTED:
 CITY OF OPELIKA

BY: _____
 Signature of Authorized Representative

 Print Name & Title

Date: _____

Attachment: Exhibit A--Opelika Bike Ped Scope and Mandays Estimate (020-20 : Bicycle Ped Masterplan Engineering contractt)

Project No.	
County	Lee
Description	Opelika Bicycle and Pedestrian Plan
Scope of Work	Opelika Bicycle and Pedestrian Plan
Project Length	233.00 Miles
Consultant	Sain Associates, Inc.

GRAND TOTAL OF FEE PROPOSAL

Bicycle and Pedestrian Plan	\$150,000
GRAND TOTAL FEE	\$150,000

Combined overhead rate (%) >>>>>>>>>>>	184.79
--	--------

Facilities Capital Cost of Money (if used) >>>>>	0.71
--	------

LABOR RATES

Classification	Daily Rate
Project Manager	\$489.20
Sr. Engineer/Planner	\$491.00
Engineer	\$361.32
Engineering Technician/GIS Professional	\$345.95
Clerical	\$202.00

****Certification of Out-of-Pocket Expenses:**

If Out-of-Pocket Expenses are included in this proposal, we hereby certify that these costs are not included in the Combined Overhead Rate and are typically invoiced to all clients as a direct job cost.

Becky White

Signed

1/9/2020

Date _____

Chief Operating Officer

Position/Title

Project No. _____ County Lee Description Opelika Bicycle and Pedestrian Plan Scope of Work Opelika Bicycle and Pedestrian Plan Project Length 233.00 Miles Consultant Sain Associates, Inc.				
BICYCLE AND PEDESTRIAN PLAN	Sr. Engr/Plnr	Engineer	Engr. Tech/GIS	Clerical
Task 1: GIS Base Mapping				
1-A Prepare GIS Base Mapping			5.00	
1-B Incorporate other bike/ped plans	0.25	0.50	1.00	
1-C Identify existing and known future destinations that may attract cyclists and walkers	0.25	0.50	0.50	
Task 1 Totals	0.50	1.00	6.50	0.00
Task 2: Existing Conditions Review				
2-A Review other City planning documents	0.50	1.75		0.25
2-B Gather available traffic volumes and insert into GIS	0.25	1.00	0.50	
2-C Develop GIS data collection application			2.00	
2-D Windshield Review of existing network	0.25	5.00	5.00	0.25
2-E Prepare heat map of potential use	0.25	0.25	1.00	
Task 2 Totals	1.25	8.00	8.50	0.50
Task 3: Develop a Vision Statement, Goals, and Objectives				
3-A Review other vision, goals, and objective statements from City documents	0.25	1.00		0.25
3-B Coordinate with City and select outside organizations	0.25			
3-C Develop Vision Statement	0.25	0.50		
3-D Develop goals and objectives to support the vision	0.50	2.00		
Task 3 Totals	1.25	3.50	0.00	0.25
Task 4: Master Plan				
4-A Identify connections to other existing plans		0.25	0.50	
4-B Identify connections to destinations	0.25	1.00	0.25	
4-C Prepare the Master Plan	2.00	5.00	3.00	
Task 4 Totals	2.25	6.25	3.75	0.00
Task 5: Prioritization				
5-A Develop a prioritized list of criteria	0.25	1.00		
5-B Develop a methodology	0.50	2.00		
5-C Create a prioritized list and mapping of improvements	1.00	4.00	2.00	
Task 5 Totals	1.75	7.00	2.00	0.00
Task 6: Phasing				
6-A Develop a criteria for the phasing	0.25	0.50		
6-B Identify phases	0.50	1.50		
6-C Develop a map of the phased improvements			2.00	
Task 6 Totals	0.75	2.00	2.00	0.00
Task 7: Short Term Implementation Recommendations				
7-A Identify roadways	0.50	1.00		
7-B Perform detailed constructability field review		3.00	3.00	
7-C Prepare concept maps on aerials of recommended improvements	1.50	3.00	3.00	
7-D Prepare opinions of probable costs	0.50	3.50		
Task 7 Totals	2.50	10.50	6.00	0.00
Task 8: Prepare Plan Report				
8-A Prepare Draft Plan Document	1.50	8.00	0.25	0.25
8-B Develop Typical Section Toolbox and Implementation Guidance	1.00	1.00	0.50	
8-C Address Draft Plan Comments	1.00	2.50	0.50	
8-D Prepare Final Plan	1.00	1.00	0.25	0.25
Task 8 Totals	4.50	12.50	1.50	0.50
Task 9: Meetings				
9-A Prepare for and attend Public meeting	2.00	5.00	0.50	0.25
9-B Prepare for and attend Bicycle Advisory Board meeting	1.50	1.50	0.50	0.25
9-C Prepare for and attend two additional meetings	3.00	3.00	1.00	0.50
Task 9 Totals	6.50	9.50	2.00	1.00
TOTALS	21.25	60.25	32.25	2.25

1/9/2020

Alabama Department of Transportation

11:11 AM

Project No. _____			
County Lee			
Description Opelika Bicycle and Pedestrian Plan			
Scope of Work Opelika Bicycle and Pedestrian Plan			
Project Length 233.00 Miles			
Consultant Sain Associates, Inc.			
Fee Proposal (Bicycle and Pedestrian Plan)			
PERSONNEL COST			
	Man-days x Daily Rate		
Project Manager (10% of Eng. & Env.)	5.35	\$ 489.20	\$ 2,617.22
Sr. Engineer/Planner	21.25	\$ 491.00	\$ 10,433.75
Engineer	60.25	\$ 345.95	\$ 20,843.49
Engineering Technician/GIS Professional	32.25	\$ 361.32	\$ 11,652.57
Clerical	2.25	\$ 202.00	\$ 454.50
Total Direct Labor			\$ 46,001.53
Combined Overhead (%)	184.79		\$ 85,006.23
Out-of-Pocket Expenses**			\$ 5,059.23
Sub-Total			\$ 136,066.99
Operating Margin (10%)			\$ 13,606.70
Sub-Total			\$ 149,673.69
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each here)			
		\$	-
		\$	-
		\$	-
		\$	-
		\$	-
		\$	-
Subconsultant Administration Expense (5%)		\$	-
Sub-Total			\$ 149,673.69
Facilities Capital Cost of Money (% of Direct Labor)	0.71	\$	326.61
TOTAL FEE			\$ 150,000.30

**See Grand Total Fee sheet

Attachment: Exhibit A--Opelika Bike Ped Scope and Mandays Estimate (020-20 : Bicycle Ped Masterplan Engineering contract)

1/9/2020

Alabama Department of Transportation

11:11 AM

Project No.				
County	Lee			
Description	Opelika Bicycle and Pedestrian Plan			
Scope of Work	Opelika Bicycle and Pedestrian Plan			
Project Length	233.00 Miles			
Consultant	Sain Associates, Inc.			
Out-of-pocket Expenses (Bicycle and Pedestrian Plan)				
TRAVEL COST				
Mileage Cost	Trips	Miles/Trip	\$/Mile	Total
Existing Conditions Review	1	676	\$0.575	\$ 388.70
Detailed Constructability Review	1	350	\$0.575	\$ 201.25
Public Meeting	1	210	\$0.575	\$ 120.75
Bicycle Advisory Board meeting	1	210	\$0.575	\$ 120.75
Meetings (2)	2	210	\$0.575	\$ 241.50
Total Mileage Cost				\$ 1,072.95
Subsistence Cost	Days	# People	\$/Day	Total
Travel allowance (6 hour trips)	4	2	\$11.25	\$ 90.00
Travel allowance (12 hour trips - meal provided by others)	0	0	\$20.00	\$ -
Travel allowance (12 hour trips)	0	0	\$30.00	\$ -
Travel allowance (overnight)***	8	2	\$75.00	\$ 1,200.00
				\$ -
Total Subsistence Cost				\$ 1,290.00
Total Travel Cost				\$ 2,362.95
PRINTING / REPRODUCTION COST				
Type of printing/reproduction	# of Sets	Sheets/Set	Total Sheets	Cost/Sheet
Mapping for Constructability Field Review	2	7	14	\$ 0.52
Maps for Public Meeting	2	4	8	\$ 4.50
Comment Forms for Public Meeting	100	2	200	\$ 0.52
Maps for Bicycle Advisory Board Meeting	1	4	4	\$ 4.50
Maps for Additional Meetings	2	4	8	\$ 4.50
Draft Report	10	200	2000	\$ 0.52
Final Report	10	200	2000	\$ 0.52
Total Printing/Reproduction Cost				\$ 2,281.28
Communication Cost (telephone, fax, etc.)				Total
				\$ -
Postage Cost (overnight, stamps, etc.)				Total
				\$ 415.00
Other (provide description on next line)				Total
				\$ -
Total Out-of-pocket Expenses				\$ 5,059.23
Comments:				

***You must have ALDOT approval for ANY overnight trips of less than 100 miles.

SAIN ASSOCIATES, INC.

TERMS AND CONDITIONS

Rates:

Principal	\$180.00 - \$200.00 per Hour
Engineer/Planner	\$98.00 - \$175.00 per Hour
GIS Professional	\$120.00 per Hour
Designer	\$82.00 - \$117.00 per Hour
Surveyor	\$93.00 - \$130.00 per Hour
Survey Crew (1-Person)	\$90.00 per Hour
Survey Crew (2-Person)	\$140.00 per Hour
Survey Crew (3-Person)	\$180.00 per Hour
Survey Crew (Overtime, Holidays – 2-Person)	* \$180.00 per Hour
Survey Crew (Overtime, Holidays – 3-Person)	* \$220.00 per Hour
Survey Per Diem	\$150.00 per person per Night
Administrative Support	\$60.00 per Hour

* Overtime rate is based on working over 8 hours a day.

Reimbursable Expenses

Printing, contract carrier service, and travel expenses are not included within our basic fee and will be passed along to you at our cost, plus 10%.

Payment

To be made monthly based upon the percentage of work completed and invoiced to you. Your obligation to pay for services rendered hereunder is in no way dependent upon your ability to obtain financing, to obtain payment from a third party, or to obtain approval of any governmental or regulatory agencies, or upon your successful completion of the project. Payment for services and expenses hereunder is due in full within thirty (30) days after receipt of invoice. For past due accounts in excess of 120 days Sain will issue a past due statement with interest of 1½% per month from said thirtieth (30th) day. Sain may elect to seek assistance in collection of accounts in excess of 120 days in which case you will be billed for attorney's fees for collection in the amount of 1/3 of the outstanding balance or such greater amount as the court finds reasonable. We reserve the right to suspend services under this agreement until receipt of payment in full for all amounts due for services rendered and expenses incurred.

AL Immigration Law Compliance

By signing this contract, the contracting parties affirm, for the duration of the 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 the agreement and shall be responsible for all damages resulting there from.

Standard of Care

The standard of care for all professional services performed or furnished by Sain Associates under this Agreement will be the skill and care used by members of Consultant's profession practicing under similar circumstances at the same time and in the same locality. Sain makes no warranties, express or implied, under this Agreement or otherwise, in connection with Sain's services.

Responsibility of the Client

Client shall provide all criteria and full information as to his requirements for the Project, including budgetary limitations.

Schedules, Budgets and Estimates or Opinions of Cost

Any schedules or completion dates, budgets, or estimates of cost prepared by Consultant represent Consultant's professional judgment based on its experience and available information. Since neither Consultant nor Client has control over: the cost of labor, materials, or equipment, or contractor's methods of determining prices; competitive bidding or market conditions; utility conflicts or right-of-way acquisition; agency approval times or actions of a Consultant Program Manager not employed by Sain, the Consultant cannot and does not warrant or represent that actual schedules, budgets or completion dates or actual costs will not vary from schedules or completion dates, budgets or estimates of cost prepared by Consultant or proposed, established, or approved by Client.

Jobsite Safety/Construction Phase Services

The Contractor has sole responsibility for jobsite safety and construction means and methods, not the design professional. The Consultant/design professional is not responsible for the acts or omissions of any contractor, subcontractor or material supplier.

Use of Electronic Media

Copies of documents that may be relied upon by the Client are limited to the printed copies (also known as hard copies) that are signed or sealed by Consultant. Files in electronic media format or text, data, graphic or other types that are furnished by Consultant to Client are only for convenience of the Client. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. When transferring documents in electronic media format, Consultant makes no representations as to long-term compatibility, usability, or readability of documents resulting from the use of software application, operating systems or computer hardware differing from those in use by Consultant at the beginning of this assignment.

Limitation of Remedies

Liability of remedies of Sain Associates, Inc. resulting from errors, omissions, or the negligence of Sain Associates, Inc., its agents or employees, pursuant to work under this agreement shall not exceed the lesser of the value of engineering or surveying services required to correct the deficiency or the basic consulting fee for work covered hereunder or the actual cost of the remedies. This provision is being agreed to as a result of the fees being charged.



SAIN ASSOCIATES, INC.

TERMS AND CONDITIONS

Dispute Resolution

Client and Sain Associates agree that if a dispute arises out of or relates to this contract, the parties will attempt to settle the dispute through good faith negotiations. If direct negotiations do not resolve the dispute, the parties agree to endeavor to settle the dispute by mediation prior to the initiation of any legal action unless delay in initiating legal action would irrevocably prejudice one of the parties. Mediation to take place in County where project is located and if mediation cannot be agreed upon by parties then it is agreed that AAA (American Arbitration Association) will appoint mediator.

Indemnification

Client and Consultant each agree to indemnify and hold the other harmless, and their respective officers, employees, agents and representatives, from and against liability for all claims, losses, damages and expenses, including reasonable attorneys' fees, to the extent such claims, losses, damages, or expenses are caused by the indemnifying party's negligent acts, errors or omissions. In the event claims, losses, damages or expenses are caused by the joint or concurrent negligence of Client and Consultant, they shall be borne by each party in proportion to its negligence.

Force Majeure

Neither party shall be deemed in default of this Agreement to the extent that any delay or failure in the performance of its obligations results from any cause beyond its reasonable control and without its negligence.

Termination of Contract

Client may terminate this Agreement with seven days prior written notice to Consultant for convenience or cause. Consultant may terminate this Agreement for cause with seven days prior written notice to Client. Failure of Client to make payments when due shall be cause for suspension of services or, ultimately, termination, unless and until Consultant has been paid in full all amounts due for services, expenses and other related charges.

Ownership of Documents

All documents prepared or furnished by Consultant pursuant to this Agreement are instruments of Consultant's professional service, and Consultant shall retain an ownership and property interest therein. Consultant grants Client a license to use instruments of Consultant's professional service for the purpose of constructing, occupying and maintaining the Project. Reuse or modification of any such documents by Client, without Consultant's written permission, shall be at Client's sole risk, and Client agrees to indemnify and hold Consultant harmless from all claims, damages and expenses, including attorneys' fees, arising out of such reuse by Client or by others acting through Client.

Schedule 2020

Attachment: Exhibit A--Opelika Bike Ped Scope and Mandays Estimate (020-20 : Bicycle Ped Masterplan Engineering contract)





Kay Ivey
Governor

ALABAMA DEPARTMENT OF TRANSPORTATION

SOUTHEAST REGION
OFFICE OF REGION ENGINEER
CAPITOL COMMERCE CENTER
100 CAPITOL COMMERCE BLVD.
SUITE 210, BUILDING B
MONTGOMERY, ALABAMA 36117
Telephone: (334) 353-6850 FAX: (334)801-9804



John R. Cooper
Transportation Director

January 8, 2020

Mr. Scott H. Parker, P.E.
City Engineer
City of Opelika
P.O. Box 390
Opelika, Alabama 36803

Dear Mr. Parker:

Re: Project No. PL-0011(034), CPMS # 100070610
Bicycle and Pedestrian Master Greenway Plan
City of Opelika
Lee County

Reference is made to your recent letter, regarding Transportation Support Services man/day and fee proposal for the City of Opelika on the above-referenced project.

The amount for this work will be \$150,000.00. The overhead rate and operating margin have previously been approved by the Bureau of Finance and Audits, External Audit Section.

The City may proceed to enter into an agreement with Sain and Associates, Inc. **This is not an authorization to begin work. Do not begin work until you are notified to do so by your Local Transportation Section – Montgomery area.** Please let me know if you have any questions.

Sincerely,

Aaron T. White, P.E.
Southeast Region
Consultant Management Engineer

ATW/nla
Attachment

cc: Mr. David Bollie, P.E.
File

Attachment: ALDOT Approval and Limiting Letter for Design (020-20 : Bicycle Ped Masterplan Engineering contract)

RESOLUTION NO. 021-20

Proposal from CDG Engineers, remediation of Rocky Brook Road & Dam - Engineering.

RESOLUTION NO. _____

RESOLUTION ACCEPTING PROPOSAL SUBMITTED BY CDG ENGINEERS & ASSOCIATES, INC., FOR REMEDIATION OF ROCKY BROOK ROAD AND DAM

WHEREAS, in December of 2019, a portion of the dam at Lake Forest Estates Subdivision unexpectedly failed causing a section of Rocky Brook Road to sink into a hole in the roadway; and

WHEREAS, professional engineering services are needed for the remediation of the dam and Rocky Brook Road, including, but not limited to, a hydraulic study of the impoundment system, geotechnical services and remediation design and plan preparation; and

WHEREAS, the City will require the services of a civil engineering firm to provide said services; and

WHEREAS, CDG Engineers & Associates, Inc., (“CDG”) is a consulting and design engineering firm based in Alabama that provides diversified design and construction services; and

WHEREAS, City staff recommends CDG to provide said services; and

WHEREAS, the City has received a Proposal for Engineering Services (the “Proposal”) from CDG for remediation of the dam and Rocky Brook Road; and

WHEREAS, the City Council has reviewed the Proposal submitted by CDG and has determined that it is in the best interest of the City to enter into a contract with CDG; and

WHEREAS, the total compensation to be paid to CDG under and pursuant to said Proposal is not expected to exceed \$36,365.

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 CDG, 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 execution and delivery of said Proposal.
2. That the Mayor is further authorized to execute and deliver or cause to be executed or delivered in the name and on behalf of the City such other agreements, contracts, 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 be paid to CDG under and pursuant to the Proposal 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 a purchase order to CDG for the provision of professional engineering services as outlined to 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 and the attached Proposal.

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

ADOPTED AND APPROVED this the _____ day of _____, 2020.

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

ATTEST:

 CITY CLERK



Engineering. Environmental. Answers.

170 East Main Street
Dothan, AL 36301
Tel (334) 677-9431
Fax (334) 677-9450

www.cdge.com

ALBERTVILLE

ANDALUSIA

AUBURN

DOTHAN

GADSDEN

HOOVER

HUNTSVILLE

January 13, 2020

The City of Opelika
204 South Seventh Street
Opelika, Alabama 36803

Attention: Mr. Scott Parker, PE

Reference: **Proposal to Provide Engineering Evaluation and
Recommendations for Remediation
Earthen Dam on Rocky Brook Road
Opelika, Alabama
CDG Reference Number: P071320090**

Dear Mr. Parker:

CDG Engineers & Associates, Inc. (CDG) is pleased to submit this proposal to provide recommendations for remediation of Rocky Brook Dam in Opelika, Alabama. Based on our discussions and a site visit performed on January 8, 2020, the existing dam experienced severe distress following installation of the replacement primary drain structure and subsequent heavy rain. Water appears to have piped through the dam along the outer edge of the newly installed drainpipes. The piping led to increasing soil erosion and eventual loss of portions of the dam and the overlying roadway.

PROPOSED SCOPE OF SERVICES

Our proposed scope of services includes a detailed hydraulic study of the impoundment system to determine proper pool levels and the sufficiency of the existing outlet structure. To address the current state of the impoundment dam and degradation of the system, geotechnical services are proposed for further investigation and to design remediation recommendations for the distressed portion of the dam and the primary drainage structure.

Hydraulic Study

The hydraulic study will serve to establish a baseline for existing stormwater flow through the system and recommend modifications to the retention structures, as necessary. More specifically, the hydraulic study will include the following:

Attachment: Exhibit A--Rocky Brook Dam Proposal (021-20 : Rocky Brook Road Dam Engineering)



- Topographic survey of the impoundment system. Due to the large size of the system, we recommend the survey be performed using an aerial drone with supplemental ground survey as required. The limits of the survey will be defined by the top of impoundment bank (± 14 acres). The survey will include limited soundings within the pond to define the depth of that portion of the reservoir immediately adjacent to the dam.
- Generation of a design surface from the aerial and ground survey.
- Storm system modeling to determine the existing fail condition storm.
- Delineation of the drainage basin contributing flow to the impoundment system using USGS topographic information.
- Detailed flow modeling using Bentley's CivilStorm computer modeling software including the following primary actions:
 - The initial run will establish an existing conditions calibration model. The calibration model will be used to establish storm water flow velocities in and around the existing and proposed control structures and full pool and flood elevations for various storm events.
 - Based on the client's defined design storm event and reservoir size, recommendations for freeboard, primary drainage structure, and emergency spillway configurations will be provided.
- Generation of variable loading scenarios using the modeling software. The need for various specific scenarios will be established following development of the calibration model. Typical scenarios include impacts due to structure modifications or failure of the system to handle the design flow. The proposal is based on performing 4 scenarios consisting of 24-hour rain events at the 5, 25, 50 and 100-year storm events.

Geotechnical Services

CDG previously performed borings in the dam and provided recommendations for slope stabilization. Our geotechnical services will include an evaluation of the previously obtained subsurface information, construction activities performed circa 2011, and analysis of data gathered from our recent engineering reconnaissance of the site.



The noted information will be analyzed to develop recommendations for remediation of the dam and primary drainage structure. Recommendations will consist of a remedial dam cross-section, internal water flow prevention and collection controls, and the primary drainage conduit penetration through the dam.

Remediation Design and Plan Preparation

CDG will prepare plan(s) and cross-section(s) showing the proposed remediation. The plan(s) will include the approximate limits of remediation, the internal dam configuration including impermeable core and collection drain, the primary drainage structure, and the specifications of the materials and construction procedures to be used. Recommendations associated with the emergency spillway, freeboard, pool elevations, dam surfacing and other modifications will be provided as appropriate.

Construction Engineering and Materials Testing

We recommend that CDG provide testing and engineering consultation services during the construction phase of the project. Construction phase services typically include testing of materials such as soils and compacted fill and structural concrete. Additionally, engineering consultation and testing related to the dam foundation, impermeable clay core and primary drain construction are recommended.

BUDGET AND CLOSING

Based on the noted scope of services and assuming no unusual conditions are encountered at the site, the budgets for the proposed services are as follows:

• Survey	\$4,460.00
• Hydraulic Study	\$11,680.00
• Geotechnical Evaluation	\$12,950.00
• Remediation Design and Plan Preparation	\$7,275.00
• Construction Phase Services	<u>\$ (hourly)</u>

Total Budget \$36,365.00 + hourly construction phase

At the client's request, supplementary services will be provided for additional negotiated compensation. If unanticipated conditions are encountered, we will notify you of our recommendations for a change in scope and the associated budget adjustment, if necessary. However, the noted budget will not be exceeded without your prior authorization.



Engineering. Environmental. Answers.

We appreciate the opportunity to submit this proposal and look forward to working with you on this important project. Please call if you have any questions.

Sincerely,

CDG Engineers & Associates, Inc.

A handwritten signature in blue ink, appearing to read "Danner Drake", is written over a faint, light blue circular background.

Danner Drake, PE
Senior Engineer

Attachments: 2020 Fee Schedule
General Terms and Conditions
Proposal Acceptance Form

Attachment: Exhibit A--Rocky Brook Dam Proposal (021-20 : Rocky Brook Road Dam Engineering)



Engineering. Environmental. Answers.

CDG ENGINEERS & ASSOCIATES, INC.
2020 FEE SCHEDULE
CONSTRUCTION PHASE SERVICES

Rocky Brook Dam – Opelika, AL
CDG Reference Number: P071320090

1. Personnel

a.	Technician I.....	\$ 65.00 / hour
b.	Technician II.....	\$ 80.00 / hour
c.	Technician III	\$ 95.00 / hour
d.	Staff Professional.....	\$ 110.00 / hour
e.	Project Professional	\$ 140.00 / hour
f.	Project Manager.....	\$ 185.00 / hour
g.	Senior Engineer, PE.....	\$ 250.00 / hour

2. Laboratory Testing – Soil, Concrete, Asphalt, Aggregate

a.	Moisture Content.....	\$ 12.00 / test
b.	Wash #200 Sieve	\$ 65.00 / test
c.	Mechanical Grain Size Analysis.....	\$ 80.00 / test
d.	Hydrometer Analysis.....	\$ 165.00 / test
e.	Atterberg Limits (LL, PL, PI).....	\$ 115.00 / test
f.	Standard Proctor	\$ 120.00 / test
g.	Modified Proctor	\$ 140.00 / test
h.	Density of Asphalt Core	\$ 55.00 / test
i.	Compression Testing – Concrete Cylinder.....	\$ 15.00 / cylinder
j.	Compression Testing – Grout/Mortar Prism	\$ 20.00 / prism
k.	Flexural Testing – Concrete Beam	\$ 25.00 / beam
l.	Test Specimen End Preparation.....	\$ 20.00 / end

3. Equipment / Miscellaneous

a.	Nuclear Density Gauge / Drive Cylinder.....	\$ 15.00 / hour
b.	Static / Dynamic Cone Penetrometer.....	\$ 10.00 / hour
c.	Calibrated Bolt Torque Wrench	\$ 15.00 / hour
d.	Sand Cone.....	\$ 25.00 / test
e.	Asphalt/Concrete Coring	\$ 15.00 / in.-depth
f.	Sprayed Fire-Resistive Material Testing	\$ 30.00 / test
g.	Moisture Vapor Emission Test	\$ 25.00 / test
h.	Mileage.....	\$ Current GSA Rate
i.	Per Diem (overnight/man)	\$ 125.00 / day
j.	Subcontract Goods or Services (as requested by client).....	cost + 15 %

Notes:

A quarter hour of technician and Senior Engineer, PE time per report is required for preparation, engineering review and distribution. Mileage and travel time will be charged portal to portal (typical minimum of 3 hours). The provided rates are for work performed during normal business hours. Overtime charges (1.5) will apply for personnel hours worked in excess of 8 hours per day, at night, and for time worked on weekends or holidays. Rates are subject to an annual escalation not to exceed 3.5% effective each year from the date of contract execution.

Attachment: Exhibit A--Rocky Brook Dam Proposal (021-20 : Rocky Brook Road Dam Engineering)



Engineering. Environmental. Answers.

CORPORATE OFFICE
PO BOX 278
ANDALUSIA, AL 36420
(334) 222-9431

DOTHAN OFFICE
170 EAST MAIN STEET
DOTHAN, ALABAMA 36301
(334) 677-9431

PROPOSAL ACCEPTANCE SHEET

Project Name: Rocky Brook Dam
Project Location: Opelika, Alabama
CDG Reference Number: P071320090

CLIENT

Corporate Name: The City of Opelika
Street Address or PO Box: 204 South Seventh Street
City / State / Zip: Opelika, Alabama 36803
Phone Number: 334-705-5452
Email Address: sparker@opelika-al.gov
Attention: Mr. Scott Parker

BILLING INFORMATION (if different than client)

Name: _____
Address: _____
Phone Number: _____

REPORT DISTRIBUTION:

Company: _____	Company: _____	Company: _____
Contact: _____	Contact: _____	Contact: _____
Email: _____	Email: _____	Email: _____

PROPOSAL ACCEPTANCE

The Terms and Conditions of this Proposal, including the terms on this page and the attached are
Accepted this ____ day of _____, 20__.

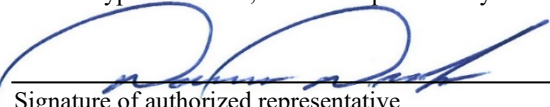
Print or type individual, firm or corporate body name

Signature of authorized representative

Print or type name of authorized representative and title

CDG ENGINEERS & ASSOCIATES, INC.

Print or type individual, firm or corporate body name


Signature of authorized representative

Danner Drake, PE – Director

Print or type name of authorized representative and title

Attachment: Exhibit A--Rocky Brook Dam Proposal (021-20 : Rocky Brook Road Dam Engineering)

TERMS AND CONDITIONS

SERVICES TO BE PROVIDED AND PROPOSAL DURATION. CDG Engineers & Associates, Inc. (hereinafter CDG) is an independent consultant and agrees to provide Client, for its sole benefit and exclusive use, consulting services set forth in our proposal. The stated scope and associated fee or unit-rate compensation is valid for 60 days from the date of the proposal.

PAYMENT TERMS. Client agrees to pay our invoice upon receipt. If payment is not received within 30 days from the invoice date, Client agrees to pay a service charge on the past due amount at a rate of 1.5% per month, and CDG reserves the right to suspend all work until payment is received. No deduction shall be made from our invoice on account of liquidated damages or other sums withheld from payments to contractors or others.

TERMINATION. Either party may terminate this Agreement without cause upon 20 days advance notice in writing. In the event Client requests termination prior to completion of the proposed services, Client agrees to pay CDG for all costs incurred to date plus reasonable charges associated with termination of the work.

PROFESSIONAL LIABILITY. Notwithstanding any other provision of this Agreement, the Engineer's total liability to the Client for any loss or damages from claims arising out of or in connection with this Agreement from any cause including the Engineer's strict liability, breach of contract, or professional negligence, errors and omissions (whether claimed in tort, contract, strict liability, nuisance, by statute or otherwise) shall not exceed the lesser of the total contract price of this Agreement or the proceeds paid under Engineer's liability insurance in effect at the time such claims are made. The Client hereby releases the Engineer from any liability exceeding such amount. In no event shall either party to this Agreement be liable to the other for special, indirect, incidental or consequential damages, whether or not such damages were foreseeable at the time of the commencement of the work under this Agreement.

SITE OPERATIONS. Client will arrange for right-of-entry to all applicable properties for the purpose of performing studies, tests and evaluations pursuant to the agreed services. Client represents that it possesses necessary permits and licenses required for its activities at the site.

OWNERSHIP AND USE OF PROJECT DOCUMENTS. All documents are instruments of service in respect to the Services, and Engineer shall retain an ownership and proprietary property interest therein (including the right of reuse at the discretion of the Engineer) whether or not the Services are completed. Client may make and retain copies of documents for information and reference in connection with the services by Client. Such documents are not intended or represented to be suitable for reuse by Client or others on extensions of the services or on any other project. Any such reuse or modification without written verification or adaptation by Engineer, as appropriate for the specific purpose intended, will be at Client's sole risk and without liability or legal exposure to Engineer or to Engineer's consultants. Client shall indemnify and hold harmless Engineer and Engineer's consultants from all claims, damages, and expenses including attorneys' fees arising out of or resulting therefrom.

ADDITIONAL SERVICES OF CONSULTANT. If authorized in writing by the Client, CDG shall furnish additional services that are not considered as an integral part of the Scope of Services outlined in the Proposal Acceptance Sheet. Under this Agreement, all costs for additional services will be negotiated as to activities and compensation. In addition, it is possible that unforeseen conditions may be encountered that could substantially alter the original scope of services. If this occurs, CDG will promptly notify and consult with Client and any additional services will be negotiated.

ASSIGNABILITY. CDG shall not assign any interest on this Agreement, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the Client; provided, however, that claims for money by the Client from CDG under this Agreement may be assigned to a bank, trust company, or other financial institution without such approval. Written notice of any such assignment or transfer shall be promptly furnished to the Client.

SERVICES TO BE CONFIDENTIAL. All services, including opinions, designs, drawings, plans, specifications, reports and other services and information, to be furnished by CDG under this Agreement are confidential and shall not be divulged, in whole or in part, to any person, other than to duly authorized representatives of the client, without prior written approval of the Client, except by testimony under oath in a judicial proceeding or as otherwise required by law. CDG shall take all necessary steps to ensure that no member of its organization divulges any such information except as may be required by law.

CLAIMS. The parties agree to attempt to resolve any dispute without resort to litigation. However, in the event a claim is made that results in litigation, and the claimant does not prevail at trial, then the claimant shall pay all costs incurred in defending the claim, including reasonable attorney's fees. The claim will be considered proven if the judgment obtained and retained through any applicable appeal is at least ten percent greater than the sum offered to resolve the matter prior to the commencement of trial.

SEVERABILITY. It is understood and agreed by the parties hereto, that if any part, term or provision of this Agreement is held by any court of competent jurisdiction to be illegal or in conflict with any applicable law, the validity of the remaining portion or portions of this Agreement shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

SURVIVAL. All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating responsibility or liability between Client and CDG shall survive the completion of the services and the termination of this Agreement.

INTEGRATION. This Agreement, the attached documents and those incorporated herein constitute the entire Agreement between the parties and cannot be changed except by a written instrument signed by both parties.

GOVERNING LAW. This Agreement shall be governed in all respects by the laws of the State of Alabama.



CDG signature agreeing to above terms

Client signature agreeing to above terms

Attachment: Exhibit A--Rocky Brook Dam Proposal (021-20 : Rocky Brook Road Dam Engineering)

ORDINANCE NO. 002-20-ORD

Amend Cannon Gate PUD Master Plan - 2nd Reading.

ORDINANCE NO. _____

ORDINANCE TO AMEND THE DEVELOPMENT PLAN FOR CANNON GATE PUD

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

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

(a) Mae’s Pasture, LLC heretofore submitted to the City a Development Plan for a planned unit development (“PUD”) entitled “Cannon Gate PUD” consisting of approximately 163.77 acres.

(b) Pursuant to Ordinance No. 101-07, the City Council approved said Development Plan for Cannon Gate PUD and amended the Official Zoning Map of the City to designate the zoning classification of Planned Unit Development (“PUD”) for approximately 163.77 acres located on the west side of Oakbowery Road and north of Blackhawk Drive.

(c) On June 20, 2017, the City Council approved an amended Development Plan for Phase 2 and a portion of Phase 3 of Cannon Gate PUD.

(d) Cannon Gate Homeowners Association, Inc., has heretofore submitted to the City a proposed amended Cannon Gate PUD which will convert 6.4 acres of open space to private ownership.

(e) The current Development Plan shows 20.1 acres of common area. The proposed amended Development Plan will convert 6.4 acres of common space located in the southeast quadrant of the development to private ownership. The

subject property is located adjacent to the west side of Oak Bowery Road and approximately 4.7 acres of the 6.4 acres is unbuildable because it is located in a 100 year floodway or flood plain.

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

(g) The Planning Commission recommended approval of the amended Development Plan for Cannon Gate PUD.

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

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

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

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

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

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

ADOPTED AND APPROVED this the ____ day of _____, 2020.

PRESIDENT OF THE CITY COUNCIL OF THE

CITY OF OPELIKA, ALABAMA

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR on this the ____ day of _____,
2020.

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2020.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. 003-20-ORD

Amend Zoning Ord & Map, Dickson Street, R-3 to I-1, 2nd Reading

ORDINANCE NO. _____

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

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

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

From a R-3 District (Low Density Residential District) to I-1 District (Institutional District), the parcel of land hereinafter described:

Commence at the Southwest corner of Lot 1 Lake Condry Subdivision, according to and as shown by map or plat of said subdivision of record in Town Plat Book 8, at Page 40, in the Office of the Judge of Probate of Lee County, Alabama, thence run South 4° 24' West for 374.6 feet to the point of beginning of the tract or parcel of land herein to be described and conveyed; thence run North 4° 24' West for 375.6 feet to the Southwest corner of said Lot 1 of said Lake Condry Subdivision; thence run South 64° 47' East for 683.6 feet to the Southeast corner of Lot 6 of the said Lake Condry Subdivision, then run South 3° 51' West for 63.5 feet; thence run South 89° 15' West for 630 feet, more or less, to said point of beginning; and containing 3.2 acres more or less.

The above-described property contains 3.2 acres more or less and is located on the westerly right-of-way of Dickson Street, Opelika, Alabama.

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

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

ADOPTED AND APPROVED this the ____ day of _____, 2020.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR on this the ____ day of _____, 2020.

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2020.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. 004-20-ORD

Amend Zoning Ordinance Section 9 Sign Regulations - 2nd Reading

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE TEXT OF THE ZONING ORDINANCEOF THE CITY OF OPELIKA AND SPECIFICALLYTO AMEND SECTIONS 9.5(15), 9.5(18), 9.5(19), 9.10(7), 9.10(9),9.12(2), 9.12(3) AND SCHEDULE A THEREOF

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

Section 1. Amendments. That Ordinance 124-91 entitled “Zoning Ordinance of the City of Opelika, Alabama”, adopted on September 17, 1991, as amended, is further amended in the following respects:

(a) That Section 9.5(15), FLAGPOLES AND FLAGS, FLAG BRACKETS, FLAG STANCHIONS AND FLAGS, is amended to read as follows:

(15) Flagpoles and Flags; Flag Brackets, Flag Stanchions and Flags.

a. Flagpoles and Flags. For each parcel and development site in residential use with one principal structure, one flagpole may be installed and two (2) flags may be displayed per flagpole. A flag in a residential Zoning District displayed on a flagpole shall not exceed forty (40) square feet in size. For each parcel and development site that is over one-half (1/2) acre in size and is in nonresidential use, up to three flagpoles may be installed and up to two (2) flags may be displayed per flagpole. A flag in a non-residential Zoning District displayed on a flagpole shall not exceed one hundred fifty (150) square feet in size.

b. Flag Brackets, Flag Stanchions, and Flags. For each principal structure on a parcel, up to two flag brackets or stanchions may be attached or placed for the display of flags. A flag displayed from a flag bracket or a flag stanchion shall not exceed twenty-four (24) square feet in size.

c. For the purpose of determining the size of a flag, only one side of the flag shall be counted as the display surface.

d. Flags on parcels in non-residential use may be externally illuminated.

e. The United States flag/American flag may be illuminated. The lighting should be directed away from roadways, traffic areas and adjacent residential properties.

f. In-ground American flagpole requirements are the following:

Maximum height (feet)	Maximum size (square feet)
60'-65'	135'
50-59	96
40-49	72
30-39	50
20-29	30
Under 20	15

(b) That Section 9.5(18), FREESTANDING SIGNS, is amended to read as follows:

(18) Freestanding Signs. A freestanding sign may be a pole sign or a monument sign, unless otherwise restricted and where allowed, and subject to the following:

a. General Requirements. In the C-1, C-2, C-3, M-1, M-2, I-1 and GC Zoning Districts, pole signs and monument signs may display two or more sign subject to the additional provisions set forth below for single-lot general businesses and for group developments. In the event that a reader board (manual or digital reader board) is attached to a freestanding sign, the reader board sign surface shall be no larger than fifty percent (50%) of the principal sign surface area. The principal sign surface area includes all signage on the freestanding sign except the reader board.

b. Single-Lot General Businesses. The maximum area of a freestanding sign shall not exceed one hundred (100) square feet. The maximum height of a freestanding sign shall be twenty (20) feet. Only one (1) freestanding sign is allowed per single-frontage lot; and up to two (2) freestanding signs are allowed for a corner lot or for

double-frontage lots. No lot shall have more than two freestanding signs. Notwithstanding the foregoing, freestanding signs are not allowed in the C-1 Zoning District for single-lot general businesses.

c. Group Developments.

- (1) Only one (1) freestanding sign is allowed for each street frontage of a group development.
- (2) A freestanding sign for a single tenant of a group development is prohibited.
- (3) Group Development size and height standards
 - (a) Group Developments with an aggregate gross building area not to exceed 29,999 square feet, the maximum area of a freestanding sign shall not exceed one hundred twenty (120) square feet, and the maximum height of a freestanding sign shall not exceed twenty (20) feet.
 - (b) Group Developments with an aggregate of 30,000 to 64,999 square feet of building area, the maximum area of a freestanding sign shall not exceed two hundred (200) square feet, and the maximum height of a freestanding sign shall not exceed twenty (20) feet.
 - (c) Group Developments with an aggregate of 65,000 to 99,999 square feet of building area, the maximum area of a freestanding sign shall not exceed three hundred (300) square feet, and the maximum height of a freestanding sign shall not exceed thirty (30) feet.
 - (d) Group Developments with an aggregate of 100,000 to 499,999 square feet of building area, the maximum area of a freestanding sign shall not exceed five hundred (500) square feet, and the maximum height of a freestanding sign shall not exceed thirty-five (35) feet.

(e) Group Developments with an aggregate of 500,000 to 999,999 square feet of building area, the maximum area of a freestanding sign shall not exceed seven hundred fifty (750) square feet, and the maximum height of a freestanding sign shall not exceed thirty-five (35) feet.

(f) Group Developments with an aggregate over 1 million square feet of building area, the maximum area of a freestanding sign shall not exceed one thousand (1,000) square feet, and the maximum height of a freestanding sign shall not exceed forty-five (45) feet.

d. Interstate Signs. In addition to the allowable freestanding signage for any nonresidential development site, an interstate sign may also be erected provided that;

1. Any portion of the development site over five (5) acres lies within an area of 1,000 feet from the center point of the centerline of the interstate overpass. One (1) interstate sign with a maximum area of either 250 square feet and a maximum height of 60 feet may be erected; or
2. Any portion of the development site over five (5) acres lies within an area of one (1) mile, (5,280 feet) from the center point of the centerline of the interstate overpass and whose development site abuts the right-of-way of the interstate. One (1) sign with a maximum area of 130 square feet and a maximum height of 30 feet may be erected. Such signs must be located only along the property edge abutting the interstate right-of-way and must be positioned as to be read from the interstate. The maximum setback from the interstate right-of-way shall not exceed 20 feet.
3. A group development that lies within either of the geographic areas described in 18.d.1 or 2 shall be allowed a group development sign meeting the height of 18.d.1 or 2 with the allowable area afforded to the applicable group development in 18.c.3. In such case that a group development interstate sign is permitted, a freestanding interstate sign for an individual tenant of the group development is prohibited.

e. Subdivision Identification Marker - A freestanding sign marking an entrance from a perimeter road to a residential subdivision, commercial development, or industrial park. Subdivision markers may be a single sign or a pair of signs. A

subdivision marker shall contain no advertising other than the name of the residential subdivision, commercial development, or industrial park. No subdivision marker shall be located within the public right of way and must be within the perimeter of the subdivision. The sign shall be a ground-mounted or monument sign—installed at the entrance of a perimeter road to a subdivision/development; maximum sign area shall be 100 square feet and maximum height 6 feet including architectural features.

(c) That Section 9.5(19), WALL SIGNS, is amended to read as follows:

(19) Wall Signs.

- a. Wall signs shall not extend above the top of a building wall.
- b. Wall signs may be installed on one or more exterior walls. The total square footage of all wall signs installed must not exceed the maximum total display area allowed.
- c. The maximum total display area for wall signs in the R-1, R-1A, R-2, R-3, R-4, R-4M, R-5, R-5M, and PRD Zoning Districts shall be four (4) square feet. Only one wall sign is allowed per residence.
- d. The maximum total display area for wall signs in the AP, and FP, Zoning Districts shall be twelve (12) square feet. Only one (1) wall sign is allowed per building.
- e. The maximum total display area for wall signs in the C-1, C-2, C-3, M-1, M-2, I-I, R/E, GC, and HOD Zoning Districts are as follows:
 - (i). On any single lot with 30,000 square feet or less of floor area, the maximum total display area for wall signs shall be the lesser of (a) the display area calculated at one and six-tenths (1.6) square feet of sign area for each lineal foot of exterior wall business frontage, or (b) 200 square feet. The exterior wall business frontage shall be the front exterior wall facing the public right-of-way of a street.
 - (ii). On any single lot with more than 30,000 square feet of floor area, the maximum total display area for wall signs shall be the lesser of (a) the display area calculated at one and six-tenths (1.6) square feet of sign area for each lineal

foot of exterior wall business frontage, or (b) 320 square feet. The exterior tenant wall business frontage shall be the front exterior wall facing the public right-of-way of a street.

(iii). For a Group Development, the maximum total display area for each tenant for an exterior wall sign on the exterior wall business frontage shall be the lesser of (a) the display area calculated at one and six-tenths (1.6) square feet of sign area for each lineal foot of exterior wall business frontage, or (b) ~~100~~ 200 square feet. The exterior business wall frontage for each tenant space within a Group Development shall be the front exterior wall facing the public right-of-way of a street.

For a Group Development with more than 30,000 square feet of floor area, the maximum total display area for wall signs shall be the lesser of (a) the display area calculated at one and six-tenths (1.6) square feet of sign area for each lineal foot of exterior wall business frontage, or (b) 320 square feet. The exterior tenant wall business frontage shall be the front exterior wall facing the public right-of-way of a street.

f. Up to fifty percent (50%) of the wall sign surface may consist of a changeable copy sign; provided, however, that the sign copy of the changeable copy sign shall not change more than once in any twenty-four (24) hour time period. The wall sign shall not project more than twelve (12) inches from the wall. If the wall sign projects more than two and one-half (2½) inches from the wall, the wall sign shall be mounted so that the bottom of the wall sign is at least nine (9) feet above ground at finished grade below the wall sign. The wall sign may be illuminated.

(d) That subsections (e), (i) and (q) of Section 9.10(7), SIGN PERMIT APPLICATION, are amended to read as follows:

(7) Sign permit applications

e. An address or legal description of the property upon which the sign is to be located. The legal address may be located on a certified boundary survey.

i. For all wall mounted signs, the facade elevation with dimensions, drawn to scale. Windows and doors and other openings shall be delineated.

q. Signature of Property Owner or complete an “Authorization to Act As Applicant for Property Owner” form.

(e) That Section 9.10(9) DESIGN REQUIREMENTS is amended to read as follows:

(9) Design Requirements

a. Tenant panels in monument signs. All tenant panels in a monument sign, including those added to an existing sign structure, shall be constructed of similar materials and illuminated by a similar method.

b. Wall signs. Wall signs shall not be installed to cover windows, doors, or other types of fenestration.

(f) That Section 9.12(2), BRIGHTNESS LEVEL, is amended to read as follows:

(2) Luminance/Brightness Level. Self-luminous outdoor signs shall not operate at brightness levels more than 0.3 foot candles above ambient lighting conditions when measured using a foot-candle (Lux) meter. The sign’s brightness level is measured at a certain distance based on the sign area. The distance to measure the sign’s foot-candles is calculated using the following formula: Measurement Distance = $\sqrt{\text{Area of Sign} \times 100}$, rounded to the nearest whole number. (Research and Information about measuring brightness levels can be obtained from research by the International Sign Association, August 2016.) The signs shall be equipped with manual dimming or scheduled dimming controls, or photocell/light sensors that automatically dims the brightness of the sign as ambient conditions change. Prior to issuance of a sign permit, the applicant shall provide a written certification from the sign company or sign manufacturer that brightness levels will not exceed 0.3 foot candles above ambient lighting conditions.

(g) That Schedule A to Section 9.12(3) is amended to read as follows:

SCHEDULE A

Pursuant to Section 9.12(3), entitled “Reduction of Non-Digital Billboards through Conversion to, or Replacement by, Digital Billboards,” it is recognized that the City has a goal to reduce in the number of billboards in the City. In addition to ordinary attrition and in addition to the destruction of billboards through Acts of God, lawful nonconforming non-digital billboards that currently

exist within the City may be removed by other means. Specifically, such nonconforming non-digital billboards may be converted to nonconforming digital billboards based upon the trade ratio, the sunset provision, and the other conditions as set forth in this Schedule A.

Except as specifically set forth in this **Schedule A**, no vested rights shall accrue to any person or entity.

This **Schedule A** provides two alternatives for minimum trades of existing billboards or legal non-conforming off-site commercial signs constructed prior to the adoption of this ordinance. Each new digital sign face shall require one of the following alternatives as a pre-condition for the vested right to place one and *no more than one (1) digital billboard sign face* into operation.

- a) Standard billboards - a minimum trade ratio of 4:1, namely *at least* four (4) qualifying nonconforming non-digital billboard sign faces (each qualifying sign face must equal or exceed two hundred twenty-five square feet (225 sq. ft.))
- b) Small billboards - billboards or off-premise commercial signs shall be allowed to trade signs smaller than 225 square feet if the total of all sign faces exceeds 900 square feet.

1) The replacement digital billboard structure shall have no more than two (2) digital faces, with any one digital sign face not exceeding three hundred square feet (300 sq. ft.).

2) The surrounding cabinet or border shall not exceed six inches in width.

3) Each sign face, up to a maximum of two sign faces per billboard structure, qualifies as an existing sign face so that the removal of an existing billboard structure with two (2) or more sign faces qualifies as the removal of two existing sign faces.

4) All sign faces shall be removed from an existing billboard structure and the structure and visible foundation demolished and removed in order for each removed sign face to qualify as an eliminated sign.

5) Each digital changeable face qualifies as a replacement sign face under this schedule. However, each advertising face within a digital changeable face shall not count as an additional replacement sign face.

6) Notwithstanding the foregoing, if an eliminated sign structure has more than two (2) sign faces, only two sign faces count as a qualifying replacement sign face. Each replacement billboard sign structure shall be located at the site of an eliminated sign which was demolished and removed. In other words, all

replacement sign structures are restricted to the locations of qualifying signs eliminated under this Schedule A.

- 7) Replacement signs shall not be relocated to new sites or locations.
- 8) All replacement signs shall meet all requirements and regulations of the City of Opelika and all applicable laws and regulations of the State of Alabama. Absent compliance with the foregoing, no building permit shall issue. If any building permit is issued without complying with the foregoing, then the building permit is void ab initio.

This **Schedule A** provides for a sunset period of twenty-five (25) years for any new digital billboard structure (inclusive of any new digital sign faces), meaning that any new digital billboard structure and any new digital billboard faces that are so placed must be physically removed in their entirety immediately upon the passage of twenty-five (25) years following their placement into operation or following the erection of the new billboard structure, whichever comes first.

Any nonconforming non-digital billboard structure that is voluntarily removed as a result of the loss or termination of lease, or that is substantially destroyed by an Act of God, shall not be eligible to be counted as a “qualifying non-digital billboard structure.”

Any new digital billboard structure, inclusive of its digital billboard face(s), shall be and remain nonconforming under the City’s Zoning Ordinance during the twenty-five (25) year sunset. In the event that any such structure is destroyed by an Act of God or is removed due to a loss or termination of lease before the conclusion of the twenty-five year period, then the structure may not be rebuilt or re-established elsewhere; and, in any such event, the sunset period shall be deemed at an end even though twenty-five year period has not fully elapsed, and any and all vested rights that then existed shall be fully and completely extinguished.

Any new digital billboard structure and its digital billboard faces(s) that may be erected or placed in operation pursuant to this **Schedule A** shall be subjected to the following conditions as to placement [and operation]:

1. Digitally converted billboards (replacement billboards) shall be a minimum of two thousand five hundred (2,500) feet apart from any other digital billboard on the same road facing in the same direction of travel.
2. The new digital billboard structure shall be no higher than thirty (30) feet to the top of the sign structure or sign face from the ground level at the foot of the sign structure.
3. The new digital billboard structure shall only be located on one of the following roads, highways, or locations: I-85 or within one hundred (100) feet of I-85 and the Gateway Overlay Corridor Zoning District. However, no replacement billboard shall be located in the C-1 Zoning District or within the boundaries of any historic preservation district.
4. The new digital sign faces shall not exceed three hundred square feet (300 sf.).
5. The messages on any digital sign face shall not change more frequently than once every ten (10) seconds.
6. Any digital sign shall abide by the brightness and luminance standards as are established from time to time for all digital signs that utilize lighting to display messages.
7. No digitally converted billboard (replacement billboards) shall be placed within any street right-of-way and no closer to the street right-of-way than the existing billboard.
8. Electrical wiring shall run underground from the power source to serve the digitally converted billboard.
9. The City, through appropriate personnel, may exercise its police powers to protect public health, safety and welfare by requiring emergency information to be displayed on digitally converted billboards. Emergency information includes,

but is not limited to AMBER alerts, dangerous criminal alerts, fugitives from justice alerts, weather alerts and emergency management information. Upon notification, and at no cost to the City, the sign operator shall exclusively display the emergency alert for the period of one (1) hour. Thereafter, emergency alerts are to remain in rotation according to the designated issuing agencies protocols.

10. As part of the digital permitting process, the owner of a static billboard sign must identify in its application the following:

- (a) The location of the static billboard face to be replaced
- (b) The size of the static face to be replaced
- (c) The size of the digital billboard face being installed
- (d) The location of ~~four (4)~~ the other billboard faces being removed

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

Section 3. Effective Date. This Ordinance shall become effective upon its adoption, approval and publication as required by law.

Section 4. Publication. The City Clerk is directed to publish a synopsis of this Ordinance in a newspaper of general circulation in the City of Opelika, Lee County, Alabama pursuant to Section 11-45-8(b)(2), Code of Alabama, (1975) as amended.

All interested persons are invited to attend the Public Hearing and be heard. Written comments concerning the above matter may be mailed to the City Clerk at City Hall, P.O. Box 390, Opelika, AL 36803 at any time prior to the Public Hearing and may be further submitted to the City Council at the meeting and Public Hearing.

The City Council reserves the right to modify or alter any of the proposed amendments to the Zoning Ordinance and to make amendments to the Zoning Ordinance.

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.

ADOPTED AND APPROVED this the ____ day of _____, 2020.

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

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR on this the ____ day of _____, 2020.

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2020.

MAYOR

ATTEST:

CITY CLERK